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<tr>
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OPENING OF REGULAR MEETING

-- Call to Order
-- Invocation
-- Pledge of Allegiance
-- Approve the minutes of regular meeting on October 3, 2017

II. CONSENT AGENDA ITEMS 1 THROUGH 17

NOTICE: Items listed under the “Consent Agendas” will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the “Consent Agendas” and considered separately. 

(The Council will be considering the City Council Consent Agenda as well as the Planning, Housing, and Airport Consent Agendas. Please see “ATTACHMENT 1 – CONSENT AGENDA ITEMS” for a listing of all Consent Agenda Items.)

COUNCIL BUSINESS

III. UNFINISHED COUNCIL BUSINESS

1. 2018 Cultural Funding Allocation Recommendations. (Deferred September 5, 2017)

   RECOMMENDED ACTION: Approve the funding allocations recommended for arts and cultural organizations by the Cultural Funding Committee.

IV. NEW COUNCIL BUSINESS

1. Authorization of the Second Five-Year Tax Exemption, Milling Precision Tool. (District IV)

   RECOMMENDED ACTION: Approve the second five-year 31.5% ad valorem tax exemption for Milling Precision Tool.

2. Tobacco Retailer Ordinance Revision.

   RECOMMENDED ACTION: Place the ordinance on first reading and authorize the necessary signatures.
3. **Section 2.10.010 et seq. Creating a Citizen’s Review Board to Provide Assistance to the Wichita Police Department.**

   RECOMMENDED ACTION: Place the ordinance on first reading and authorize the necessary signatures.

4. **Substantial Amendment to the 2017-2018 Fourth Year Annual Action Plan.**

   RECOMMENDED ACTION: Open a public hearing for the substantial amendment to the fourth year Annual Action Plan.

5. **Community Event Resolution, Orie’s Garlic Festival. (District V)**

   RECOMMENDED ACTION: Adopt the Resolution to authorize a use not allowed by the Wichita-Sedgwick County Unified Zoning Code (UZC) at the Orie’s Garlic Fest on October 15, 2017 for off-street parking at a community event, and approve the permit for the community event.

---

**COUNCIL BUSINESS SUBMITTED BY CITY AUTHORITIES**

**PLANNING AGENDA**

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

**V. NON-CONSENT PLANNING AGENDA**

None

**HOUSING AGENDA**

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on the items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion. Andra Martin Housing Member is also seated with the City Council.

**VI. NON-CONSENT HOUSING AGENDA**

1. **Public Hearing - Capital Fund Program 2017 Grant and 2017-2021 Five-Year Action Plan.**

   RECOMMENDED ACTION: Conduct the public hearing; approve the Wichita Housing Authority Public Housing Capital Fund Program 2017-2021 Five-Year Action Plan with the 2017 Annual Statement, including the allowed transfer of 25 percent of the annual grant to Public Housing operations and authorize the necessary signatures to certify the documents for submission to HUD.
2. **Public Hearing - 2018 Annual Agency Plan.**

   **RECOMMENDED ACTION:** Conduct a public hearing; approve the Wichita Housing Authority 2018 Annual Agency Plan; and authorize the necessary signatures to certify the plan for submission to the U.S. Department of Housing and Urban Development.

3. **Rental Assistance Demonstration Consultant.**

   **RECOMMENDED ACTION:** Approve the Gill Group, Incorporated contract and authorize the necessary signatures.

---

**AIRPORT AGENDA**

NOTICE: The City Council is meeting as the governing body of the Airport Authority for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

**VII. NON-CONSENT AIRPORT AGENDA**

None

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**COUNCIL AGENDA**

**VIII. COUNCIL MEMBER AGENDA**

None

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**IX. COUNCIL MEMBER APPOINTMENTS AND COMMENTS**

1. **Board Appointments.**

   **RECOMMENDED ACTION:** Approve the appointments.

Adjournment
(ATTACHMENT 1 – CONSENT AGENDA ITEMS 1 THROUGH 17)

II. CITY COUNCIL CONSENT AGENDA ITEMS


   RECOMMENDED ACTION: Receive and file report; approve the contracts; and authorize the necessary signatures.

2. Applications for Licenses to Retail Cereal Malt Beverages:
   a. List of Application for Licenses to Retail Cereal Malt Beverages.

   RECOMMENDED ACTION: Approve licenses subject to staff review and approval.

3. Preliminary Estimates:
   a. List of Preliminary Estimates.

   RECOMMENDED ACTION: Receive and file.

4. Consideration of Street Closures/Uses:
   a. Community Event - Haute Handmade Pop Up Market. (District VI)
   b. Community Events - Wichita Toy Run. (Districts I, IV and VI)

   RECOMMENDED ACTION: Approve the request subject to; (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; and (3) Securing a Certificate of Liability Insurance on file with the Community Events Coordinator.

5. Design Services Agreements:
   a. Design Agreement for Improvements to Serve Rocky Ford Addition. (District II)

   RECOMMENDED ACTION: Approve agreements/contracts, adopt the resolution and authorize the necessary signatures.

6. Change Orders:
   a. Change Order No. 5 for Improvements to Sandcrest Addition. (District VI)

   RECOMMENDED ACTION: Approve the change orders and authorize the necessary signatures.
7. **Repair or Removal of Dangerous and Unsafe Structures:** (Districts III and VI)

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Council District</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. 422 E. Lincoln St</td>
<td>III</td>
</tr>
<tr>
<td>b. 1318 S. Bluffview Dr</td>
<td>III</td>
</tr>
<tr>
<td>c. 2512 S. Twin Oaks Rd</td>
<td>III</td>
</tr>
<tr>
<td>d. 4448 E. Bayley Dr</td>
<td>III</td>
</tr>
<tr>
<td>e. 247 N. Elizabeth Ave</td>
<td>VI</td>
</tr>
</tbody>
</table>

RECOMMENDED ACTION: Adopt the attached resolutions to schedule public hearings before the City Council on November 21, 2017 at 09:30 a.m. or as soon as possible thereafter, to consider condemnation of structures deemed dangerous and unsafe per Kansas State Statutes and local ordinances.

8. **2016 Community Services Block Grant Budget Adjustment.**

RECOMMENDED ACTION: Approve the 2016 Community Services Block Grant (CSBG) request for budget adjustment.


10. **Contracts and Agreements for September 2017.**

RECOMMENDED ACTION: Receive and file.

11. **Linwood Park Improvements.** (District I)

RECOMMENDED ACTION: Adopt the bonding resolution, authorize the necessary signatures and initiation of the project.

12. **Water Treatment Plant Roof Rehabilitation- Filter Gallery.**

RECOMMENDED ACTION: Approve the project as a design-build and approve release of the Request for Proposal for design-build services.

13. **Second Reading Ordinances:** (First Read October 3, 2017)

RECOMMENDED ACTION: Adopt the Ordinances.
II. CONSENT PLANNING AGENDA ITEMS

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5 p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

14. *SUB2017-00032 -- Plat of BG Products Addition Located on the South Side of West Kellogg Drive, West of South Main Street. (District III)

RECOMMENDED ACTION: Approve the documents and plat, authorize the necessary signatures and adopt the Resolution.

15. *VAC2015-00022 – City Request to Vacate a Platted Alley Located Between Lincoln and Morris Streets, Santa Fe Avenue and Railroad Right-of-Way. (District III)

RECOMMENDED ACTION: Approve the Vacation Order (simple majority of four votes required) and authorize the necessary signatures.

16. *ZON2010-00028 Ordinance For a Zone Change Request From the Single-Family Residential (SF-5) District to the Limited Commercial (LC) District and Office Warehouse (OW) District on Property Generally Located on the West Side of North Meridian Avenue and North of West K-96 Highway. (Associated With CUP2010-00016). (District VI)

RECOMMENDED ACTION: Rescind the one-year platting requirement imposed on the Zone Change Request, authorize the Mayor to sign the Ordinance, place the Ordinance on first reading, and publish the Ordinance.

II. CONSENT HOUSING AGENDA ITEMS

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on the items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion. Andra Martin, Housing Member is also seated with the City Council.

None

II. CONSENT AIRPORT AGENDA ITEMS

NOTICE: The City Council is meeting as the governing body of the Airport Authority for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.


RECOMMENDED ACTION: Receive and file report, approve the contracts and authorize the necessary signatures.
TO: Mayor and City Council

SUBJECT: 2018 Cultural Funding Allocation Recommendations (All Districts)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Unfinished Business

Recommendation: Approve the 2018 funding allocations recommended for arts and cultural organizations by the Cultural Funding Committee.

Background: In 2005, the City Council approved the formation of the Cultural Funding Committee consisting of 11 members. Members of the City Council appointed seven members. The Arts Council appointed four members. The committee consists of representatives from government, education, business, philanthropy, arts organizations and the public at large. The committee was assigned the responsibility to make recommendations to the City Manager and members of the City Council on allocation of additional funding through operational grants for arts and cultural organizations.

On July 16, 2013, the Wichita City Council approved the update to the 2008 Cultural Arts Plan. Notable changes in the plan included:

- A change in the definition of an arts and cultural organization that resulted in the elimination of zoological and botanical organizations. This change made the Sedgwick County Zoological Society ineligible to apply for Cultural Funding.
- The placement of Botanica under the management of the City’s Parks & Recreation Department, eliminating the need for Botanica to apply for Cultural Funding and the need to negotiate an Operating Partnership agreement.
- A redefinition of the “Group One” organizations to “Cultural Institutions” that are now defined as “organizations which have operations and activities in facilities that are owned and/or operated by the City of Wichita and which have annual revenues in excess of $50,000 for at least two preceding years.”
- The creation of three separate grant categories: Cultural Funding Operational grants that are open to application from 501(c)(3) arts and cultural organizations in Wichita; Developing Arts grants that are open to 501(c)(3) organizations with annual operating budgets less than $50,000 for technical assistance; and Artist Access grants, given to professional and emerging artists for professional development.
- The grouping of Cultural Funding Operational grant applications by the size of the applying organization’s annual operating budget so like-sized organizations compete against like-sized organizations.

Analysis: The Cultural Funding Committee completed its review of the submitted applications and recommends funding 19 Cultural Funding Operational grants, two Developing Arts grants and three Artist Access grants. Organizations are grouped and reviewed by size. Small organizations have annual operating budgets of $249,999 or less. Medium organizations have annual operating budgets of $250,000 to $499,999 and large organizations have operating budgets of $500,000 or more. The organizations will enter into contracts with the City once the funding amounts have been approved as part of the City of Wichita Budget. These contracts require organizations to demonstrate that they meet excellence criteria developed for Performance Measures. The contracts also allow the City to audit organizations in order to ascertain how the funding was used. The funding recommendations as part of the budget are listed below:
<table>
<thead>
<tr>
<th>Organization Name</th>
<th>FY2017 Amount Approved</th>
<th>FY2018 Amount Requested</th>
<th>Average Score</th>
<th>FY2018 FINAL Amount Recommended</th>
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</thead>
<tbody>
<tr>
<td>American Guild of Organist</td>
<td>$505</td>
<td>$650</td>
<td>62</td>
<td>$650</td>
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<tr>
<td>Ballet Wichita</td>
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<td>73</td>
<td>$13,193.39</td>
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<td>Chamber Music at the Barn</td>
<td>$14,755</td>
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<td>Emerald City Chorus - Sweet Adelines</td>
<td>$0</td>
<td>$4,000</td>
<td>53</td>
<td>$0</td>
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<td>Fisch Bowl, Inc.</td>
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<td>$1,236.64</td>
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<td>$4,000</td>
<td>62</td>
<td>$2,634.36</td>
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<tr>
<td>Music Theatre for Young People</td>
<td>$6,036</td>
<td>$22,800</td>
<td>60</td>
<td>$6,030.91</td>
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<td>Opera Kansas</td>
<td>$5,858</td>
<td>$7,400</td>
<td>69</td>
<td>$6,457.82</td>
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<tr>
<td>Regina Klenjoski Dance Company</td>
<td>Did not apply</td>
<td>$11,847</td>
<td>47</td>
<td>$0</td>
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<tr>
<td>Wichita Jazz Festival</td>
<td>$967</td>
<td>Did not apply</td>
<td>Did not apply</td>
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<tr>
<td>Wichita Chamber Chorale</td>
<td>$3,219</td>
<td>$5,250</td>
<td>61</td>
<td>$3,382.36</td>
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<td>Arts Partners, Inc.</td>
<td>$29,762</td>
<td>$61,000</td>
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<td>$21,421.50</td>
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<td>Friends of Great Plains Nature Center</td>
<td>$5,787</td>
<td>$12,000</td>
<td>67</td>
<td>$6,765</td>
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<td>The Kansas African American Museum</td>
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<td>$22,424.73</td>
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<td>Tallgrass Film Association</td>
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<td>$48,741</td>
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<td>$35,203.91</td>
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<td>Wichita Public Library Foundation</td>
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<td>HI</td>
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<tr>
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<td>-----------</td>
<td>-----------</td>
<td>-----</td>
<td>--------------------</td>
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<td>Orpheum Performing Arts Centre, Ltd</td>
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<td>Ulrich Museum</td>
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<td>Wichita Children's Theatre</td>
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<td>Wichita Grand Opera</td>
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<td>$89,000</td>
<td>55</td>
<td>$0</td>
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<td>Wichita Symphony Society</td>
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<td>$60,675</td>
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<td><strong>Total Supplemental</strong></td>
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**Developing Arts Applications**

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<th>Organization</th>
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<th>Available</th>
<th>Total Developing Arts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emerald City Chorus - Sweet Adelines</td>
<td>Did not apply</td>
<td>$2,000</td>
<td>$0</td>
</tr>
<tr>
<td>Griot's Storytelling Institute</td>
<td>$0</td>
<td>$3,737.50</td>
<td>$2,500</td>
</tr>
<tr>
<td>Opera Kansas</td>
<td>Did not apply</td>
<td>$2,134</td>
<td>$1,500</td>
</tr>
<tr>
<td><strong>Total Developing Arts</strong></td>
<td>$0</td>
<td>$7,871.50</td>
<td>$4,000</td>
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</tbody>
</table>

**Artist Access**

<table>
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<tr>
<th>Organization</th>
<th>Requested</th>
<th>Available</th>
</tr>
</thead>
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<tr>
<td>Angeline Edmondson</td>
<td>$505</td>
<td>Did not apply</td>
</tr>
<tr>
<td>Christopher Gulick</td>
<td>$1,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>Jennifer Larsen</td>
<td>Did not apply</td>
<td>$1,000</td>
</tr>
</tbody>
</table>
As part of the Cultural Arts Plan Update, the former Group One organizations were reclassified as “Cultural Institutions.” Organizations that were classified as Cultural Institutions entered into separate Operating Partnership Agreements with a designated funding amount that is changed annually to ensure a funding level that provides a consistent millage equivalent. Maintenance responsibilities were also identified in each of the organization’s agreements. Organizations that have entered into Operating Partnership Agreements with the City include the Wichita Art Museum, Museum of World Treasures, Kansas Aviation Museum, Mid-America All-Indian Center, Arts Council, Inc., Old Cowtown Museum*, CityArts* and Wichita Sedgwick County Historical Museum.

Organizations that have Operating Partnership Agreements with the City are expected to submit an annual performance report, which is reviewed on an annual basis by a committee comprised of the City Manager or his designee, a representative from Law, a representative from Finance, two ex-officio City Council members who serve on the Arts Council, the chair person for the Cultural Funding Committee, the president of the Arts Council and the Division Manager of Arts and Cultural Services. Performance measures are outlined in the Operating Agreements for each organization. The committee reviews the annual report and performance measures for each Cultural Institution to determine the overall health of the organization and makes recommendations for improvement if needed.

*Daily operations are managed by the Division of Arts & Cultural Services for Cowtown and CityArts so it is not possible to have an Operating Partnership Agreement with the facility. However, they are held to the same Performance Measures as the other Cultural Institutions.

**Financial Consideration:** The amount provided to arts institutions and for grants in 2017 was $410,620. Based on the projected assessed valuation increase for 2018, the 2018 Adopted Budget includes $423,281 for arts institutions and grants. The Cultural Funding Committee recommendations are aligned with this budgeted amount. Once the final assessed valuation growth is determined (which usually occurs in November) the proposed allocations will be adjusted if necessary.

**Legal Consideration:** Upon City Council approval for the funding recommendations, the Law Department will create and modify contracts with the Cultural Funding, Developing Arts and Artist Access recipients, which will be brought back at a future date for final City Council approval.

**Recommendations/Action:** It is recommended that the City Council approve the funding allocations recommended for arts and cultural organizations by the Cultural Funding Committee.

**Attachments:** None
TO: Mayor and City Council

SUBJECT: Authorization of the Second Five-Year Tax Exemption (Milling Precision Tool) (District IV)

INITIATED BY: Office of Economic Development

AGENDA: New Business

Recomendaion: Approve the second five-year property tax abatement.

Background: On June 5, 2012, the Wichita City Council approved an Economic Development Tax Exemption (EDX) for Milling Precision Tool (MPT), located at 4225 W. 31st St. South in Southwest Wichita. Under the City’s Economic Development policy, MPT qualified for a 31.5% exemption on real property for a five-plus-five year basis. MPT has exceeded the projected job creation of four new jobs and is requesting approval of the second five-year tax exemption.

Milling Precision Tool is in the Advanced Manufacturing cluster of the Blueprint for Regional Economic Growth (BREG) and is a main supplier to another BREG cluster, Aerospace.

Analysis: Milling Precision Tool manufactures detailed parts and components for general aviation, aerospace and military aircraft utilizing three and four axis milling machines. It also provides some small assembly of kits. Its primary markets are Kansas, North Carolina, Texas, Georgia, Mississippi, Turkey and Mexico. MPT operated in a 17,500 square-foot office and manufacturing facility until 2012, when it added an additional 6,700 square feet of manufacturing space. The 2012 expansion included acquisition of new machinery and equipment at a cost of $900,000.

MPT had 21 employees in 2012, and projected adding four new jobs over the next five years, bringing total employment to 25. To date, MPT has added 12 new jobs over the five-year period for a total employment of 33. The expansion project included constructing and equipping a 6,700 square-foot expansion of the existing facility at a cost of approximately $1,150,000.

<table>
<thead>
<tr>
<th>Commitment</th>
<th>Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Annual Salary $31,200</td>
<td>Average Annual Salary $38,035</td>
</tr>
<tr>
<td>Construction of a new 6,700 building</td>
<td>Completed 6,700 square-foot facility</td>
</tr>
<tr>
<td>Create four new jobs in five years</td>
<td>Created 12 new jobs</td>
</tr>
</tbody>
</table>

Financial Considerations: MPT qualified for a 31.5% ad-valorem tax exemption for the 2012 expansion project. Under the City’s Economic Development Policy, the company qualifies for the 31.5% ad valorem tax exemption for an additional five years.
A new benefit/cost analysis was conducted by the Center for Economic Development and Business Research at Wichita State University with the following ratio of benefits to costs:

<table>
<thead>
<tr>
<th></th>
<th>Projected Benefit to Cost Ratio</th>
<th>Actual Benefit to Cost Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Wichita</td>
<td>5.00 to 1</td>
<td>10.36 to 1</td>
</tr>
<tr>
<td>City of Wichita – General Fund</td>
<td>4.49 to 1</td>
<td>8.48 to 1</td>
</tr>
<tr>
<td>City of Wichita – Debt Service Fund</td>
<td>5.44 to 1</td>
<td>14.30 to 1</td>
</tr>
<tr>
<td>Sedgwick County</td>
<td>4.10 to 1</td>
<td>7.09 to 1</td>
</tr>
<tr>
<td>USD 259</td>
<td>3.17 to 1</td>
<td>4.68 to 1</td>
</tr>
<tr>
<td>State of Kansas</td>
<td>118.43 to 1</td>
<td>290.42 to 1</td>
</tr>
</tbody>
</table>

Based on the actual county appraisal of the improved property, the amount of exempted ad-valorem property taxes in 2016 was $1,757. The company paid $19,659.21 in property taxes in 2016 for the existing facility that was not exempted.

**Legal Considerations:** According to the Economic Development Incentive Agreement, approval of the second five-year tax exemption is at the discretion of the City Council.

**Recommendations/Actions:** It is recommended that City Council approve the second five-year 31.5% ad valorem tax exemption for Milling Precision Tool.

**Attachments:** None
TO: Mayor and City Council

SUBJECT: Tobacco Retailer Ordinance Revision (All Districts)

INITIATED BY: Department of Public Works & Utilities

AGENDA: New Business

Recommendation: Place the ordinance on first reading.

Background: Since 1994 the City of Wichita has issued permits to tobacco retailers per City Ordinance 7.60. The tobacco compliance program is housed in Environmental Health and aims to prevent youth access to tobacco products in retail stores. The tobacco compliance rate (refusal to sell to minors under supervision by Environmental Health staff) was 91% in 2016. City Ordinance 7.60 has not been updated since 1994 (except to raise the permit fee in 2013).

Analysis: New tobacco and nicotine-containing products are now on the market, which are not covered by the current ordinance. For example, since 2012 state law has prohibited the sale of e-cigarettes, vaping devices, and e-juice to minors; however, the City is unable to enforce this restriction because such nicotine-containing products are not addressed in the current ordinance. Other proposed changes are intended to improve the tobacco compliance rate by discouraging retailers from selling to minors. A list of the proposed revisions is attached.

A community survey conducted by Tobacco Free Wichita indicated strong support for including the new alternative tobacco products in the City’s ordinance. Feedback on the proposed revisions was collected from existing permit holders, vape shop owners, and Tobacco Free Wichita. Letters were mailed to all current and future potential licensees, information was posted on the City’s website, and two stakeholder meetings were offered. Six comments were received: five were in support of the ordinance and one was in opposition to the proposed change under 7.60.040(b), which would prohibit minors from selling tobacco products.

Financial Considerations: The $200 tobacco establishment permit fee will not change; however staff estimates that approximately 30 establishments, which sell electronic vaping devices will need to obtain a permit. This will result in $6,000 in new revenue, which will offset tobacco compliance program costs.

Legal Considerations: The Law Department has reviewed and approved the ordinance as to form.

Recommendations/Actions: It is recommended that the City Council place the ordinance on first reading and authorize the necessary signatures.

Attachments: City ordinance 7.60, delineated City ordinance 7.60, summary of ordinance changes, and summary of public comments.
The proposed revisions to City of Wichita ordinance 7.60 pertaining to the sale of cigarettes and tobacco products would make the following changes to the current ordinance:

- 7.60.010: Add definitions for “electronic vaping devices,” “hookah product,” “permit holder”
- 7.60.010: Replace “health officer” with “Director of Public Works & Utilities” or designee to reflect current program chain of command
- 7.60.010: Add smokeless tobacco, products intended to mimic tobacco, and products which deliver nicotine (electronic vaping devices and hookah products) to the definition of “tobacco products”
- 7.60.020 (a): Require establishments selling electronic vaping devices and e-juice to obtain a tobacco license from the City within 30 days (if not already licensed by the City to sell tobacco products)
- 7.60.030 (a): Correct a typo in existing ordinance which listed the permit fee as $250 instead of $200 (as approved by City Council in 2013)
- 7.60.040 (a) & (b): Prohibit minors from possessing hookah and vaping devices and e-juice, and prohibit individuals from selling or providing such products to minors
- 7.60.040 (b): Prohibit minors from selling all tobacco products
- 7.60.040 (c): Require age verification for any person attempting to purchase tobacco products if the person appears to be under the age of 27
- 7.60.050 (c): Require the holder of a permit that has been suspended or revoked to remove all products and advertising from view of the consumer until the suspension or revocation has been lifted.
- 7.60.060 (a): Add a provision allowing permit holders to appeal a permit suspension or revocation to the City Treasurer prior to appeal to City Council.
- 7.60.080 (a): Change possession by a minor from a misdemeanor to an infraction. Fine amount is unchanged ($55 for first offense), and community service can be imposed in lieu of fine.
- 7.60.100: Add a non-conflict of law statement.
Ordinance Revisions – Chapter 7.60
Sale of Cigarettes and Tobacco Products

Final Tobacco Stakeholder Feedback Summary

Stakeholder outreach strategy included the following elements:

- 10-day comment periods Aug. 14-23 and Aug. 31-Sep. 9
- Two stakeholder meetings (August 18 at 10am and August 21 at 6pm)
- Mailing including meeting notice, proposed ordinance revisions, and feedback form sent to all current Wichita tobacco licensees and to vape shops which would require a new license under the proposed ordinance
- SurveyMonkey online survey
- Option for submitting comments by phone or email
- Phone calls to staff at Tobacco Free Wichita
- Information on City’s tobacco page

Results – 1st 10-day comment period

- 267 letters were mailed on August 10 to current and potential future licensees representing 384 establishments. Chain retailers such as Dillons, Walmart, and Walgreens were contacted by phone to confirm that one letter to the owner or corporate office was sufficient. Three feedback forms were returned to the City.
- One staff person from Tobacco Free Wichita attended one of the stakeholder meetings; no other stakeholders showed up.
- One SurveyMonkey response was received.
- One person provided comments by phone.
- No emails were received.

Comments were received from six individuals. Five of the six individuals indicated support for the proposed ordinance and/or regulating e-cigarette products in particular. One individual opposes the proposed change under 7.60.040(b) which would prohibit minors from selling tobacco products. All comments are provided on the next page.

Results – 2nd 10-day comment period

- No changes to the revised ordinance were made as a result of the first comment period.
- No comments received during the second comment period.
Comments received (1st comment period):

Feedback form 1 & 2: “We support the revised ordinance for adding vaping devices and e-juice under tobacco products as they might help in avoiding sale to minors. We do not oppose the ordinance.”

(Identical comments were submitted from two individuals at separate establishments)

Feedback form 3: “7.60.040 (b) I would ask that you reconsider this. I have always employed high school age pt time employees. It has been legal for them to “ring up” tobacco products. If this changes, I would have to move my employment age from min. of 16 yrs to 18 yrs of age. They are always trained & supervised in sales of tobacco, and the law governing such sales. I do not feel it is necessary to prohibit them from tendering the sale.”

SurveyMonkey: “Vapes are tobacco related item should be banned to minors.” [sic]

Phone (voicemail): “E-juice and vaping products should be regulated like tobacco products...everyone selling these products should have the same license.”

Stakeholder meeting: Staff from Tobacco Free Wichita voiced general support of the proposed ordinance.
ORDINANCE NO.___

AN ORDINANCE AMENDING SECTIONS 7.60.010, 7.60.020, 7.60.030, 7.60.040, 7.60.050, 7.60.060, 7.60.070, 7.60.080 AND CREATING 7.60.100 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO TOBACCO – SALE OF CIGARETTES AND TOBACCO PRODUCTS REPEALING THE ORIGINAL OF SAID SECTIONS.

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

SECTION 1. Section 7.60.010 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Definitions.

As used in this chapter the following words shall have the following meanings:

“Cigarettes” means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape, and irrespective of tobacco being flavored, adulterated or mixed with any other ingredient if the wrapper is in greater part made of any material other than tobacco.

“Conviction” means, for the purposes of this chapter, any court adjudication of guilt, diversion, or deferred judgment or payment of the fine if ticket was not contested in court.

“Director of Public Works and Utilities” includes any designee.

“Electronic vaping devices” means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
“Health officer” means the Director of the Wichita Sedgwick County Department of Community Health City of Wichita Public Works and Utilities and his or her authorized representative.

“Hookah product” means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant material.

“Permit holder” means any person to whom a current permit has been issued under this Chapter authorizing such person to conduct the business within the city limits.

“Person” means any person, firm, partnership, association, corporation, company or organization of any kind.

“Package” means a container in which no more than 25 individual cigarettes are wrapped and sealed by the manufacturer of cigarettes prior to shipment to a wholesale dealer.

“Tobacco products” means cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; fine cut and other chewing tobacco; short; refuse scraps, clippings, cuttings, and sweepings of tobacco, and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but shall not include cigarettes. All tobacco-derived products or nicotine delivery products, including but not limited to, cigarettes, electronic vaping devices, cigars, hookah products, pipes, and oral and smokeless tobacco (spit and spitless, chew and snuff) and nasal tobacco. It also includes any herbal product intended to mimic tobacco, contain tobacco flavoring or deliver nicotine.

“Sample” means cigarettes, tobacco products, hookah products, liquid or electronic vaping devices distributed to members of the general public at no cost for the purpose of promoting the product.
"Vending machine" means any coin, currency or token operated machine, contrivance or device, by means of which cigarettes or tobacco products are sold in their original package.

SECTION 2. Section 7.60.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Permit required—Nontransferable—Expiration date. It is unlawful for any person to:

(a) Business Permit. Engage in the operation of a business selling, excluding selling by vending machine, cigarettes or tobacco products at one or more locations within the city, unless such person has procured from the Wichita-Sedgwick County Department of Community Health City of Wichita Public Works & Utilities a permit to engage in such business at each such location. Provided, however, that persons operating such a business on the effective date of the ordinance codified in this section shall make application for such permit within 30 days of said effective date and may continue to operate such business until the permit is obtained.

(b) Vending Machine Permit. Engage in the operation of a business of selling cigarettes or tobacco products from one or more vending machines unless such person has procured from the Wichita-Sedgwick County Department of Community Health City of Wichita Public Works & Utilities a permit for each such vending machine and one business permit as required by subsection (a) of this section that shall be deemed a Such business permit is applicable to all locations at which that person sells cigarettes or tobacco products from a vending machine.
(c) A permit issued under this section is nonassignable and nontransferable. Each permit issued under this section shall expire on December 31st of the year in which issued.

SECTION 3. Section 7.60.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Permit fee.

(a) The fee for each business permit required by Section 7.60.020(a) of this chapter shall be $250.00 200.00 per year.

(b) The fee for the vending machine permit required by Section 7.60.020(b) of this chapter shall be $12.00 dollars per year for each vending machine.

SECTION 4. Section 7.60.040 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Prohibited conduct.

It is unlawful for any person:

(a) To sell, give away, or provide in any manner, cigarettes or tobacco products to any person under the age of 18 years;

(b) For any person under the age of 18 years to purchase or possess cigarettes or attempt to purchase or possess or tobacco products; provided, however, that this shall not prohibit such person from working as an employee at a place where cigarettes and tobacco products are sold so long as the minor does not possess or sell the tobacco products; nor shall this ordinance prohibit government employees and volunteers from undercover purchases or attempts to purchase carried out for the purpose of enforcing this chapter and any applicable state or federal law.
(c) To sell or deliver cigarettes or tobacco products to any person who appears to be under the age of 21 years without having first verified the person's age by means of a photographic identification card such as a driver's license, state identification card, passport or military identification;

(d) To sell cigarettes in broken packages; or

(e) To sell cigarettes or tobacco products in a vending machine which does not clearly identify the operator of the machine, and which does not bear a conspicuous notice stating:

   It is illegal for anyone under the age of eighteen years to purchase cigarettes or other tobacco products, K.S.A. 79-3321, 79-3390.

Provided, however, that in the event a machine is found to not have such a notice, the operator of the machine shall be notified and given seven days within which to place such notice on the machine before being charged with a violation of this requirement;

(f) To sell cigarettes or tobacco products in a vending machine in any establishment, or portion thereof, which is open to minors; provided, however, that this section shall not apply to:

(1) the installation and use by the proprietor, or his or her agent, or employees, of tobacco vending machines behind a counter, or in some place in such establishment, or portion thereof, to which access by minors is prohibited by law,

(2) The installation and use of a tobacco vending machine in a commercial building, or industrial plant, or portions thereof, where the public is not
customarily admitted and where machines are intended for the sole use of
the employees employed therein who are not minors, or

(3) A vending machine which has a lock-out device which is inoperable in the
continuous standby mode, and which requires manual activation by the
person supervising the operation of the machine each time a package of
cigarettes tobacco products is purchased.

SECTION 5. Section 7.60.050 of the Code of the City of Wichita, Kansas is hereby
amended to read as follows:

Suspension or Revocation of Permit

(a) A permit for the sale of cigarettes or tobacco products issued under this chapter may
be suspended or revoked by the health officer Director of Public Works & Utilities:

(a) (1) For a period of up to seven days upon any conviction of the permit
holder or any employee or designee of the permit holder for any
violation of this chapter;

(b) (2) For a period of up to 14 days upon the second conviction of the permit
holder or any employee or designee of the permit holder for any
violation of this chapter within six months;

(e) (3) For a period of up to six months upon the third conviction of the
permit holder or any employee or designee of the permit holder for
any violation of this chapter within one year.

(b) Notice of Suspension or Revocation

For the purposes of subsections (a) of this section, the Director of Public Works and
Utilities shall provide written notice of the intent to suspend or revoke a permit by
personal service or by certified mail, return receipt requested. The notice shall be sent to
the mailing address of the licensee on file with the city treasurer. The notice shall provide
the effective date of the revocation or suspension of the license or permit. Such notice
shall detail the reasons or basis for the suspension or revocation of the license or permit
and shall specify the rights of the licensee to appeal any such revocation or suspension.

(c) Removal of Product

The permit holder of any permit for the sale of cigarettes or tobacco products that has
been suspended or revoked is required to remove all products and advertising for those
products from view of the consumer, until suspension or revocation has been removed
from the permit. Failure to remove items is punishable by 7.60.080.

SECTION 6. Section 7.60.060 of the Code of the City of Wichita, Kansas is hereby
amended to read as follows:

Appeal from Suspension, or Revocation

(a) An order of suspension or revocation entered by the health officers shall be subject
to appeal to the governing body of the city. Such appeal shall be in writing setting
forth with sufficient particularity the order or orders appealed and the reasons why
such order or orders should be reviewed. An aggrieved party shall have the right to
be heard and to present evidence at the hearing set for such purpose.

Any applicant, licensee or permit holder aggrieved by the suspension or
revocation of a permit may file with the city treasurer a written notice of appeal
within ten business days of the decision by the Director of Public Works or
designee. The notice of appeal shall specify:

(1) The name and address of the appellant;
(2) The date of application;

(3) The date of the suspension of the license, permit or application; and

(4) The factual basis for the appeal.

(b) Upon receipt of a complete and timely filed notice of appeal, the city treasurer shall schedule a hearing no later than ten days from the date of the filing of the notice of appeal, unless good cause is shown for a delay. Any appeal shall stay the suspension or revocation of the license or permit until the matter is heard by the city treasurer.

(c) The city treasurer may approve the suspension or revocation, overrule the suspension, or revocation or modify the decision of the Director of Public Works or designee.

(d) In any hearing before the city treasurer pursuant to this section, a certified copy of conviction from any local or state court is prima facie evidence of a violation.

(e) The city treasurer's decision may be appealed to the Eighteenth Judicial District Court of the State of Kansas pursuant to K.S.A. 60-2101 and any amendments thereto. Any such appeal to the district court shall not stay the suspension or revocation of the permit, or any modification imposed thereupon by the city treasurer.

SECTION 7. Section 7.60.070 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

Enforcement

Enforcement of the provisions of this chapter shall be primarily by the health officer and such employees of the Wichita Sedgwick County Department of Community Health as may be
designated by the health officer—the Director of Public Works & Utilities and his/her designated representative. In addition, commissioned law enforcement officers are authorized to enforce this chapter.

SECTION 8. Section 7.60.080 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

Penalty

(a) Any person convicted of violating the provisions of this chapter—Section 7.60.040 (b) shall be guilty of a misdemeanor a tobacco infraction and upon conviction shall be fined $25. $55 for a first offense; $100 for a second offense, and $150 for a third or subsequent offense. Each day’s violation shall be a separate offense. A request to the appropriate court may be made that consideration be given to community service for the offender as an alternative to the set fine.

(b) Any person convicted of violating the provisions of this chapter other than 7.60.040(b) shall be guilty of a misdemeanor.

SECTION 9. Section 7.60.100 of the Code of the City of Wichita, Kansas is hereby created to read as follows:

Conflict of Law

Nothing in this chapter shall be interpreted to authorize any person licensed hereunder to transact business selling or providing cigarettes or tobacco products in violation of any state statute or federal law governing such sales or activities, nor shall compliance with the provisions of this chapter relieve any person from compliance with any state statutes or federal laws governing such sales or activities.

SECTION 10. The original Sections 7.60.010, 7.60.020, 7.60.030, 7.60.040, 7.60.050, 7.60.060, 7.60.070, 7.60.080 of the Code of the City of Wichita, Kansas, are hereby repealed.
SECTION 11. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this ______ day of October, 2017.

______________________________
Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magana, Director of Law and City Attorney
ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS 7.60.010, 7.60.020, 7.60.030, 7.60.040, 7.60.050, 7.60.060, 7.60.070, 7.60.080 AND CREATING 7.60.100 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO TOBACCO – SALE OF CIGARETTES AND TOBACCO PRODUCTS REPEALING THE ORIGINAL OF SAID SECTIONS.

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

SECTION 1. Section 7.60.010 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Definitions.

As used in this chapter the following words shall have the following meanings:

“Cigarettes” means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape, and irrespective of tobacco being flavored, adulterated or mixed with any other ingredient if the wrapper is in greater part made of any material other than tobacco.

“Conviction” means, for the purposes of this chapter, any court adjudication of guilt, diversion, or deferred judgment or payment of the fine if ticket was not contested in court.

“Director of Public Works and Utilities” includes any designee.

“Electronic vaping devices” means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.
“Hookah product” means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant material.

“Permit holder” means any person to whom a current permit has been issued under this Chapter authorizing such person to conduct the business within the city limits.

“Person” means any person, firm, partnership, association, corporation, company or organization of any kind.

“Package” means a container in which no more than 25 individual cigarettes are wrapped and sealed by the manufacturer of cigarettes prior to shipment to a wholesale dealer.

“Tobacco products” means all tobacco-derived products or nicotine delivery products, including but not limited to, cigarettes, electronic vaping devices, cigars, hookah products, pipes, and oral and smokeless tobacco (spit and spittleless, chew and snuff) and nasal tobacco. It also includes any herbal product intended to mimic tobacco, contain tobacco flavoring or deliver nicotine.

“Sample” means cigarettes, tobacco products, hookah products, liquid or electronic vaping devices distributed to members of the general public at no cost for the purpose of promoting the product.

“Vending machine” means any coin, currency or token operated machine, contrivance or device, by means of which tobacco products are sold in their original package.

SECTION 2. Section 7.60.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Permit required—Nontransferable—Expiration date. It is unlawful for any person to:
(a) Business Permit. Engage in the operation of a business selling, excluding selling by vending machine, tobacco products at one or more locations within the city, unless such person has procured from the City of Wichita Public Works & Utilities a permit to engage in such business at each such location. Provided, however, that persons operating such a business on the effective date of the ordinance codified in this section shall make application for such permit within 30 days of said effective date and may continue to operate such business until the permit is obtained.

(b) Vending Machine Permit. Engage in the operation of a business of selling tobacco products from one or more vending machines unless such person has procured from the City of Wichita Public Works & Utilities a permit for each such vending machine and one business permit as required by subsection (a). Such business permit is applicable to all locations at which that person sells tobacco products from a vending machine.

(c) A permit issued under this section is nonassignable and nontransferable. Each permit issued under this section shall expire on December 31st of the year in which issued.

SECTION 3. Section 7.60.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

   Permit fee.

(a) The fee for each business permit required by Section 7.60.020(a) of this chapter shall be 200.00 per year.
(b) The fee for the vending machine permit required by Section 7.60.020(b) of this chapter shall be $12.00 dollars per year for each vending machine.

SECTION 4. Section 7.60.040 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Prohibited conduct.

It is unlawful for any person:

(a) To sell, give away, or provide in any manner, tobacco products to any person under the age of 18 years;

(b) For any person under the age of 18 years to purchase or possess or attempt to purchase or possess or tobacco products; provided, however, that this shall not prohibit such person from working as an employee at a place where tobacco products are sold so long as the minor does not possess or sell the tobacco products; nor shall this ordinance prohibit government employees and volunteers from undercover purchases or attempts to purchase carried out for the purpose of enforcing this chapter and any applicable state or federal law.

(c) To sell or deliver tobacco products to any person who appears to be under the age of 27 years without having first verified the person's age by means of a photographic identification card such as a driver's license, state identification card, passport or military identification;

(d) To sell cigarettes in broken packages; or

(e) To sell tobacco products in a vending machine which does not clearly identify the operator of the machine, and which does not bear a conspicuous notice stating:

It is illegal for anyone under the age of eighteen years to purchase cigarettes or other tobacco products, K.S.A. 79-3321.
Provided, however, that in the event a machine is found to not have such a notice, the operator of the machine shall be notified and given seven days within which to place such notice on the machine before being charged with a violation of this requirement;

(f) To sell tobacco products in a vending machine in any establishment, or portion thereof, which is open to minors; provided, however, that this section shall not apply to:

(1) the installation and use by the proprietor, or his or her agent, or employees, of tobacco vending machines behind a counter, or in some place in such establishment, or portion thereof, to which access by minors is prohibited by law,

(2) The installation and use of a tobacco vending machine in a commercial building, or industrial plant, or portions thereof, where the public is not customarily admitted and where machines are intended for the sole use of the employees employed therein who are not minors, or

(3) A vending machine which has a lock-out device which is inoperable in the continuous standby mode, and which requires manual activation by the person supervising the operation of the machine each time a package of cigarettes tobacco products is purchased.

SECTION 5. Section 7.60.050 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

Suspension or Revocation of Permit

(a) A permit for the sale of cigarettes or tobacco products issued under this chapter may be suspended or revoked by the Director of Public Works & Utilities:
(1) For a period of up to seven days upon any conviction of the permit holder or any employee or designee of the permit holder for any violation of this chapter;

(2) For a period of up to 14 days upon the second conviction of the permit holder or any employee or designee of the permit holder for any violation of this chapter within six months;

(3) For a period of up to six months upon the third conviction of the permit holder or any employee or designee of the permit holder for any violation of this chapter within one year.

(b) Notice of Suspension or Revocation

For the purposes of subsections (a) of this section, the Director of Public Works and Utilities shall provide written notice of the intent to suspend or revoke a permit by personal service or by certified mail, return receipt requested. The notice shall be sent to the mailing address of the licensee on file with the city treasurer. The notice shall provide the effective date of the revocation or suspension of the license or permit. Such notice shall detail the reasons or basis for the suspension or revocation of the license or permit and shall specify the rights of the licensee to appeal any such revocation or suspension.

(c) Removal of Product

The permit holder of any permit for the sale of cigarettes or tobacco products that has been suspended or revoked is required to remove all products and advertising for those products from view of the consumer, until suspension or revocation has been removed from the permit. Failure to remove items is punishable by 7.60.080.
SECTION 6. Section 7.60.060 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

Appeal from Suspension, or Revocation

(a) Any applicant, licensee or permit holder aggrieved by the suspension or revocation of a permit may file with the city treasurer a written notice of appeal within ten business days of the decision by the Director of Public Works or designee. The notice of appeal shall specify:

(1) The name and address of the appellant;

(2) The date of application;

(3) The date of the suspension of the license, permit or application; and

(4) The factual basis for the appeal.

(b) Upon receipt of a complete and timely filed notice of appeal, the city treasurer shall schedule a hearing no later than ten days from the date of the filing of the notice of appeal, unless good cause is shown for a delay. Any appeal shall stay the suspension or revocation of the license or permit until the matter is heard by the city treasurer.

(c) The city treasurer may approve the suspension or revocation, overrule the suspension, or revocation or modify the decision of the Director of Public Works or designee.

(d) In any hearing before the city treasurer pursuant to this section, a certified copy of conviction from any local or state court is prima facie evidence of a violation.

(e) The city treasurer's decision may be appealed to the Eighteenth Judicial District Court of the State of Kansas pursuant to K.S.A. 60-2101 and any amendments
thereto. Any such appeal to the district court shall not stay the suspension or revocation of the permit, or any modification imposed thereupon by the city treasurer.

SECTION 7. Section 7.60.070 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

Enforcement

Enforcement of the provisions of this chapter shall be primarily by the Director of Public Works & Utilities and his/her designated representative. In addition, commissioned law enforcement officers are authorized to enforce this chapter.

SECTION 8. Section 7.60.080 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

Penalty

(a) Any person convicted of violating the provisions of Section 7.60.040 (b) shall be guilty of a tobacco infraction and upon conviction shall be fined $25. A request to the appropriate court may be made that consideration be given to community service for the offender as an alternative to the set fine.

(b) Any person convicted of violating the provisions of this chapter other than 7.60.040(b) shall be guilty of a misdemeanor.

SECTION 9. Section 7.60.100 of the Code of the City of Wichita, Kansas is hereby created to read as follows:

Conflict of Law

Nothing in this chapter shall be interpreted to authorize any person licensed hereunder to transact business selling or providing cigarettes or tobacco products in violation of any state statute or
federal law governing such sales or activities, nor shall compliance with the provisions of this chapter relieve any person from compliance with any state statutes or federal laws governing such sales or activities.

SECTION 10. The original Sections 7.60.010, 7.60.020, 7.60.030, 7.60.040, 7.60.050, 7.60.060, 7.60.070, 7.60.080 of the Code of the City of Wichita, Kansas, are hereby repealed.

SECTION 11. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this ______ day of October, 2017.

__________________________
Jeff Longwell, Mayor

ATTEST:                          Approved as to Form:

______________________________
Karen Sublett, City Clerk

______________________________
Jennifer Magana, Director of Law and City Attorney
AN ORDINANCE AMENDING SECTIONS 7.60.010, 7.60.020, 7.60.030, 7.60.040, 7.60.050, 7.60.060, 7.60.070, 7.60.080 AND CREATING 7.60.100 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO TOBACCO – SALE OF CIGARETTES AND TOBACCO PRODUCTS REPEALING THE ORIGINAL OF SAID SECTIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:
SECTION 1. Section 7.60.010 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Definitions.

As used in this chapter the following words shall have the following meanings:

“Cigarettes” means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape, and irrespective of tobacco being flavored, adulterated or mixed with any other ingredient if the wrapper is in greater part made of any material other than tobacco.

“Conviction” means, for the purposes of this chapter, any court adjudication of guilt, diversion, or deferred judgment or payment of the fine if ticket was not contested in court.

“Director of Public Works and Utilities” includes any designee.

“Electronic vaping devices” means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

“Hookah product” means a water pipe and any associated products and devices which are used to produce fumes, smoke, and/or vapor from the burning of material including, but not limited to, tobacco, shisha, or other plant material.

“Permit holder” means any person to whom a current permit has been issued under this Chapter authorizing such person to conduct the business within the city limits.

“Person” means any person, firm, partnership, association, corporation, company or organization of any kind.

“Package” means a container in which no more than 25 individual cigarettes are wrapped and sealed by the manufacturer of cigarettes prior to shipment to a wholesale dealer.

“Tobacco products” means all tobacco-derived products or nicotine delivery products, including but not limited to, cigarettes, electronic vaping devices, cigars, hookah products, pipes, and oral and smokeless tobacco (spit and spitless, chew and snuff) and nasal tobacco. It also includes any herbal product intended to mimic tobacco, contain tobacco flavoring or deliver nicotine.

“Sample” means cigarettes, tobacco products, hookah products, liquid or electronic vaping devices distributed to members of the general public at no cost for the purpose of promoting the product.

“Vending machine” means any coin, currency or token operated machine, contrivance or device, by means of which tobacco products are sold in their original package.

SECTION 2. Section 7.60.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Permit required—Nontransferable—Expiration date. It is unlawful for any person to:

(a) Business Permit. Engage in the operation of a business selling, excluding selling by vending machine, tobacco products at one or more locations within the city, unless such person has procured from the City of Wichita Public Works & Utilities a permit to engage in such business at each such location. Provided, however, that persons operating such a business on the effective date of the ordinance codified in this section shall make application for such permit within 30 days of said effective date and may continue to operate such business until the permit is obtained.
(b) Vending Machine Permit. Engage in the operation of a business of selling tobacco products from one or more vending machines unless such person has procured from the City of Wichita Public Works & Utilities a permit for each such vending machine and one business permit as required by subsection (a). Such business permit is applicable to all locations at which that person sells tobacco products from a vending machine.

(c) A permit issued under this section is nonassignable and nontransferable. Each permit issued under this section shall expire on December 31st of the year in which issued.

SECTION 3. Section 7.60.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Permit fee.
(a) The fee for each business permit required by Section 7.60.020(a) of this chapter shall be $200.00 per year.
(b) The fee for the vending machine permit required by Section 7.60.020(b) of this chapter shall be $12.00 dollars per year for each vending machine.

SECTION 4. Section 7.60.040 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

Prohibited conduct.
It is unlawful for any person:
(a) To sell, give away, or provide in any manner, tobacco products to any person under the age of 18 years;
(b) For any person under the age of 18 years to purchase or possess or attempt to purchase or possess or tobacco products; provided, however, that this shall not prohibit such person from working as an employee at a place where tobacco products are sold so long as the minor does not possess or sell the tobacco products; nor shall this ordinance prohibit government employees and volunteers from undercover purchases or attempts to purchase carried out for the purpose of enforcing this chapter and any applicable state or federal law.
(c) To sell or deliver tobacco products to any person who appears to be under the age of 27 years without having first verified the person's age by means of a photographic identification card such as a driver's license, state identification card, passport or military identification;
(d) To sell cigarettes in broken packages; or
(e) To sell tobacco products in a vending machine which does not clearly identify the operator of the machine, and which does not bear a conspicuous notice stating:

It is illegal for anyone under the age of eighteen years to purchase cigarettes or other tobacco products, K.S.A. 79-3321.

Provided, however, that in the event a machine is found to not have such a notice, the operator of the machine shall be notified and given seven days within which to place such notice on the machine before being charged with a violation of this requirement;
(f) To sell tobacco products in a vending machine in any establishment, or portion thereof, which is open to minors; provided, however, that this section shall not apply to:

1. The installation and use by the proprietor, or his or her agent, or employees, of tobacco vending machines behind a counter, or in some place in such establishment, or portion thereof, to which access by minors is prohibited by law,
2. The installation and use of a tobacco vending machine in a commercial building, or industrial plant, or portions thereof, where the public is not customarily admitted and where machines are intended for the sole use of the employees employed therein who are not minors, or
3. A vending machine which has a lock-out device which is inoperable in the continuous standby mode, and which requires manual activation by the person supervising the operation of the machine each time a package of cigarettes tobacco products is purchased.

SECTION 5. Section 7.60.050 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

Suspension or Revocation of Permit
(a) A permit for the sale of cigarettes or tobacco products issued under this chapter may be suspended or revoked by the Director of Public Works & Utilities:

2
For a period of up to seven days upon any conviction of the permit holder or any employee or designee of the permit holder for any violation of this chapter;

For a period of up to 14 days upon the second conviction of the permit holder or any employee or designee of the permit holder for any violation of this chapter within six months;

For a period of up to six months upon the third conviction of the permit holder or any employee or designee of the permit holder for any violation of this chapter within one year.

(b) Notice of Suspension or Revocation

For the purposes of subsections (a) of this section, the Director of Public Works and Utilities shall provide written notice of the intent to suspend or revoke a permit by personal service or by certified mail, return receipt requested. The notice shall be sent to the mailing address of the licensee on file with the city treasurer. The notice shall provide the effective date of the revocation or suspension of the license or permit. Such notice shall detail the reasons or basis for the suspension or revocation of the license or permit and shall specify the rights of the licensee to appeal any such revocation or suspension.

(c) Removal of Product

The permit holder of any permit for the sale of cigarettes or tobacco products that has been suspended or revoked is required to remove all products and advertising for those products from view of the consumer, until suspension or revocation has been removed from the permit. Failure to remove items is punishable by 7.60.080.

SECTION 6. Section 7.60.060 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

Appeal from Suspension, or Revocation

Any applicant, licensee or permit holder aggrieved by the suspension or revocation of a permit may file with the city treasurer a written notice of appeal within ten business days of the decision by the Director of Public Works or designee. The notice of appeal shall specify:

(1) The name and address of the appellant;
(2) The date of application;
(3) The date of the suspension of the license, permit or application; and
(4) The factual basis for the appeal.

(b) Upon receipt of a complete and timely filed notice of appeal, the city treasurer shall schedule a hearing no later than ten days from the date of the filing of the notice of appeal, unless good cause is shown for a delay. Any appeal shall stay the suspension or revocation of the license or permit until the matter is heard by the city treasurer.

(c) The city treasurer may approve the suspension or revocation, overrule the suspension, or revocation or modify the decision of the Director of Public Works or designee.

(d) In any hearing before the city treasurer pursuant to this section, a certified copy of conviction from any local or state court is prima facie evidence of a violation.

(e) The city treasurer's decision may be appealed to the Eighteenth Judicial District Court of the State of Kansas pursuant to K.S.A. 60-2101 and any amendments thereto. Any such appeal to the district court shall not stay the suspension or revocation of the permit, or any modification imposed thereupon by the city treasurer.

SECTION 7. Section 7.60.070 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

Enforcement

Enforcement of the provisions of this chapter shall be primarily by the Director of Public Works & Utilities and his/her designated representative. In addition, commissioned law enforcement officers are authorized to enforce this chapter.

SECTION 8. Section 7.60.080 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

Penalty

(a) Any person convicted of violating the provisions of Section 7.60.040 (b) shall be guilty of a tobacco infraction and upon conviction shall be fined $55 for a first offense; $100 for a second offense, and
$150 for a third or subsequent offense. A request to the appropriate court may be made that consideration be given to community service for the offender as an alternative to any set fine.

(b) Any person convicted of violating the provisions of this chapter other than 7.60.040(b) shall be guilty of a misdemeanor.

SECTION 9. Section 7.60.100 of the Code of the City of Wichita, Kansas is hereby created to read as follows:

Conflict of Law
Nothing in this chapter shall be interpreted to authorize any person licensed hereunder to transact business selling or providing cigarettes or tobacco products in violation of any state statute or federal law governing such sales or activities, nor shall compliance with the provisions of this chapter relieve any person from compliance with any state statutes or federal laws governing such sales or activities.

SECTION 10. The original Sections 7.60.010, 7.60.020, 7.60.030, 7.60.040, 7.60.050, 7.60.060, 7.60.070, 7.60.080 of the Code of the City of Wichita, Kansas, are hereby repealed.

SECTION 11. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 17th day of October, 2017.

Jeff Longwell, Mayor

ATTEST: Approved as to Form:

Karen Sublett, City Clerk Jennifer Magana, Director of Law and City Attorney
TO: Mayor and City Council

SUBJECT: Section 2.10.010 et seq. Creating a Citizen’s Review Board to Provide Assistance to the Wichita Police Department

INITIATED BY: Wichita Police Department

AGENDA: New Business

Recommendation: Place the ordinance on first reading.

Background: The city is implementing a Citizen Review Board based on WSU study recommendations and community members’ feedback. The city began the process of building a Citizen Review Board to review citizen complaints and department policy and practices. This Board will replace the City Manager Review Board as required by K.S.A. 22-4611b, to provide input to the City Council and to the Wichita Police Department regarding racial and biased-based policing issues.

Analysis: The proposed amendments rename the Board to be called the Wichita Citizen’s Review Board and abolish the current City Manager’s Review Board.

The functions of the Wichita Citizen’s Review Board include:

1. Assisting the Wichita Police Department with community outreach;
2. Serving as the Community Advisory Board, as required by K.S.A. 22-4611b, to provide assistance in policy development, education and community outreach and other activities related to racial and other biased-based policing and
3. Reviewing post discipline findings of the Professional Standards Bureau in alleged officer misconduct matters upon the request of the Chief of Police.

The Board will consist of seven members appointed by the City Manager that represent a cross section with individuals who have legitimacy in their respective community. Members must meet minimum qualifications, including: a criminal history background check, completion of the Citizen’s Police Academy and KORA and KOMA training.

The Board is required to meet quarterly or upon the request of the City Manager. The meetings of the Board are subject to the requirements of the Kansas Open Meetings Act and are open to the public.

Financial Considerations: None.

Legal Considerations: The ordinance has been prepared and approved as to form by the Law Department.

Recommendations/Actions: It is recommended that the City Council place the ordinance on first reading and authorize all necessary signatures.

Attachments: Clean and delineated ordinances.
AN ORDINANCE AMENDING SECTIONS 2.10.010, 2.10.015, 2.10.020, 2.10.030, 2.10.040, 2.10.050, 2.10.060, 2.10.070 AND REPEALING 2.10.080 AND CREATING SECTIONS 2.10.045 AND 2.10.090 OF THE CODE OF THE CITY OF WICHITA, KANSAS, CREATING THE WICHITA CITIZEN’S REVIEW BOARD.

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

SECTION 1. Section 2.10.010 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

“Establishment of Community Advisory Board the Wichita Citizen’s Review Board.

The Wichita Community Advisory Citizen’s Review Board is hereby established.”

SECTION 2. Section 2.10.015 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

“Definitions.

As used in this chapter, the following terms shall be defined as:

Conviction means: a) entering into a diversion agreement for a felony offense or a crime of domestic violence in lieu of further criminal proceedings on a complaint alleging a violation of such crime; b) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state, or any law of another state which would constitute a crime; and c) receiving punishment under the Uniform Code of Military Justice or Kansas
Code of Military Justice for an act which was committed on a military reservation and which would constitute a crime if committed off a military reservation in this state.

*Domestic Violence* means: an act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act of violence against a family or household member by a family or household member. Domestic violence also includes any other crime committed against a person or against property or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member.

*Enforcement action* means: any law enforcement act during a nonconsensual contact with an individual(s) in 1) determining the existence of probable cause to take into custody or to arrest an individual; 2) constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a vehicle; or 3) determining the existence of probable cause to conduct a search of an individual or a conveyance.


*Post Discipline* means: any administrative, civil or criminal investigation of officer misconduct has been concluded, including any and all appeals, grievances or other remedies available to the officer have been exhausted.

*Racial or other biased-based policing* means: the unreasonable use of race, ethnicity, national origin, gender or religion by a law enforcement office in deciding to initiate an enforcement action. It is not racial or other biased-based policing when race,
ethnicity, national origin, gender or religion is used in combination with other identifying factors as part of a specific individual description to initiate an enforcement action.”

SECTION 3. Section 2.10.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Purpose of the Community Board, Wichita Citizen’s Review Board.

The purpose of the Wichita Community Advisory Citizen’s Review Board (hereafter “Board”) is to advise and assist the City of Wichita and its police department in policy development, education, community outreach and communications related to racial and other biased-based policing. The Board will work to create a dialogue between community representatives and the Wichita Police Department. A primary purpose of the Board will be to improve relations between law enforcement and the community and be available to provide community perspective on policy, programs, and priorities of the department.”

SECTION 4. Section 2.10.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Specific Duties of the Wichita Community Advisory Citizen’s Review Board.

The Wichita Community Advisory Citizen’s Review Board shall:

1. Review Wichita Police Department policies regarding racial and other biased-based policing and make recommendations to the Chief of Police for the amendment of those policies or the adoption of additional policies on that subject as it deems necessary.

2. Assist the Police Department with community outreach opportunities involving racial and other biased-based policing prevention.
3. Advise the Police Department about community concerns related to racial and other biased-based policing.

4. Receive annual reports regarding racial and other biased-based policies from the Wichita Police Department. The report shall include the following information regarding each complaint of racial or other biased-based policing lodged against the Police Department or any of its employees in the preceding calendar year:

   a. The number of racial or other biased-based policing complaints received;
   
   b. The date each racial or other biased-based policing complaint was filed;
   
   c. Actions taken in response to each racial or other biased-based policing complaint;
   
   d. The decision made in disposition of each racial or other biased-based policing complaint;
   
   e. The date each racial or other biased-based policing complaint was closed;
   
   f. Whether or not all law enforcement officers not exempted by the Kansas Commission on Peace Officers’ Standards and Training received the training required by K.S.A. 22-4610 et seq.

2. Report to the City Council from time to time regarding its activities, including an annual report to be presented to the City Council at the first regularly scheduled Wichita City Council meeting following August 1st of each year.
3. Review and render advice on such other matters related to racial and other biased-based policing as are assigned to the advisory Board by the Chief of Police, City Manager or City Council.

4. Serve as the Community Advisory Board, as set forth in K.S.A. 22-4611b, to assist the City of Wichita and its police department in policy development, education, community outreach and communications related to racial and other biased-based policing.

5. Review existing police department policies, procedures, and practices when necessary.

6. Review post discipline findings of an official Professional Standards Bureau Investigation of misconduct by law enforcement officers upon request of the Chief of Police or the Board."

SECTION 5. Section 2.10.040 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Membership.

a. The Board shall consist of seven (7) members appointed by the City Manager.

b. Membership of the Board will reflect the diversity of the residents of the City of Wichita, including ethnicity, race, gender, religion, sexual orientation, socio-economic, age, and residency.

c. Board members selected should be individuals with an interest or experience in police and/or community relations.”
The Wichita Community Advisory Board shall be composed of the members of the City Manager’s Review Board as established by Administrative Regulation 5.2. Composition of the board shall reflect the racial and ethnic community of the City of Wichita.

SECTION 6. Section 2.10.045 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Qualifications.

a. Individuals must possess the following qualifications to be appointed to the Board:

1. Be at least eighteen (18) years of age;

2. Be a resident of the City of Wichita;

3. Not be employed by the City of Wichita or be the immediate family member of an employee of the City of Wichita;

4. Not be a member of or the immediate family member of any member of the Wichita City Council;

5. Be a citizen of the United States;

6. Have no pending criminal charges in any local, state, or federal jurisdiction or court of law;

7. May not currently be on probation, parole, or participating in a diversion or deferred judgment agreement for any misdemeanor conviction for the following offenses:

a. Possession of controlled substances;

b. Battery or resist of a law enforcement officer;

c. Crimes of dishonesty or false statements; or
d. Crimes of moral turpitude, which include charges of sale of sexual relations, buying sexual relations, soliciting for immoral purposes, indecent exposure, lewd and lascivious behavior, sodomy, promoting sodomy for hire, patronizing a person offering sodomy for hire, sexual battery, loitering for the purposes of solicitation, indecent liberties with a child, incest, adultery, bigamy, promoting obscenity, promoting obscenity to minors, displaying material harmful to minors, and possession, sale or distribution of any illegal drug.

8. Is not registered as a sex offender with any state, county, or local government;

9. May not have been convicted of a felony or a misdemeanor domestic violence offense as defined by Section 1.06.010 of the Code of the City of Wichita or the statutes of the State of Kansas;

10. Is not an elected local, state, or federal public official or a candidate for any such office;

11. Is not a party or representative of a party making a claim against the City of Wichita for any action or inaction of an employee of the City of Wichita;

12. Is not a present law enforcement officer or the immediate family member of any such law enforcement officer.

In addition to the above qualifications, all applicants for appointment to the board must:

1. Submit to a criminal background check;
2. Be enrolled in, within ninety (90) days of appointment, the Wichita Police Department’s Citizens Police Academy. All members must have completed the academy within one year of appointment;

3. Complete racial profiling training presented by the Kansas Attorney General within six (6) months of appointment;

4. Complete KOMA and KORA training within ninety (90) days of appointment;

5. Sign a confidentiality agreement that information reviewed and discussed regarding the post discipline review of a Professional Standards investigation will be kept confidential and disclosed to the public.”

SECTION 7. Section 2.10.050 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:


a. Members of the Board shall serve a term of four years. In order to establish staggered terms, initial appointments beginning January 1, 2018, shall include three members for a four-year term, and two members for a three-year term, and two members for a two-year term. Thereafter, all members shall be appointed for a four-year term. No member shall serve more than two consecutive terms.
b. In the event a vacancy occurs or the individual no longer meets the eligibility requirements during the term of any member, the City Manager shall appoint a successor to serve the unexpired term. Such appointment shall occur within sixty (60) days of notice of a vacancy or ineligibility of a member. A member shall remain on the Board until his or her successor has been appointed. A successor appointed to complete an unexpired term shall be eligible to serve up to two consecutive terms in addition to the unexpired term.

c. A member shall be removed from the Board for the following reasons:

1. No longer meets the eligibility requirements described in Section 2.10.045;

2. Misses more than two (2) board meetings in a twelve (12) month period;

3. Fails to attend or complete racial profile training, KOMA and KORA training, and the Wichita Police Department’s Citizens Police Academy within the times specified in Section 2.10.045;

4. Does not pass the criminal background check in accordance with the criteria set forth in Section 2.10.045 of the Code of the City of Wichita.”

There is no limit on the number of terms that an individual may serve on the advisory board. Upon the resignation of any such member, the City Manager, with the consent of the City Council, shall appoint a new member to serve the unexpired portion of the resigning member’s term.
SECTION 8. Section 2.10.060 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Meetings and Officers.

a. The Board shall meet at least once quarterly at the times and places established by the Board. The meetings shall be subject to all applicable provisions of the Kansas Open Meetings Act, K.S.A. 75-4317, et seq. The City Manager, after notice, may call additional meetings if necessary to address significant or time sensitive issues. Appeals heard by the Board pursuant to Administrative Regulation 5.2 shall be considered to be quasi-judicial functions of the board. Pursuant to K.S.A. 75-4318(g) and amendments thereto, such hearings are not open to the public.

b. On or before January 1 of each year, the Board shall meet and organize its membership by electing one member as its chairperson and one member as its secretary.

c. A member of the Wichita Police Department shall attend all meetings.

d. Notice and minutes of all meetings shall be provided to the City Clerk.

e. The Board shall abide by the Kansas Open Meetings Act, K.S.A.75-4317 et seq., and the Kansas Open Records Act, K.S.A. 45-215 et seq.”

SECTION 9. Section 2.10.070 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Recommendations Decisions and Procedures of the Board.

Recommendations of the Community Advisory Board shall be approved by majority vote of the members present and voting. The quorum required for the Board to conduct business shall
be five (5) members. The Advisory Board may adopt lawful rules, regulations, and by-laws, consistent with the provisions of this chapter and Administrative Regulation 5.2, as it deems necessary for its operation.”

SECTION 10. Section 2.10.080 of the Code of the City of Wichita, Kansas, is hereby repealed.

SECTION 11. Section 2.10.090 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Review of Post Discipline or Administrative Matters

a. In addition to the responsibilities set forth in this Chapter, the Board may review, at the request of the Chief of Police or the Board, cases of misconduct of Wichita Police Department personnel investigated by Professional Standards Bureau. Only cases which are post discipline may be reviewed. Review shall not be heard until all pending case(s) and any applicable appeals, grievances or other review of the incident have been concluded. A request by the Board to review post discipline findings must be made no later than one year from the date the discipline was imposed or completion of the investigation by Professional Standards.

b. Review of post discipline or administrative matters heard by the Board shall be considered to be the review of personnel matters and constitute a quasi-judicial functions of the Board. Disciplinary action is a confidential personnel matter and will not be revealed to the public. Pursuant to K.S.A. 75-4318(g) and K.S.A 75-4319(b)(1), the hearings of the review board on these matters will not be open to the public.
c. The Board shall establish all necessary procedures to implement the review of post discipline matters brought before them. Including within these procedures will be notification to applicable police personnel involved in the review in accordance with the Police Department Procedure Manual. All police reports, videos, interviews or other investigative files submitted to the Board for review shall have the personal identifiers of all involved citizens, witnesses and officers redacted.

d. The Board’s review will be for the purpose of reviewing any applicable administrative regulations and advising the Chief of Police on practices and training relevant to issues or concerns uncovered as part of the investigation.

e. All deliberations and recommendations of the Board will be confidential.

f. The Chief of Police, Professional Standards Bureau, City Manager and any involved personnel will be notified in writing of the Board’s decision.”

SECTION 12. The original of Sections 2.10.010, 2.10.015, 2.10.020, 2.10.030, 2.10.040, 2.10.050, 2.10.060, 2.10.070 and 2.10.080 of the Code of the City of Wichita, Kansas, are hereby repealed.
SECTION 13. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this _______ day of ____________, 2017.

____________________________________
Jeff Longwell, Mayor

ATTEST:

____________________________________
Karen Sublett, City Clerk

Approved as to Form:

____________________________________
Jennifer L. Magaña
Director of Law and City Attorney
AN ORDINANCE AMENDING SECTIONS 2.10.010, 2.10.015, 2.10.020, 2.10.030, 2.10.040, 2.10.050, 2.10.060, 2.10.070 AND REPEALING 2.10.080 AND CREATING SECTIONS 2.10.045 AND 2.10.090 OF THE CODE OF THE CITY OF WICHITA, KANSAS, CREATING THE WICHITA CITIZEN REVIEW BOARD.

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

SECTION 1. Section 2.10.010 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

“Establishment of the Wichita Citizen’s Review Board.

The Wichita Citizen’s Review Board is hereby established.”

SECTION 2. Section 2.10.015 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

“Definitions.

As used in this chapter, the following terms shall be defined as:

Conviction means: a) entering into a diversion agreement for a felony offense or a crime of domestic violence in lieu of further criminal proceedings on a complaint alleging a violation of such crime; b) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state, or any law of another state which would constitute a crime; and c) receiving punishment under the Uniform Code of Military Justice or Kansas
Code of Military Justice for an act which was committed on a military reservation and which would constitute a crime if committed off a military reservation in this state.

*Domestic Violence* means: an act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act of violence against a family or household member by a family or household member. Domestic violence also includes any other crime committed against a person or against property or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member.

*Enforcement action* means: any law enforcement act during a nonconsensual contact with an individual(s) in 1) determining the existence of probable cause to take into custody or to arrest an individual; 2) constituting a reasonable and articulable suspicion that an offense has been or is being committed so as to justify the detention of an individual or the investigatory stop of a vehicle; or 3) determining the existence of probable cause to conduct a search of an individual or a conveyance.


*Post Discipline* means: any administrative, civil or criminal investigation of officer misconduct has been concluded, including any and all appeals, grievances or other remedies available to the officer have been exhausted.

*Racial or other biased-based policing* means: the unreasonable use of race, ethnicity, national origin, gender or religion by a law enforcement office in deciding to initiate an enforcement action. It is not racial or other biased-based policing when race,
ethnicity, national origin, gender or religion is used in combination with other identifying factors as part of a specific individual description to initiate an enforcement action.”

SECTION 3. Section 2.10.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Purpose of the Wichita Citizen’s Review Board.

The purpose of the Wichita Citizen’s Review Board (hereafter “Board”) is to advise and assist the City of Wichita and its police department in policy development, education, community outreach and communications related to police community relations.

The Board will work to create a dialogue between community representatives and the Wichita Police Department. A primary purpose of the Board will be to improve relations between law enforcement and the community and be available to provide community perspective on policy, programs, and priorities of the department.”

SECTION 4. Section 2.10.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Specific Duties of the Wichita Citizen’s Review Board.

The Wichita Citizen’s Review Board shall:

1. Assist the Police Department with community outreach opportunities.
2. Advise the Police Department about community concerns.
3. Receive annual reports regarding racial and other biased-based policies from the Wichita Police Department.
4. Serve as the Community Advisory Board, as set forth in K.S.A. 22-4611b, to assist the City of Wichita and its police department in policy
development, education, community outreach and communications related to racial and other biased-based policing.

5. Review existing police department policies, procedures, and practices when necessary.

6. Review post discipline findings of an official Professional Standards Bureau Investigation of misconduct by law enforcement officers upon request of the Chief of Police or the Board.”

SECTION 5. Section 2.10.040 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Membership.

a. The Board shall consist of seven (7) members appointed by the City Manager.

b. Membership of the Board will reflect the diversity of the residents of the City of Wichita, including ethnicity, race, gender, religion, sexual orientation, socio-economic, age, and residency.

c. Board members selected should be individuals with an interest or experience in police and/or community relations.”

SECTION 6. Section 2.10.045 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

“Qualifications.

a. Individuals must possess the following qualifications to be appointed to the Board:

1. Be at least eighteen (18) years of age;

2. Be a resident of the City of Wichita;
3. Not be employed by the City of Wichita or be the immediate family member of an employee of the City of Wichita;

4. Not be a member of or the immediate family member of any member of the Wichita City Council;

5. Be a citizen of the United States;

6. Have no pending criminal charges in any local, state, or federal jurisdiction or court of law;

7. May not currently be on probation, parole, or participating in a diversion or deferred judgment agreement for any misdemeanor conviction for the following offenses:
   a. Possession of controlled substances;
   b. Battery or resist of a law enforcement officer;
   c. Crimes of dishonesty or false statements; or
   d. Crimes of moral turpitude, which include charges of sale of sexual relations, buying sexual relations, soliciting for immoral purposes, indecent exposure, lewd and lascivious behavior, sodomy, promoting sodomy for hire, patronizing a person offering sodomy for hire, sexual battery, loitering for the purposes of solicitation, indecent liberties with a child, incest, adultery, bigamy, promoting obscenity, promoting obscenity to minors, displaying material harmful to minors, and possession, sale or distribution of any illegal drug.
8. Is not registered as a sex offender with any state, county, or local government;

9. May not have been convicted of a felony or a misdemeanor domestic violence offense as defined by Section 1.06.010 of the Code of the City of Wichita or the statutes of the State of Kansas;

10. Is not an elected local, state, or federal public official or a candidate for any such office;

11. Is not a party or representative of a party making a claim against the City of Wichita for any action or inaction of an employee of the City of Wichita;

12. Is not a present law enforcement officer or the immediate family member of any such law enforcement officer.

In addition to the above qualifications, all applicants for appointment to the board must:

1. Submit to a criminal background check;

2. Be enrolled in, within ninety (90) days of appointment, the Wichita Police Department’s Citizens Police Academy. All members must have completed the academy within one year of appointment;

3. Complete racial profiling training presented by the Kansas Attorney General within six (6) months of appointment;

4. Complete KOMA and KORA training within ninety (90) days of appointment;
5. Sign a confidentiality agreement that information reviewed and discussed regarding the post discipline review of a Professional Standards investigation will be kept confidential and disclosed to the public.”

SECTION 7. Section 2.10.050 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:


a. Members of the Board shall serve a term of four years. In order to establish staggered terms, initial appointments beginning January 1, 2018, shall include three members for a four-year term, and two members for a three-year term, and two members for a two-year term. Thereafter, all members shall be appointed for a four-year term. No member shall serve more than two consecutive terms.

b. In the event a vacancy occurs or the individual no longer meets the eligibility requirements during the term of any member, the City Manager shall appoint a successor to serve the unexpired term. Such appointment shall occur within sixty (60) days of notice of a vacancy or ineligibility of a member. A member shall remain on the Board until his or her successor has been appointed. A successor appointed to complete an unexpired term shall be eligible to serve up to two consecutive terms in addition to the unexpired term.

c. A member shall be removed from the Board for the following reasons:
1. No longer meets the eligibility requirements described in Section 2.10.045;

2. Misses more than two (2) board meetings in a twelve (12) month period;

3. Fails to attend or complete racial profile training, KOMA and KORA training, and the Wichita Police Department’s Citizens Police Academy within the times specified in Section 2.10.045;

4. Does not pass the criminal background check in accordance with the criteria set forth in Section 2.10.045 of the Code of the City of Wichita.”

SECTION 8. Section 2.10.060 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Meetings and Officers.

a. The Board shall meet at least once quarterly at the times and places established by the Board. The meetings shall be subject to all applicable provisions of the Kansas Open Meetings Act, K.S.A. 75-4317, et seq. The City Manager, after notice, may call additional meetings if necessary to address significant or time sensitive issues.

b. On or before January 1 of each year, the Board shall meet and organize its membership by electing one member as its chairperson and one member as its secretary.

c. A member of the Wichita Police Department shall attend all meetings.

d. Notice and minutes of all meetings shall be provided to the City Clerk.
e. The Board shall abide by the Kansas Open Meetings Act, K.S.A.75-4317
   \textit{et seq.}, and the Kansas Open Records Act, K.S.A. 45-215 \textit{et seq.”}

SECTION 9. Section 2.10.070 of the Code of the City of Wichita, Kansas, is hereby
amended to read as follows:

\textbf{“Recommendations of the Board.”}

Recommendations of the Board shall be approved by majority vote of the members present
and voting. The quorum required for the Board to conduct business shall be five (5) members. The
Board may adopt lawful rules, regulations, and by-laws, consistent with the provisions of this
chapter as it deems necessary for its operation.”

SECTION 10. Section 2.10.080 of the Code of the City of Wichita, Kansas, is hereby
repealed.

SECTION 11. Section 2.10.090 of the Code of the City of Wichita, Kansas, is hereby
created to read as follows:

\textbf{“Review of Post Discipline or Administrative Matters}

a. In addition to the responsibilities set forth in this Chapter, the Board may
review, at the request of the Chief of Police or the Board, cases of
misconduct of Wichita Police Department personnel investigated by
Professional Standards Bureau. Only cases which are post discipline may
be reviewed. Review shall not be heard until all pending case(s) and any
applicable appeals, grievances or other review of the incident have been
concluded. A request by the Board to review post discipline findings must
be made no later than one year from the date the discipline was imposed or
completion of the investigation by Professional Standards.
b. Review of post discipline or administrative matters heard by the Board shall be considered to be the review of personnel matters and constitute a quasi-judicial functions of the Board. Disciplinary action is a confidential personnel matter and will not be revealed to the public. Pursuant to K.S.A. 75-4318(g) and K.S.A 75-4319(b)(1), the hearings of the review board on these matters will not be open to the public.

c. The Board shall establish all necessary procedures to implement the review of post discipline matters brought before them. Including within these procedures will be notification to applicable police personnel involved in the review in accordance with the Police Department Procedure Manual. All police reports, videos, interviews or other investigative files submitted to the Board for review shall have the personal identifiers of all involved citizens, witnesses and officers redacted.

d. The Board’s review will be for the purpose of reviewing any applicable administrative regulations and advising the Chief of Police on practices and training relevant to issues or concerns uncovered as part of the investigation.

e. All deliberations and recommendations of the Board will be confidential.

f. The Chief of Police, Professional Standards Bureau, City Manager and any involved personnel will be notified in writing of the Board’s decision.”

SECTION 12. The original of Sections 2.10.010, 2.10.015, 2.10.020, 2.10.030, 2.10.040, 2.10.050, 2.10.060, 2.10.070 and 2.10.080 of the Code of the City of Wichita, Kansas, are hereby repealed.
SECTION 13. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 17th day of October, 2017.

____________________________________
Jeff Longwell, Mayor

ATTEST:

____________________________________
Karen Sublett, City Clerk

Approved as to Form:

____________________________________
Jennifer L. Magaña
City Attorney and Director of Law
TO: Mayor and City Council

SUBJECT: Substantial Amendment to the 2017-2018 Fourth Year Annual Action Plan

INITIATED BY: Housing and Community Services Department

AGENDA: New Business

Recommendation: Open a public hearing for the substantial amendment to the fourth year Annual Action Plan.

Background: Wichita is recognized as an “entitlement” city by the U.S. Department of Housing and Urban Development (HUD). This designation is based on a federal formula which looks at total population, the number of persons below the poverty level, the number of overcrowded housing units, the age of housing and the population growth lag. The City is an “entitlement” area and therefore receives Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) and Emergency Solutions Grant funding. The City is required to develop a five-year consolidated plan, and to submit one-year action plans for each of the five years.

The current (2017-2018) Annual Action Plan was prepared based on the annual allocation of CDBG funds. The receipt of program income from the City’s loan guaranty in the amount of $661,298 was not allocated in the planning process.

Analysis: Over the last several years, the City has received program income due to the repayment of loans and disposition of properties initially funded with CDBG funds. Additionally, remaining or unexpended funds that have previously been allocated for eligible projects have been recaptured for new programming. The proposed amendment seeks to add a special economic development activity. Program income resulting from the sale of Save-A-Lot grocery store located at 2402 E. 13th North would be committed to restore and re-open the historic Dunbar Theatre.

People Organized Working for Economic Recovery Community Development Corporation (POWER CDC) recently completed a project planning grant that examined the capital and market feasibility to address cultural heritage investments at the historic Dunbar Theatre. The study predicts a $6 million in community economic development activity over a period of four years with construction and operations. This project is expected to create 34 jobs. The proposed activity aligns with Title 24 CFR 570.202, allowing the rehabilitation and preservation of a commercial building owned by a non-profit organization.

The project meets the following policy criteria established for unsolicited proposals:

1. Site Control
   • POWER CDC has owned the property since 2007.
2. Market Demand
   • The Historic Dunbar Theatre Capital Feasibility and Program Business Plan analyzed consumer expenditures and projects sufficient market demand.
3. Background Check
   • POWER CDC principals are in good standing with the City and State.

4. Public Benefit
   • The proposed activity meets the CDBG National Objective of benefitting a Low Moderate Area in a primarily residential area.

5. Experience
   • The ownership has a successful track record in developing the McAdams neighborhood producing residential and commercial projects for more than 17 years. POWER CDC intends to lease the Dunbar Theatre to an operator with a strong entertainment background once the capital restoration has been completed.

6. Sustainability
   • Three years of the organization’s Form 990 have been reviewed. Leveraged funding from the State Historic Preservation Office, City of Wichita Challenge grant and fundraising will make the project sustainable. Until that time, the program income of $661,298 resulting from POWER CDC’s sale of Save A Lot grocery store is recommended to be placed into an interest bearing account under City control.
   • In order for accountability of these funds, staff recommends that a Dunbar Theatre advisory board be formed as part of POWER CDC subject to the attached Advisory Board Expertise & Qualifications Matrix. Having this structure will allow for dedicated members to work collectively to complete the restoration timely.

7. Comprehensive Housing Policy
   • The project is consistent with the Comprehensive Housing Policy goals by addressing Neighborhood Stabilization requirements with the rehabilitation of blighted structures.

8. Economic Development Impact
   • The project will create 29 temporary construction jobs and 5 full-time equivalent positions at the Dunbar Theatre.

9. Gap Financing
   • CDBG funds are financing approximately 14 percent of the total project cost. Of the $661,298, no more than 10 percent is recommended as an administrative allowance for POWER CDC and should be authorized for disbursement so that the organization can perform the required fundraising activities to leverage City financing.

Financial Consideration: There is no impact to the General Fund as a result of this action.

Legal Consideration: The Law Department has approved the substantial amendment as to form.

Recommendation/Actions: It is recommended that the City Council open the public hearing.

Attachments:
Allocation spreadsheet
Summary of the Substantial Amendment to the 2017-2018 Fourth Year Annual Action Plan
Advisory Board Expertise & Qualifications Matrix
## Community Development Block Grant, 10-10-2017

### Public Facilities and Infrastructure Improvements

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### Administration and Planning - 20% CAP

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Executive Summary

1. Introduction

The 2017-2018 Annual Action Plan is the fourth year of the City of Wichita 2014-2018 Consolidated Plan, which provides a basis and strategy for the use of federal funds allocated to the City of Wichita by the U.S. Department of Housing and Urban Development. Programs and activities identified in this Plan are intended to primarily benefit low- and moderate-income residents of the City of Wichita and neighborhoods with high concentrations of low- and moderate-income residents, which will ultimately benefit the city as a whole. This plan is the product of citizen participation, public hearings, and consultations with other agencies, groups and organizations involved in the development of affordable housing, creation of job opportunities for low and moderate-income residents, and/or provision of services to children, elderly persons, persons with disabilities, and homeless persons. A complete draft of this Plan was made available for public review and comment during the period of July 21, 2017, through August 4, 2017, and approved for submission to HUD following a public hearing on this matter during the regular meeting of the City Council on August 8, 2017, at 9:00 a.m. at Wichita City Hall, 455 N. Main Street. The approved plan included the use of $2,555,736 from the 2017-18 annual allocation of Community Development Block Grant (CDBG) funds, and $702,766 from prior year funds for a total spending plan utilizing $3,258,502 in CDBG funds.

Due to the receipt of program income and unexpended funds recaptured from prior year activities, there are additional CDBG funds which may now be programed.

The purpose of this Substantial Amendment to the 2017-2018 Fourth Program Year Action Plan is to program an additional $661,298 recaptured and/or unallocated funds.

2. Summarize the objectives and outcomes identified in the Plan

The theme of the City's 2014-2018 Consolidated Plan is "Creating Communities of Choice." Following that theme, activities identified in the plan prioritize housing needs in the core of the city by developing and/or maintaining strong infrastructure to enhance the living and working environment, as well as providing activities to support the needs of the people who live and/or work in these areas. The City will continue supporting services for the homeless, with a strong emphasis on permanent housing solutions, as well as activities to develop the capacity of low-to-moderate income families through job training, employment, and asset-building initiatives.

The Substantial Amendment to the 2017-18 Plan will not change the objectives and outcomes previously identified, but will provide additional funding to enhance the outcomes for planned activities and to allow for new activities that will support the goals identified in the approved Plan.
3. Evaluation of past performance

The City of Wichita has a history of successful administration of federal programs for housing, as well as community planning and development. That system is firmly in place and will continue for future administration of Consolidated Plan funds. It includes professional administration by City staff and partnerships and contracts with community agencies. Results of the City’s administration of programs funded with Consolidated Plan resources are reported using the Consolidated Annual Performance and Evaluation Report (CAPER) format and can be found on the City’s website.

4. Summary of Citizen Participation Process and consultation process

For the City of Wichita, citizen participation is a vital component of the consolidated planning process. To encourage Wichita citizens to be involved in establishing priorities regarding planning and funding public programs and activities, the Housing and Community Services Department has developed a Citizen Participation Plan which uses various media formats to engage the public in identifying needs and priorities. All citizens are encouraged to participate in the development and review of the Consolidated Plans and Annual Plans, including substantial amendments, and the Consolidated Annual Performance and Evaluation Reports (CAPER). Notice of public hearings and comment periods will be published in the designated official newspaper or newspapers of general circulation, and advertised on the City-7 cable television channel.

This summary of the Substantial Amendment was made available for public review and comment from October 11 through November 9, 2017. Hard copies of the summary were available at the following sites:

City Hall
  • City Council Office
Housing and Community Service Department
Wichita Public Library
  • Central Library
  • Lionel Alfond
  • Ford Rockwell
  • Westlink
Neighborhood Resource Centers
  • Atwater
  • Evergreen
  • Colvin

Annual Action Plan
2017

OMB Control No: 2506-0117 (exp. 07/31/2015)
Expected Resources: 2016-2017

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<td></td>
<td>Public Improvements</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Admin and Planning</td>
<td></td>
<td></td>
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<tr>
<td>HOME</td>
<td>Acquisition</td>
<td>$1,144,295</td>
<td>0</td>
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<td>$1,144,295</td>
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<tr>
<td></td>
<td>Homebuyer assistance</td>
<td></td>
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<tr>
<td></td>
<td>Homeowner rehab</td>
<td></td>
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<tr>
<td></td>
<td>New construction for</td>
<td></td>
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<tr>
<td></td>
<td>ownership</td>
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<td></td>
<td>Administration</td>
<td></td>
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<tr>
<td>ESG</td>
<td>Administration</td>
<td>$241,235</td>
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<tr>
<td></td>
<td>Overnight shelter</td>
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<td></td>
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<tr>
<td></td>
<td>Prevention</td>
<td></td>
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<tr>
<td></td>
<td>Rapid Re-housing</td>
<td></td>
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<td></td>
<td>HMIS</td>
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</tbody>
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This substantial amendment will revise the numbers illustrated in bold text, above.
# Annual Goals and Objectives

## AP-20 Annual Goals and Objectives

### Goals Summary Information

<table>
<thead>
<tr>
<th>Sort Order</th>
<th>Goal Name</th>
<th>Start Year</th>
<th>End Year</th>
<th>Category</th>
<th>Geographic Area</th>
<th>Needs Addressed</th>
<th>Funding</th>
<th>Goal Outcome Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Home Repair</td>
<td>2014</td>
<td>2018</td>
<td>Affordable Housing</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Safe Affordable Housing</td>
<td>CDBG: $1,140,156</td>
<td>Homeowner Housing Rehabilitated: 250 Household Housing Unit Other: 250 Other</td>
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<tr>
<td>2</td>
<td>New Housing Development (single/multi-family)</td>
<td>2014</td>
<td>2018</td>
<td>Affordable Housing</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Safe Affordable Housing</td>
<td>HOME: $520,160</td>
<td>Homeowner Housing Added: 10 Household Housing Unit</td>
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<tr>
<td>Sort Order</td>
<td>Goal Name</td>
<td>Start Year</td>
<td>End Year</td>
<td>Category</td>
<td>Geographic Area</td>
<td>Needs Addressed</td>
<td>Funding</td>
<td>Goal Outcome Indicator</td>
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<tr>
<td>3</td>
<td>Homebuyer Assistance</td>
<td>2014</td>
<td>2018</td>
<td>Affordable Housing</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Safe Affordable Housing</td>
<td>HOME: $400,026</td>
<td>Direct Financial Assistance to Homebuyers: 19 Households Assisted</td>
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<tr>
<td>4</td>
<td>Housing First</td>
<td>2014</td>
<td>2018</td>
<td>Homeless</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Homelessness</td>
<td>CDBG: $68,500</td>
<td>Other: 64 Other</td>
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<td>5</td>
<td>Homeless Assistance (Shelters)</td>
<td>2014</td>
<td>2018</td>
<td>Homeless</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Homelessness</td>
<td>ESG: $142,206</td>
<td>Homeless Person Overnight Shelter: 500 Persons Assisted Other: 1500 Other</td>
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<tr>
<td>Sort Order</td>
<td>Goal Name</td>
<td>Start Year</td>
<td>End Year</td>
<td>Category</td>
<td>Geographic Area</td>
<td>Needs Addressed</td>
<td>Funding</td>
<td>Goal Outcome Indicator</td>
</tr>
<tr>
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<tr>
<td>7</td>
<td>Homeless Prevention</td>
<td>2014</td>
<td>2018</td>
<td>Homeless</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Homelessness</td>
<td>ESG: $40,000</td>
<td>Homelessness Prevention: 40 Persons Assisted</td>
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<td>8</td>
<td>Women's Services</td>
<td>2014</td>
<td>2018</td>
<td>Homeless</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Homelessness</td>
<td>CDBG: $250,000</td>
<td>Homeless Person Overnight Shelter: 650 Persons Assisted</td>
</tr>
<tr>
<td>Sort Order</td>
<td>Goal Name</td>
<td>Start Year</td>
<td>End Year</td>
<td>Category</td>
<td>Geographic Area</td>
<td>Needs Addressed</td>
<td>Funding</td>
<td>Goal Outcome Indicator</td>
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<tr>
<td>9</td>
<td>Boarded Up House Program</td>
<td>2014</td>
<td>2018</td>
<td>Non-Housing Community Development</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA LOCAL INVESTMENT AREA</td>
<td>Neighborhood Stabilization</td>
<td>HOME: $65,000</td>
<td>Homeowner Housing Added: 1 Household Housing Unit</td>
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<tr>
<td>10</td>
<td>Office of Community Engagement</td>
<td>2014</td>
<td>2018</td>
<td>Non-Housing Community Development</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA LOCAL INVESTMENT AREA</td>
<td>Non Housing Community Development</td>
<td>CDBG: $385,000</td>
<td>Other: 5000 Other</td>
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<td>11</td>
<td>Training and Employment</td>
<td>2014</td>
<td>2018</td>
<td>Non-Housing Community Development</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Non Housing Community Development</td>
<td>CDBG: $200,000</td>
<td>Jobs created/retained: 120 Jobs</td>
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<td>12</td>
<td>Youth Enrichment and Crime Prevention</td>
<td>2014</td>
<td>2018</td>
<td>Non-Housing Community Development</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Non Housing Community Development</td>
<td>CDBG: $231,699</td>
<td>Other: 4945 Other</td>
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Annual Action Plan
2017
<table>
<thead>
<tr>
<th>Sort Order</th>
<th>Goal Name</th>
<th>Start Year</th>
<th>End Year</th>
<th>Category</th>
<th>Geographic Area</th>
<th>Needs Addressed</th>
<th>Funding</th>
<th>Goal Outcome Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Program Administration</td>
<td>2014</td>
<td>2018</td>
<td>Program Administration</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Non Housing Community Development</td>
<td>CDBG: $511,147 HOME: $109,109 ESG: $18,092</td>
<td>Other: 0 Other</td>
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<tr>
<td>14</td>
<td>Neighborhood Stabilization</td>
<td>2014</td>
<td>2018</td>
<td>Non-Housing Community Development</td>
<td>LOCAL INVESTMENT AREA</td>
<td>Safe Affordable Housing Neighborhood Stabilization</td>
<td>CDBG: $422,000</td>
<td>Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1000 Persons Assisted</td>
</tr>
<tr>
<td>Sort Order</td>
<td>Goal Name</td>
<td>Start Year</td>
<td>End Year</td>
<td>Category</td>
<td>Geographic Area</td>
<td>Needs Addressed</td>
<td>Funding</td>
<td>Goal Outcome Indicator</td>
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<td>----------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>NEW</td>
<td>Economic Development</td>
<td>2017</td>
<td>2018</td>
<td>Non-Housing Community Development</td>
<td>WICHITA NEIGHBORHOOD REVITALIZATION AREA REDEVELOPMENT INITIATIVE AREA LOCAL INVESTMENT AREA</td>
<td>Community Economic Development</td>
<td>CDBG $661,298</td>
<td>Low/Moderate income area benefiting at least 1,143 persons</td>
</tr>
</tbody>
</table>

Table 1 - Goals Summary
# The Historic Dunbar Theatre

## Advisory Board Expertise & Qualifications Matrix

<table>
<thead>
<tr>
<th>EXPERTISE</th>
<th>Fundraising (Capital and Operational)</th>
<th>Communications (Marketing &amp; Public Relations)</th>
<th>Community Relations</th>
<th>Government Relations</th>
<th>University Relations</th>
<th>Primary &amp; Secondary Education</th>
<th>Organizational Management</th>
<th>Arts &amp; Cultural Partnerships</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience with capital campaigns, particularly for new organizations/facilities.</td>
<td>Knowledge of leading communication theories and practices, especially in relationship to arts and cultural organizations.</td>
<td>Awareness of, and relationships with, key players in local community, including civic, social and religious organizations.</td>
<td>Strong understanding of protocols and best practices for engaging governmental support.</td>
<td>Relationships with key civic and municipal leadership.</td>
<td>Awareness of local and national university landscape and emerging trends in higher education.</td>
<td>Awareness of local and national K-12 education landscape.</td>
<td>Financial management expertise, to include oversight of annual budget forecasting and management, audit and regulatory reporting, and general fiscal responsibilities.</td>
<td>Understanding of national and international trends in artistic practice.</td>
</tr>
<tr>
<td>Awareness of key players in the non-profit philanthropic sector, including individuals and organizations.</td>
<td>Professional experience with digital communications, particularly emerging trends in social media.</td>
<td>Experience with community organizing and building support for new initiatives.</td>
<td>Understanding of community interests, needs, and concerns.</td>
<td></td>
<td></td>
<td>Strong relationships with teachers, administrators and student groups.</td>
<td></td>
<td>Knowledge of and experience with creative/artistic practice, particularly in disciplines featured at The Dunbar.</td>
</tr>
<tr>
<td>Comfort with and relationships that lead to securing large gifts from major donors and/or funders.</td>
<td></td>
<td>General respect and esteem of local community.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Professional experience with executive level non-profit management, particularly with arts/cultural organizations.</td>
<td>Strong relationships with local and national arts and cultural organizations.</td>
</tr>
</tbody>
</table>
QUALIFICATIONS

It is paramount that the Advisory Board comprises individuals from a range of backgrounds that represent diversity of thought, expertise, personal experience, age and ethnicities. The qualifications listed below represents a baseline of requirements for potential Advisory Board members. It is expected that individual members will possess a subset of these skills and collectively will represent comprehensive expertise required for the Advisory Board and The Dunbar. Both the Expertise Matrix and Qualifications summary will continue to evolve and be shaped by Advisory Board needs.

- 7+ years professional experience, especially with leadership roles in business, government, philanthropy, or the nonprofit arts sector.
- Strong interpersonal skills and professional relationships across industries.
- Dedication to the preservation and development of African-American arts and culture, and a commitment to the Dunbar’s mission.
- Strong vision for the organization, with a willingness to collaborate with fellow board members and organizational leadership.
- Highly regarded and respected by others within the organization and greater community.
- Willingness to attend meetings and represent the organization at key events and in their personal circles, as necessary to further secure resources for the organization.
TO: Mayor and City Council

SUBJECT: Community Event Resolution, Orie’s Garlic Festival (District V)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: New Business

---

Recommendation: Adopt the Resolution to authorize a use not allowed by the Wichita-Sedgwick County Unified Zoning Code (UZC) at the Orie’s Garlic Fest on October 15, 2017 for off-street parking at a community event, and approve the permit for the community event.

Background: A community event application has been submitted for the Orie’s Garlic Fest, scheduled for October 15, 2017, at 1805 North 119th Street West as operated by Orie’s Farm Fresh. The purpose of the event is to promote Urban Farming and provide and serve food featuring garlic. The proposed site is zoned S-F 5. The proposed event site does not meet the requirements of the UZC because a portion of the event premises to be used for vehicle parking and ingress and egress from the site by volunteers and persons attending the event is unpaved. The provisions of Article IV, Section A (2) of the UZC do not allow the use of unsurfaced areas for vehicle parking or unsurfaced driveways for vehicular travel. Section 3.11.090(h) of the Code of the City of Wichita, provides that a proposed community event may not violate any law of the City of Wichita; however, a use not allowed by the UZC and the community event permit may be approved by the City Council after a public hearing. A use not allowed by the UZC may be permitted for a duration not exceeding 10 calendar days. In accordance with the City Code, a resolution is required authorizing the proposed noncompliant use and approving the permit for the community event. Upon the close of the public hearing, review of the application for the community event and consideration of the factors set forth in Section 3.11.080 of the Code of the City of Wichita, the Council shall determine if approval for the use not allowed and permit for the community event should be given.

Analysis: Staff has reviewed the application for the community event with the proposed use not allowed by the UZC, and based upon the factors set forth in Section 3.11.080 of the City Code, finds that all of the criteria set forth therein have been met.

Financial Consideration: The event promoter is responsible for all costs associated with the community event permit. Staffing costs are not fully covered by the fees. Approximately $130 is generated from each community event.

Legal Consideration: The Law Department has prepared the proposed Resolution and approved as to form.

Recommendation/Actions: It is recommended that the City Council adopt the Resolution authorizing a use not allowed by the Wichita-Sedgwick County Unified Zoning Code (UZC) at the Orie’s Garlic Fest on October 15, 2017, and approve the permit for the community event.

Attachment: Resolution for the Orie’s Garlic Fest
RESOLUTION NO. 17-366

A RESOLUTION BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS APPROVING A COMMUNITY EVENT PERMIT APPLICATION FROM ORIE’S GARLIC FEST, ALLOWING OFF-STREET PARKING OF VEHICLES ON AN UNSURFACED AREA AND THE USE OF AN UNSURFACED DRIVEWAY FOR INGRESS AND EGRESS TO THE EVENT.

WHEREAS, the City recognizes that substantial community benefits may result from community events. They can provide community outreach, cultural enrichment, promote economic vitality and enhance community identity. Further, events such as Orie’s Garlic Fest promote Urban Farming and enhance the use of fresh produce, herbs, and garlic which can improve food security and food safety;

WHEREAS, Orie’s Garlic Fest, operated by Orie’s Farm Fresh, has applied for a community event permit pursuant to Chapter 3.11 of the Code of the City of Wichita. Said event is proposed to occur at 1805 North 119th Street West on Sunday, October 15, 2017 from 11:00 a.m. – 5:00 p.m.; and

WHEREAS, the proposed event will promote Urban Farming and the production of farm produce to provide direct access to fresh vegetables, fruits, and meat products through urban agriculture;

WHEREAS, the proposed event site does not meet the requirements of the Wichita-Sedgwick County Unified Zoning Code due to unsurfaced parking area and unsurfaced driveways upon the premises which are needed to accommodate the size of the event and the anticipated number of persons attending; and

WHEREAS, pursuant to Section 3.11.090(h) of the Code of the City of Wichita, Kansas, a proposed community event may not violate any law of the City of Wichita, State of Kansas or of the United States, provided, however, a community event permit may be approved and a use not allowed by the Wichita-Sedgwick County Unified Zoning Code may be permitted to proceed if
approved by the City Council after a public hearing regarding the same and for a duration not exceeding ten (10) calendar days; and

WHEREAS, the proposed event does not otherwise present a safety, noise, or traffic hazard and will not obstruct the operation of emergency vehicles or equipment in or through the area; and

WHEREAS, the proposed application on file for this event will be subject to review by the Community Event Committee pursuant to Chapter 3.11 of the Code of the City of Wichita, with no other issues anticipated which would impede such approval.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS AS FOLLOWS;

1. A public hearing having been held as required by Section 3.11.090 (h) of the Code of the City of Wichita, the community event permit shall be approved for the Orie’s Garlic Fest event to be held Sunday, October 15, 2017 at 1805 North 119th Street from 11:00 a.m. to 5:00 p.m. During this event, Orie’s Farm Fresh may allow parking of vehicles on unsurfaced areas and the use of any unsurfaced driveway upon the premises of the event which are outside the provisions of Article IV, Section A(2) of the Wichita-Sedgwick Unified Zoning Code.

2. All events and activities to be held at the Orie’s Garlic Fest site will be subject to approval by the Community Event Committee pursuant to Chapter 3.11 of the Code of the City of Wichita.

3. This resolution shall be effective upon adoption by City Council.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, this 10th day of October, 2017.
Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to form:

Jennifer Magaña, City Attorney and Director of Law
TO: Wichita Housing Authority Board

SUBJECT: Public Hearing – Capital Fund Program 2017 Grant and 2017-2021 Five-Year Action Plan

INITIATED BY: Housing and Community Services Department

AGENDA: Wichita Housing Authority Board (Non-Consent)

Recommendation: Conduct a public hearing; approve the Wichita Housing Authority (WHA) Public Housing Capital Fund Program 2017-2021 Five-Year Action Plan with the 2017 Annual Statement and allow the transfer of 25 percent of the annual grant to Public Housing operations; and authorize the necessary signatures to certify the documents for submission to the U.S. Department of Housing and Urban Development (HUD).

Background: Public Housing Authorities must carry out all development, capital and management activities in accordance with the United States Housing Act of 1937 (the Act). The Capital Fund Program (CFP) Final Rule, published on October 24, 2013, and made effective on November 25, 2013, requires Housing Authorities to submit Capital Fund Program documents separately from the Public Housing Authority (PHA) Annual Plan. The Wichita Housing Authority submitted its 2017 Annual PHA Plan to HUD in October, 2016. The grant is funded in arrears of the program year.

On August 18, 2017, staff posted the Five-Year Action Plan and Annual Statement on the Housing and Community Services website and made it available for review in the department office. No public comments were received during the 45-day notice period.

Analysis: The proposed WHA Capital Fund Program Five-Year Action Plan and 2017 Annual Statement will implement a provision to increase the maximum amount of the grant transferred to operations to 25 percent. The 2017 grant award is $853,097; twenty-five percent for operations is $213,274.

Plans for the 2017 CFP grant include replacing a 765 gallon domestic water storage tank at McLean Manor, installing security surveillance, rehabilitating units and providing Energy Star replacement windows in selected single family units.

Financial Considerations: There is no impact to the General Fund with this action.

Legal Considerations: The Capital Fund Program Five-Year Action Plan and 2017 Annual Statement are required by HUD. The Law Department has reviewed and approved the certifications as to form.

Recommendation/Action: It is recommended that the Wichita Housing Authority Board conduct the public hearing; approve the Wichita Housing Authority Public Housing Capital Fund Program 2017-2021 Five-Year Action Plan with the 2017 Annual Statement, including the allowed transfer of 25 percent of the annual grant to Public Housing operations and authorize the necessary signatures to certify the documents for submission to HUD.
Attachments:
HUD Form 50075.1 CFP 2017 Annual Statement
HUD Form 50075.2 CFP 2017-2021 Five-Year Action Plan
Statement of Significant Amendment
Form SFLLL Disclosure of Lobbying Activities
HUD Form 50077 Certification of Compliance with Public Hearing and Civil Rights
HUD Form 50071 Certification of Payments to Influence Federal Transactions
## Part I: Summary

**PHA Name:** City of Wichita Housing Authority  
**Grant Type and Number:** Capital Fund Program Grant No.: KS01P00450117  
**Replacement Housing Factor Grant No.:** NA  
**Date of CFPP:** NA  
**FFY of Grant:** 2017  
**FFY of Grant Approval:** 2017

### Type of Grant
- [ ] Original Annual Statement
- [x] Reserve for Disasters/Emergencies
- [ ] Performance and Evaluation Report for Period Ending
- [x] Revised Annual Statement (revision no: 1 )
- [ ] Final Performance and Evaluation Report

### Line | Summary by Development Account | Original | Revised | Obligated | Total Actual Cost
--- | --- | --- | --- | --- | ---
1 | Total non-CFP Funds | NA | | | |
2 | 1406 Operations (may not exceed 20% of line 21) 25% per 2016 Appropriations Act | | 213,274 | | |
3 | 1408 Management Improvements | | 5,000 | | |
4 | 1410 Administration (may not exceed 10% of line 21) | | 81,017 | | |
5 | 1411 Audit | | 25,000 | | |
6 | 1415 Liquidated Damages | | | | |
7 | 1430 Fees and Costs | | 140,538 | | |
8 | 1440 Site Acquisition | | NA | | |
9 | 1450 Site Improvement | | NA | | |
10 | 1460 Dwelling Structures | | 322,768 | | |
11 | 1465.1 Dwelling Equipment—Nonexpendable | | NA | | |
12 | 1470 Non-dwelling Structures | | 12,500 | | |
13 | 1475 Non-dwelling Equipment | | 53,000 | | |
14 | 1485 Demolition | | NA | | |
15 | 1492 Moving to Work Demonstration | | NA | | |
16 | 1495.1 Relocation Costs | | NA | | |
17 | 1499 Development Activities 4 | | NA | | |

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1 To be completed for the Performance and Evaluation Report.  
2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
3 PHAs with under 250 units in management may use 100% of CFPP Grants for operations.  
4 RHF funds shall be included here.
### Part I: Summary

**PHA Name:** City of Wichita Housing Authority  
**Grant Type and Number:** Capital Fund Program Grant No: KS01F00450117  
**Replacement Housing Factor Grant No:** NA  
**Date of CFFP:** NA  
**FFY of Grant:** 2018  
**FFY of Grant Approval:** 2017

**Type of Grant**  
- [x] Original Annual Statement  
- [ ] Reserve for Disasters/Emergencies  
- [ ] Revised Annual Statement (revision no: 1)  
- [ ] Final Performance and Evaluation Report

**Performance and Evaluation Report for Period Ending:**

<table>
<thead>
<tr>
<th>Line</th>
<th>Summary by Development Account</th>
<th>Total Estimated Cost</th>
<th>Total Actual Cost</th>
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<tr>
<td></td>
<td></td>
<td>Original</td>
<td>Revised</td>
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<tr>
<td>18a</td>
<td>1501 Collateralization or Debt Service paid by the PHA</td>
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<tr>
<td>18b</td>
<td>9000 Collateralization or Debt Service paid Via System of Direct Payment</td>
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<td>19</td>
<td>1502 Contingency (may not exceed 8% of line 20)</td>
<td>NA</td>
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<tr>
<td>20</td>
<td>Amount of Annual Grant: (sum of lines 2 - 19)</td>
<td>853,097</td>
<td></td>
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<tr>
<td>21</td>
<td>Amount of line 20 Related to LBP Activities</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Amount of line 20 Related to Section 504 Activities</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Amount of line 20 Related to Security - Soft Costs</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Amount of line 20 Related to Security - Hard Costs</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Amount of line 20 Related to Energy Conservation Measures</td>
<td>28,000</td>
<td></td>
</tr>
</tbody>
</table>

**Signature of Executive Director:** John E. Hall  
**Date:** 7/21/2017  
**Signature of Public Housing Director:**  
**Date:**

---

1 To be completed for the Performance and Evaluation Report.  
2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.  
3 PHAs with under 250 units in management may use 100% of CFP Grants for operations.  
4 RHF funds shall be included here.
<table>
<thead>
<tr>
<th>Development Number Name/PHA-Wide Activities</th>
<th>General Description of Major Work Categories</th>
<th>Development Account No.</th>
<th>Quantity</th>
<th>Total Estimated Cost</th>
<th>Total Actual Cost</th>
<th>Status of Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>KS004000001</td>
<td>Domestic hot water heater</td>
<td>1460</td>
<td>86 units</td>
<td>27,000</td>
<td></td>
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<tr>
<td></td>
<td>Surveillance Cameras</td>
<td>1460</td>
<td>176 units</td>
<td>68,000</td>
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</tr>
<tr>
<td>KS004000002</td>
<td>Surveillance Cameras</td>
<td>1460</td>
<td>50 units</td>
<td>34,000</td>
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</tr>
<tr>
<td>KS004000003</td>
<td>Energy Star window replacements</td>
<td>1460</td>
<td>3 units</td>
<td>12,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Interior rehabilitation</td>
<td>1460</td>
<td>2 units</td>
<td>35,884</td>
<td></td>
<td></td>
</tr>
<tr>
<td>KS004000004</td>
<td>Roof replacements</td>
<td>1460</td>
<td>10 units</td>
<td>90,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Interior rehabilitation</td>
<td>1460</td>
<td>2 units</td>
<td>39,884</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Energy Star window replacements</td>
<td>1460</td>
<td>3 units</td>
<td>16,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
2 To be completed for the Performance and Evaluation Report.
<table>
<thead>
<tr>
<th>Development Number</th>
<th>All Fund Obligated (Quarter Ending Date)</th>
<th>All Funds Expended (Quarter Ending Date)</th>
<th>Federal FFY of Grant: 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>PHA Name: City of Wichita Housing Authority</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name/PHA-Wide Activities</td>
<td>Original Obligation End Date</td>
<td>Actual Obligation End Date</td>
<td>Original Expenditure End Date</td>
</tr>
<tr>
<td>KS004000001</td>
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</tr>
<tr>
<td>KS004000002</td>
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<td>KS004000003</td>
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<tr>
<td>KS004000004</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.
## Part I: Summary

<table>
<thead>
<tr>
<th>PHA Name/Number</th>
<th>Locality City of Wichita, Sedgwick County Kansas</th>
<th>Original 5-Year Plan</th>
<th>Revision No:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Development Number and City of Wichita Housing Authority</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Work Statement 2017</td>
<td>Work Statement for Year 2</td>
<td>Work Statement for Year 3</td>
<td>Work Statement for Year 4</td>
</tr>
<tr>
<td>FFY 2018</td>
<td>FFY 2019</td>
<td>FFY 2020</td>
<td>FFY 2021</td>
</tr>
<tr>
<td><strong>B. Physical Improvements</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>322,768</td>
<td>322,768</td>
<td>322,768</td>
</tr>
<tr>
<td><strong>C. Management Improvements</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5,000</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td><strong>D. PHA-Wide Non-dwelling Structures and Equipment</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>15,000</td>
<td>15,000</td>
<td>15,000</td>
</tr>
<tr>
<td><strong>E. Administration</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>81,017</td>
<td>81,017</td>
<td>81,017</td>
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<tr>
<td><strong>F. Other</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>216,038</td>
<td>216,038</td>
<td>216,038</td>
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<tr>
<td><strong>G. Operations</strong></td>
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<tr>
<td></td>
<td>213,274</td>
<td>202,543</td>
<td>202,543</td>
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<td><strong>H. Demolition</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>I. Development</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>J. Capital Fund Financing – Debt Service</strong></td>
<td></td>
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<td></td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>K. Total CFP Funds</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>853,097</td>
<td>853,097</td>
<td>853,097</td>
</tr>
<tr>
<td><strong>L. Total Non-CPF Funds</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>M. Grand Total</strong></td>
<td></td>
<td></td>
<td></td>
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</table>
### Part II: Supporting Pages – Physical Needs Work Statement(s)

<table>
<thead>
<tr>
<th>Work Statement for FFY 2018</th>
<th>Quantity</th>
<th>Estimated Cost</th>
<th>Work Statement for FFY 2019</th>
<th>Development Number/Name</th>
<th>General Description of Major Work Categories</th>
<th>Quantity</th>
<th>Estimated Cost</th>
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<tbody>
<tr>
<td>See KS0040000001</td>
<td></td>
<td></td>
<td>KS0040000001</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Annual Statement</td>
<td></td>
<td></td>
<td></td>
<td>Annual Statement</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plumbing improvements</td>
<td>86 units</td>
<td>$15,000</td>
<td>Energy Star window replacements</td>
<td>86 units</td>
<td>$209,874</td>
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<tr>
<td>Kitchens</td>
<td></td>
<td></td>
<td>Kitchens</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>KS0040000002</td>
<td></td>
<td></td>
<td>KS0040000002</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy Star window replacements</td>
<td>12 units</td>
<td>71,000</td>
<td>Energy Star window replacement</td>
<td>12 units</td>
<td>72,894</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site improvements</td>
<td>5 units</td>
<td>20,000</td>
<td>Storage sheds</td>
<td>5 units</td>
<td>20,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storage sheds</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interior rehabilitation</td>
<td>3 units</td>
<td>64,049</td>
<td>KS0040000004</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>KS0040000004</td>
<td></td>
<td></td>
<td>Energy Star window replacements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy Star window replacements</td>
<td>16 units</td>
<td>97,845</td>
<td>Site improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storage sheds</td>
<td></td>
<td></td>
<td>Storage sheds</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interior rehabilitation</td>
<td>3 units</td>
<td>54,874</td>
<td>Single family rehabilitation</td>
<td>1 units</td>
<td>20,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal of Estimated Cost</td>
<td>$322,768</td>
<td></td>
<td>Subtotal of Estimated Cost</td>
<td>$322,768</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| KS0040000003               |          |                |                             |                          |                                            |          |                |
| KS0040000003               |          |                |                             |                          |                                            |          |                |
| Energy Star window replacement | 12 units | 71,000        | Energy Star window replacement |                  |                                            |          |                |
| Site improvements          | 5 units  | 20,000         | Storage sheds               | 5 units                  | 20,000     |
| Storage sheds              |          |                |                             |                          |                                            |          |                |
| Interior rehabilitation    | 3 units  | 64,049         | KS0040000004                |                          |                                            |          |                |
| KS0040000004               |          |                | Energy Star window replacements |                  |                                            |          |                |
| Energy Star window replacements | 16 units | 97,845        | Site improvements           |                          |                                            |          |                |
| Storage sheds              |          |                | Storage sheds               |                          |                                            |          |                |
| Interior rehabilitation    | 3 units  | 54,874         | Single family rehabilitation | 1 units | 20,000     |
| Site improvements          |          |                |                             |                          |                                            |          |                |
| Subtotal of Estimated Cost | $322,768 |                | Subtotal of Estimated Cost  | $322,768               |
## Part II: Supporting Pages – Physical Needs Work Statement(s)

<table>
<thead>
<tr>
<th>Development Number/Name</th>
<th>General Description of Major Work Categories</th>
<th>Quantity</th>
<th>Estimated Cost</th>
<th>Development Number/Name</th>
<th>General Description of Major Work Categories</th>
<th>Quantity</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>See</td>
<td>K004000001</td>
<td></td>
<td></td>
<td></td>
<td>K004000001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annual Statement</td>
<td>Security panels (electronic controls)</td>
<td>176 units</td>
<td>$30,000</td>
<td>K0040000002</td>
<td>Site improvements</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>K0040000002</td>
<td></td>
<td></td>
<td></td>
<td>K0040000003</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Energy Star window replacement</td>
<td>12 units</td>
<td>72,894</td>
<td>K0040000003</td>
<td>Energy Star window replacements</td>
<td>12 units</td>
<td>72,894</td>
</tr>
<tr>
<td></td>
<td>Site improvements</td>
<td>5 units</td>
<td>20,000</td>
<td></td>
<td>Site improvements</td>
<td>5 units</td>
<td>20,000</td>
</tr>
<tr>
<td></td>
<td>Storage sheds</td>
<td>5 units</td>
<td>59,874</td>
<td></td>
<td>Storage sheds</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Single family rehabilitation</td>
<td>5 units</td>
<td>59,874</td>
<td></td>
<td>Interior rehabilitation</td>
<td>2 units</td>
<td>24,049</td>
</tr>
<tr>
<td></td>
<td>K0040000004</td>
<td></td>
<td></td>
<td></td>
<td>K0040000004</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>Energy Star window replacement</td>
<td>12 units</td>
<td>70,000</td>
<td></td>
<td>Energy Star window replacements</td>
<td>12 units</td>
<td>70,000</td>
</tr>
<tr>
<td></td>
<td>Site improvements</td>
<td>5 units</td>
<td>20,000</td>
<td></td>
<td>Storage sheds</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Storage sheds</td>
<td>5 units</td>
<td>20,000</td>
<td></td>
<td>Storage sheds</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Single family rehabilitation</td>
<td>4 units</td>
<td>50,000</td>
<td></td>
<td>Interior rehabilitation</td>
<td>3 units</td>
<td>37,845</td>
</tr>
<tr>
<td></td>
<td>K0040000005</td>
<td></td>
<td></td>
<td></td>
<td>Site improvements</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Subtotal of Estimated Cost: **$322,768**  
Subtotal of Estimated Cost: **$322,768**

---

By: [Signature]

John E. Hall, Director

7-21-2017
Statement of Significant Amendment/Modification
City of Wichita Housing Authority

(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification”

Significant Amendment or Substantial Deviation/Modification - as referenced in the Quality Housing and Work Responsibility Act of 1998, Section 511, (g), a significant amendment or modification to the annual plan may not be adopted, other than at a duly called meeting of the governing board of the public housing agency that is open to the public after a 45 day public notice; and be implemented, until notification of the amendment or modification is provided to the Secretary of the Department of Housing and Urban Development (HUD) and approved. Amendments or modifications, which are not defined as being significant and will not be subject to a public meeting with a 45 day public notice and notification to the Secretary of HUD will be the following amendments or modifications:

1. The transfer of work projects, from one grant year to another in the Capital Fund Program (fungibility), which are included in the approved Capital Fund Program 5-Year Action Plan;

2. The transfer of funds in the Capital Fund Program from one line item to another within the same grant year budget;

3. Additional work projects funded by the Capital Fund Program not included in the 5-Year Action Plan, which have been deemed to be emergencies;

4. Policy changes resulting from HUD or other federal agency mandates, regulations, or directives; and

5. Any changes in the Housing Choice Voucher Administrative Plan or Public Housing Admissions and Continued Occupancy Policy, which are not specifically described in the HUD PHA 5-Year and Annual Plan or required PHA Plan elements.
**Disclosure of Lobbying Activities**

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

**1. *Type of Federal Action:***
- [x] a. contract
- [ ] b. grant
- [ ] c. cooperative agreement
- [ ] d. loan
- [ ] e. loan guarantee
- [ ] f. loan insurance

**2. *Status of Federal Action:***
- [ ] a. bid/offer/application
- [x] b. initial award
- [ ] c. post-award

**3. *Report Type:***
- [x] a. initial filing
- [ ] b. material change

**4. Name and Address of Reporting Entity:**
- **Prime**
- **Subawardee**
- **Name**: City of Wichita Housing Authority
- **Street 1**: 332 N. Riverview
- **City**: Wichita
- **State**: KS: Kansas
- **Zip**: 67203

**5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:**

**6. *Federal Department/Agency:***
- US Department of Housing and Urban Development

**7. *Federal Program Name/Description:***
- Capital Fund Program
- **CFDA Number**, if applicable: 14.872

**8. Federal Action Number, if known:**
- NA

**9. Award Amount, if known:**
- $853,097.00

**10. a. Name and Address of Lobbying Registrant:**
- **Prefix**
- **First Name**: Alcade and Fay
- **Middle Name**
- **Last Name**: Public Relations Firm
- **Street 1**: Colonial Place
- **City**: Arlington
- **State**: VA: Virginia
- **Zip**: 22201

**10. b. Individual Performing Services (including address if different from No. 10a)**
- **Prefix**
- **First Name**: Mike
- **Middle Name**
- **Last Name**: Enrico
- **Street 1**
- **City**

**11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.**

**Signature:**

**Name:**
- **Prefix**
- **First Name**: Jeff
- **Last Name**: Longwell

**Title:** Mayor & Chairman Wichita Housing Authority Board

**Telephone No.:** (316)284-4333

**Date:** 10/10/2017

**Authorization:** Authorized for Local Reproduction

**Standard Form - LLL (Rev. 7-97)**

---

97
Certifications of Compliance with
PHA Plans and Related Regulations
(Standard, Troubled, HCV-Only, and
High Performer PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 02/29/2016

PHA Certifications of Compliance with the PHA Plan and Related Regulations including
Required Civil Rights Certifications

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorize PHA official if there is no Board of Commissioners, I approve the submission of the ___ 5-Year and/or X Annual PHA Plan for the PHA fiscal year beginning 01/01/2018 hereinafter referred to as “the Plan”, of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.
7. For PHA Plans that includes a policy for site based waiting lists:
   • The PHA regularly submits required data to HUD’s 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2010-25);
   • The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
   • Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
   • The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing;
   • The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
12. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).

Page 1 of 2
13. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.

14. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.

15. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.

16. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.

17. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).

18. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.

19. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection according to the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

20. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

City of Wichita Housing Authority

PHA Name

KS004

PHA Number/HA Code

__X__ Annual PHA Plan for Fiscal Year 2018

_____ 5-Year PHA Plan for Fiscal Years 20____ - 20____

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Name of Authorized Official

Jeff Longwell

Title

Mayor and Chairman of the Wichita Housing Authority Board

Signature

Date

October 10, 2017
Certification of Payments to Influence Federal Transactions

Applicant Name
City of Wichita Housing Authority

Program/Activity Receiving Federal Grant Funding
Public Housing Capital Fund Program

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official
Jeff Longwell

Title
Mayor/Chairman of the Wichita Housing Authority

Signature
Date (mm/dd/yyyy)
10/10/2017
TO: Wichita Housing Authority Board
SUBJECT: Public Hearing – 2018 Annual Agency Plan
INITIATED BY: Housing and Community Services Department
AGENDA: Wichita Housing Authority Board (Non-Consent)

**Recommendation:** Conduct a public hearing; approve the Wichita Housing Authority 2018 Annual Agency Plan; and authorize the necessary signatures to certify the plan for submission to the U.S. Department of Housing and Urban Development (HUD).

**Background:** On October 21, 1998, the Quality Housing and Work Responsibility Act of 1998 (QHWRA) was signed into law as a part of the FY 1999 Appropriations Bill. One provision of the Act is the mandate for Public Housing Authorities to prepare an annual operating plan. The plan governs the Section 9 Public Housing and Section 8 Housing Choice Voucher programs and must include: information on the housing needs of the locality; population served; method of rent determination; general operating policies and procedures; capital improvements; unmet housing needs of families with incomes less than 30 percent of median income; and efforts to coordinate programs.

The Wichita Housing Authority (WHA) is required to obtain input into the plan from the Tenant Advisory Board and to hold a public hearing. In the event the Housing Authority Board receives written or oral comments from the public that are deemed significant enough to amend the plan, the Housing Authority Board may amend and certify the plan. After the Housing Authority Board considers comments submitted at the hearing and approves the WHA 2018 Annual Plan as prepared or with amendments, the WHA staff will submit it to HUD.

**Analysis:** The proposed WHA 2018 Annual Plan has one modification from the existing 2017 Annual Plan. The Housing Authority applied to HUD to convert all of its 578 Public Housing units to the Project Based Rental Assistance funding source under the Multifamily Housing Rental Assistance Demonstration pilot program. The Tenant Advisory Board approved the proposed plan at its regularly scheduled meeting on July 12, 2017.

**Financial Considerations:** There is no impact to the General Fund.

**Legal Considerations:** The certification of the 2018 Annual Plan will bring the WHA into compliance with the Quality Housing and Work Responsibility Act of 1998. The Law Department has reviewed and approved the certifications as to form.

**Recommendation/Action:** It is recommended that the Wichita Housing Authority Board conduct a public hearing; approve the Wichita Housing Authority 2018 Annual Agency Plan; and authorize the necessary signatures to certify the Plan for submission to the U.S. Department of Housing and Urban Development.
Attachments:
2018 Annual Agency Plan
2018 Agency Plan Elements
Certifications of Compliance with PHA Plans and Related Regulations HUD-50077-ST-HCV-HP
Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan
Tenant Advisory Board Comments
Challenged Elements
Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA’s mission, goals and objectives for serving the needs of low-income, very low-income, and extremely low-income families.

Applicability. Form HUD-50075-ST is to be completed annually by STANDARD PHAs or TROUBLED PHAs. PHAs that meet the definition of a High Performer PHA, Small PHA, HCV-Only PHA or Qualified PHA do not need to submit this form.

Definitions.

(1) High-Performer PHA – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both of the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.

(2) Small PHA – A PHA that is not designated as PHAS or SEMAP troubled, or at risk of being designated as troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 550.

(3) Housing Choice Voucher (HCV) Only PHA - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.

(4) Standard PHA - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceeds 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.

(5) Troubled PHA - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.

(6) Qualified PHA - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined, and is not PHAS or SEMAP troubled.

### A. PHA Information.

<table>
<thead>
<tr>
<th>PHA Name</th>
<th>PHA Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Wichita Housing Authority</td>
<td>KS004</td>
</tr>
</tbody>
</table>

**PHA Type:**

- ☑️ Standard PHA
- ☑️ Troubled PHA

**PHA Plan for Fiscal Year Beginning:** (MM/YYYY): 01/2018

**PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)**

<table>
<thead>
<tr>
<th>Number of Public Housing (PH) Units</th>
<th>Number of Housing Choice Vouchers (HCVs)</th>
<th>Total Combined Units/Vouchers</th>
</tr>
</thead>
<tbody>
<tr>
<td>578</td>
<td>2,770</td>
<td>3,348</td>
</tr>
</tbody>
</table>

**PHA Plan Submission Type:**

- ☑️ Annual Submission
- ☑️ Revised Annual Submission

**Availability of Information.** PHAs must have the elements listed below in sections B and C readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.

**PHA Consortia:**

- (Check box if submitting a Joint PHA Plan and complete table below)

<table>
<thead>
<tr>
<th>Participating PHAs</th>
<th>PHA Code</th>
<th>Program(s) in the Consortia</th>
<th>Program(s) not in the Consortia</th>
<th>No. of Units in Each Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead PHA:</td>
<td></td>
<td></td>
<td></td>
<td>PH</td>
</tr>
</tbody>
</table>

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Page 1 of 8
B. Annual Plan Elements

B.1 Revision of PHA Plan Elements.

(a) Have the following PHA Plan elements been revised by the PHA?

<table>
<thead>
<tr>
<th></th>
<th>Y</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statement of Housing Needs and Strategy for Addressing Housing Needs</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Financial Resources</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Rent Determination</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Operation and Management</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Grievance Procedures</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Homeownership Programs</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Community Service and Self-Sufficiency Programs</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Safety and Crime Prevention</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Pet Policy</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Asset Management</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Substantial Deviation</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Significant Amendment/Modification</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):

Financial Resources for 2018

<table>
<thead>
<tr>
<th>2018 Financial Resources: Planned Sources and Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sources</td>
</tr>
<tr>
<td>1. Federal Grants (FY 2016 grants)</td>
</tr>
<tr>
<td>a) Public Housing Operating Fund</td>
</tr>
<tr>
<td>b) Public Housing Capital Fund</td>
</tr>
<tr>
<td>c) HOPE VI Revitalization</td>
</tr>
<tr>
<td>d) HOPE VI Demolition</td>
</tr>
<tr>
<td>e) Annual Contributions for Housing Choice Voucher Tenant-Based Assistance</td>
</tr>
<tr>
<td>f) Public Housing Drug Elimination Program (including any Technical Assistance funds)</td>
</tr>
<tr>
<td>g) Resident Opportunity and Self-Sufficiency Grants</td>
</tr>
<tr>
<td>h) Community Development Block Grant</td>
</tr>
<tr>
<td>i) HOME</td>
</tr>
<tr>
<td>Other Federal Grants (list below)</td>
</tr>
<tr>
<td>Mainstream 5 Year</td>
</tr>
<tr>
<td>2. Prior Year Federal Grants (unobligated funds only) (list below)</td>
</tr>
<tr>
<td>3. Public Housing Dwelling Rental Income</td>
</tr>
<tr>
<td>Non-dwelling rental (antennas)</td>
</tr>
<tr>
<td>Non-dwelling rental (office)</td>
</tr>
<tr>
<td>4. Other income (list below)</td>
</tr>
<tr>
<td>Investment</td>
</tr>
<tr>
<td>Tenant charges</td>
</tr>
<tr>
<td>Late charges</td>
</tr>
<tr>
<td>4. Non-federal sources (list below)</td>
</tr>
<tr>
<td>Total resources</td>
</tr>
</tbody>
</table>

(c) The PHA must submit its Deconcentration Policy for Field Office review.
B.2 New Activities.

(a) Does the PHA intend to undertake any new activities related to the following in the PHA’s current Fiscal Year?

<table>
<thead>
<tr>
<th>Y</th>
<th>N</th>
</tr>
</thead>
</table>
| ☒ | ☐ | Hope VI or Choice Neighborhoods.
| ☐ | ☒ | Mixed Finance Modernization or Development.
| ☒ | ☐ | Demolition and/or Disposition.
| ☐ | ☒ | Designated Housing for Elderly and/or Disabled Families.
| ☒ | ☐ | Conversion of Public Housing to Tenant-Based Assistance.
| ☐ | ☒ | Conversion of Public Housing to Project-Based Assistance under RAD.
| ☒ | ☐ | Occupancy by Over-Income Families.
| ☐ | ☒ | Occupancy by Police Officers.
| ☒ | ☐ | Non-Smoking Policies.
| ☐ | ☒ | Project-Based Vouchers.
| ☒ | ☐ | Units with Approved Vacancies for Modernization.
| ☐ | ☒ | Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project based units and general locations, and describe how project basing would be consistent with the PHA Plan.

**Conversion of Public Housing to Project Based Assistance under RAD.** The WHA has applied to convert all of its 578 public housing dwelling units to Project Based Rental Assistance. A description of the units, bedroom distribution and types of units follows:

- **KS004000001**
  - 2 Elderly-only High rise buildings – 176 units
  - 167 1BR units
  - 9 2BR units

- **KS004000002**
  - 2 Elderly/disabled apartment communities – 50 units
  - 50 1BR units

- **KS004000003**
  - 193 Family Scattered site single-family
  - 1 2BR unit
  - 141 3BR units
  - 44 4BR units
  - 7 5BR units

- **KS004000004**
  - 159 Family Scattered site single-family units
  - 34 2BR units
  - 25 3BR units
  - 51 4BR units
  - 29 5BR units
  - 20 6BR units

- There will not be any changes to the number of units.
- The Wichita Housing Authority proposes to convert all of its public housing units to PBRA.
- Current residents will not be rescreened at conversion of the units.
- All residents will have the right to return to their units once rehabilitation has been completed.
- Any increases in tenant rents will be phased in over a three-year period.

B.3 Civil Rights Certification.

Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

B.4 Most Recent Fiscal Year Audit.

(a) Were there any findings in the most recent FY Audit?

<table>
<thead>
<tr>
<th>Y</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☒</td>
</tr>
</tbody>
</table>
B.5 Progress Report.

Provide a description of the PHA’s progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.

- Expand the supply of affordable housing by applying for additional rental vouchers with adequate administrative funds and reduce public housing vacancies;
  - WHA applied for and received 10 VASH vouchers for a total of 207.

- Improve the quality of management performance as monitored by Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) scores;
  - 2016 PHAS Score = HUD had not posted WHA’s score as of 7/11/2017
  - 2016 SEMAP Score = 97%

- Bring higher income public housing households into lower income developments and, promote income mixing in Section 8 housing, and designated housing for the elderly;
  - Public Housing advertises its dwelling units on the City’s website with an interactive webpage, in community newspapers, social media and professional flyers to build its waiting list and house families.
  - The Housing Choice Voucher program no longer has a preference for working families.
  - The WHA requests extensions for its Designated Housing Plan every two years. McLean Manor and Greenway Manor in AMP KS004000001 have a total of 176 dwelling units designated as Elderly Housing.

- Promote self-sufficiency by increasing the percentage of employed persons in assisted housing, attracting supportive services to improve assisted clients’ employability and independence for the elderly and disabled;
  - The WHA has been a successful recipient of a U.S. Department of Housing and Urban Development Resident Opportunity Self-Sufficiency Service Coordinator grants since 2000. WHA’s subrecipient is the Central Plains Area Agency on Aging and it provides a service coordinator who secures resources for elderly and disabled residents allowing them to age in place. The Service Coordinator works with tenants living in Greenway Manor, McLean Manor (AMP KS004000001), and Rosa Gragg and Bernice Hutcherson (KS004000002) apartment communities.
  - The WHA’s Family Self Sufficiency program has 150 participants. 10 participants graduated from the program in 2016.

- Limit public housing to persons at or below 80% of the area median income;
  - The WHA implemented a policy requiring tenants to move out of public housing within 90 days of the date their annual income exceeds 80 percent of the area median income.

- Increase economic sustainability by helping families assisted by Housing Choice Voucher and living in public housing achieve economic security through Individual and Family Development activities and introduce youths age 14 & 15 to a culture of work through summer youth employment and job skills training;
  - 44 Housing Choice Voucher and 26 public housing families participate in the Wichita Sedgwick County Community Action Partnership Individual and Family Development (IFD) program. The IFD is a comprehensive process through which clients establish goals and improve their ability to obtain them.

- Introduce youths age 14 and 15 to a culture of work through summer youth employment and job skills training.
  - Housing and Community Service’s summer youth employment program, The Way to Work (TWTW), employed 152 youth whose parent(s) or guardian(s) receive assistance from the WHA. 132 youth age 14-15 participated in TWTW and 20 youth, age 16-17 were in TWTW for Life program. Youth attended class four hours a day 20 hours a week for one month and worked in age appropriate jobs 16 hours with four hours of training a week for the second month. Examples of instruction included resume writing, interviewing, how to behave on the job, and financial literacy. All youth were given the opportunity to open a savings account and were awarded when they saved money.

- Ensure equal opportunity and affirmatively further fair housing.
  - WHA has Fair Housing posters in several languages hanging in its lobby and in public housing multifamily common areas. The signs provide information on how to report and file Fair Housing violations.
  - WHA is an equal housing opportunity agency that treats Housing Choice Voucher clients and public housing residents equally.
  - WHA advertises public hearings in the Wichita Eagle and The Community Voice. The Community Voice is published and distributed to a large African American readership.
  - WHA grants reasonable accommodation requests to persons with disabilities.

B.6 Resident Advisory Board (RAB) Comments.

(a) Did the RAB(s) provide comments to the PHA Plan?

Y  N  ☒
A. PHA Information. All PHAs must complete this section.

A.1 Include the full PHA Name, PHA Code, PHA Type, PHA Fiscal Year Beginning (MM/YYYY), PHA Inventory, Number of Public Housing Units and or Housing Choice Vouchers (HCVs), PHA Plan Submission Type, and the Availability of Information, specific location(s) of all information relevant to the public hearing and proposed PHA Plan. (24 CFR §903.23(4)(e))

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table. (24 CFR §943.128(a))

---

(c) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.

B.7 Certification by State or Local Officials.

Form HUD 50077-SL, Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan, must be submitted by the PHA as an electronic attachment to the PHA Plan.

B.8 Troubled PHA.

(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?

☐ ☐ ☑

(b) If yes, please describe:

C. Statement of Capital Improvements. Required for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).

C.1 Capital Improvements. Include a reference here to the most recent HUD-approved 5-Year Action Plan (HUD-50075.2) and the date that it was approved by HUD.

See HUD Form- 50075.2 approved by HUD on 05/03/2016.

Capital Fund Program Improvements included in the 5-Year Action Plan

KS004000001: McLean Manor (90 units) and Greenway Manor (86 units) Total: 176 units
Replace roof on McLean Manor
Replace domestic water heater

KS004000002: Rosa Gragg (32 units) and Bernice Hutcherson (18 units) Total: 50 units
Energy Star replacement lighting

KS004000003: 193 scattered site single-family units
Energy Star window replacements – 6 units
Site improvements – 4 units
Single-family rehabilitation – 3 units

KS004000004: 159 scattered site single-family units
Energy Star window replacements – 6 units
Interior rehabilitation – 15 units
Site improvements – 4 units

---

Instructions for Preparation of Form HUD-50075-ST
Annual PHA Plan for Standard and Troubled PHAs
B. **Annual Plan.** All PHAs must complete this section.

B.1 **Revision of PHA Plan Elements.** PHAs must:

- Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.” (24 CFR §903.7)

- **Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income), (ii) elderly families and families with disabilities, and (iii) households of various races and ethnic groups residing in the jurisdiction or on the waiting list based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. (24 CFR §903.7(a)(1))

  Provide a description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. (24 CFR §903.7(a)(2)(iii))

- **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** PHAs must submit a Deconcentration Policy for Field Office review. For additional guidance on what a PHA must do to deconcentrate poverty in its development and comply with fair housing requirements, see 24 CFR 903.2. (24 CFR §903.23(b)) Describe the PHA’s admissions policy for deconcentration of poverty and income mixing of lower-income families in public housing. The Deconcentration Policy must describe the PHA’s policy for bringing higher income tenants into lower income developments and lower income tenants into higher income developments. The deconcentration requirements apply to general occupancy and family public housing developments. Refer to 24 CFR §903.2(b)(2) for developments not subject to deconcentration of poverty and income mixing requirements. (24 CFR §903.7(b)) Describe the PHA’s procedures for maintain waiting lists for admission to public housing and address any site-based waiting lists. (24 CFR §903.7(b)). A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV. (24 CFR §903.7(b)) Describe the unit assignment policies for public housing. (24 CFR §903.7(b))

- **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA’s anticipated resources, such as PHA operating, capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. (24 CFR §903.7(c))

- **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units, including applicable public housing flat rents, minimum rents, voucher family rent contributions, and payment standard policies. (24 CFR §903.7(d))

- **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance and management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA. (24 CFR §903.7(e))

- **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants. (24 CFR §903.7(f))

- **Homeownership Programs.** A description of any Section 5h, Section 32, Section 8y, or HOPE I public housing or Housing Choice Voucher (HCV) homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval. (24 CFR §903.7(g))

- **Community Service and Self Sufficiency Programs.** Describe how the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. (24 CFR §903.7(l)) A description of: 1) Any programs relating to services and amenities provided or offered to assisted families; and 2) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS. (24 CFR §903.7(l))

- **Safety and Crime Prevention.** Describe the PHA’s plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must provide development-by-development or jurisdiction-wide basis: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities. (24 CFR §903.7(m)) A description of: 1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and 3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families. (24 CFR §903.7(m)(5))

- **Pet Policy.** Describe the PHA’s policies and requirements pertaining to the ownership of pets in public housing. (24 CFR §903.7(n))

- **Asset Management.** State how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory. (24 CFR §903.7(q))

- **Substantial Deviation.** PHA must provide its criteria for determining a “substantial deviation” to its 5-Year Plan. (24 CFR §903.7(r)(2)(i))

- **Significant Amendment/Modification.** PHA must provide its criteria for determining a “Significant Amendment or Modification” to its 5-Year and Annual Plan. Should the PHA fail to define ‘significant amendment/modification’, HUD will consider the following to be ‘significant amendments or modifications’: a) changes to rent or admissions policies or organization of the waiting list; b) additions of non-emergency CFP work items (items not included in the current CFP Annual Statement or CFP 5-Year Action Plan) or change in use of replacement reserve funds under the Capital Fund; or c) any
change with regard to demolition or disposition, designation, homeownership programs or conversion activities. See guidance on HUD’s website at: Notice PIH 1999-51, (24 CFR §903.7(i)(2)(ii)).

If any boxes are marked “yes”, describe the revision(s) to those element(s) in the space provided.

B.2 New Activities. If the PHA intends to undertake any new activities related to these elements in the current Fiscal Year, mark “yes” for those elements, and describe the activities to be undertaken in the space provided. If the PHA does not plan to undertake these activities, mark “no.”

- **Hope VI or Choice Neighborhoods.** 1) A description of any housing (including project number and unit count) for which the PHA will apply for HOPE VI or Choice Neighborhoods; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI or Choice Neighborhoods is a separate process. See guidance on HUD’s website at: http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm, (Notice PIH 2010-30)

- **Mixed Finance Modernization or Development.** 1) A description of any housing (including project number and unit count) for which the PHA will apply for Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Mixed Finance Modernization or Development is a separate process. See guidance on HUD’s website at: http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm, (Notice PIH 2010-30)

- **Demolition and/or Disposition.** Describe any public housing projects owned by the PHA and subject to ACCs (including project number and unit numbers or addresses), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed as described in the PHA’s Annual and/or 5-Year PHA Plan submission. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD’s website at: http://www.hud.gov/offices/pih/centers/sac/demo.dispo/index.cfm, (24 CFR §903.7(h))

- **Designated Housing for Elderly and Disabled Families.** Describe any public housing projects owned, assisted or operated by the PHA (or portions thereof), in the upcoming fiscal year, that the PHA has continually operated as, has designated, or will apply for designation for occupancy by elderly and/or disabled families only. Include the following information: 1) development name and number; 2) designation type; 3) application status; 4) date the designation was approved, submitted, or planned for submission, and; 5) the number of units affected. Note: The application and approval process for such designations is separate from the PHA Plan process, and PHA Plan approval does not constitute HUD approval of any designation. (24 CFR §903.7(i)(C))

- **Conversion of Public Housing.** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA is required to convert or plans to voluntarily convert to tenant-based assistance; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD’s website at: http://www.hud.gov/offices/pih/centers/sac/conversion.cfm, (24 CFR §903.7(j))

- **Conversion of Public Housing.** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA plans to voluntarily convert to project-based assistance under RAD. See additional guidance on HUD’s website at: Notice PIH 2012-32

- **Occupancy by Over-Income Families.** A PHA that owns or operates fewer than two hundred fifty (250) public housing units, may lease a unit in a public housing development to an over-income family (a family whose annual income exceeds the limit for a low income family at the time of initial occupancy), if all the following conditions are satisfied: (1) There are no eligible low income families on the PHA waiting list or applying for public housing assistance when the unit is leased to an over-income family; (2) The PHA has publicized availability of the unit for rental to eligible low income families, including publishing public notice of such availability in a newspaper of general circulation in the jurisdiction at least thirty days before offering the unit to an over-income family; (3) The over-income family rents the unit on a month-to-month basis for a rent that is not less than the PHA’s cost to operate the unit; (4) The lease to the over-income family provides that the family agrees to vacate the unit when the unit is needed for rental to an eligible family; and (5) The PHA gives the over-income family at least thirty days’ notice to vacate the unit when the unit is needed for rental to an eligible family. The PHA may incorporate information on occupancy by over-income families into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. See additional guidance on HUD’s website at: Notice PIH 2011-7, (24 CFR 960.503) (24 CFR 903.7(b))

- **Occupancy by Police Officers.** The PHA may allow police officers who would not otherwise be eligible for occupancy in public housing, to reside in a public housing dwelling unit. The PHA must include the number and location of the units to be occupied by police officers, and the terms and conditions of their tenancies; and a statement that such occupancy is needed to increase security for public housing residents. A “police officer” means a person determined by the PHA to be, during the period of residence of that person in public housing, employed on a full-time basis as a duly licensed professional police officer by a Federal, State or local government or by any agency of these governments. An officer of an accredited police force of a housing agency may qualify. The PHA may incorporate information on occupancy by police officers into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. See additional guidance on HUD’s website at: Notice PIH 2011-7, (24 CFR 960.505) (24 CFR 903.7(b))

- **Non-Smoking Policies.** The PHA may implement non-smoking policies in its public housing program and incorporate this into its PHA Plan statement of operation and management and the rules and standards that will apply to its projects. See additional guidance on HUD’s website at: Notice PIH 2009-21, (24 CFR §903.7(c))

- **Project-Based Vouchers.** Describe any plans to use Housing Choice Vouchers (HCVs) for new project-based vouchers, which must comply with PBV goals, civil rights requirements, Housing Quality Standards (HQS) and deconcentration standards, as stated in 983.57(b)(1) and set forth in the PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. If using project-based vouchers, provide the projected number of project-based units and general locations, and describe how project-baseding would be consistent with the PHA Plan. (24 CFR §903.7(b))

- **Units with Approved Vacancies for Modernization.** The PHA must include a statement related to units with approved vacancies that are undergoing modernization in accordance with 24 CFR §900.145(a)(1).

- **Other Capital Grant Programs** (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).
For all activities that the PHA plans to undertake in the current Fiscal Year, provide a description of the activity in the space provided.

**B.3 Civil Rights Certification.** Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulation, must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction’s initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. ([24 CFR §903.7(o)](https://www.govinfo.gov/content/pkg/CFR-2014-title-24/toc))

**B.4 Most Recent Fiscal Year Audit.** If the results of the most recent fiscal year audit for the PHA included any findings, mark “yes” and describe those findings in the space provided. ([24 CFR §903.7(p)](https://www.govinfo.gov/content/pkg/CFR-2014-title-24/toc))

**B.5 Progress Report.** For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year PHA Plan. ([24 CFR §903.7(r)](https://www.govinfo.gov/content/pkg/CFR-2014-title-24/toc))

**B.6 Resident Advisory Board (RAB) comments.** If the RAB provided comments to the annual plan, mark “yes,” submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA’s decision made on these recommendations. ([24 CFR §903.13(c), 24 CFR §903.19](https://www.govinfo.gov/content/pkg/CFR-2014-title-24/toc))

**B.7 Certification by State of Local Officials.** Form HUD-50077-SL, Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan, must be submitted by the PHA as an electronic attachment to the PHA Plan. ([24 CFR §903.15](https://www.govinfo.gov/content/pkg/CFR-2014-title-24/toc)). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

**B.8 Troubled PHA.** If the PHA is designated troubled, and has a current MOA, improvement plan, or recovery plan in place, mark “yes,” and describe that plan. If the PHA is troubled, but does not have any of these items, mark “no.” If the PHA is not troubled, mark “N/A.” ([24 CFR §903.9](https://www.govinfo.gov/content/pkg/CFR-2014-title-24/toc))

**C. Statement of Capital Improvements.** PHAs that receive funding from the Capital Fund Program (CFP) must complete this section. ([24 CFR 903.7 (g)](https://www.govinfo.gov/content/pkg/CFR-2014-title-24/toc))

**C.1 Capital Improvements.** In order to comply with this requirement, the PHA must reference the most recent HUD approved Capital Fund 5 Year Action Plan. PHAs can reference the form by including the following language in Section C. 8.0 of the PHA Plan Template: “See HUD Form- 50075.2 approved by HUD on XX/XX/XXXX.”

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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year and Annual PHA Plan.

Public reporting burden for this information collection is estimated to average 9.2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Privacy Act Notice.** The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.
U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

Annual Plan Elements for
Fiscal Year 2018

Public Supplement
PHA Plan
Agency Identification

PHA Name:  City of Wichita Housing Authority  PHA Number:  KS004

Annual PHA Plan
PHA Fiscal Year 2018
[24 CFR Part 903.7]

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1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Waiting List Procedures**

[24 CFR Part 903.7 9 ©]

1. **Public Housing**

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent 3A.

(1) **Eligibility**

1. When does the PHA verify eligibility for admission to public housing? (select all that apply)
   - When families are within a certain number of being offered a unit: (state number)
   - When families are within a certain time of being offered a unit: (state time)
   - Other: subsequent to formal application during Preoccupancy Meeting

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?
   - Criminal or Drug-related activity
   - Rental history
   - Housekeeping
   - Other (describe)

c. Yes ☒ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

d. Yes ☒ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

e. Yes ☒ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (Either directly or through an NCIC-authorized source)

(2) **Waiting List Organization**

1. Which methods does the PHA plan to use to organize its public housing waiting list (select all that apply)
   - Community-wide list
   - Sub-jurisdictional lists
   - Site-based waiting lists
   - Other (describe)

b. Where may interested persons apply for admission to public housing?
   - PHA main administrative office (for persons with disabilities if they need assistance)
   - PHA development site management office
   - Other – Online via web site: [https://wichita.apply4housing.com/](https://wichita.apply4housing.com/)
c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection (3) Assignment

1. How many site-based waiting lists will the PHA operate in the coming year? None

2. ☐ Yes ☐ No: Are any or all of the PHA’s site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site-based waiting list plan)?
   If yes, how many lists?

3. ☐ Yes ☐ No: May families be on more than one list simultaneously?
   If yes, how many lists?

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?
   ☐ PHA main administrative office
   ☐ All PHA development management offices
   ☐ Management offices at developments with site-based waiting lists
   ☐ At the development to which they would like to apply
   ☐ Other (list below)

(3) Assignment

1. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)
   ☐ One (removed from the waiting list)
   ☐ Two
   ☒ Three or More

Public housing staff will offer all available size-appropriate dwelling units to groups of applicants that have been selected according to the date and time of their applications and the size of their families. Public housing staff will match the size of the families with the number of bedrooms in the dwelling units. Applicants who do not choose a unit may remain in the offer pool until they select a dwelling or leave the program by their own choosing.

b. ☒ Yes ☐ No: Is this policy consistent across all waiting list types?

c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:
(4) Admissions Preferences

1. Income targeting:
   - Yes ☒ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

b. Transfer policies:
   In what circumstances will transfers take precedence over new admissions? (list below)
   - ☒ Emergencies
   - ☒ Overhoused
   - ☒ Underhoused
   - ☒ Medical justification
   - ☒ Administrative reasons determined by the PHA (e.g., to permit modernization work)
   - ☒ Resident choice: (state circumstances below)
   - ☒ Other: (list below)

   Violence Against Women Act domestic violence emergency transfers

2. Preferences
   1. ☒ Yes ☒ No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If “no” is selected, skip to subsection (5) Occupancy)

   2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

   Former Federal preferences:
   - ☒ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
   - ☒ Victims of domestic violence
   - ☒ Substandard housing
   - ☒ Homelessness
   - ☒ High rent burden (rent is > 50 percent of income)

   Other preferences: (select below)
   - ☒ Working families and those unable to work because of age or disability
   - ☒ Veterans and veterans’ families
   - ☒ Residents who live and/or work in the jurisdiction
   - ☒ Those enrolled currently in educational, training, or upward mobility programs
   - ☒ Households that contribute to meeting income goals (broad range of incomes)
   - ☒ Households that contribute to meeting income requirements (targeting)
   - ☒ Those previously enrolled in educational, training, or upward mobility programs
   - ☒ Victims of reprisals or hate crimes
Other preference(s) (list below)

1. If the PHA will employ admissions preferences, please prioritize by placing a “1” in the space that represents your first priority, a “2” in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use “1” more than once, “2” more than once, etc.

Date and Time

Former Federal preferences:
- Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- Victims of domestic violence
- Substandard housing
- Homelessness
- High rent burden

Other preferences (select all that apply)
- Working families and those unable to work because of age or disability
- Veterans and veterans’ families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Households that contribute to meeting income goals (broad range of incomes)
- Households that contribute to meeting income requirements (targeting)
- Those previously enrolled in educational, training, or upward mobility programs
- Victims of reprisals or hate crimes
- Other preference(s) (list below)

1. Relationship of preferences to income targeting requirements:
- The PHA applies preferences within income tiers
- Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Occupancy

1. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)
- The PHA-resident lease
- The PHA’s Admissions and Continued Occupancy policy
- PHA briefing seminars or written materials
- Other source: Housekeeping Handout
b. How often must residents notify the PHA of changes in family composition? (select all that apply)

- ☒ At an annual reexamination and lease renewal
- ☒ Any time family composition changes
- ☐ At family request for revision
- ☐ Other (list)

(6) Deconcentration and Income Mixing

*a. ☐ Yes ☒ No: Does the PHA have any general occupancy (family) public housing developments covered by the deconcentration rule? If no, this section is complete. If yes, continue to the next question.

*b. ☐ Yes ☐ No: Do any of these covered developments have average incomes above or below 85% to 115% of the average incomes of all such developments? If no, this section is complete.

* - New questions added by PIH Notice 2001-4

If yes, list these developments as follows:

<table>
<thead>
<tr>
<th>Development Name</th>
<th>Number of Units</th>
<th>Explanation (if any) [see step 4 at §903.2(c)(1)(iv)]</th>
<th>Deconcentration policy (if no explanation) [see step 5 at §903.2(c)(1)(v)]</th>
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a. ☐ Yes ☐ No: Did the PHA’s analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?

b. ☐ Yes ☒ No: Did the PHA adopt any changes to its admissions policies based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

c. If the answer to b was yes, what changes were adopted? (select all that apply)

- ☐ Adoption of site-based waiting lists
  If selected, list targeted developments below:
Employing waiting list “skipping” to achieve deconcentration of poverty or income mixing goals at targeted developments
If selected, list targeted developments below:

Employing new admission preferences at targeted developments
If selected, list targeted developments below:

Other (list policies and developments targeted below)

d.  [ ] Yes  [ ] No: Did the PHA adopt any changes to other policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?

1. If the answer to d. was yes, how would you describe these changes? (select all that apply)

[ ] Additional affirmative marketing
[ ] Actions to improve the marketability of certain developments
[ ] Adoption or adjustment of ceiling rents for certain developments
[ ] Adoption of rent incentives to encourage deconcentration of poverty and income mixing
[ ] Other (list below)

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)

[ ] Not applicable: results of analysis did not indicate a need for such efforts
[ ] List (any applicable) developments below:

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)

[ ] Not applicable: results of analysis did not indicate a need for such efforts
[ ] List (any applicable) developments below:
B. Housing Choice Voucher
Exemptions: PHAs that do not administer Housing Choice Voucher are not required to complete sub-component 3B.
Unless otherwise specified, all questions in this section apply only to the tenant-based Housing Choice Voucher assistance program (vouchers, and until completely merged into the voucher program, certificates).

(1) Eligibility

1. What is the extent of screening conducted by the PHA? (select all that apply)
   - [x] Criminal or drug-related activity only to the extent required by law or regulation
   - [ ] Criminal and drug-related activity, more extensively than required by law or regulation
   - [ ] More general screening than criminal and drug-related activity (list factors below)
   - [ ] Other (list below)

b. [x] Yes [ ] No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

c. [x] Yes [ ] No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

d. [ ] Yes [x] No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

   1. Indicate what kinds of information you share with prospective landlords? (select all that apply)
      - [x] Criminal or drug-related activity
      - [x] Other – non-payment of rent

(2) Waiting List Organization

1. With which of the following program waiting lists is the Housing Choice Voucher tenant-based assistance waiting list merged? (select all that apply)
   - [x] None
   - [ ] Federal public housing
   - [ ] Federal moderate rehabilitation
   - [ ] Federal project-based certificate program
   - [ ] Other federal or local program (list below)

b. Where may interested persons apply for admission to Housing Choice Voucher tenant-based assistance? (select all that apply)
   - [ ] PHA main administrative office
   - [x] Other: On line via web site https://wichita.apply4housing.com/ when the Section 8 Housing Choice Voucher waitlist is open
(3) Search Time

a. Yes □ No: Does the PHA give extensions on standard 60-day period to search for a unit?

If yes, state circumstances below:

Hard to house (disabled or families needing 3 or more bedrooms), unable to locate dwelling in preferred area.

(4) Admissions Preferences

1. Income targeting

□ Yes □ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the Housing Choice Voucher program to families at or below 30% of median area income?

b. Preferences

1. □ Yes □ No: Has the PHA established preferences for admission to Housing Choice Voucher tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent (5) Special purpose Housing Choice Voucher assistance programs)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

□ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
□ Victims of domestic violence
□ Substandard housing
□ Homelessness
□ High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

□ Working families and those unable to work because of age or disability
□ Veterans and veterans’ families
□ Residents who live and/or work in your jurisdiction
□ Those enrolled currently in educational, training, or upward mobility programs
□ Households that contribute to meeting income goals (broad range of incomes)
□ Households that contribute to meeting income requirements (targeting)
□ Those previously enrolled in educational, training, or upward mobility programs
□ Victims of reprisals or hate crimes
☐ Other preference(s) – Family Unification Program eligible participants and Mainstream participants

3. If the PHA will employ admissions preferences, please prioritize by placing a “1” in the space that represents your first priority, a “2” in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use “1” more than once, “2” more than once, etc.

1 Date and Time

Former Federal preferences
☐ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
☐ Victims of domestic violence
☐ Substandard housing
☐ Homelessness
☐ High rent burden

Other preferences (select all that apply)
☐ Working families and those unable to work because of age or disability
☐ Veterans and veterans’ families
☐ Residents who live and/or work in your jurisdiction
☐ Those enrolled currently in educational, training, or upward mobility programs
☐ Households that contribute to meeting income goals (broad range of incomes)
☐ Households that contribute to meeting income requirements (targeting)
☐ Those previously enrolled in educational, training, or upward mobility programs
☐ Victims of reprisals or hate crimes
☐ Other preference(s) (list below)

1. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)
☐ Date and time of application
☐ Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for “residents who live and/or work in the jurisdiction” (select one)
☐ This preference has previously been reviewed and approved by HUD
☐ The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)
☐ The PHA applies preferences within income tiers
Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Housing Choice Voucher Assistance Programs

1. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose Housing Choice Voucher program administered by the PHA contained? (select all that apply)
   - The Housing Choice Voucher Administrative Plan
   - Briefing sessions and written materials
   - Other – On line via web site

b. How does the PHA announce the availability of any special-purpose Housing Choice Voucher programs to the public?
   - Through published notices
   - Other – Direct mail and web site

2. Statement of Financial Resources
   [24 CFR Part 903.79 (b)]

<table>
<thead>
<tr>
<th>Financial Resources: Planned Sources and Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sources</td>
</tr>
<tr>
<td>1. Federal Grants (FY 2016 grants)</td>
</tr>
<tr>
<td>a) Public Housing Operating Fund</td>
</tr>
<tr>
<td>b) Public Housing Capital Fund</td>
</tr>
<tr>
<td>c) HOPE VI Revitalization</td>
</tr>
<tr>
<td>d) HOPE VI Demolition</td>
</tr>
<tr>
<td>e) Annual Contributions for Housing Choice Voucher Tenant-Based Assistance</td>
</tr>
<tr>
<td>f) Public Housing Drug Elimination Program (including any Technical Assistance funds)</td>
</tr>
<tr>
<td>g) Resident Opportunity and Self-Sufficiency Grants</td>
</tr>
<tr>
<td>h) Community Development Block Grant</td>
</tr>
<tr>
<td>i) HOME</td>
</tr>
<tr>
<td>Other Federal Grants (list below)</td>
</tr>
<tr>
<td>Mainstream 5 Year</td>
</tr>
<tr>
<td>2. Prior Year Federal Grants (unobligated funds only) (list below)</td>
</tr>
</tbody>
</table>
### Financial Resources: Planned Sources and Uses

<table>
<thead>
<tr>
<th>Sources</th>
<th>Planned $</th>
<th>Planned Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Public Housing Dwelling Rental Income</td>
<td>984,600</td>
<td>Operations</td>
</tr>
<tr>
<td>Non-dwelling rental (antennas)</td>
<td>50,800</td>
<td>Operations</td>
</tr>
<tr>
<td>Non-dwelling rental (office)</td>
<td></td>
<td>Operations</td>
</tr>
<tr>
<td>4. Other income (list below)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Investment</td>
<td>2,000</td>
<td>Operations</td>
</tr>
<tr>
<td>Tenant charges</td>
<td>34,200</td>
<td>Operations</td>
</tr>
<tr>
<td>Late charges</td>
<td>18,400</td>
<td>Operations</td>
</tr>
<tr>
<td>4. Non-federal sources (list below)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total resources</td>
<td>$17,736,610</td>
<td></td>
</tr>
</tbody>
</table>

### 3. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

#### A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete sub-component 4A.

**1. Income Based Rent Policies**

Describe the PHA’s income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

a. Use of discretionary policies: (select one)

- [x] The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---or---

- [ ] The PHA employs discretionary policies for determining income based rent (If selected, continue to question b.)

b. Minimum Rent
1. What amount best reflects Public Housing’s minimum rent? (select one)

☐ $0
☐ $1-$25
☒ $26-$50

2. ☒ Yes ☐ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

3. If yes to question 2, list these policies below:

c. Rents set at less than 30% than adjusted income

1. ☐ Yes ☒ No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

d. Which of the discretionary (optional) deductions and/or exclusions policies does the PHA plan to employ (select all that apply)

☒ For the earned income of a previously unemployed household member
☐ For increases in earned income
☐ Fixed amount (other than general rent-setting policy)
   If yes, state amount/s and circumstances below:

☐ Fixed percentage (other than general rent-setting policy)
   If yes, state percentage/s and circumstances below:

☒ For household heads
☒ For other family members
☐ For transportation expenses
☐ For the non-reimbursed medical expenses of non-disabled or non-elderly families
☐ Other (describe below)

e. Ceiling rents

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)

☐ Yes for all developments
☐ Yes but only for some developments
☒ No
2. For which kinds of developments are ceiling rents in place? (select all that apply)

☐ For all developments
☐ For all general occupancy developments (not elderly or disabled or elderly only)
☐ For specified general occupancy developments
☐ For certain parts of developments; e.g., the high-rise portion
☐ For certain size units; e.g., larger bedroom sizes
☐ Other (list below)

3. Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)

☐ Market comparability study
☐ Fair market rents (FMR)
☐ 95th percentile rents
☐ 75 percent of operating costs
☐ 100 percent of operating costs for general occupancy (family) developments
☐ Operating costs plus debt service
☐ The “rental value” of the unit
☐ Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family composition to the PHA such that the changes result in an adjustment to rent? (select all that apply)

☐ Never
☐ At family option
☐ Any time the family experiences an income increase
☒ Any time a family experiences an income increase above a threshold amount or percentage: 10%
☐ Other (list below)

g. ☐ Yes ☒ No: Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?

(2) Flat Rents

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)

☐ The Housing Choice Voucher rent reasonableness study of comparable housing
☐ Survey of rents listed in local newspaper
☐ Survey of similar unassisted units in the neighborhood
☒ Other: 2015 Appropriations Act and HUD Notice PIH 2015-13

### B. Housing Choice Voucher Tenant-Based Assistance

Exemptions: PHAs that do not administer Housing Choice Voucher tenant-based assistance are not required to complete sub-component 4B. Unless otherwise specified, all questions in this section apply only to the tenant-based Housing Choice Voucher assistance program (vouchers, and until completely merged into the voucher program, certificates).

**1. Payment Standards**

Describe the voucher payment standards and policies.

a. What is the PHA’s payment standard? (select the category that best describes your standard)

- [ ] At or above 90% but below 100% of FMR
- [ ] 100% of FMR
- [X] Above 100% but at or below 110% of FMR
- [ ] Above 110% of FMR (if HUD approved; describe circumstances below)

b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)

- [ ] FMRs are adequate to ensure success among assisted families in the PHA’s segment of the FMR area
- [ ] The PHA has chosen to serve additional families by lowering the payment standard
- [ ] Reflects market or submarket
- [ ] Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)

- [X] FMRs are not adequate to ensure success among assisted families in the PHA’s segment of the FMR area
- [X] Reflects market or submarket
- [X] To increase housing options for families
- [ ] Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)

- [X] Annually
- [ ] Other (list below)
e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)

- Success rates of assisted families
- Rent burdens of assisted families
- Other (list below)

(2) Minimum Rent

a. What amount best reflects the PHA’s minimum rent? (select one)

- $0
- $1-$25
- $26-$50

b. Yes ☒ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

4. Operations and Management

[24 CFR Part 903.7 9 (e)]

Exemptions from Component 5: High performing and small PHAs are not required to complete this.

The City of Wichita Housing Authority (WHA) owns and manages 578 residential units. 176 units in AMP KS004000001 designated for seniors only, 50 units in AMP KS004000002 designated for seniors and or persons with disabilities, 193 scattered site single family units in AMP KS004000003 and 159 scattered site single family units in AMP KS004000004. It is estimated that 120 units will become available annually for housing low-income applicants.

During the early 1990’s the WHA had all dwellings tested for lead-based paint and all identified lead-based paint issues were abated with modernization funds. When tenants lease a unit they receive a copy of the booklet Protect Your Family from Lead in Your Home. All maintenance and modernization projects are performed in accordance with 24 CFR 35 and updates.

The WHA’s conditions, rules and regulations of occupancy are maintained and made available for review at its main administrative office located at 332 N. Riverview, Wichita, Kansas. The WHA Lease Agreement contains the conditions, rules and regulations of occupancy.

It is the policy of the WHA to ensure that all residential units will be maintained in accordance to the highest Uniform Physical Condition Standards possible. WHA staff aggressively address maintenance emergencies and take corrective action within 24 hours of notification. With the use of on call maintenance staff, WHA responds to evening, holiday and weekend emergencies. Additionally WHA addresses minor physical needs by responding to work orders on a daily basis.
The WHA continues to rehabilitate vacant units with its make-ready crews and/or local contractors. The Uniform Physical Condition Standard is the measure to which units are rehabilitated. The WHA installs Energy Star products and appliances since more efficient equipment pays for itself with energy savings and it offers an opportunity for the PHA to reduce operating costs.

In 2013 WHA contracted with EMG to perform its 5-Year Energy Audit and staff are implementing those core energy recommendations annually.

It is also the policy of the WHA to contract with vendors to perform the necessary actions in accordance with the WHA preventive maintenance program. Preventive maintenance ensures that minor physical needs will be periodically corrected to avoid maintenance emergencies. Preventive and routine maintenance is performed on the chillers and boilers in our high rise buildings, and fire sprinkler systems.

WHA performs mandatory pest control inspections semi-annually at Greenway Manor and McLean Manor and annually at Bernice Hutcherson and Rosa Gragg apartment complexes. The WHA provides treatment as identified at no expense to the tenants when the annual pest inspection confirms the need. The elderly tenants, at their expense, may request monthly inspections and/or treatments from the WHA vendor at a reduced cost. Single-family dwellings are inspected by WHA Property Managers for pests annually. In the event that a pest infestation is evident and the tenant does not remedy the situation, Property Managers may order treatment at the tenant’s expense. The tenant may obtain treatment on a monthly basis at a reduced rate from the WHA vendor. The vendor’s treatment will take under consideration all tenant health situations prior to treatment.

WHA seeks to hire Section 3 business concerns whenever possible for dwelling unit rehabilitation, mowing, janitorial and individuals for full-time employment in the day-to-day operations. WHA is a host agency training site for the SER Senior Community Service Employment Program (SCSEP). SER SCSEP participants are low-income seniors, age 55 and above who want to learn new job skills so they can re-enter the workforce. SER pays the SCSEP participants minimum wage as they train on-the-job 25 hours a week for the host agency. Typical training includes computer skills, word processing, data entry, reception work, and filing.

5. PHA Grievance Procedures
[24 CFR Part 903.7 9 (f)]

Exemptions from component 6: High performing PHAs are not required to complete component 6. Housing Choice Voucher-Only PHAs are exempt from sub-component 6A.

A. Public Housing
1. ☒ Yes ☐ No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?

If yes, list additions to federal requirements below:
2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)

- PHA main administrative office
- PHA development management offices
- Other (list below)

B. Housing Choice Voucher Tenant-Based Assistance

1. ☐ Yes ☒ No: Has the PHA established informal review procedures for applicants to the Housing Choice Voucher tenant-based assistance program and informal hearing procedures for families assisted by the Housing Choice Voucher tenant-based assistance program in addition to federal requirements found at 24 CFR 982?

   If yes, list additions to federal requirements below:

2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)

- PHA main administrative office
- Other (list below)

6. Designation of Public Housing for Elderly and Disabled Families

[24 CFR Part 903.7 9 (i)]

Exemptions from Component 9; Housing Choice Voucher only PHAs are not required to complete this section.

1. ☒ Yes ☐ No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

2. Activity Description

- ☒ Yes ☐ No: Has the PHA provided all required activity description information for this component in the optional Public Housing Asset Management Table? If “yes”, skip to component 10. If “No”, complete the Activity Description table below.
### Designation of Public Housing Activity Description

1a. Development name: High-rise apartments  
1b. Development (project) number: KS004000001  

2. Designation type:  
   - Occupancy by only the elderly [x]  
   - Occupancy by families with disabilities [ ]  
   - Occupancy by only elderly families and families with disabilities [ ]  

3. Application status (select one)  
   - Approved; included in the PHA’s Designation Plan [x]  
   - Submitted, pending approval [ ]  
   - Planned application [ ]  

4. Date this designation was approved, submitted, or planned for submission: (12/01/99)  

5. If approved, will this designation constitute a (select one)  
   - [ ] New Designation Plan  
   - [x] Revision of a previously-approved Designation Plan  

6. Number of units affected: 176  

7. Coverage of action (select one)  
   - [ ] Part of the development  
   - [x] Total development  

---

### Designation of Public Housing Activity Description

1a. Development name: Garden apartments  
1b. Development (project) number: KS004000002  

2. Designation type:  
   - Occupancy by only the elderly [ ]  
   - Occupancy by families with disabilities [ ]  
   - Occupancy by only elderly families and families with disabilities [x]  

3. Application status (select one) Original project design  
   - Approved; included in the PHA’s Designation Plan [ ]  
   - Submitted, pending approval [ ]  
   - Planned application [ ]  

4. Date this designation approved, submitted, or planned for submission:  

5. If approved, will this designation constitute a (select one)  
   - [ ] New Designation Plan  
   - [ ] Revision of a previously-approved Designation Plan?  

6. Number of units affected: 50  

7. Coverage of action (select one)  
   - [ ] Part of the development  
   - [x] Total development  

---
COMMUNITY SERVICE AND SELF SUFFICIENCY POLICY

In accordance with Section 512 of the Quality Housing and Work Responsibility Act of 1998 and HUD regulations, non-exempt adults (age 18 and over) will be required to provide to the Public Housing Division written third party documentation that each adult resident of Public Housing contributed eight (8) hours per month of community service, participated in an economic self-sufficiency program for eight (8) hours per month or eight (8) hours per month of combined activities of community service and participation in a self-sufficiency program. This is also a requirement of the Public Housing Lease Agreement.

An exempt adult is an adult household member who:

- Is age 62 or older;
- Has a disability that prevents him/her from being gainfully employed;
- Is the caretaker of a disabled person for at least 15 hours per week;
- Is employed in a work activity for at least 30 hours per week; or
- Is participating in a welfare to work or self-sufficiency program.

The resident’s Property Manager must approve any exemption with proper documentation.

The definition of a work activity, as mentioned above, includes:

- Unsubsidized employment;
- Subsidized private-sector or public-sector employment;
- Work experience, including work associated with the refurbishing of publicly assisted housing if sufficient private-sector employment is not available;
- On-the-job training;
- Job-search and job-readiness assistance;
- Community service programs;
- Vocational educational training;
- Job-skills training directly related to employment
- GED classes; or
- Satisfactory attendance in a secondary school or in a course of study leading to a certificate of general equivalence.

Community Service is volunteer work, which is being administered through the United Way of the Plains Volunteer Center. Service opportunities include, but are not limited to work with non-profit organizations such as Boy Scouts, Habitat for Humanity, Kansas African Museum, Kansas Food Bank, Mid-American All-Indian Center, Multiple Sclerosis Society, Salvation Army, United Methodist Urban Ministry, and Wichita Indochinese Center.
Public Housing staff shall verify participation in community service and self-sufficiency programs as a part of the annual recertification process. Noncompliant households will be notified of any noncompliance with the Community Service Requirement and the household’s lease will terminate due to the nonrenewal of the annual lease term.

I/We have received a copy of, have read and understand the contents of the WHA’s Public Housing Community Service/Self Sufficiency Policy. I/We understand that this is a requirement of the Quality Housing and Work Responsibility Act of 1998 and that if we do not comply with this requirement, our lease will not be renewed.

Resident

Resident

Resident

revised 3/17/06

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:
☑ Yes ☐ No: Has the PHA has entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive services (as contemplated by section 12(d)(7) of the Housing Act of 1937)?

If yes, what was the date that agreement was signed?

2. Other coordination efforts between the PHA and TANF agency (select all that apply)
☑ Client referrals
☑ Information sharing regarding mutual clients (for rent determinations and otherwise)
☑ Coordinate the provision of specific social and self-sufficiency services and programs to eligible families
☐ Jointly administer programs
☐ Partner to administer a HUD Welfare-to-Work voucher program
☐ Joint administration of other demonstration program
☐ Other (describe)

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies
Which, if any of the following discretionary policies will the PHA employ to enhance the economic and social self-sufficiency of assisted families in the following areas? (select all that apply)
☑ Public housing rent determination policies
☐ Public housing admissions policies
Housing Choice Voucher admissions policies

Preference in admission to Housing Choice Voucher for certain public housing families

Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA

Preference/eligibility for public housing homeownership option participation

Preference/eligibility for Housing Choice Voucher homeownership option participation

Other policies (list below)

b. Economic and Social self-sufficiency programs

Yes ☐ No: Does the PHA coordinate, promote or provide any programs to enhance the economic and social self-sufficiency of residents? (If “yes”, complete the following table; if “no” skip to sub-component 2, Family Self Sufficiency Programs. The position of the table may be altered to facilitate its use.)

<table>
<thead>
<tr>
<th>Services and Programs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Name &amp; Description (including location, if appropriate)</td>
</tr>
<tr>
<td>Resident Service Coordination</td>
</tr>
<tr>
<td>Greenway Manor</td>
</tr>
<tr>
<td>McLean Manor</td>
</tr>
<tr>
<td>Rosa Gragg</td>
</tr>
<tr>
<td>Bernice Hutcherson</td>
</tr>
</tbody>
</table>

(2) Family Self Sufficiency program/s

a. Participation Description

<table>
<thead>
<tr>
<th>Family Self Sufficiency (FSS) Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program</td>
</tr>
<tr>
<td>Housing Choice Program Vouchers including Home Ownership</td>
</tr>
</tbody>
</table>
b. ☒ Yes ☐ No: If the PHA is not maintaining the minimum program size required by HUD, does the most recent FSS Action Plan address the steps the PHA plans to take to achieve at least the minimum program size? If no, list steps the PHA will take below:

C. Welfare Benefit Reductions

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by: (select all that apply)

☐ Adopting appropriate changes to the PHA’s public housing rent determination policies and train staff to carry out those policies
☐ Informing residents of new policy on admission and reexamination
☐ Actively notifying residents of new policy at times in addition to admission and reexamination.
☐ Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services
☐ Establishing a protocol for exchange of information with all appropriate TANF agencies
☐ Other: (list below)

D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937

8. PHA Safety and Crime Prevention

[24 CFR Part 903.7 9 (m)]

Exemptions from Component 13: High performing and small PHAs not participating in PHDEP and Housing Choice Voucher Only PHAs may skip to component 15. High Performing and small PHAs that are participating in PHDEP and are submitting a PHDEP Plan with this PHA Plan may skip to sub-component D.

A. Need for measures to ensure the safety of public housing residents

1. Describe the need for measures to ensure the safety of public housing residents (select all that apply)

☒ High incidence of violent and/or drug-related crime in some or all of the PHA's developments
☒ High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to the PHA's developments
☒ Residents fearful for their safety and/or the safety of their children
☒ Observed lower-level crime, vandalism and/or graffiti
☒ People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
☐ Other (describe below)
2. What information or data did the PHA use to determine the need for PHA actions to improve safety of residents (select all that apply).

- Safety and security survey of residents
- Analysis of crime statistics over time for crimes committed “in and around” public housing authority
- Analysis of cost trends over time for repair of vandalism and removal of graffiti
- Resident reports
- PHA employee reports
- Police reports
- Demonstrable, quantifiable success with previous or ongoing anticrime/anti-drug programs
- Other (describe below)

B. Crime and Drug Prevention activities the PHA has undertaken or plans to undertake in the next PHA fiscal year

1. List the crime prevention activities the PHA has undertaken or plans to undertake: (select all that apply)

- Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities
- Crime Prevention through Environmental Design
- Activities targeted to at-risk youth, adults, or seniors
- Volunteer Resident Patrol/Block Watchers Program
- Other (describe below)

- Timely meetings with Wichita Police Department Officers and Detectives and residents strategizing about how to decrease violent crimes.

2. Which developments are most affected? (list below)

KS004000001, KS004000002, KS004000003 & KS004000004

C. Coordination between PHA and the police

1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)

- Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- Police provide crime data to housing authority staff for analysis and action
- Police have established a physical presence on housing authority property (e.g., community policing office, officers in residence)
- Police regularly testify in and otherwise support eviction cases
- Police regularly meet with the PHA management and residents
Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services

Other activities (list below)

2. Which developments are most affected? (list below)
KS004000003 & KS004000004

D. Police Occupied Units

The Wichita Housing Authority has five houses that are currently available and occupied by Wichita Police Officers. This occupancy is deemed necessary to increase security and drug elimination for Public Housing residents who live in the five single-family dwelling concentrations. The Police Officers are currently residing in the units on an annual lease for a zero monthly rental amount, with the Officers paying the utilities. The addresses are the following:

1501 E. Arnold
1527 E. Catalina
2642 N. Minnesota
7015 W. Newell
2331 St. Clair

9. Pets
[24 CFR Part 903.7 9 (n)]

WHA has a pet policy for Elderly Apartments and one for Single-Family Dwelling units:

OWNERSHIP OF PETS
Elderly Apartments

The City of Wichita Housing Authority (WHA) will enforce the below Pet Policy in its elderly apartment complexes.

1. DEPOSIT

Deposit will increase an additional amount that will be 50% of the security deposit or the tenant’s rent whichever is greater. (However, this deposit cannot exceed $300.00 and can be gradually accumulated.) The security deposit is fully refundable, if there are no pet damages. Disabled persons, with assistance animals, are exempt from the deposit requirement.

2. RENT

Rent will remain as calculated by HUD regulations regardless whether the tenant keeps an authorized pet.
3. **HOUSE RULES**

A. A WHA tenant shall only keep an authorized pet and is not allowed to keep another person’s pet. No pet will be allowed temporarily on the premises with the exception of those assisting the disabled.

B. Pets are not allowed in the community rooms, kitchen, and dining room or laundry facilities, except those assisting the disabled.

C. Cats and dogs must always be controlled on a leash except when in the owner’s apartment. The pet must be leashed to the owner or a designated adult. The leash shall not exceed six feet in length.

D. No more than one pet shall be allowed in the elevator at any one time.

E. All City and County required shots and licenses must be current and certified by a practicing veterinarian. An annual registration update will be required at the owner’s annual recertification.

F. All litter (paper, kitty litter, etc.) must be placed in plastic bags, sealed and placed in marked containers. The trash chutes may not be used.

G. A designated area shall be used when walking pets outdoors and litter shall be cleaned up by the tenant. The Property Manager for each elderly complex will designate the area.

H. If the owner fails to remove pet waste from the designated area, there will be a separate waste removal charge of $5.00 per occurrence billed to the tenant.

I. A walk-through housing inspection may be done monthly by the Property Manager to insure the tenants are adhering to the pet policy.

J. Owner must provide written notification to the WHA of who will be responsible for their pet during hospitalization or vacations. This information must include the name, address, and phone number of two (2) responsible parties and is to be given at the time the pet is acquired and updated at the owner’s annual recertification. Failure to supply complete information is basis for the WHA to refuse to register the pet.

K. If the pet bites another tenant or anyone in the building or on the grounds of said housing complex, the owner must remove the pet permanently from the complex.

L. Pet owners must have pets spayed or neutered and provide said certification.
M. The owner(s) are responsible for controlling pet noise and pet odor. Any pet disturbing the peace of neighbors through noise, smell, animal waste, or other nuisance must be removed from the premises. Substantiated written complaints by neighbors or Housing Authority personnel will result in the owner being required to permanently remove the pet.

N. Any insect infestation exterminations due to a pet in the pet owner’s unit and/or other adjacent units will be the financial responsibility of the pet owner and charged to their account.

O. Animal Control Officers may enter a unit to transfer any animal that is left unattended for 24 hours. The Housing Authority accepts no responsibility for pets so removed.

P. Pet owners shall take adequate precautions to eliminate any pet odor within the apartment and to maintain the apartment in a sanitary condition at all times.

4. PET TYPES, BREEDS, AND LIMITATIONS

A. Pets shall be limited to “common household pets,” the definition being a domesticated animal, such as a dog, cat, bird, rodent, fish or turtle, traditionally kept in the home for pleasure rather than commercial purposes.

B. Limit of one (1) pet per apartment, with the exception of birds and fish for which the WHA can place reasonable limitation.

C. Breeds not allowed are Rottweiler, Pit Bull, German Shepherd, Chow, Doberman Pincher or any mix thereof.

D. Aquariums shall be no larger than 10 gallons.

E. Dogs and Cats – all would apply at maturity, not puppy or kitten stage.

   (1) 18” or less in height, 30 pound weight limit.
   (2) All cats must be declawed.

F. Birds

   (1) Limit of two (2) birds per cage.
   (2) No uncaged pole birds.

G. No pets will be allowed that are housed outside on a leash or in a pen.
5. VIOLATION OF PET POLICY

A. If the owner is in violation of the Pet Policy, the WHA shall serve written notice of it. The notice will include a statement of the rule(s) allegedly violated, and advise the tenant they have fourteen (14) days from the receipt of said notice to correct the violation or request a meeting. A statement will further be included that failure to correct the violation or request a meeting, or failure to attend a requested meeting may result in initiation of procedures to terminate the tenancy.

B. If the owner requests a meeting, the WHA will establish a mutually agreeable time and place no later than ten (10) days from the receipt of said notice by owner. Upon written request, additional time may be permitted for the owner to correct the violation.

C. If a resolution of the violation is unable to be reached at the meeting, or if the WHA determines the pet owner has failed to correct the violation, then the WHA may serve written notice requiring removal of the pet. This notice will include the rule(s) that were violated, a statement that the pet owner must remove the pet within fourteen (14) days from the service of said notice, and a statement that failure to remove the pet may result in initiation of procedures to terminate the tenant.

6. ADDITIONAL COMMENTS

A. An applicant may reject a unit offered by the WHA if said unit is close in proximity to one where an existing tenant owns a pet. This rejection will not adversely affect the applicant’s position on the waiting list or qualification for any tenant selection preference. The WHA does not have to provide alternate dwelling units to existing or prospective tenants.

B. The WHA shall contact the listed responsible parties if the death or incapacity of the owner threatens the health and safety of the pet. The WHA also can contact appropriate state and local authorities or remove the pet and place it in a facility for care and shelter not to exceed thirty (30) days, at the tenant’s expense.

C. The WHA must serve notice of the rules regarding the Pet Policy during the tenant consultation period or within sixty (60) days of the effective date. The notice shall state that the WHA will be required to provide tenants a copy of any pet rule developed only upon the tenant’s request. Each prospective tenant shall be advised of the right to request copies of the pet rules. The notice must be posted in various areas of the project containing the texts of the proposed rules and a statement that the tenants may submit written comments no later than thirty (30) days from the effective date.
7. **LIABILITY**

The Wichita Housing Authority, the City of Wichita and their representatives will not be held responsible for any accident or injury involving tenants or visitors to the buildings as a result of allowing pets in the projects.

8. **SERVICE OR ASSISTANCE ANIMALS**

WHA tenants with disabilities are permitted to have assistance animals if such animals are necessary as a reasonable accommodation for the tenant’s disabilities. Tenants or potential tenants who need an assistance animal as a reasonable accommodation must request the accommodation in writing, and in accordance with the WHA’s reasonable accommodation policy. The WHA will require the following documentation to qualify an animal as an assistance animal:

A. The tenant or prospective tenant certifies in writing that the tenant or prospective tenant or a member of his or her family is a person with a disability as defined under the Americans With Disabilities Act, and this certification shall be subject to independent evaluation and confirmation by the WHA’s designated third party evaluator at the WHA’s expense;

B. The animal has been trained to assist persons with that specific disability; and

C. The animal actually assists the person with a disability to accomplish one or more major life activities.

Assistance animals will not be subject to the requirements 24 CFR Part 5.303, and also the following provisions of the WHA Pet Policy, regardless of whether an animal resides with a WHA tenant or is with a visitor: Section 1, Section 3A, Section 3B, Section 4C and Section 4E. These exclusions for assistance animals apply only if the animal has been qualified by the WHA as an assistance animal when the animal resides with a tenant, or if the animal is with a visitor, upon production of an identification card or written certification that the animal is trained to assist the person with the person’s specific disability, and as set forth in Kansas Statutes Annotated 39-1111(a) and amendments thereto.

____________________________________  __________________________________
Tenant  Date

____________________________________  __________________________________
WHA Property Manager  Date
OWNERSHIP OF PETS
Single Family Dwellings

The City of Wichita Housing Authority (WHA) will enforce the below Pet Policy in its single family dwelling developments.

1. DEPOSIT

A pet deposit is required for dogs and/or cats kept on the premises of WHA residential units. Deposits for dogs or cats will be $150.00 for the first animal and $100.00 for the second animal. No more than two animals are allowed per residential unit. The pet deposit will be refunded within thirty (30) days of the tenant’s exit of the residential unit if there are no pet damages. The pet deposit is in addition to the regular security deposit. Disabled persons, with assistance animals, are exempt from the deposit requirement.

2. HOUSE RULES

A. A WHA tenant shall only keep an authorized pet and is not allowed to keep another person’s pet. No pet will be allowed temporarily on the premises with the exception of those assisting the disabled.

B. All City and County required shots and licenses must be current and certified by a practicing veterinarian. An annual registration update will be required at the owner’s annual recertification.

C. Owner must provide written notification to the WHA of who will be responsible for their pet during hospitalization or vacations. This information must include the name, address, and phone number of two (2) responsible parties and is to be given at the time the pet is acquired and updated at the owner’s annual recertification. Failure to supply complete information is basis for the WHA to refuse to register the pet.

D. Pet owners are required to comply with all ordinances of the City of Wichita relating to the care and control of animals.

E. Any pet that bites any person must be removed permanently from WHA property.

F. The owners are responsible for controlling pet noise and pet odor. Any pet disturbing the peace of neighbors through noise, smell, animal waste, or other nuisance must be removed from the premises. Substantiated written complaints by neighbors or WHA staff will result in the owner being required to permanently remove the pet.
G. Animal Control Officers may enter a unit to transfer any animal that is left unattended for 24 hours. The WHA accepts no responsibility for pets so removed.

3. PET TYPES, BREEDS, AND LIMITATIONS

Pets shall be limited to “common household pets,” the definition being a domesticated animal, such as a dog, cat, bird, rodent, fish or turtle, traditionally kept in the home for pleasure rather than commercial purposes. Of the common household pets listed, the pet deposit shall apply to dogs and cats only.

Breeds not allowed are Rottweiler, Pit Bull, German Shepherd, Chow, Doberman Pincher or any mix thereof.

A. Dogs at maturity – 30-inch height and 80-pound weight maximum limits.
B. Cats – 18-inch height and 25-pound weight maximum limits.
C. Birds -
   (1) Limit of two (2) birds per cage.
   (2) No uncaged pole birds.

4. VIOLATION OF PET RULES

A. If the owner is in violation of the Pet Policy, the WHA shall serve written notice of it. The notice will include a statement of the rule(s) allegedly violated, and advise the tenant they have fourteen (14) days from the receipt of said notice to correct the violation or request a meeting. A statement will further be included that failure to correct the violation or request a meeting, or failure to attend a requested meeting may result in initiation of procedures to terminate the tenancy.

B. If the owner requests a meeting, the WHA will establish a mutually agreeable time and place no later than ten (10) days from the receipt of said notice by owner. Upon written request, additional time may be permitted for the owner to correct the violation.

C. If a resolution of the violation is unable to be reached at the meeting, or if WHA determines the pet owner has failed to correct the violation, then the WHA may serve written notice requiring removal of the pet. This notice will include the pet rules(s) that have been violated, a statement that the pet owner must remove the pet within fourteen (14) days from the service of said notice, and a statement that failure to remove the pet may result in initiation of procedures to terminate the tenancy.

D. Violation of the Pet Policy of the WHA is a violation of the WHA Dwelling Lease Agreement and will constitute grounds for the termination of the lease pursuant to the Dwelling Lease Agreement.
E. The provisions of this Pet Policy are hereby incorporated as a part of the Dwelling Lease Agreement.

5. LIABILITY

The Wichita Housing Authority, the City of Wichita and their representatives will not be held responsible for any accident or injury involving tenants or visitors to a dwelling unit as a result of allowing pets in the projects.

6. SERVICE OR ASSISTANCE ANIMALS

WHA tenants with disabilities are permitted to have assistance animals if such animals are necessary as a reasonable accommodation for the tenant’s disabilities. Tenants or potential tenants who need an assistance animal as a reasonable accommodation must request the accommodation in writing, and in accordance with the WHA’s reasonable accommodation policy. The WHA will require the following documentation to qualify an animal as an assistance animal:

A. The tenant or prospective tenant certifies in writing that the tenant or prospective tenant or a member of his or her family is a person with a disability as defined under the Americans With Disabilities Act, and this certification shall be subject to independent evaluation and confirmation by the WHA’s designated third party evaluator at the WHA’s expense;

B. The animal has been trained to assist persons with that specific disability; and

C. The animal actually assists the person with a disability to accomplish one or more major life activities.

Assistance animals will not be subject to the requirements 24 CFR Part 5.303, and also the following provisions of the WHA Pet Policy, regardless of whether an animal resides with a WHA tenant or is with a visitor: Section 1, Section 3A, Section 3B, Section 4C and Section 4E. These exclusions for assistance animals apply only if the animal has been qualified by the WHA as an assistance animal when the animal resides with a tenant, or if the animal is with a visitor, upon production of an identification card or written certification that the animal is trained to assist the person with the person’s specific disability, and as set forth in Kansas Statutes Annotated 39-1111(a) and amendments thereto.

______________________________  ________________________________
Tenant  Date

______________________________  ________________________________
WHA Property Manager  Date

Revised 8/15/06
10. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations.

The City of Wichita Housing Authority (WHA) will carry out all grant activities in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.

Specifically, the WHA will continue to work with individuals and/or agencies that provide education, outreach, and mitigation programs and services for tenants and landlords. Additionally, the WHA will refer community residents who request assistance in resolving matters of alleged discrimination to the Urban League of Kansas or Housing and Credit Counseling, Inc. WHA tenants and clients will be directed to the HUD Regional Office of Fair Housing and Equal Opportunity should they wish to file a discrimination complaint, which could not be resolved locally.

The WHA will also maintain waiting lists in accordance with federal requirements as specified in 24 CFR part 903.7(b)(2), and will assign housing or housing vouchers to persons from those lists without regard to race or ethnicity, but in accordance with HUD-approved administrative plans. Fair housing rights and choice will be promoted through annual fair housing month activities, including public service announcements made in partnership with the Urban League of Kansas.

The WHA will regularly examine its programs or proposed programs, identify any impediments to fair housing choice within those programs, and will address those impediments in a reasonable fashion in view of the resources available. The WHA will also work with local jurisdictions to implement any of the jurisdiction’s initiatives to affirmatively further fair housing that require the WHA’s involvement. The WHA shall take reasonable measures to assure that program waiting lists are consistent with civil rights laws.

Specifically, the WHA will market its programs through minority, faith based, disability services, senior organizations, community fairs, and publications. WHA hangs Fair Housing posters in several languages in its lobby and in multifamily residential buildings that instruct readers how to file fair housing complaints.

Other compliance certifications of the Wichita Housing Authority include: compliance with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975; compliance with the Architectural Barriers Act of 1968 and 24 CFR Part 41, and Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped. The WHA will also comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968 by marketing employment opportunities for low or very-low income persons through annual notices in newsletters and other public information.
11. Fiscal Audit
[24 CFR Part 903.7 9 (p)]

1. ☒ Yes ☐ No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))? (If no, skip to component 17.)

2. ☒ Yes ☐ No: Was the most recent fiscal audit submitted to HUD?

3. ☒ Yes ☐ No: Were there any findings as the result of that audit?

4. ☒ Yes ☐ No: If there were any findings, do any remain unresolved? If yes, how many unresolved findings remain?____

5. ☐ Yes ☒ No: Have responses to any unresolved findings been submitted to HUD? If not, when are they due (state below)?

12. PHA Asset Management
[24 CFR Part 903.7 9 (q)]

Exemptions from component 17: Housing Choice Voucher Only PHAs are not required to complete this component. High performing and small PHAs are not required to complete this component.

1. ☐ Yes ☒ No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock, including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have not been addressed elsewhere in this PHA Plan?

2. What types of asset management activities will the PHA undertake? (select all that apply)
   - ☐ Not applicable
   - ☐ Private management
   - ☒ Development-based accounting
   - ☒ Comprehensive stock assessment
   - ☐ Other: (list below)

3. Public Housing Asset Management Table

Attachment 1
13. Violence Against Women Act (VAWA)
[24 CFR Part 903.79 (r)]

WHA VAWA Policy as seen in our Public Housing Dwelling Lease Agreement
Domestic Violence, Dating Violence, Stalking

The following provisions are applicable to situations involving actual or threatened
domestic violence, dating violence or stalking, as those terms are defined in Section
and in the Violence Against Women Act (VAWA) Policy. To the extent any provision of
this section shall vary from or contradict any other provision of this lease, the provisions
of this section shall prevail.

A. Termination of Tenancy.

1) An incident or incidents of actual or threatened domestic violence, dating violence or
stalking shall not constitute a serious or repeated violation of the lease by the victim
of such violence; and

2) Criminal activity directly relating to domestic violence, dating violence or stalking,
engaged in by a member of the Tenant’s household, a guest, or other person under the
Tenant’s control, shall not be cause for termination of tenancy or occupancy rights, if
the Tenant or any member of the Tenant’s family is a victim of that domestic
violence, dating violence or stalking.

3) Notwithstanding anything to the contrary contained in this agreement, the WHA may
terminate Tenant’s tenancy under this lease if it can demonstrate an actual and
imminent threat that may result to other tenants or to those employed at or providing
service to the property in which the unit is located, if the Tenant’s tenancy is not
terminated.

4) Further, nothing in this section shall prohibit the WHA from terminating tenancy
under this lease based on a violation of this lease not premised on an act or acts of
domestic violence, dating violence or stalking against the Tenant or a member of the
Tenant’s household for which protection against termination of tenancy is given in
this agreement. However, in taking any such action to terminate tenancy, the WHA
shall not apply a more demanding standard than is applied to other Tenants.

B. Bifurcation of Lease. Under the authority provided in Section 6(l)(6)(B) of the
United States Housing Act of 1937, as amended (42 U.S.C. §1437d(l)(6)(B)), the
WHA may bifurcate this lease in order to evict, remove, or terminate assistance to
any individual who is a Tenant or a lawful occupant under this lease and who engages
in criminal acts of physical violence against family members or others. The WHA
may take such action without evicting, removing, terminating assistance to, or
otherwise penalizing a victim of such violence who is the Tenant or a lawful occupant
under this lease.

C. Certification. If the Tenant or another lawful occupant of the household, as a
defense to termination of tenancy or an action to evict, claims protection under this
section against such action, the WHA may request the individual to provide a
certification. The certification may be provided in one of the following forms:

1) A HUD-approved form, supplied upon request by the WHA, attesting that the
individual is a victim of domestic violence, dating violence or stalking and that the
incident(s) in question are bona fide incidents of such actual or threatened abuse and meet the requirements of this section, or

2) Documentation signed by an employee, agent or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking or the effects of the abuse, in which the professional attests under penalty of perjury to the professional’s belief that the incident(s) in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation, or

3) A federal, state, tribal, or local police report or court record, describing the incident(s).

The certification must be delivered to the WHA Property Manager within 14 days after the request for Certification is received. If the certification is not delivered within the 14-day period allowed, the provisions of this section will not apply and the WHA may elect to terminate tenancy and evict without regard to the protections provided in this section.

D. Confidentiality. Information provided to the WHA concerning incident(s) of domestic violence, dating violence or stalking shall be retained in confidence and disclosed only as permitted by applicable law.

E. Emergency Transfer Policy

The WHA is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), the WHA allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant’s current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. The ability of the WHA to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether the WHA has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S.

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1 Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

2 Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.
Department of Housing and Urban Development (HUD), the Federal agency that oversees that the WHA is in compliance with VAWA.

F. Eligibility for Emergency Transfers
A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD’s regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if: the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

G. Emergency Transfer Request Documentation
To request an emergency transfer, the tenant shall notify the WHA’s management office and submit a written request for a transfer to the WHA. The WHA will provide reasonable accommodations to this policy for individuals with disabilities. The tenant’s written request for an emergency transfer should include either:
1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under the WHA’s program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant’s request for an emergency transfer.

H. Emergency Transfer Timing and Availability
The WHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The WHA will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. The WHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If the WHA has no safe and available units for which a tenant who needs an emergency is eligible, the WHA will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant’s request, the WHA will also assist tenants in contacting the local
organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

I. Safety and Security of Tenants
Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network’s National Sexual Assault Hotline at 800-656-HOPE, or visit the online hotline at https://ohl.rainn.org/online/.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime’s Stalking Resource Center at https://www.victimsofcrime.org/our-programs/stalking-resource-center.

Attachment: Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

J. Confidentiality
The WHA will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives the WHA written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about the WHA’s responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

14. Other Information Required by HUD
Use this section to provide any additional information requested by HUD.

Significant Amendment or Modification to the Annual Plan – as referenced in the Quality Housing and Work Responsibility Act of 1998, Section 511, (g), a significant amendment or modification to the annual plan may not be adopted, other than at a duly called meeting of the governing board of the public housing agency that is open to the public after a 45 day public notice; and be implemented, until notification of the amendment or modification is provided to the Secretary of HUD and approved. Amendments or
modifications, which are not defined as being significant and will not be subject to a public meeting with a 45-day public notice and notification to the Secretary of HUD will be the following amendments or modifications:

1. the transfer of work projects, from one grant year to another in the Capital Fund Program (fungibility), which are included in the approved Capital Fund Program 5-year Action Plan;
2. the transfer of funds in the Capital Fund Program from one line item to another within the same grant year budget;
3. additional work projects funded by the Capital Fund Program not included in the 5-year Action Plan, which have been deemed to be emergencies;
4. policy changes resulting from HUD or other federal agency mandates, regulations, or directives; and
5. any changes in the Housing Choice Voucher Administrative Plan or Public Housing Admissions and Continued Occupancy Policy, which are not specifically described in the HUD 50075 PHA Plan.

Attachments
Use this section to provide any additional attachments referenced in the Plans.
Optional Public Housing Asset Management Table

See Technical Guidance for instructions on the use of this table, including information to be provided.

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</table>

*The assessment has been concluded for non-elderly and non-disabled developments and consideration has been given to the implications of converting the WHA’s Public Housing units to tenant-based assistance. It has been determined that the conversion of all applicable developments will be inappropriate. Voluntary conversion would adversely affect the availability of affordable and low-income housing in the City of Wichita.
Certifications of Compliance with PHA Plans and Related Regulations
(Standard, Troubled, HCV-Only, and High Performer PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 02/29/2016

PHA Certifications of Compliance with the PHA Plan and Related Regulations including Required Civil Rights Certifications

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the___ 5-Year and/or 2018 Annual PHA Plan for the PHA fiscal year beginning 01/01/2018, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.
7. For PHA Plans that includes a policy for site based waiting lists:
   - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2010-25);
   - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
   - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
   - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing;
   - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
12. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
13. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.

14. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.

15. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.

16. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.

17. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).

18. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.

19. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.

20. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

City of Wichita Housing Authority

PHA Name

KS004

PHA Number/HA Code

X Annual PHA Plan for Fiscal Year 2018

_____ 5-Year PHA Plan for Fiscal Years 20___ - 20___

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Name of Authorized Official

Title

Jeff Longwell

Mayor and Chairman of the Wichita Housing Authority Board

Signature

Date

October 10, 2017
CITY OF WICHITA HOUSING AUTHORITY
TENANT ADVISORY BOARD

Comments on the 2018 PHA Annual Plan

On July 12, 2017, Wichita Housing Authority staff presented the 2018 PHA Annual Plan to the Tenant Advisory Board. The Board members unanimously approved the 2018 Annual Plan.

By: John E. Hall, Director

Date: 8-17-2017
CITY OF WICHITA HOUSING AUTHORITY
CHALLENGED ELEMENTS
2018 PHA Annual Plan and Elements

The 2018 PHA Annual Plan and Elements were made available to the public for review and comment beginning on August 18, 2017. The documents were available both at the Wichita Housing Authority office located at 332 N. Riverview, Wichita KS 67203, and on the Housing Authority's website at https://www.wichita.gov/Housing/Pages/default.aspx. The City of Wichita Housing Authority did not receive a challenge to any of the policies or elements.

By: John E. Hall, Director

10/10/2017
Date
Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan

I, ________________, the ____________, certify that the 5-Year PHA Plan and/or Annual PHA Plan of the

[PHA Name]

is consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of Impediments (AI) to Fair Housing Choice of the

[Local Jurisdiction Name]

pursuant to 24 CFR Part 91.

Provide a description of how the PHA Plan is consistent with the Consolidated Plan or State Consolidated Plan and the AI.

Takes affirmative measures to ensure equal opportunity in housing regardless of race, color, Religion, national origin, sex, familial status and disability.

Ensure equal opportunity and affirmatively further fair housing.

I hereby certify that all the information stated herein, as well as any information provided in the accompanying herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Robert Layton

Title

City Manager

Signature

Date

7/12/17
TO: Wichita Housing Authority Board

SUBJECT: Rental Assistance Demonstration Consultant

INITIATED BY: Housing and Community Services Department

AGENDA: Wichita Housing Authority (Non-Consent)

Recommendation: Approve the Gill Group, Incorporated contract and authorize the necessary signatures.

Background: On February 21, 2017, the Board authorized the Wichita Housing Authority (WHA) to submit four Rental Assistance Demonstration (RAD) pilot program applications. The applications are under review by the Department of Housing and Urban Development (HUD). In anticipation of the four approvals, staff prepared and issued a Request for Qualification (RFQ) on August 25, 2017, soliciting service providers to perform program management activities affiliated with the RAD pilot program. Two proposals were received. The selection committee recommended the Gill Group, Incorporated in accordance with Administrative Regulations 1.2 and 1.2a.

The RAD pilot initiative is a voluntary program within HUD. RAD provides Public Housing Authorities (PHAs) with access to long term funding so that needed improvements can be completed. Public Housing units across the country need more than $26 billion in repairs. However, Congress has not provided enough funding for PHAs to keep up with capital needs. RAD allows PHAs to recapitalize properties using financing products as well as private partnerships.

Projects that are currently funded under the Public Housing program can convert rental assistance to long-term, project-based Section 8 Housing Assistance Payments (HAP) contracts. The Wichita Housing Authority has chosen to convert to Project Based Rental Assistance (PBRA) with debt. The PBRA program is administered by HUD’s Office of Housing’s Multifamily Programs and will no longer be affiliated with the Office of Public Housing.

The Consolidated and Further Continuing Appropriations Act of 2012 originally authorized the RAD pilot program. Until this legislation, there was no law that allowed PHAs to recapitalize Section 9 Public Housing units. Further amended legislation such as the Consolidated Appropriations Act, 2014, the Consolidated and Furthering Continuing Appropriations Act, 2015, and Division L, Title II, Section 237 of the Consolidated Appropriations Act enacted on December 18, 2015, enabled the RAD pilot program to gain momentum. HUD exercises discretion with this RAD statute to prioritize Public Housing conversions under competitive requirements.

Analysis: The City and Gill Group previously entered into a short-term contract in 2016. On February 21, 2017, four RAD applications were authorized by the Wichita Housing Authority Board to be submitted to HUD. The WHA anticipates the acceptance into the RAD pilot program by the end of 2017 and the conversion of the entire public housing portfolio into PBRA. This feature will permit the WHA to enter into a 20-year HAP contract with HUD. The effect will be long-term funding that will allow the
WHA to leverage private financing such as a Federal Home Loan mortgage or four percent tax-exempt bonds to make substantial improvements to the 578 unit portfolio.

Various activities will need to be done to effectuate the conversion into the RAD program. A RAD Financing Plan and Physical Conditions Assessment consisting of a rehabilitation strategy will be needed within 180 days of acceptance into the RAD program. Also, potential lenders will have to be identified through the City’s procurement process. Formal financial applications will then need to be submitted so that the proposed rehabilitation activities can occur. During the process, a Tenant Relocation Plan must be devised and approved by HUD demonstrating how tenants will be impacted throughout the renovations. The consulting firm will be responsible for the delivery of all RAD related work products.

The Gill Group, Incorporated has extensive experience with the RAD pilot program. The proposed contracted services align with all required work for the WHA to successfully complete the RAD conversion. The imminent Conditional Commitment Housing Assistance Payments contract provides for the retention of a consultant to assist public housing authorities to complete the RAD process. The WHA can use no more than $100,000 for pre-development, conversion related expenses per RAD application, pursuant to Notice H 2017-03. The consulting firm’s principal has already assisted eight PHAs navigate through the HUD regulatory process and convert into RAD. Having the Gill Group, Incorporated in place will assist the WHA with the City’s Comprehensive Housing Policy goals to maintain housing affordability and preserve the supply of affordable housing for another 40 years.

**Financial Considerations:** There is no impact to the General Fund. The contract award will not exceed $400,000 payable from HUD funding.

**Legal Considerations:** The Law Department has reviewed and approved the contract document as to form.

**Recommendation/Action:** It is recommended that the Wichita Housing Authority Board approve the Gill Group, Incorporated’s contract and authorize the necessary signatures.

**Attachment:** Contract.
Consulting Agreement

This consulting agreement (the “Agreement”) is made as of effective date (the “Effective Date”), between Gill Group, Inc. (“Gill Group”) and City of Wichita Housing and Community Services, (“Customer”).

1. **Services.** Gill Group will use its best efforts to perform the services (the “Services”) specified in the Project attachments to this agreement (the “Project Attachments”).

2. **Consideration.** Customer will pay to Gill Group the various forms and amounts of consideration specified in the Project Attachments.

3. **Confidentiality.** Each party will maintain the confidentiality of non-public information, of business value, that that party learns from the other party, as a result of performing this Agreement, provided that such information is explicitly designated as “Confidential”, in writing by the disclosing party, at the time of disclosure. For marketing purposes, Gill Group may publicly disclose the identity of Customer as a client and the general nature of the Services.

4. **Termination.** Either party may terminate this Agreement at any time, for no reason, upon thirty days’ notice. In the event of such termination, the Consideration specified above will be prorated to reflect the amount of Services performed up to such point.

5. **Liability.**

   a. **Amount.** Each party agrees that in no event will the total liability of either party arising under or related to this Agreement exceed the total cash amount paid by Customer to Gill Group, Inc. under this Agreement.

   b. **Exclusion.** Each party agrees that in no event will either party be liable for any special, incidental, indirect or consequential damages of any kind arising under or related to this Agreement, even if the party has been informed in advance of the possibility of such damages.

   c. **No Warranty.** Each party agrees that any work product arising from the Services will be provided as is, with no warranties of any kind, express or implied, including but not limited to the warranties of merchantability, fitness for a particular purpose and non-infringement. Further, the parties agree that Gill Group will not be liable for any direct, indirect,
incidental, special, punitive, or consequential damages arising from or related to such work product, including but not limited to operation or use of such work product.


a. Assignment. Neither party may assign its rights and/or obligations under this Agreement, without the written consent of the other party, except in the event that the business of either party is acquired, and, in such case, the Agreement is assigned to the successor entity.

b. Governing Law. This Agreement will be governed by the laws of the State of Kansas. Any legal action arising under this Agreement will be brought exclusively in Kansas and the relevant district associated thereto.

c. Entire Agreement. This Agreement, including the Project Attachments, comprises the complete and exclusive agreement of the parties with respect to the subject matter hereof.

This Agreement acknowledged and accepted this ___ day of __________, 2017.

Gill Group, Inc.

BY: ______________________________________
Title: Executive Vice President

City of Wichita Housing and Community Services Department

BY: ______________________________________
Title: ________________________________
Scope of Services

Wichita Housing Authority

Time Period: CHAP through Closing

Financing Type: Non-FHA insured financing with LIHTCs

RAD Financing Plan

- Upon HUD acceptance and approval of the RAD application(s) and issuance of a Commitment to enter into a Housing Assistance Payment Contract (CHAP), Gill will provide all necessary guidance and assistance to the PHA associated with the preparation and submission of documents needed to complete a RAD Financing Plan for each CHAP, and upon receipt of HUD approval of the Financing Plan(s) assist with closing of the conversion.

- Areas in which Gill will provided assistance to the PHA, and documents currently required to complete a RAD Financing Plan, include the following:
  - Conversion Overview – a summary of the proposed conversion, and discussion of any unique or unusual features, such as:
    - Changes in Br/unit configurations
    - Multiple/scattered sites
    - Transfers of assistance
    - Resident relocation
    - Rent bundling
    - Changes in responsibility for utilities
    - Changes in ownership
    - Any prior Section 18 approvals / Tenant Protection Vouchers
    - De minimus unit reductions
    - If property is part of a Choice Neighborhoods Initiative
    - How condition of the CHAP were satisfied
    - Any waivers or special approvals needed from HUD
  - Choice Mobility
    - Assist in seeking HUD approval of a request for exemption, or
    - Provide guidance on obtaining a Choice Mobility Letter of Agreement necessary for compliance with the RAD Choice Mobility Requirement.
  - RAD Capital Needs Assessment (CNA) – As required, for each RAD application, assist PHA with the procurement of a RAD compliant CNA from a qualified provider, which determines both the short-term rehabilitation and long-term capital replacements needs of the project to be addressed through a Reserve for Replacement account, and includes the following components:
    - Written narrative
    - Excel Tool (eTool), if required
    - 20-year reserve schedule
    - Utility consumption baseline (Buildings being demolished and new construction are exempt.)
  - Utility Allowances - Assist PHA in obtaining utility allowance projections, performed by a professional engineer, when energy and water usage are anticipated in PBRA conversion with tenant-paid utilities.
  - Environmental Review
    - PBRA – Assist PHA in meeting RAD requirements contained in a Part 50 review.
      - Environmental Report consistent with instructions in Ch. 9 of MAP guide
      - Phase I ESA (conducted w/i 180 days of submission), or
• If not doing substantial rehab or new construction, Transaction Screen in accordance with ASTM E 1528-14.
  
  o Resident Relocation
    ▪ Assist PHA in developing a plan to comply with relocation requirements related public housing conversions under RAD.
  
  o Resident Relocation
    ▪ Assist PHA in developing a plan to comply with relocation requirements related public housing conversions under RAD.
  
  o Development Budget (Sources & Uses)
    ▪ Assist PHA in creating a development budget that incorporates all applicable sources and uses.
    ▪ If any project being converted under the RAD program has an Energy Performance Contract (EPC), assist the PHA in obtaining a letter from PIH Energy Center specifying the minimum amount of debt that will need to be addressed at conversion.
  
  o Subsidy Layering Review
    ▪ Assist the PHA in obtaining a subsidy layering review from the Housing Finance Authority (HFA) or HUD, as required.
  
  o Development Team
    ▪ Assist the PHA in assembling the development team and creating documents acceptable to HUD evidencing the suitability of the development team, including:
      • Organizational chart
      • Narrative description of each entity, its role, and description of relevant experience.
      • PBRA Conversions: If the event of the creation of new ownership entity to facilitate the utilization of LIHTCs, and transfer of ownership, assist the PHA in obtaining evidence that all principals have Previous Participation Clearance in APPS (aka 2530 clearance). Note: Although PHAs are not subject to 2530, any LLC or partnership that is wholly-owned by the PHA must be registered in APPS post-closing.
  
  o Low Income Housing Tax Credits
    ▪ Assist the PHA in integrating the use of 4% LIHTCs in its RAD conversion.
  
  o Funding Commitments – Assist PHA in obtaining appropriate funding commitments, including:
    ▪ Key Financing Terms
    ▪ All subordinate / secondary financing
    ▪ 1st mortgage lenders consent to priority recording of RAD Use Agreement
  
  o Operating Pro-Formas
    ▪ Assist PHA in updating operating proformas and/or lender or LIHTC investor prepared operating pro-formas, as appropriate.
  
  o If project has an EPC, upload letter from PIH Energy Center specifying the minimum amount of debt that will need to be addressed at conversion.
    ▪ If project has a PILOT, assist PHA in obtaining a legal opinion that PILOT will continue post-closing.
    ▪ If converting to PBRA and current funding is greater than 120% of FMR and PHA believes current funding is below market rents, assist in obtaining a Rent Comparability Study (RCS).
  
  o Amendments to PHA Plan
    ▪ Assist PHA in obtaining PIH Field Office approval of:
      • Significant Amendment to it 5-Yr Plan (all PHAs).
      • Significant Amendment to Annual Plan (non-qualified PHAs only).
- Amendment of MTW Plan (MTW PHAs only).
  - Site Selection and Neighborhoods Standards
  - Assist PHA in meeting site selection requirements set forth in the RAD Notice, the Fair Housing Act, Title VI of the Civil Rights Act of 1964 including implementing regulations
    - Appendix III is applicable section for conversions to PBRA assistance.
  - Transfers of Assistance
    - Assist the PHA in obtaining HUD approvals of any PHA request(s) to transfer assistance in conjunction with the RAD conversion.
    - Assist in preparing PHA’s written request to HUD to release the DOT from the existing site if Transfer is approved.
  - HUD Approvals
    - Assist PHA in seeking HUD review and approval with respect to:
      - Changes in total number of units (including de minimus reductions)
      - Changes in unit configuration
      - Changes in population served
      - If new construction (whether on a new site or the current site) an FHEO review to ensure the project location(s) meet Site and Neighborhood Standards.
      - Non-Dwelling Real Property- determination from the PIH Field Office regarding the release of such property from the DOT or DORC.
      - MTW Agencies- executed amendment of Attachment A to the MTW Agreement
      - Affirmative Fair Housing Marketing Plan (AFHMP) - PBRA only – prepared by the management entity and approved by local MF Regional Center
  - Estimate of Public Housing Funds available for HAP Subsidy
    - Complete and upload RAD Initial Year Funding tool estimating amount of funds available from the date in which the HAP will become effective to the end of the calendar year.

Closing the RAD conversion
- Upon HUD issuance of a RAD Conversion Commitment (RCC), assist the PHA in preparation / coordination of closing of the RAD conversion(s), including preparation and submission of documents as outlined in the applicable RAD Closing Checklist in effect at that time.
- Current closing documents include:
  - Closing Contacts List
  - RAD Use Agreement
  - HAP Contract
    - Parts 1 and 2
    - LIHTC Rider
    - Lender Rider (1st Mortgage)
  - Release of Declaration of Trust
    - Draft by PHA/Owner Counsel
  - Title Pro-Forma
  - Survey
  - Sources & Uses
  - Consolidated Owner Certification
  - Certification and Assurances
  - Opinion of Owner’s Counsel
  - Rental Schedule – HUD Form 92458
  - Project Owner’s/ Management Agent’s Certification – HUD Form 9839
- Management Entity Profile – HUD Form 9832
- Evidence of Fidelity Bond Coverage
- Property Management Agreement
- Organizational Document for New Ownership Entity
- Evidence of Payoff, Release or Subordination of Existing Debt
- Amendments/Releases of Existing Mixed Finance Documents

- 1st Mortgage Financing Documents
  - Note
  - Mortgage/Deed of trust
  - New Junior Debt Supporting Documents
- Bond Financing Documents
- LIHTC Equity Documents
- Certification of Critical Repair Completion
- Rehab Escrow Agreement of Letter of Agreement
- General Depository Agreement – GDA Form 51999
- New Construction Documentation
- Evidence of Completion of RAD Conversion Commitment Special Conditions
- Requests to Amend the RAD Conversion Commitment
- HUD Form 50075.1 with Budget Line Item 1504
Pricing for Services:

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<td>Scattered Site (193 Units)</td>
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<td><strong>Total</strong></td>
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If LIHTC are used for financing, Gill will receive 5% of the Developer Fee (after any deferral of fee up to 30%) for its services.

Note: Any travel will be reimbursed and any third party expenses shall bore by VRHA.

For each engagement above, Gill Group would require 50% of pricing upon execution agreement (excluding the 5% of Developer Fee referenced) and the remaining 50% upon closing of the transaction and the 10% of Developer Fee).
Wichita, Kansas
October 9, 2017
10:00 a.m., Monday
Conference Room, 12th Floor

MINUTES - BOARD OF BIDS AND CONTRACTS*

The Board of Bids and Contracts met with Marty Strayer, Administrative Assistant, Public Works and Utilities, Trinh Bui, Principal Budget Analyst, Budget Office, Clarence Rose, Senior Buyer, representing Purchasing, Ian Hutcheson, Fellow, representing the City Manager's Office and Jamie Buster, Deputy City Clerk, present.

Minutes of the regular meeting dated October 2, 2017, were read and on motion approved.

Bids were opened October 6, 2017 pursuant to advertisements published on:

2017 Sanitary Sewer Reconstruction Phase 10 (north of 31st Street South, east of Hillside) (468-85256/622521/667005) Traffic to be maintained during construction using flagpersons and barricades. (District III)

Dutton Construction and Plumbing, LLC - $111,694.00

Water Distribution System to serve Legacy 3rd Addition (448-90832/735582) (District IV)

Defer 1 week

Lateral 559, Southwest Interceptor Sewer to serve Legacy 3rd Addition (north of 47th Street South, west of Meridian) (468-85230/744451/480142) Does not affect existing traffic. (District IV)

Apex Excavating, LLC - $43,842.00

Purchasing Manager recommended that the contracts be awarded/deferred as outlined above, subject to check, same being the lowest and best bids within the Engineer's construction estimate.

On motion the Board recommended that the contracts be awarded/deferred as outlined above, subject to check, same being the lowest and best bids within the Engineer's construction estimate.

PUBLIC WORKS AND UTILITIES DEPARTMENT/FLEET AND FACILITIES DIVISION: 7,000 Pound Forklift.

Lift Parts Service, LLC - $22,104.50 Base Bid
$651.23 Option 1Add
Included Option 2

PUBLIC WORKS AND UTILITIES DEPARTMENT/PRODUCTION AND PUMPING DIVISION: Liquid Carbon Dioxide.

Lampton Welding Supply * - $36,900.00
* Estimate – contract approved on a unit cost basis; refer to attachments.
FINANCE DEPARTMENT: Armored Car Services.

Reject bid.

PUBLIC WORKS AND UTILITIES DEPARTMENT/PRODUCTION AND PUMPING DIVISION:
Actuator Replacement.

Mead O'Brien, Inc. * - $60,933.00
* Purchases Utilizing Sole Source of Supply Ordinance No. 35-856 Section 2 (b).

The Purchasing Division recommended that the contracts be awarded/rejected as outlined above, same being the lowest and best bid.

On motion the Board recommended that the contracts be awarded/rejected as outlined above, same being the lowest and best bid.

On motion the Board of Bids adjourned

Marty Strayer, Administrative Assistant
Department of Public Works & Utilities

Jamie Buster, CMC
Deputy City Clerk
FORMAL BID REPORT

TO: Robert Layton, City Manager
DATE: October 9, 2017

ENGINEERING BIDS – GARY JANZEN, CITY ENGINEER
October 6, 2017
2017 Sanitary Sewer Reconstruction Phase 10 (north of 31st Street South, east of Hillside) – Public Works & Utilities Department/Engineering Division
Dutton Construction and Plumbing, LLC $111,694.00
Water Distribution System to serve Legacy 3rd Addition – Public Works & Utilities Dept./Engineering Division
(Defer to October 16, 2017)
Lateral 559, Southwest Interceptor Sewer to serve Legacy 3rd Addition – Public Works & Utilities Department/Engineering Division
Apex Excavating, LLC $43,842.00

PURCHASING BIDS – MELINDA A. WALKER, PURCHASING MANAGER
October 6, 2017
Fork Lift 7000 LBS Lifting Capacity – Public Works & Utilities Department/Fleet & Facilities Division
Lift Parts Service, LLC Base Bid $22,104.50
Option 1 (Add) (Per Each) $651.23
Option 2 Included
Liquid Carbon Dioxide – Public Works & Utilities Department/Production & Pumping Division
Lampton Welding Supply (Per Ton) $123.00
Bid Rejected
Actuator Replacement – Public Works & Utilities Department/Production & Pumping Division
Mead O’Brien, Inc. Sole Source of Supply, Ordinance No. 35-856, Section 2(b) $60,933.00

ITEMS TO BE PURCHASED AS ADVERTISED IN THE OFFICIAL CITY NEWSPAPER.

Melinda A. Walker
Purchasing Manager
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<th>Engineer's Construction Estimate</th>
<th>Dondlinger &amp; Sons</th>
<th>Duling Construction</th>
<th>Dutton Construction &amp; Plumbing LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Distribution System</td>
<td>$42,858.00</td>
<td>$41,466.00</td>
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<tr>
<td>Legacy 3rd Addition</td>
<td>BID BOND</td>
<td>X</td>
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</tr>
<tr>
<td>448-90832 ADDENDA</td>
<td>1</td>
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<td></td>
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</tr>
<tr>
<td>(735582)</td>
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<td>Water Distribution System</td>
<td></td>
<td>McCullough Excavation</td>
<td>Mies Construction</td>
<td>Wilks Underground Utilities LLC</td>
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<td>Legacy 3rd Addition</td>
<td>BID BOND</td>
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<td>(735582)</td>
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<td></td>
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</tr>
<tr>
<td>Water Distribution System</td>
<td></td>
<td>Apex Excavating LLC</td>
<td>Wildcat Construction</td>
<td></td>
</tr>
<tr>
<td>Legacy 3rd Addition</td>
<td>BID BOND</td>
<td>$33,042.00</td>
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</tr>
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<tr>
<td>(735582)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Water Distribution System</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legacy 3rd Addition</td>
<td>BID BOND</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>448-90832 ADDENDA</td>
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<td></td>
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<td></td>
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<tr>
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<td></td>
<td></td>
<td></td>
<td>DEFER 1 WEEK</td>
</tr>
</tbody>
</table>
## SANITARY SEWER BID TABULATION SUMMARY

**BOARD OF BIDS - October 6, 2017**

<table>
<thead>
<tr>
<th>FB740180</th>
<th>Engineer's Construction Estimate</th>
<th>Dondlinger &amp; Sons</th>
<th>Duling Construction</th>
<th>Dutton Construction and Plumbing LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lateral 559, Southwest Interceptor Sewer</td>
<td>$52,134.00</td>
<td>$61,927.00</td>
<td>$68,961.00</td>
<td>$49,306.00</td>
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<tr>
<td>Legacy 3rd Addition</td>
<td>BID BOND</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>468-85230</td>
<td>ADDENDA</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(744451)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Engineer's Construction Estimate</th>
<th>McCullough Excavation</th>
<th>Mies Construction</th>
<th>Wilks Underground Utilities Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lateral 559, Southwest Interceptor Sewer</td>
<td>$52,134.00</td>
<td>$65,278.00</td>
<td>$83,184.00</td>
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<tr>
<td>Legacy 3rd Addition</td>
<td>BID BOND</td>
<td></td>
<td></td>
</tr>
<tr>
<td>468-85230</td>
<td>ADDENDA</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>(744451)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Engineer's Construction Estimate</th>
<th>Apex Excavating LLC</th>
<th>Utilities Plus</th>
<th>Wildcat Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lateral 559, Southwest Interceptor Sewer</td>
<td>$52,134.00</td>
<td>$43,642.00</td>
<td></td>
</tr>
<tr>
<td>Legacy 3rd Addition</td>
<td>BID BOND</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>468-85230</td>
<td>ADDENDA</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>(744451)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Engineer's Construction Estimate | |
|----------------------------------| |
| Lateral 559, Southwest Interceptor Sewer | $52,134.00 |
| Legacy 3rd Addition | BID BOND |
| 468-85230 | ADDENDA | 0 |
| (744451) | | | |

**CHECKED BY: [Signature]**

**REVIEWED BY: [Signature]**
City of Wichita Vendor Services - Bids on Solicitation

BID RESULTS

This page summarizes vendor responses by the bid total. Awarded vendors will be notified of their respective purchase orders/contracts.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Complete</th>
<th>Bid Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIFT PARTS SERVICE LLC</td>
<td>Complete</td>
<td>$22,755.73</td>
</tr>
<tr>
<td>KANSAS FORKLIFT INC</td>
<td>Complete</td>
<td>$27,500.00</td>
</tr>
<tr>
<td>SELLERS EQUIPMENT INC</td>
<td>Complete</td>
<td>$30,894.00</td>
</tr>
<tr>
<td>BERRY MATERIAL HANDLING</td>
<td>Complete</td>
<td>$31,888.50</td>
</tr>
<tr>
<td>LIFT TRUCK CENTER INC</td>
<td>Complete</td>
<td>$39,239.92</td>
</tr>
<tr>
<td>D &amp; D EQUIPMENT &amp; SALES INC</td>
<td>In-Complete</td>
<td>$0.00</td>
</tr>
<tr>
<td>VICTOR L PHILLIPS COMPANY</td>
<td>In-Complete</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Close Date/Time: 10/6/2017 10:00 AM CST
Return to the Bid List
Responses: 7

City Comments
Award 10/10/2017 Base Bid w/Options 1 & 2 Public Works & Utilities Dept/Fleet & Facilities Div
City of Wichita Vendor Services - Bids on Solicitation

**BID RESULTS**

This page summarizes vendor bids by the extended cost for each commodity line on the solicitation.

**Vendor Group Line**

**Solicitation:** FB740175 7,000 LB Forklift

**Solicitation Type:** Formal Bid

**Award Method:** Aggregate Cost

**Department:** Public Works Fleet & Facilities

**Close Date/Time:** 10/6/2017 10:00 AM CST

**Responses:** 7

**Go to:** 001

**Line 001** | BASE BID: New Unused Current Model 7,000 lbs Forklift Manufacturer:

<table>
<thead>
<tr>
<th>Vendors</th>
<th>QTY</th>
<th>UOM</th>
<th>Price</th>
<th>Extended Cost</th>
<th>Complete</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIFT PARTS SERVICE LLC</td>
<td>1</td>
<td>Each</td>
<td>$22,104.5000</td>
<td>$22,104.50</td>
<td>Complete</td>
<td>Klon Baoli KBG35 2017, Alt Bid Clark C35 2017 base bid $24,739.28</td>
</tr>
<tr>
<td>KANSAS FORKLIFT INC</td>
<td>1</td>
<td>Each</td>
<td>$27,500.0000</td>
<td>$27,500.00</td>
<td>Complete</td>
<td>Heli CPYD35 2017</td>
</tr>
<tr>
<td>BERRY MATERIAL HANDLING</td>
<td>1</td>
<td>Each</td>
<td>$29,600.0000</td>
<td>$29,600.00</td>
<td>Complete</td>
<td>Yale GLP970VX 2017</td>
</tr>
<tr>
<td>SELLERS EQUIPMENT INC</td>
<td>1</td>
<td>Each</td>
<td>$29,639.0000</td>
<td>$29,639.00</td>
<td>Complete</td>
<td>Hyster H70FT 2017</td>
</tr>
<tr>
<td>LIFT TRUCK CENTER INC</td>
<td>1</td>
<td>Each</td>
<td>$37,055.0000</td>
<td>$37,055.00</td>
<td>Complete</td>
<td>Doosan Model G35S-4 2017. Alt Bid Toyota 8FG35U 2017 $43,634</td>
</tr>
<tr>
<td>VICTOR L PHILLIPS COMPANY</td>
<td></td>
<td></td>
<td>No Bid.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D &amp; D EQUIPMENT &amp; SALES INC</td>
<td></td>
<td></td>
<td>No Bid.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Line 002** | OPTION 1: Fork Mounted Work Platform 36" x 48" Minimum per specification.

<table>
<thead>
<tr>
<th>Vendors</th>
<th>QTY</th>
<th>UOM</th>
<th>Price</th>
<th>Extended Cost</th>
<th>Complete</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>KANSAS FORKLIFT INC</td>
<td>1</td>
<td>Each</td>
<td>$0.0000</td>
<td>$0.00</td>
<td>Complete</td>
<td>Included</td>
</tr>
<tr>
<td>SELLERS EQUIPMENT INC</td>
<td>1</td>
<td>Each</td>
<td>$495.0000</td>
<td>$495.00</td>
<td>Complete</td>
<td></td>
</tr>
<tr>
<td>LIFT PARTS SERVICE LLC</td>
<td>1</td>
<td>Each</td>
<td>$651.2300</td>
<td>$651.23</td>
<td>Complete</td>
<td>Alt Bid $651.23</td>
</tr>
<tr>
<td>LIFT TRUCK CENTER INC</td>
<td>1</td>
<td>Each</td>
<td>$779.9200</td>
<td>$779.92</td>
<td>Complete</td>
<td>Vestil Model WP-3648-84B. Alt Bid $779.92</td>
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<tr>
<td>BERRY MATERIAL HANDLING</td>
<td>1</td>
<td>Each</td>
<td>$1,500.0000</td>
<td>$1,500.00</td>
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<tr>
<td>D &amp; D EQUIPMENT &amp; SALES INC</td>
<td></td>
<td></td>
<td>No Bid.</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>VICTOR L PHILLIPS COMPANY</td>
<td></td>
<td></td>
<td>No Bid.</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vendors</th>
<th>QTY</th>
<th>UOM</th>
<th>Price</th>
<th>Extended Cost</th>
<th>Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>KANSAS FORKLIFT INC</td>
<td>1</td>
<td>Each</td>
<td>$0.0000</td>
<td>$0.00</td>
<td>Complete</td>
</tr>
<tr>
<td>LIFT PARTS SERVICE LLC</td>
<td>1</td>
<td>Each</td>
<td>$0.0000</td>
<td>$0.00</td>
<td>Complete</td>
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<td>Each</td>
<td>$766.0000</td>
<td>$760.00</td>
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<tr>
<td>BERRY MATERIAL HANDLING</td>
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<td>Each</td>
<td>$788.5000</td>
<td>$788.50</td>
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<tr>
<td>LIFT TRUCK CENTER INC</td>
<td>1</td>
<td>Each</td>
<td>$1,405.0000</td>
<td>$1,405.00</td>
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<tr>
<td>VICTOR L PHILLIPS COMPANY</td>
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<td></td>
<td></td>
<td></td>
<td>No Bid.</td>
</tr>
<tr>
<td>D &amp; D EQUIPMENT &amp; SALES INC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>No Bid.</td>
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</tbody>
</table>

**Comments**
- Included
- Included, Alt Bid $653.00 Total Alt Bid $26,043.51
- Doosan Brand Solid Pneumatic Tires, Alt Bid $1,241 Total Alt Bid $45,854.92

Top of the Page
### BID RESULTS

This page summarizes vendor responses by the bid total. Awarded vendors will be notified of their respective purchase orders/contracts.

**Vendor Group Line**

**Solicitation:** FB740176  
**Solicitation Type:** Formal Bid  
**Award Method:** Aggregate Cost  
**Department:** Water Production & Pumping Division

<table>
<thead>
<tr>
<th>Vendors</th>
<th>Complete</th>
<th>Bid Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>LAMPTON WELDING SUPPLY</td>
<td>Complete</td>
<td>$36,900.00</td>
</tr>
<tr>
<td>PRAXAIR INC</td>
<td>Complete</td>
<td>$39,375.00</td>
</tr>
</tbody>
</table>

**Close Date/Time:** 10/6/2017 10:00 AM CST  
**Responses:** 2

**City Comments**

Award 10/10/2017 Public Works & Utilities Department/Production & Pumping Division

Top of the Page
BID RESULTS

This page summarizes vendor bids by the extended cost for each commodity line on the solicitation.

Vendor: Group: Line: Solicitation: BR740176  Liquid Carbon Dioxide

Solicitation Type: Formal Bid
Award Method: Aggregate Cost
Department: Water Production & Pumping Division

Close Date/Time: 10/6/2017 10:00 AM CST

Go to: 001 ▼

Responses: 2

Line 001 | CARBON DIOXIDE - BULK DELIVERY PLEASE STATE IN COMMENT BOX IF: BID PRICE IS FIRMpciones
OR ESCALATING

<table>
<thead>
<tr>
<th>Vendors</th>
<th>QTY</th>
<th>UOM</th>
<th>Price</th>
<th>Extended Cost</th>
<th>Complete</th>
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</thead>
<tbody>
<tr>
<td>LAMPTON WELDING SUPPLY</td>
<td>300</td>
<td>Ton</td>
<td>$123,000</td>
<td>$36,900.00</td>
<td>Complete</td>
</tr>
<tr>
<td>PRAXAIR INC</td>
<td>300</td>
<td>Ton</td>
<td>$131,250</td>
<td>$39,375.00</td>
<td>Complete</td>
</tr>
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</table>

Comments

Contract offer is subject to site survey. Bid price is subject to escalation based on vendor increase to Lampton.
BID RESULTS

This page summarizes vendor responses by the bid total. Awarded vendors will be notified of their respective purchase orders/contracts.

Vendor Group Line
Solicitation: FB740182 Armored Car Services
Solicitation Type: Formal Bid
Award Method: Group
Department: Finance Department

Close Date/Time: 10/6/2017 10:00 AM CST
Responses: 1

Vendors Complete Bid Total
LOOMIS, FARGO & COMPANY Complete $120,900.00

City Comments
Reject Bid 10/10/17 Finance Department

Top of the Page
Purchases Utilizing Sole Source of Supply

Ordinance No. 35-856 Section 2. (b)

SUBJECT: Actuator Replacement

Qty 12, Electric Valve Actuators, Limitorque L120-10-3/4P, 460/3/60, WP enclosure, 37RPM, basic integral controls, local/remote CS station, 4 with 4-20mA modulating controls, 9 with WG-00-D quarter turn gear

FOR A TOTAL OF $60,933.00

This is a sole source of supply when material to be purchased is available from a sole distributor.

Department: Public Works & Utilities Department/Water Production & Pumping Division

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Reference Authority</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mead O'Brien, Inc.</td>
<td>Ordinance No. 35-856 Section 2 (b)</td>
<td>$60,933.00</td>
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## CMB’S FOR October 10, 2017

<table>
<thead>
<tr>
<th>Name</th>
<th>Type</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eugene J. Vitarelli</td>
<td>Sierra Hills Golf Club**</td>
<td>13420 E. Pawnee</td>
</tr>
<tr>
<td>J. Larry Fugate</td>
<td>Pizza Hut**</td>
<td>1877 W. 21st St N</td>
</tr>
<tr>
<td>J. Larry Fugate</td>
<td>Pizza Hut**</td>
<td>1708 E. Pawnee St</td>
</tr>
<tr>
<td>J. Larry Fugate</td>
<td>Pizza Hut**</td>
<td>2181 N. Rock Rd</td>
</tr>
<tr>
<td>Zobair Siddique</td>
<td>21st Street Market***</td>
<td>2011 E. 21st St N</td>
</tr>
</tbody>
</table>

** General/Restaurant (need 50% or more gross revenue from sale of food)

*** Retailer (Grocery stores, convenience stores, etc.)
PRELIMINARY ESTIMATES
FOR CITY COUNCIL OCTOBER 10, 2017

a. Water Distribution System to serve Morris Addition (north of 21st Street North, wes tof 159th Street East) (448-90831/735577/470250) Does not affect existing traffic. (District II) - $82,000.00

b. Lateral 447, Four Mile Creek Sewer to serve Morris Addition (north of 21st Street North, wes tof 159th Street East) (468-85223/744446/480137) Does not affect existing traffic. (District II) - $66,000.00
PRELIMINARY ESTIMATE of the cost of:
Water Distribution System to serve Morris Addition
(north of 21st Street N, west of 159th Street E)

All work done and all materials furnished to be in accordance with plans and specifications on file in the office of the City Engineer.

**LUMP SUM BID ITEMS (735577) - GROUP 1**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seeding, Temporary</td>
<td>1</td>
</tr>
<tr>
<td>Site Clearing</td>
<td>1</td>
</tr>
<tr>
<td>Site Restoration</td>
<td>1</td>
</tr>
</tbody>
</table>

**MEASUREMENT QUANTITY BID ITEMS (735577) - GROUP 1**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pipe, WL 8&quot;</td>
<td>685</td>
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<tr>
<td>Pipe, WL 8&quot;, Directional Drilled</td>
<td>90</td>
</tr>
<tr>
<td>Pipe, WL 8&quot;, DICL</td>
<td>32</td>
</tr>
<tr>
<td>Fire Hydrant Assembly</td>
<td>2</td>
</tr>
<tr>
<td>Valve Assembly, Blowoff 2&quot;</td>
<td>1</td>
</tr>
</tbody>
</table>

**Construction Subtotal**

Design Fee
Engineering & Inspection
Administration
Publication
Water Department

**Total Estimated Cost**

$82,000.00

CITY OF WICHITA
STATE OF KANSAS SS

I do solemnly swear that the above amount is correct, reasonable and just.

Gary Janzen, P.E., City Engineer

Sworn to and subscribed before me this ________________________

(DATE)

City Clerk

470250 (735577) 448-90831

Page 182

EXHIBIT
PRELIMINARY ESTIMATE of the cost of:
Lateral 447, Four Mile Creek Sewer to serve Morris Addition
(north of 21st Street N, west of 159th Street E)

All work done and all materials furnished to be in accordance with plans and specifications
on file in the office of the City Engineer.

<table>
<thead>
<tr>
<th>LUMP SUM BID ITEMS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Seeding, Temporary</td>
<td>1 LS</td>
</tr>
<tr>
<td>2 Site Clearing</td>
<td>1 LS</td>
</tr>
<tr>
<td>3 Site Restoration</td>
<td>1 LS</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MEASURED QUANTITY BID ITEMS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Pipe, SS 8&quot;</td>
<td>467 If</td>
</tr>
<tr>
<td>5 Air Testing, SS Pipe</td>
<td>467 If</td>
</tr>
<tr>
<td>6 Pipe Stub, 4&quot;</td>
<td>1 ea</td>
</tr>
<tr>
<td>7 MH, Standard SS (4')</td>
<td>3 ea</td>
</tr>
<tr>
<td>8 MH, Standard SS (4'), Dog House</td>
<td>1 ea</td>
</tr>
<tr>
<td>9 Fill, Sand (Flushed &amp; Vibrated)</td>
<td>95 If</td>
</tr>
<tr>
<td>10 BMP, Construction Entrance</td>
<td>1 ea</td>
</tr>
</tbody>
</table>

Construction Subtotal

Design Fee
Engineering & Inspection
Administration
Publication
Contingency

Total Estimated Cost

CITY OF WICHITA)
STATE OF KANSAS)

I do solemnly swear that the above amount is correct, reasonable and just.

[Signature]
Gary Janzen, P.E., City Engineer

Sworn to and subscribed before me this _________________________.

(Date)

City Clerk

480137 (744446) 468-85223
Page____

EXHIBIT____
TO: Mayor and City Council

SUBJECT: Community Events – Haute Handmade Pop Up Market (District VI)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, event promoter Genny Werth is coordinating the Haute Handmade Pop Up Market with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Haute Handmade Pop Up Market October 22, 2017 10:00 am to 5:00 pm
- Rock Island Street, Douglas Avenue to First Street

The event promoter will arrange to remove the barricades as necessary to allow emergency vehicle access during the entire designated time period. The barricades will be removed immediately upon completion of the event.

Financial Consideration: The event promoter is responsible for all costs associated with the special event.

Legal Consideration: This action complies with the ordinance on street closures for community events.

Recommendation/Actions: It is recommended that the City Council approve the request subject to: 1) Hiring off-duty certified law enforcement officers as required; 2) Obtaining barricades to close the streets in accordance with requirements of the Police, Fire and Public Works and Utilities Departments; and 3) Securing a Certificate of Liability Insurance on file with the Community Event Coordinator.
TO: Mayor and City Council
SUBJECT: Community Events – Wichita Toy Run (Districts I, IV and VI)
INITIATED BY: Division of Arts & Cultural Services
AGENDA: Consent

Recommendation: Approve the request for temporary street closures.

Background: In accordance with the Community Events procedure, event promoter Terisa Olson, Wichita Toy Run Association, is coordinating the Wichita Toy Run event with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

**Wichita Toy Run November 5, 2017 1:00 pm to 4:00 pm**
- West Maple Street, Sycamore to McLean Boulevard
- McLean Boulevard, West Maple Street to Douglas Avenue
- Douglas Avenue, McLean Boulevard to Broadway Avenue
- Broadway Avenue, Douglas Avenue to 53rd Street North

The event promoter will arrange to remove the barricades as necessary to allow emergency vehicle access during the entire designated time period. The barricades will be removed immediately upon completion of the event.

Financial Consideration: The event promoter is responsible for all costs associated with the special event.

Legal Consideration: This action complies with the ordinance on street closures for community events.

Recommendation/Actions: It is recommended that the City Council approve the request subject to: 1) Hiring off-duty certified law enforcement officers as required; 2) Obtaining barricades to close the streets in accordance with requirements of the Police, Fire and Public Works and Utilities Departments; and 3) Securing a Certificate of Liability Insurance on file with the Community Event Coordinator.
TO: Mayor and City Council

SUBJECT: Design Agreement for Improvements to Serve Rocky Ford Addition (District II)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

**Recommendation:** Approve the design agreement.

**Background:** On April 18, 2017, the City Council approved petitions for paving, water, sanitary sewer, and drainage improvements to serve Rocky Ford Addition, located south of 31st Street South, east of Rock Road.

**Analysis:** The proposed design agreement between the City and Baughman Company, P.A. provides for design of the improvements. In accordance with Administrative Regulation 1.10, Baughman Company P.A. is an engineering consultant upon whom the City and developer mutually agree for this work, and as this firm provided the preliminary engineering services for the platting of the subdivision, can expedite plan preparation.

**Financial Considerations:** The design fee for the improvements is $70,600. Funding is available within the existing budget, approved by the City Council on April 18, 2017, and is 100 % funded by special assessments.

**Legal Considerations:** The design agreement has been reviewed and approved as to form by the Law Department.

**Recommendation/Action:** It is recommended that the City Council approve the design agreement and authorize the necessary signatures.

**Attachment:** Design agreement.
AGREEMENT

for

PROFESSIONAL SERVICES

between

THE CITY OF WICHITA, KANSAS

and

BAUGHMAN COMPANY, P.A.

for

ROCKY FORD ADDITION

THIS AGREEMENT, made this __________ day of __________________________, 2017, by and between the CITY OF WICHITA, KANSAS, party of the first part, hereinafter called the “CITY” and BAUGHMAN COMPANY, P.A., party of the second part, hereinafter called the “ENGINEER”.

WHEREAS, the CITY intends to construct;

WATER DISTRIBUTION SYSTEM NO. 90350 serving Lots 14 through 36, Block A, Rocky Ford Addition (south of 31st Street South, east of Rock) (Project No. 448-90350_735581).

LATERAL 1, MAIN 28, WAR INDUSTRIES SEWER serving Lots 8 through 43, Block A, Rocky Ford Addition (south of 31st Street South, east of Rock) (Project No. 468-84466_744449).

STORM WATER DRAIN NO. 421 serving Lots 1 through 50, Block A, Rocky Ford Addition (south of 31st Street South, east of Rock) (Project No. 468-85201_751564).

34TH STREET SOUTH serving Lots 1 through 50, Block A, Rocky Ford Addition (south of 31st Street South, east of Rock) (Project No. 472-85382_766394).

NOW, THEREFORE, the parties hereto do mutually agree as follows:

I. SCOPE OF SERVICES
   The ENGINEER shall furnish professional services as required for designing improvements in Rocky Ford Addition and to perform the project tasks outlined in the SCOPE OF SERVICES (Exhibit “A”).

II. IN ADDITION, THE ENGINEER AGREES
   A. To provide the various technical and professional services, equipment, material and transportation to perform the tasks as outlined in Exhibit “A”.


B. To attend meetings with the City and other local, state and federal agencies as necessitated by the SCOPE OF SERVICES.

C. To make available during regular office hours, all calculations, sketches and drawings such as the CITY may wish to examine periodically during performance of this agreement.

D. To save and hold CITY harmless against all suits, claims, damages and losses for injuries to persons or property arising from or caused by errors, omissions or negligent acts of ENGINEER, its agents, servants, employees, or subcontractors occurring in the performance of its services under this Agreement.

E. To maintain books, documents, papers, accounting records and other evidence pertaining to costs incurred by ENGINEER and, where relevant to method of payment, to make such material available to the CITY.

F. To comply with all Federal, State and local laws, ordinances and regulations applicable to the work, including Title VI of the Civil Rights Act of 1964, and to comply with the CITY’S Affirmative Action Program as set forth in Exhibit “B” which is attached hereto and adopted by reference as though fully set forth herein.

G. To accept compensation for the work herein described in such amounts and at such periods as provided in Article IV and that such compensation shall be satisfactory and sufficient payment for all work performed, equipment or materials used and services rendered in connection with such work.

H. The ENGINEER agrees to complete and deliver the field notes, preliminary and final plans (including final tracings), specifications and estimates to the CITY within the time allotted for the project as stipulated below; EXCEPT that the ENGINEER shall not be responsible or held liable for delays occasioned by the actions or inactions of the CITY or other agencies, or for other unavoidable delays beyond the control of the ENGINEER.

I. Covenants and represents to be responsible for the professional and technical accuracies and the coordination of all designs, drawings, specifications, plans and/or other work or material furnished by the ENGINEER under this Agreement. ENGINEER further agrees, covenants and represents, that all designs, drawings, specifications, plans, and other work or material furnished by ENGINEER, its agents, employees and subcontractors, under this Agreement, including any additions, alterations or amendments thereof, shall be free from negligent errors or omissions.

J. ENGINEER shall procure and maintain such insurance as will protect the ENGINEER from damages resulting from the negligent acts of the ENGINEER, its agents, officers, employees and subcontractors in the performance of the professional services rendered under this Agreement. Such policy of insurance shall be in an amount not less than $500,000.00 subject to a deductible of $10,000.00. In addition, a Workman’s Compensation and Employer’s Liability Policy shall be procured and maintained. This policy shall include an “all state” endorsement. Said insurance policy shall also cover claims for injury, disease or death of employees arising out of and in the course of their employment, which, for any reason, may not fall within the provisions of the Workman’s Compensation Law. The liability limit shall be not less than:

Workman’s Compensation – Statutory
Employer’s Liability - $500,000 each occurrence.

Further, a comprehensive general liability policy shall be procured and maintained by the ENGINEER that shall be written in a comprehensive form and shall protect ENGINEER against all claims arising from injuries to persons (other than ENGINEER’S employees) or damage to property of the CITY or others arising out of any negligent act or omission of ENGINEER, its agents, officers, employees or subcontractors in the performance of the professional services under this Agreement. The liability limit shall not be less than $500,000.00 per occurrence for bodily injury, death and property damage. Satisfactory Certificates of Insurance shall be filed with the CITY prior to the time ENGINEER starts any work under this Agreement. In addition, insurance policies applicable hereto shall contain a provision that provides that the CITY shall be given thirty (30) days written notice by the insurance company before such policy is substantially changed or canceled.

K. To designate a Project Manager for the coordination of the work that this Agreement requires to be performed. The ENGINEER agrees to advise the CITY, in writing, of the person(s) designated as Project Manager not later than five (5) days following issuance of the notice to proceed on the work required by this Agreement. The ENGINEER shall also advise the CITY of any changes in the person designated
Project Manager. Written notification shall be provided to the CITY for any changes exceeding one week in length of time.

III. THE CITY AGREES:
A. To furnish all available data pertaining to the project now in the CITY’s files at no cost to the ENGINEER. Confidential materials so furnished will be kept confidential by the ENGINEER.
B. To provide standards as required for the project; however, reproduction costs are the responsibility of the ENGINEER, except as specified in Exhibit “A”.
C. To pay the ENGINEER for his services in accordance with the requirements of this Agreement.
D. To provide the right-of-entry for ENGINEER’S personnel in performing field surveys and inspections.
E. To designate a Project Manager for the coordination of the work that this Agreement requires to be performed. The CITY agrees to advise, the ENGINEER, in writing, of the person(s) designated as Project Manager with the issuance of the notice to proceed on the work required by this Agreement. The CITY shall also advise the ENGINEER of any changes in the person(s) designated Project Manager. Written notification shall be provided to the ENGINEER for any changes exceeding one week in length of time.
F. To examine all studies, reports, sketches, drawings, specifications, proposals and other documents presented by ENGINEER in a timely fashion.

IV. PAYMENT PROVISIONS
A. Payment to the ENGINEER for the performance of the professional services required by this Agreement shall be made on the basis of the not to exceed fee amount specified below:

<table>
<thead>
<tr>
<th>Project No.</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>448 90350</td>
<td>$8,900.00</td>
</tr>
<tr>
<td>468 84466</td>
<td>$12,700.00</td>
</tr>
<tr>
<td>468 85201</td>
<td>$22,600.00</td>
</tr>
<tr>
<td>472 85382</td>
<td>$26,400.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$70,600.00</strong></td>
</tr>
</tbody>
</table>

B. When requested by the CITY, the ENGINEER will enter into a Supplemental Agreement for additional services related to the project such as, but not limited to:
1. Consultant or witness for the CITY in any litigation, administrative hearing, or other legal proceedings related to the project.
2. Additional design services not covered by the scope of this Agreement.
3. Construction staking, material testing, inspection and administration related to the project.
4. A major change in the scope of services for the project.
   If additional work should be necessary, the ENGINEER will be given written notice by the CITY along with a request for an estimate of the increase necessary in the not-to-exceed fee for performance of such additions. No additional work shall be performed nor shall additional compensation be paid except on the basis of a Supplemental Agreement duly entered into by the parties.

V. THE PARTIES HERETO MUTUALLY AGREE:
A. That the right is reserved to the CITY to terminate this Agreement at any time, upon written notice, in the event the project is to be abandoned or indefinitely postponed, or because of the ENGINEER’S inability to proceed with the work.
B. That the field notes and other pertinent drawings and documents pertaining to the project shall become the property of the CITY upon completion or termination of the ENGINEER’S services in accordance with this Agreement; and there shall be no restriction or limitation on their further use by the CITY. Provided, however, that CITY shall hold ENGINEER harmless from any and all claims, damages or causes of action which arise out of such further use when such further use is not in connection with the project.
C. That the services to be performed by the ENGINEER under the terms of this Agreement are personal and cannot be assigned, sublet or transferred without specific consent of the CITY.
D. In the event of unavoidable delays in the progress of the work contemplated by this Agreement, reasonable extensions in the time allotted for the work will be granted by the CITY, provided, however, that the ENGINEER shall request extensions, in writing, giving the reasons therefor.
E. It is further agreed that this Agreement and all contracts entered into under the provisions of this Agreement shall be binding upon the parties hereto and their successors and assigns.

F. Neither the CITY’S review, approval or acceptance of, nor payment for, any of the work or services required to be performed by the ENGINEER under this Agreement shall be construed to operate as a waiver of any right under this Agreement or any cause of action arising out of the performance of this Agreement.

G. The rights and remedies of the CITY provided for under this Agreement are in addition to any other rights and remedies provided by law.

H. It is specifically agreed between the parties executing this Agreement, that it is not intended by any of the provisions of any part of this Agreement to create the public or any member thereof a third party beneficiary hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

IN WITNESS WHEREOF, the CITY and the ENGINEER have executed this Agreement as of the date first written above.

BY ACTION OF THE CITY COUNCIL

______________________________
Jeff Longwell, Mayor

SEAL:

ATTEST:

______________________________
Karen Sublett, City Clerk

APPROVED AS TO FORM:

______________________________
Jennifer Magaña, Director of Law and City Attorney

BAUGHMNN COMPANY, P.A.

______________________________
N. Brent Wooten, P.E.
President
EXHIBIT “A”

SCOPE OF SERVICES

Rocky Ford Addition
(south of 31st Street South, east of Rock)
(Project No. 448-90350, 468-84466, 468-85201, 472-85382)

The ENGINEER shall furnish engineering services as required for the development of plans, supplemental specifications and estimates of the quantities of work for the PROJECT in the format and detail required by the City Engineer for the City of Wichita. Engineering plans shall be prepared per Attachment No. 1 to Exhibit “A”.

In connection with the services to be provided, the ENGINEER shall:

When authorized by the CITY, proceed with development of Plans for the PROJECT on the preliminary basis approved by the CITY.

1. **Field Surveys.** Provide engineering and technical personnel and equipment to obtain survey data as required for the engineering design. Utility companies shall be requested to flag or otherwise locate their facilities within the project limits prior to the ENGINEER conducting the field survey for the project. Utility information shall be clearly noted and identified on the plans.

2. **Storm Water Pollution Prevention.** On projects that disturb one acre or more, the ENGINEER will prepare a storm water pollution prevention plan, prepare the necessary permit application(s) and include any provisions or requirements in the project plans and special provisions. The storm water pollution prevention plan shall also include submittal of a Notice of Intent (NOI) prior to bidding; site-specific erosion control plan; and standard Best Management Practice (BMP) detail sheets per Attachment No. 1 to Exhibit “A”.

3. **Soils and Foundation Investigations.** The CITY may authorize ENGINEER to direct approved Testing Laboratory to perform subsurface borings and soils investigations for the PROJECT, which shall be reported in the format and detail required by the City Engineer for the City of Wichita. The Testing Laboratory shall be responsible for the accuracy and competence of their work. The ENGINEER'S contract with the Testing Laboratory shall provide that the Testing Laboratory is responsible for the City for the accuracy and competence of the Testing Laboratory's work. If required the cost of soils and boring investigations shall be prepared as a supplemental agreement between City of Wichita and the ENGINEER. This may be required for bridges, structures, retaining walls and other locations.

4. **Review Preliminary Design Concepts.** Submit preliminary design concepts for review with the City Engineer or his designated representative prior to progressing to detail aspects of the work unless waived by the City Engineer.

5. **Drainage Study.** When applicable, conduct a detailed study to explore alternative design concepts concerning drainage for the project. Present the findings in writing identifying recommendations to the CITY, including preliminary cost estimates, prior to development of final check plans. Such written findings and recommendations must be in a format which is self-explanatory and readily understood by persons with average backgrounds for the technology involved.

6. **Plans & Specifications.** Prepare engineering plans, plan quantities and supplemental specifications as required. Pay items of work shall conform to the CITY’’s Master Bid Item List. Engineering plans will include incidental drainage where required and permanent traffic signing. The project’s plans and proposed special provisions shall address the requirements included in the City’s Administrative Regulations 6.5, “Cleanup, Restoration or Replacement Following Construction.” Also, final plans, field notes and other pertinent project mapping records are to be submitted per Attachment No. 1 to Exhibit “A”. The files are to be AutoCAD drawing files or DXF/DBX files. Layering, text fonts, etc. are to be reviewed and approved during the preliminary concept development phase of the design work. Text fonts other than standard AutoCAD files are to be included with drawing files. In addition to supplying the electronic files of the AutoCAD drawing files of the final plans, ENGINEER will also need to supply electronic files of the drawings in PDF format.

7. **Landscaping.** Where landscaping may be required along arterial streets, ENGINEER should use plant material that is drought resistant and requires low maintenance in a xeriscape concept, and is consistent with the City of Wichita Landscape Policy for Arterial Streets. A landscape architect should be included on the Consultants’ Design Team.

8. **Property Acquisition.** Prepare right-of-way/easement tract maps and descriptions as required in clearly
drawn detail and with sufficient reference to certificate of title descriptions. ENGINEER will perform all necessary survey work associated with marking the additional right-of-way or easements. This shall include the setting monuments of new corners for any additional right-of-way and a one time marking of the right-of-way for utility relocations. The ENGINEER shall perform all necessary title work and sufficient research for determination of current right-of-way and easements.

9. Utility Coordination. Identify all potential utility conflicts and provide preliminary field check plans showing the problem locations, posted to the City’s FTP site. Plans will clearly identify specific utility company facilities by color and by name (i.e. not just “gas” or “fiber optic”). ENGINEER shall include a conflict list for each utility, also posted to the FTP site. ENGINEER shall meet with utility company representatives to review plans and utility verification forms (Attachment No. 3 to Exhibit “A”) at each milestone date and as directed by the CITY and as determined necessary by the ENGINEER. This information will be compiled into a summary report (Attachment No. 4 to Exhibit “A”, also available on the City’s FTP site) maintained and updated by ENGINEER as necessary to present a cohesive and reflective status of utilities, and provided to the City as necessary. ENGINEER shall maintain involvement with utility companies until all conflicts have been resolved (not just identified). When appropriate, the City Engineer will approve the identification on plans of conflicts to be resolved during construction. ENGINEER shall meet with involved utility companies and project contractor to resolve any conflicts with utilities that occur during construction.

10. Staking Information. All applicable coordinate control points and related project staking information shall be furnished on a map on the plans, as well on CD-ROM, as a text file, along with the project PDF’s. This coordinate information will be used by the CITY for construction staking purposes. See Attachment No. 2 to Exhibit “A” for required coordinate information.

11. Shop Drawings. All shop drawings submitted by the contractor for the project shall be reviewed and, when acceptable, approved for construction by the ENGINEER for the project.

12. Public Meeting. The ENGINEER shall meet with affected property owners, along with City staff, at a pre-construction Public Information Meeting, as arranged by the City, to explain project design, including such issues as construction phasing and traffic control.

13. New Right-of-Way Monumentation. The ENGINEER shall complete permanent monumentation of all new right-of-way, and complete and submit all necessary legal documentation for same.

14. Section Corner Monuments. The Engineer shall provide services required by KSA Chapter 58, Article 20, Statute 58-2011, any time a section corner or monument will be endangered, disturbed, or removed. The City of Wichita Construction Engineer will receive a copy of all Land Survey Reference Reports submitted to the Secretary of State Historical Society. All costs associated with this effort shall be the responsibility of the Engineer. The City will provide a three business day notice to the Engineer to mark the monument location for re-establishment after pavement work is completed. The City will then core and install a cast iron monument box and cover. The Engineer will be notified within three business days after the box is installed to reset the final monument.

15. Permits. The ENGINEER shall prepare any and all necessary permits for this project, such as the preparation of applications for U.S. Army Corps of Engineers (404) permits, Division of Water Resources permit, Kansas Department of Wildlife and Parks permit and Kansas Department of Health and Environment permit. Also if requested by the CITY, obtain construction approval from the U.S. Army Corps of Engineers and assist the CITY in coordinating the archaeological review of the PROJECT. The ENGINEER shall be responsible for the cost of all permit fees that are required to complete the PROJECT. The cost shall be included in the design fee submitted by the ENGINEER.

16. Project Milestones. The ENGINEER agrees to complete and deliver the field notes, preliminary and final plans, specifications and estimates to the CITY within the time allotted for the project as stipulated below; EXCEPT that the ENGINEER shall not be responsible or held liable for delays occasioned by the actions or inactions of the CITY or other agencies, or for other unavoidable delays beyond the control of the ENGINEER.

Field Check Plans and an estimate for the project due by __N/A__.
Office Check Plans and an estimate for the project due by __SEPT 2017__.
Completion of all work required by this Agreement (including submittal of final approved plans, field notes, and related project documents by __OCT 2017__.}
Attachment No. 1 to Exhibit “A” – Scope of Services

Plan Submittal

Water projects plans shall be submitted with (1) set of mylar plans; and a CD of the .dwgs and .pdfs. This includes projects that have the water plans incorporated into that project, for which the cover sheet should also be included.

Storm Sewer, Sanitary Sewer and Paving plans shall be submitted in a .dwg and .pdf format on a CD.

In addition, two (2) sets of 11”x17” plans will be submitted at the time of final .pdf submittal for ALL projects, regardless of the type.

Storm Water Pollution Prevention

For any project disturbing one acre of ground or more, the design Consultant must prepare a Notice of Intent and a Storm Water Pollution Prevention Plan and submit them to the KDHE for approval. Complete copies of the approved NOI and SWP3 must be provided to the City, prior to bidding. One hard copy should be provided to the project engineer upon approval, one electronic copy should be included with your transmittal of PDF plan files, and one additional electronic copy should be sent to the attention of Mark Hall at the following address:

City of Wichita
Storm Water Division
455 N. Main 8th Floor
Wichita, KS 67202

THIS INCLUDES ALL PROJECTS DISTURBING ONE ACRE OR MORE – I.E. NEW DEVELOPMENT, ARTERIAL STREETS, DIRT STREETS, BIKE PATHS, SEWER MAINS, ETC.

The City of Wichita will, under no circumstance, bid any project without first receiving copies of the KDHE approved NOI and SWP3.

The design of all City of Wichita construction projects must also include the development of a site-specific erosion control plan. The site-specific erosion control plan must be included in the project plans. Every component and requirement of the erosion control plan must be separately and accurately accounted as a measured quantity bid item in the engineer’s estimate. Bidding erosion control as “1 LS” is not allowed.

Please note that careful consideration must be given to the transition of BMP maintenance responsibilities throughout the course of multi-phased projects. All intended responsibilities must be clearly demonstrated by the bid items. For example, if it is intended that the contractor of a subsequent waterline project be responsible for the maintenance of silt fence installed with a preceding sanitary sewer project, a measured quantity bid item must be submitted for x-ly of silt fence maintenance.

The City’s current BMP standard detail sheets shall be included in all plans. These five sheets must be included in every plan set developed for the City of Wichita, regardless of project size.
Attachment No. 2 to Exhibit “A” – CIP Scope of Services

Required Plan Coordinate Information

Arterial Street Projects & Infill (Existing Neighborhoods)

I. SANITARY SEWER
Provide a standard bubble map, as part of the plans, showing locations of numbered points, and a table with point number, northing and easting coordinates, description, and BL station for each point, for the following:
- all possible control as established or attained during preliminary survey, including but not limited to – section corners, property irons, intersection center-center irons, other set monuments
- benchmarks, including TBM set with preliminary survey
- center of manholes
- end of manhole stubs (when longer than five feet)

II. WATER LINE
Provide a standard bubble map, as part of the plans, showing locations of numbered points, and a table with point number, northing and easting coordinates, description, and BL station for each point, for the following:
- all possible control as established or attained during preliminary survey, including but not limited to – section corners, property irons, intersection center-center irons, other set monuments; any necessary points for establishing BL, including P.I.’s in BL
- benchmarks, including TBM set with preliminary survey
- beginning and ends of pipe
- all P.I.’s/deflections (horizontal and vertical)
- FH’s, tees, bends, air release, valves

III. STORM SEWER
Provide a standard bubble map, as part of the plans, showing locations of numbered points, and a table with point number, northing and easting coordinates, description, and BL station for each point, for the following:
- all possible control as established or attained during preliminary survey, including but not limited to – section corners, property irons, intersection center-center irons, other set monuments; any necessary points for establishing BL, including P.I.’s in BL
- benchmarks, including TBM set with preliminary survey
- center of inside face on Type 1/1A curb inlets; center of high edge on Type 2 curb inlets
- for skewed inlets typically in intersection radii, or not parallel to baseline – center of curb inlet AND center of inside face on Type 1/1A curb inlets; center of high edge on Type 2 curb inlets
- end of end section, at CL of pipe
- center, end of pipe at outside face of headwall; if headwall not perpendicular to pipe, each corner of headwall at outside face
- center of all drop inlets, manholes, and other structures
- center of RCBC at each end (outside face of hubguard); if box rotated, each corner, outside face

IV. PAVING
Provide a standard bubble map, as part of the plans, showing locations of numbered points, and a table with point number, northing and easting coordinates, description, and BL station for each point, for the following:
- all possible control as established or attained during preliminary survey, including but not limited to – section corners, property irons, intersection center-center irons, other set monuments; any necessary points for establishing BL, including P.I.’s in BL
- benchmarks, including TBM set with preliminary survey
- center of signal poles, service and junction boxes, controller, etc.; ends and P.I.’s for retaining walls, at back of walls

THE SAME COORDINATE SYSTEM SHALL BE USED FOR ALL SEPARATE PHASES OF A LARGER INFILL OR ARTERIAL STREET PROJECT.
Sub-Division Projects

I. SANITARY SEWER
Provide a standard bubble map, as part of the plans, showing locations of numbered points, and a table with point number, northing and easting coordinates, description, and BL station for each point, for the following:
- all platted control irons (set or not), including plat boundary irons, for the entire sub-division, not just the current phase
- benchmarks, including TBM set with preliminary survey
- center of manholes
- back and/or front lot corners for specifically referenced easement grading, outside that included in mass grading projects; include coordinates for vertical P.I. locations not at lot corners
- end of manhole stubs (when longer than five feet)

II. WATER DISTRIBUTION SYSTEM
Provide a standard bubble map, as part of the plans, showing locations of numbered points, and a table with point number, northing and easting coordinates, description, and BL station for each point, for the following:
- all platted control irons (set or not), including plat boundary irons, for the entire sub-division, not just the current phase
- benchmarks, including TBM set with preliminary survey
- beginning and ends of pipe
- all P.I.’s/deflections (horizontal and vertical)
- FH’s, tees, bends, air release, valves

III. WATER SUPPLY LINE
Provide a standard bubble map, as part of the plans, showing locations of numbered points, and a table with point number, northing and easting coordinates, description, and BL station for each point, for the following:
- all possible control as established or attained during preliminary survey, including but not limited to – section corners, property irons, intersection center-center irons, other set monuments; any necessary points for establishing BL, including P.I.’s in BL
- benchmarks, including TBM set with preliminary survey
- beginning and ends of pipe
- all P.I.’s/deflections (horizontal and vertical)
- FH’s, tees, bends, air release, valves

IV. STORM SEWER
Provide a standard bubble map, as part of the plans, showing locations of numbered points, and a table with point number, northing and easting coordinates, description, and BL station for each point, for the following:
- all platted control irons (set or not), including plat boundary irons, for the entire sub-division, not just the current phase
- benchmarks, including TBM set with preliminary survey
- center of inside face on Type 1/1A curb inlets; center of high edge on Type 2 curb inlets
- for skewed inlets typically in intersection radii, or not parallel to baseline – center of curb inlet AND center of inside face on Type 1/1A curb inlets; center of high edge on Type 2 curb inlets
- end of end section, at CL of pipe
- center, end of pipe at outside face of headwall; if headwall not perpendicular to pipe, each corner of headwall at outside face
- center of all drop inlets, manholes, and other structures
- center of RCBC at each end (outside face of hubguard); if box rotated, each corner, outside face

V. MASS GRADING
Provide a standard bubble map, as part of the plans, showing locations of numbered points, and a table with point number, northing and easting coordinates, description, and BL station for each point, for the following:
- all platted control irons (set or not), including plat boundary irons, for the entire sub-division, not just the current phase
- benchmarks, including TBM set with preliminary survey
• all lot corners
• any grade breaks between front & rear lot corners
• high points/low points within drainage easements
• street area
  o centerline @ 100’ Sta on tangent sections
  o pc/pt points & 50’ along curves
• special drainage swales
  o pc/pt points, pi’s & 50’ Sta in between
• ponds
  o any grades breaks between pond bottom and rear property line
  o pc/mid radius/pt around pond curves
• for irregular shaped lots (mainly commercial or industrial developments) provide TIN file

VI. PAVING
Provide a standard bubble map, as part of the plans, showing locations of numbered points, and a table with point number, northing and easting coordinates, description, and BL station for each point, for the following:
• all platted control iron(s) (set or not), including plat boundary iron(s), for the entire sub-division, not just the current phase
• benchmarks, including TBM set with preliminary survey

In addition to the required coordinate information, the following shall be included in all plans, at a minimum, as needed for construction staking on all City projects.

• Include copy of plat(s) on all plans, as relevant and approved by the Design Engineer
• Benchmarks – minimum of two City standards, four total desirable; as close to project as possible, even if TBM set with preliminary survey.
• Benchmark elevations must be in the same datum as the design (i.e. NAV 88 design needs NAV 88 benchmarks, not NAV 29)
• All control iron(s)/identified property iron(s) shall be shown on plans, with BL stationing and offset
• Show deflection angles in BL, and/or bearing/azimuth of BL sections
• Arterial project side streets – provide BL station at CL of intersection of the two streets, on the BL; BL station and offset to CL of side street at removal limits; include deflection angle from BL to CL of side street
• Existing FL/pavement grades shown at all match points
• Top of curb grades and stationing at all ends-of-return and horizontal/vertical P.I.’s, not just even stationing
• CL top of pavement grades for arterial
• CL elevation for streets on mass grading work @ 100’ Sta in tangent sections and 50’ on curves.

ELEVATION SHALL BE TO TOP OF ROCK BASE.
• BL station and offset at all R/W changes; include R/W corners at all intersections, even if no change in R/W
• Clearly show existing grades at R/W and beyond; identify removal limits beyond R/W (for grade purposes) with BL station and offset, or dimension from R/W
• Show offset distance between BL and proposed street CL when not the same; establish clear relationship between the two
• BL station and offset to center of signal poles, service and junction boxes, controllers, etc.
• BL station and offset to back of retaining walls, at ends of walls and all P.I.’s
• Concrete pavement – provide detailed joint pattern, dimensions, and elevations for all valley gutters, intersections, and mainline pavement; should be separate plan sheet(s) with clear and project-specific details
• Storm Sewer – BL station and offset for all curb inlets, drop inlets, manholes, and other structures (to the coordinate point locations detailed in previous sheets); same for SS and WL – pertinent facilities should be referenced to BL station and offset
• Sanitary Sewer – show deflection angles between MH’s
• Flow line elevations for manhole stubs
• Curve Tables – should include bends, tees, valves, FH’s etc. for waterlines; ends-of-return, P.I.’s, etc. for paving
• Should be able to accurately scale off of plans
<table>
<thead>
<tr>
<th><strong>Attachment No. 3 to Exhibit “A” – Scope of Services</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Utility Location Verification Non-CIP Project</strong></td>
</tr>
<tr>
<td>Projected Bid Date: [___]</td>
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<tr>
<td><strong>UTILITY:</strong> [<em><strong>] Checked by [</strong></em>] on [___]</td>
</tr>
<tr>
<td><strong>Utility Location:</strong></td>
</tr>
<tr>
<td>☐ None in Project Limits</td>
</tr>
<tr>
<td>☐ In Project Limits, No Relocation Necessary</td>
</tr>
<tr>
<td>☐ Utility will need to relocate</td>
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<tr>
<td>☐ Other (please describe)</td>
</tr>
<tr>
<td><strong>Briefly Describe Type and Location of Facilities within Project:</strong></td>
</tr>
<tr>
<td>[________________________________________________________________________]</td>
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<tr>
<td><strong>Estimate Time for Relocation:</strong> [☐] &lt; 3 months [☐] 3-6 months [☐] 6-9 months [☐] &gt; 9 months</td>
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<tr>
<td><strong>Weather Sensitive:</strong> [☐] Yes [☐] No If yes, please explain: [________________________________________________________________________]</td>
</tr>
<tr>
<td><strong>Utility Plan Review:</strong></td>
</tr>
<tr>
<td>☐ Correct as Shown [☐] Corrections needed [☐] Attachments provided for Consultant</td>
</tr>
<tr>
<td><strong>Corrections necessary on plan sheets:</strong> [________________________________________________________________________]</td>
</tr>
<tr>
<td><strong>Additional Information requested from Consultant:</strong></td>
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<tr>
<td>[________________________________________________________________________]</td>
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<tr>
<td><strong>Please email this form on or before</strong> [<em><strong>] to: [</strong></em>]</td>
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<tr>
<td>If relocation is necessary:</td>
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<tr>
<td>Estimated clear date: [________________________________________________________________________]</td>
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<tr>
<td>Completed by [________] (utility representative) on <a href="date">___</a></td>
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<tr>
<td>Upon completion of relocation:</td>
</tr>
<tr>
<td>Relocation complete on [________________________________________________________________________]</td>
</tr>
<tr>
<td>Completed by [________] (utility representative) on <a href="date">___</a></td>
</tr>
</tbody>
</table>
Attachment No.4 to Exhibit "A" - Scope of Services

<table>
<thead>
<tr>
<th>Individual Project Name (i.e., Amidon, 21st to 29th Street North)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Date</td>
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<tr>
<td>Project No.</td>
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<tr>
<td>City Design</td>
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<td>Manager</td>
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<tr>
<td>Consultant</td>
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<tr>
<td>Date of Initial Rotation</td>
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<td>Case:</td>
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<td>Location in Project:</td>
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<td>(Describe Existing Facilities)</td>
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<td>Relocation Needs:</td>
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<tr>
<td>Comments:</td>
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<tr>
<th>Water</th>
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<tr>
<td>Location in Project:</td>
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<tr>
<td>(Describe Existing Facilities)</td>
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<td>Relocation Needs:</td>
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<td>Comments:</td>
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<th>Sewer</th>
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<tbody>
<tr>
<td>Location in Project:</td>
</tr>
<tr>
<td>(Describe Existing Facilities)</td>
</tr>
<tr>
<td>Relocation Needs:</td>
</tr>
<tr>
<td>Comments:</td>
</tr>
</tbody>
</table>
EXHIBIT "B"

REVISED NON-DISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION PROGRAM
REQUIREMENTS STATEMENT FOR CONTRACTS OR AGREEMENTS

During the term of this Agreement, the contractor or subcontractor, vendor or supplier of the City, by whatever term identified herein, shall comply with the following Non-Discrimination--Equal Employment Opportunity/Affirmative Action Program Requirements:

A. During the performance of this Agreement, the contractor, subcontractor, vendor or supplier of the City, or any of its agencies, shall comply with all the provisions of the Civil Rights Act of 1964, as amended: The Equal Employment Opportunity Act of 1972; Presidential Executive Orders 11246, 11375, 11131; Part 60 of Title 41 of the Code of Federal Regulations; the Age Discrimination in Employment Act of 1967; the Americans with Disabilities Act of 1990 and laws, regulations or amendments as may be promulgated thereunder.

B. Requirements of the State of Kansas:

1. The contractor shall observe the provisions of the Kansas Act against Discrimination (Kansas Statutes Annotated 44-1001, et seq.) and shall not discriminate against any person in the performance of work under the present contract because of race, religion, color, sex, disability, and age except where age is a bona fide occupational qualification, national origin or ancestry;

2. In all solicitations or advertisements for employees, the contractor shall include the phrase, "Equal Opportunity Employer", or a similar phrase to be approved by the "Kansas Human Rights Commission";

3. If the contractor fails to comply with the manner in which the contractor reports to the "Kansas Human Rights Commission" in accordance with the provisions of K.S.A. 1976 Supp. 44-1031, as amended, the contractor shall be deemed to have breached this contract and it may be canceled, terminated or suspended in whole or in part by the contracting agency;

4. If the contractor is found guilty of a violation of the Kansas Act against Discrimination under a decision or order of the "Kansas Human Rights Commission" which has become final, the contractor shall be deemed to have breached the present contract, and it may be canceled, terminated or suspended in whole or in part by the contracting agency;

5. The contractor shall include the provisions of Paragraphs 1 through 4 inclusive, of this Subsection B, in every subcontract or purchase so that such provisions will be binding upon such subcontractor or vendor.

C. Requirements of the City of Wichita, Kansas, relating to Non-Discrimination -- Equal Employment Opportunity/Affirmative Action Program Requirements:

1. The vendor, supplier, contractor or subcontractor shall practice Non-Discrimination -- Equal Employment Opportunity in all employment relations, including but not limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The vendor, supplier, contractor or subcontractor shall submit an Equal Employment Opportunity or Affirmative Action Program, when required, to the Department of Finance of the City of Wichita, Kansas, in accordance with the guidelines established for review and evaluation;

2. The vendor, supplier, contractor or subcontractor will, in all solicitations or advertisements for employees placed by or on behalf of the vendor, supplier, contractor or subcontractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, "disability, and age except where age is a bona fide occupational qualification", national origin or ancestry. In all solicitations or advertisements for employees the vendor, supplier, contractor or subcontractor shall include the phrase, "Equal Opportunity Employer", or a similar phrase;

3. The vendor, supplier, contractor or subcontractor will furnish all information and reports required by the Department of Finance of said City for the purpose of investigation to ascertain compliance with Non-Discrimination -- Equal Employment Opportunity Requirements. If the vendor, supplier, contractor, or subcontractor fails to comply with the manner in which he/she or it reports to the City...
in accordance with the provisions hereof, the vendor, supplier, contractor or subcontractor shall be deemed to have breached the present contract, purchase order or agreement and it may be canceled, terminated or suspended in whole or in part by the City or its agency; and further Civil Rights complaints, or investigations may be referred to the State;

4. The vendor, supplier, contractor or subcontractor shall include the provisions of Subsections 1 through 3 inclusive, of this present section in every subcontract, subpurchase order or subagreement so that such provisions will be binding upon each subcontractor, subvendor or subsupplier.

5. If the contractor fails to comply with the manner in which the contractor reports to the Department of Finance as stated above, the contractor shall be deemed to have breached this contract and it may be canceled, terminated or suspended in whole or in part by the contracting agency;

D. Exempted from these requirements are:

1. Those contractors, subcontractors, vendors or suppliers who have less than four (4) employees, whose contracts, purchase orders or agreements cumulatively total less than five thousand dollars ($5,000) during the fiscal year of said City are exempt from any further Equal Employment Opportunity or Affirmative Action Program submittal.

2. Those vendors, suppliers, contractors or subcontractors who have already complied with the provisions set forth in this section by reason of holding a contract with the Federal government or contract involving Federal funds; provided that such contractor, subcontractor, vendor or supplier provides written notification of a compliance review and determination of an acceptable compliance posture within a preceding forty-five (45) day period from the Federal agency involved.
Agenda Item No. II-6a

City of Wichita
City Council Meeting
October 10, 2017

TO: Mayor and City Council

SUBJECT: Change Order No. 5 for Improvements to Sandcrest Addition (District VI)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendations: Approve Change Order No. 5.

Background: On August 9, 2016, the City Council approved a contract with Cornejo and Sons, LLC for paving improvements to Sandcrest Addition, south of 29th Street North and east of Hoover Road. The following change orders have been processed for this project to date:

<table>
<thead>
<tr>
<th>Change Order</th>
<th>Date Processed or Approved</th>
<th>Provided</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original</td>
<td>August 23, 2016</td>
<td>Original construction contract.</td>
<td>$1,045,084</td>
</tr>
<tr>
<td>No. 1</td>
<td>October 26, 2016</td>
<td>Install 15-inch reinforced concrete pipe, ditch checks, and perform additional grading adjacent to Reserve G for positive drainage and additional erosion protection.</td>
<td>$30,513</td>
</tr>
<tr>
<td>No. 2</td>
<td>January 31, 2017</td>
<td>Compact and grade excess excavation and install silt fence around the perimeter of the construction project to contain erosion within the project site and comply with Kansas Department of Health and Environment regulations.</td>
<td>$10,929</td>
</tr>
<tr>
<td>No. 3</td>
<td>March 21, 2017</td>
<td>Removal of unstable material and installation of crushed rock base for increased stabilization, allowing the proposed roadway to support the future vehicle loads. Addendum #2 addressed the soft subgrade, stating any problems would be resolved and compensated for by way of change order, if and when encountered.</td>
<td>$39,663</td>
</tr>
<tr>
<td>No. 4</td>
<td>July 25, 2017</td>
<td>Heavy rains in 2017 washed out temporary seed in reserve areas around detention ponds. The eroded areas were re-seeded with fescue and mulched for additional erosion control. The final measured quantity bid item will be adjusted based upon final field measurements.</td>
<td>$5,286</td>
</tr>
</tbody>
</table>

Total of all previously approved change orders $86,391

Total contract cost to date $1,131,475

Analysis: The proposed change order allows for the extension of a 30-inch storm pipe. After construction of Line 3, the development constructed a sea wall along Reserve J to minimize erosion along the pond bank. Line 3 will be extended to the sea wall.
The previously approved Change Order No. 3 brought the total of all change orders in excess of the $50,000 limit approved at the time of bidding, thus City Council approval was required. Accordingly, City Council approval will also be required for this change order.

**Financial Considerations:** The cost of the proposed change order is $5,000, which brings the total contract amount to $1,136,475, and total of all change orders to $91,391. Funding is available within the existing budget of $1,528,000, approved by the City Council on June 7, 2016 and is funded 100% by special assessments.

**Legal Considerations:** Change Order No. 5 has been reviewed and approved as to form by the Law Department.

**Recommendation/Actions:** It is recommended that the City Council approve Change Order No. 5 and authorize the necessary signatures.

**Attachment:** Change Order No. 5.
**CHANGE ORDER**

**To:** Cornejo & Sons, LLC  
**Change Order No.:** #5  
**Purchase Order No.:** PO640712  
**CHARGE TO OCA No.:** 766366  

**Project:** Sandcrest, Curtis, Gulf Breeze & Wavecrest to serve Sandcrest Addition  
**Project No.:** 472-85252  
**OCA No.:** 766366  
**PPN:** 490389

Please perform the following extra work at a cost not to exceed **$5,000.00**  
Work for this Change Order cannot be completed until approved by all. Contractor should expect approximately 6 weeks for approval. 
Paid for by Special Assessment

**Additional Work:** Extend 30" storm water pipe

**Reason for Additional Work:** After construction of Line 3, the development constructed a sea wall along Reserve J to minimize erosion along the pond bank. Line 3 needs extended to sea wall.

<table>
<thead>
<tr>
<th>Line</th>
<th>Item</th>
<th>Bid</th>
<th>Qty</th>
<th>Unit Price</th>
<th>Extension</th>
</tr>
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<tbody>
<tr>
<td>New</td>
<td>30&quot; RCP extension</td>
<td>Negot'd</td>
<td>1 LS</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
</tbody>
</table>

| Consultant: | Baughman  
| Exp. & Encum. To Date: | $1,285,883.49  
| CO Amount: | $5,000.00  

**Recommended By:**  
Steve Degelhardt, P.E.  
Construction Division Manager  
Date: 09/6/17

**Approved:**  
Date: 9/10/17

**Approved as to Form:**  
Jennifer Magaña  
City Attorney and Director of Law  
Date: 07/17/17

**Approved:**  
Date: 9/10/17

**Approved:**  
Date: 9/12/17

**By Order of the City Council:**  
Jeff Longwell  
Mayor  
Date:

**Attest:**  
City Clerk
TO: Mayor and City Council Members

SUBJECT: Repair or Removal of Dangerous and Unsafe Structures (Districts III and VI)

INITIATED BY: Metropolitan Area Building and Construction Department

AGENDA: Consent

**Recommendations:** Adopt the resolutions scheduling public hearings to consider condemnation of structures deemed dangerous and unsafe per Kansas State Statutes.

**Background:** On September 11, 2017, the Board of Building Code Standards and Appeals (BBCSA) conducted hearings on the properties listed below. The buildings on these properties are considered dangerous and unsafe structures per State Statutes and local ordinances, and are being presented in order to schedule condemnation hearings before the City Council. The BBCSA has recommended that the City Council proceed with condemnation, demolition and removal of the dangerous buildings on these properties.

**Analysis:** Minimum Housing Code violation notices have been issued on the structures; however, compliance has not been achieved. Pre-condemnation and formal condemnation letters have also been issued, and the time granted for repair or removal has expired. No actions have been taken by the property owners and/or other interested parties to complete required building repairs or to remove the dangerous buildings.

**Property Address** | **Council District**
a. 422 E. Lincoln St | III  
b. 1318 S. Bluffview Dr | III  
c. 2512 S. Twin Oaks Rd | III  
d. 4448 E. Bayley Dr | III  
e. 247 N. Elizabeth Ave | VI

**Financial Considerations:** Structures condemned as dangerous buildings are demolished with funds from the Metropolitan Area Building and Construction Department (MABCD) Special Revenue Fund. This budget is supplemented by an annual allocation of Community Development Block Grant funds for demolition of structures located within the designated Neighborhood Reinvestment Area. Owners of condemned structures demolished by the City are billed for the contractual costs of demolition, plus an additional five hundred dollar ($500) charge to cover associated costs of the condemnation and other associated costs. If the property owner fails to pay, these charges are recorded as a special property tax assessment against the property.

**Legal Considerations:** The Law Department has reviewed and approved the resolutions as to form.

**Recommendations/Actions:** It is recommended that the City Council adopt the attached resolutions to schedule public hearings before the City Council on November 21, 2017 at 9:30 a.m. or soon thereafter, to consider condemnation of structures deemed dangerous and unsafe per Kansas State Statutes and local ordinances.

**Attachments:** Letters to Council, summaries, and resolutions.
NOTICE OF DEMOLITION ACTION

This is to certify that the property located at 422 E. LINCOLN ST and legally described as: THE WEST 40 FEET OF THE SOUTH 10 FEET OF LOT 179, AND THE WEST 40 FEET OF LOT 181, BLOCK 10, ORME AND PHILLIPS ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, is the subject of a demolition action by the City of Wichita, Kansas, under the provisions of Section 18.16 of the Code of the City of Wichita. Unless certain improvements to the structure(s) located thereon are commenced and completed by November 21, 2017 such structures are subject to being demolished and the costs associated therewith charged, as a lien, against the above-described real property.

Christopher Labrum, Director, Metropolitan Area Building and Construction Department
City of Wichita

STATE OF KANSAS    )

) ss:

SEDGWICK COUNTY)

BE IT REMEMBERED, That on this ______day of ________________________, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Christopher Labrum, Director of Metropolitan Area Building and Construction Department, City of Wichita, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal; the day and year last above written.

Notary Public

My Appointment Expires:

_________________________________
TO: The Mayor and City Council  
Wichita, Kansas

RE: Statement of Dangerous or Unsafe Structure

The following described structure is in a dangerous or unsafe condition:

(a) Description of Structure: A one story frame dwelling, about 25 x 30 feet in size. Vacant, this structure has cracking and shifting concrete basement walls; broken, cracked and missing siding; dilapidated front porch; and rotted fascia and wood trim.

(b) Street Address: 422 E. LINCOLN ST

(c) Owners:  
Lethaniel Reed  
1314 E. Fortuna  
Wichita, KS  67216

(d) Resident Agent: None

(e) Occupant: None

(f) Lienholders of Record:  
Kelly Arnold, County Clerk  
525 N. Main  
Wichita, KS  67203

State of Kansas (SRS)  
230 E. William  
Wichita, KS  67202

(g) Mortgage Holder(s): None

(h) Interested Parties: None
DATE: September 14, 2017

CDM SUMMARY

COUNCIL DISTRICT # III

ADDRESS: 422 E. LINCOLN ST

LEGAL DESCRIPTION: THE WEST 40 FEET OF THE SOUTH 10 FEET OF LOT 179, AND THE WEST 40 FEET OF LOT 181, BLOCK 10, ORME AND PHILLIPS ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

DESCRIPTION OF STRUCTURE: A one story frame dwelling, about 25 x 30 feet in size. Vacant, this structure has cracking and shifting concrete basement walls; broken, cracked and missing siding; dilapidated front porch; and rotted fascia and wood trim.

Description of dangerous or unsafe condition(s): The property is found to be dangerous and unsafe because of the following conditions:

A. Those, which have been damaged by fire, wind, want of repair, or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the city.

B. The structure fails to provide the necessities to decent living, which makes it, unfit for human habitation.

C. Those whose use, equipment or want of good housekeeping constitutes a decided fire or safety hazard to the property itself or its occupants or which presents a decided fire or safety hazards to surrounding property or a menace to the public safety and general welfare.

City Ordinance states that any one of the above categories is just cause to declare the building a public nuisance and shall be repaired or demolished.

Director of Metropolitan Area Building and Construction Department
Enforcing Officer

Date

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 10th day of October 2017, file with the governing body of said city, a statement in writing that certain structure(s), hereinafter described, is unsafe or dangerous.

NOW THEREFORE, be it Resolved by the Governing Body of the City of Wichita. That a hearing will be held on the 21st day of November 2017, before the governing body of the city at 9:30 A.M., or thereafter in the council chambers, City Hall at which time the owner, his agent, any lienholders of record or any occupant of property, legally described at THE WEST 40 FEET OF THE SOUTH 10 FEET OF LOT 179, AND THE WEST 40 FEET OF LOT 181, BLOCK 10, ORME AND PHILLIPS ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, commonly known as: 422 E. LINCOLN ST, may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure ordered repaired or demolished. The structure is a one story frame dwelling, about 25 x 30 feet in size. Vacant, this structure has cracking and shifting concrete basement walls; broken, cracked and missing siding; dilapidated front porch; and rotted fascia and wood trim.

Be it further resolved that the City Clerk shall cause this Resolution to be published and shall give notice of the aforesaid hearing in the manner provided by K.S.A. 12-1752.

Adopted this 10th day of October 2017.

______________________________
Jeff Longwell, Mayor
(SEAL)

ATTEST: ________________________
Karen Sublett, City Clerk

Approved as to form:

______________________________
Jennifer L. Magana, City Attorney and Director of Law
NOTICE OF DEMOLITION ACTION

This is to certify that the property located at 1318 S. BLUFFVIEW DR and legally described as: LOT 22, BLOCK G, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS, is the subject of a demolition action by the City of Wichita, Kansas, under the provisions of Section 18.16 of the Code of the City of Wichita. Unless certain improvements to the structure(s) located thereon are commenced and completed by November 21, 2017 such structures are subject to being demolished and the costs associated therewith charged, as a lien, against the above-described real property.

Christopher Labrum, Director, Metropolitan Area Building and Construction Department City of Wichita

STATE OF KANSAS    )
) ss:
SEDGWICK COUNTY)

BE IT REMEMBERED, That on this ______day of _______________________, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Christopher Labrum, Director of Metropolitan Area Building and Construction Department, City of Wichita, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal; the day and year last above written.

_______________________________________
Notary Public

My Appointment Expires:

_______________________________________

CITY OF WICHITA

212
TO: The Mayor and City Council  
Wichita, Kansas  

RE: Statement of Dangerous or Unsafe Structure  

The following described structure is in a dangerous or unsafe condition:  

(a) Description of Structure: A one story frame dwelling, about 24 x 57 feet in size. Vacant and open, this structure has been damaged by fire. It has cracked and missing siding shingles; fire damaged composition roof with holes and severely damaged rafters; rotted and fire damaged wood trim; fire damaged framing members; fire damaged interior; and the 8 x 8 foot accessory structure is deteriorated.  

(b) Street Address: 1318 S. BLUFFVIEW DR  

(c) Owners:  
John P. Maytum (deceased)  
POST OF PROPERTY  
Judith M. Maytum  
5931 N. Legion  
Wichita, KS 67204  

(d) Resident Agent: None  

(e) Occupant: None  

(f) Lienholders of Record:  
Kelly Arnold, County Clerk  
525 N. Main  
Wichita, KS 67203  

State of Kansas  
Department of Health & Environment  
Estate Recovery Program  
6021 SW 29th St Suite A, 373  
Topeka, KS 66614  

(g) Mortgage Holder(s): None  

(h) Interested Parties: None
DATE: September 14, 2017

CDM SUMMARY

COUNCIL DISTRICT # III

ADDRESS: 1318 S. BLUFFVIEW DR

LEGAL DESCRIPTION: LOT 22, BLOCK G, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS

DESCRIPTION OF STRUCTURE: A one story frame dwelling, about 24 x 57 feet in size. Vacant and open, this structure has been damaged by fire. It has cracked and missing siding shingles; fire damaged composition roof with holes and severely damaged rafters; rotted and fire damaged wood trim; fire damaged framing members; fire damaged interior; and the 8 x 8 foot accessory structure is deteriorated.

Description of dangerous or unsafe condition(s): The property is found to be dangerous and unsafe because of the following conditions:

A. Those, which have been damaged by fire, wind, want of repair, or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the city.

B. The structure fails to provide the necessities to decent living, which makes it, unfit for human habitation.

C. Those open to unauthorized persons or those permitted to be attractive to loiterers, vagrants, or children.

D. Those whose use, equipment or want of good housekeeping constitutes a decided fire or safety hazard to the property itself or its occupants or which presents a decided fire or safety hazards to surrounding property or a menace to the public safety and general welfare.

City Ordinance states that any one of the above categories is just cause to declare the building a public nuisance and shall be repaired or demolished.

Director of Metropolitan Area Building and Construction Department
Enforcing Officer

Date
A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AT WHICH THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF PROPERTY LEGALLY DESCRIBED AS: LOT 22, BLOCK G, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS COMMONLY KNOWN AS 1318 S. BLUFFVIEW DR MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS A DANGEROUS STRUCTURE.

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 10th day of October 2017, file with the governing body of said city, a statement in writing that certain structure(s), hereinafter described, is unsafe or dangerous.

NOW THEREFORE, be it Resolved by the Governing Body of the City of Wichita.

That a hearing will be held on the 21st day of November 2017, before the governing body of the city at 9:30 A.M., or thereafter in the council chambers, City Hall at which time the owner, his agent, any lienholders of record or any occupant of property, legally described at LOT 22, BLOCK G, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS, commonly known as: 1318 S. BLUFFVIEW DR, may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure ordered repaired or demolished. The structure is a one story frame dwelling, about 24 x 57 feet in size. Vacant and open, this structure has been damaged by fire. It has cracked and missing siding shingles; fire damaged composition roof with holes and severely damaged rafters; rotted and fire damaged wood trim; fire damaged framing members; fire damaged interior; and the 8 x 8 foot accessory structure is deteriorated.

Be it further resolved that the City Clerk shall cause this Resolution to be published and shall give notice of the aforesaid hearing in the manner provided by K.S.A. 12-1752.

Adopted this 10th day of October 2017.

Jeff Longwell, Mayor

(SEAL)

ATTEST:_______________________
Karen Sublett, City Clerk

Approved as to form:

Jennifer L. Magana, City Attorney and Director of Law
NOTICE OF DEMOLITION ACTION

This is to certify that the property located at 2512 S TWIN OAKS RD and legally described as: LOT 6, REPLAT OF PART OF BLOCK 3, PAWNEE RANCH, SEDGWICK COUNTY, KANSAS, is the subject of a demolition action by the City of Wichita, Kansas, under the provisions of Section 18.16 of the Code of the City of Wichita. Unless certain improvements to the structure(s) located thereon are commenced and completed by November 21, 2017 such structures are subject to being demolished and the costs associated therewith charged, as a lien, against the above-described real property.

__________________________________________________________________

Christopher Labrum, Director, Metropolitan Area Building and Construction Department
City of Wichita

STATE OF KANSAS    )
) ss:
SEDGWICK COUNTY)

BE IT REMEMBERED, That on this ______day of _______________________, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Christopher Labrum, Director of Metropolitan Area Building and Construction Department, City of Wichita, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal; the day and year last above written.

__________________________
Notary Public

My Appointment Expires:

__________________________

__________________________
TO: The Mayor and City Council  
Wichita, Kansas  

RE: Statement of Dangerous or Unsafe Structure  

The following described structure is in a dangerous or unsafe condition:  

(a) Description of Structure: A one story frame dwelling about 34 x 38 feet in size. Vacant, this structure has cracking foundation; cracked and chipped siding shingles; badly worn composition roof with missing shingles; dilapidated rear enclosed porch; and deteriorated wood trim and framing members.  

(b) Street Address: 2512 S TWIN OAKS RD  

(c) Owners:  
Terry Logan  
POST ON PROPERTY  

(d) Resident Agent: None  

(e) Occupant: None  

(f) Lienholders of Record:  
Kelly Arnold, County Clerk  
525 N. Main  
Wichita, KS  67203  

(g) Mortgage Holder(s): None  

(h) Interested Parties: None
DATE: September 14, 2017

CDM SUMMARY

COUNCIL DISTRICT # III

ADDRESS: 2512 S TWIN OAKS RD

LEGAL DESCRIPTION: LOT 6, REPLAT OF PART OF BLOCK 3, PAWNEE RANCH, SEDGWICK COUNTY, KANSAS

DESCRIPTION OF STRUCTURE: A one story frame dwelling about 34 x 38 feet in size. Vacant, this structure has cracking foundation; cracked and chipped siding shingles; badly worn composition roof with missing shingles; dilapidated rear enclosed porch; and deteriorated wood trim and framing members.

Description of dangerous or unsafe condition(s): The property is found to be dangerous and unsafe because of the following conditions:

A. Those, which have been damaged by fire, wind, want of repair, or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the city.

B. The structure fails to provide the necessities to decent living, which makes it, unfit for human habitation.

C. Those whose use, equipment or want of good housekeeping constitutes a decided fire or safety hazard to the property itself or its occupants or which presents a decided fire or safety hazards to surrounding property or a menace to the public safety and general welfare.

City Ordinance states that any one of the above categories is just cause to declare the building a public nuisance and shall be repaired or demolished.

Director of Metropolitan Area Building and Construction Department
Enforcing Officer
A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AT WHICH THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF PROPERTY LEGALLY DESCRIBED AS: LOT 6, REPLAT OF PART OF BLOCK 3, PAWNEE RANCH, SEDGWICK COUNTY, KANSAS COMMONLY KNOWN AS 2512 S TWIN OAKS RD MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMned AND ORDERED REPAIRED OR DEMOLISHED AS A DANGEROUS STRUCTURE.

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 10th day of October 2017, file with the governing body of said city, a statement in writing that certain structure(s), hereinafter described, is unsafe or dangerous.

NOW THEREFORE, be it Resolved by the Governing Body of the City of Wichita. That a hearing will be held on the 21st day of November 2017, before the governing body of the city at 9:30 A.M., or thereafter in the council chambers, City Hall at which time the owner, his agent, any lienholders of record or any occupant of property, legally described at LOT 6, REPLAT OF PART OF BLOCK 3, PAWNEE RANCH, SEDGWICK COUNTY, KANSAS, commonly known as: 2512 S TWIN OAKS RD, may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure ordered repaired or demolished. The structure is a one story frame dwelling about 34 x 38 feet in size. Vacant, this structure has cracking foundation; cracked and chipped siding shingles; badly worn compostion roof with missing shingles; dilapidated rear enclosed porch; and deteriorated wood trim and framing members.

Be it further resolved that the City Clerk shall cause this Resolution to be published and shall give notice of the aforesaid hearing in the manner provided by K.S.A. 12-1752.

Adopted this 10th day of October 2017.

__________________________________
Jeff Longwell, Mayor

(Seal)

ATTEST: ________________________
Karen Sublett, City Clerk

Approved as to form:

__________________________________
Jennifer L. Magana, City Attorney and Director of Law
NOTICE OF DEMOLITION ACTION

This is to certify that the property located at 4448 E BAYLEY DR and legally described as: LOT 34, BLOCK A, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS, is the subject of a demolition action by the City of Wichita, Kansas, under the provisions of Section 18.16 of the Code of the City of Wichita. Unless certain improvements to the structure(s) located thereon are commenced and completed by November 21, 2017 such structures are subject to being demolished and the costs associated therewith charged, as a lien, against the above-described real property.

______________________________
Christopher Labrum, Director, Metropolitan Area Building and Construction Department
City of Wichita

STATE OF KANSAS          )
) ss:
SEDGWICK COUNTY)          

BE IT REMEMBERED, That on this ______day of _______________________, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Christopher Labrum, Director of Metropolitan Area Building and Construction Department, City of Wichita, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal; the day and year last above written.

______________________________
Notary Public

My Appointment Expires:

______________________________

CITY OF
WICHITA

220
TO: The Mayor and City Council  
Wichita, Kansas

RE: Statement of Dangerous or Unsafe Structure

The following described structure is in a dangerous or unsafe condition:

(a) Description of Structure: A one story frame dwelling about 24 x 57 feet in size. Vacant, this structure has a deteriorated wood pier foundation; cracked and chipped siding shingles; deteriorated front porch; deteriorated wood trim and framing members; and the four accessory structures are dilapidated.

(b) Street Address: 4448 E BAYLEY DR

(c) Owners:
Harold Thacker
Thelma Thacker (deceased)
Pamela J. Thompson

POST ON PROPERTY

(d) Resident Agent: None

(e) Occupant: None

(f) Lienholders of Record:
Kelly Arnold, County Clerk
525 N. Main
Wichita, KS 67203

City of Wichita Neighborhood Improvement Services
332 Riverview
Wichita, KS 67203

(g) Mortgage Holder(s): None

(h) Interested Parties: None
ADDRESS: 4448 E BAYLEY DR

LEGAL DESCRIPTION: LOT 34, BLOCK A, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS

DESCRIPTION OF STRUCTURE: A one story frame dwelling about 24 x 57 feet in size. Vacant, this structure has a deteriorated wood pier foundation; cracked and chipped siding shingles; deteriorated front porch; deteriorated wood trim and framing members; and the four accessory structures are dilapidated.

Description of dangerous or unsafe condition(s): The property is found to be dangerous and unsafe because of the following conditions:

A. Those, which have been damaged by fire, wind, want of repair, or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the city.

B. The structure fails to provide the necessities to decent living, which makes it, unfit for human habitation.

C. Those whose use, equipment or want of good housekeeping constitutes a decided fire or safety hazard to the property itself or its occupants or which presents a decided fire or safety hazards to surrounding property or a menace to the public safety and general welfare.

City Ordinance states that any one of the above categories is just cause to declare the building a public nuisance and shall be repaired or demolished.

__________________________  ____________
Director of Metropolitan Area Building and Construction Department                    Date
Enforcing Officer
A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AT WHICH THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF PROPERTY LEGALLY DESCRIBED AS: LOT 34, BLOCK A, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS COMMONLY KNOWN AS 4448 E BAYLEY DR MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS A DANGEROUS STRUCTURE.

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 10th day of October 2017, file with the governing body of said city, a statement in writing that certain structure(s), hereinafter described, is unsafe or dangerous.

NOW THEREFORE, be itResolved by the Governing Body of the City of Wichita.
That a hearing will be held on the 21st day of November 2017, before the governing body of the city at 9:30 A.M., or thereafter in the council chambers, City Hall at which time the owner, his agent, any lienholders of record or any occupant of property, legally described at LOT 34, BLOCK A, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS, commonly known as: 4448 E BAYLEY DR, may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure ordered repaired or demolished. The structure is a one story frame dwelling about 24 x 57 feet in size. Vacant, this structure has a deteriorated wood pier foundation; cracked and chipped siding shingles; deteriorated front porch; deteriorated wood trim and framing members; and the four accessory structures are dilapidated.

Be it further resolved that the City Clerk shall cause this Resolution to be published and shall give notice of the aforesaid hearing in the manner provided by K.S.A. 12-1752.

Adopted this 10th day of October 2017.

Jeff Longwell, Mayor

(SEAL)

ATTEST: __________________________

Karen Sublett, City Clerk

Approved as to form:

Jennifer L. Magana, City Attorney and Director of Law
NOTICE OF DEMOLITION ACTION

This is to certify that the property located at 247 N ELIZABETH and legally described as: LOTS 7 AND 8, BLOCK 1, JUNCTION TOWN COMPANY ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, is the subject of a demolition action by the City of Wichita, Kansas, under the provisions of Section 18.16 of the Code of the City of Wichita. Unless certain improvements to the structure(s) located thereon are commenced and completed by November 21, 2017 such structures are subject to being demolished and the costs associated therewith charged, as a lien, against the above-described real property.

Christopher Labrum, Director, Metropolitan Area Building and Construction Department
City of Wichita

STATE OF KANSAS )
) ss:
SEDGWICK COUNTY)

BE IT REMEMBERED, That on this ________ day of ____________________, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Christopher Labrum, Director of Metropolitan Area Building and Construction Department, City of Wichita, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal; the day and year last above written.

_________________________________________________________________
Notary Public

My Appointment Expires:

_________________________________________________________________
TO: The Mayor and City Council  
Wichita, Kansas  

RE: Statement of Dangerous or Unsafe Structure  

The following described structure is in a dangerous or unsafe condition:  

(a) Description of Structure: A one story frame and masonry, combined dwelling and commercial building about 31 x 80 feet in size. Vacant, this structure has been damaged by fire. It has fire damaged framing members; rotted, missing and fire damaged siding; fire damaged composition roof with holes; fire damaged roof trusses; fire damaged wood trim; and the two accessory structures are deteriorating.  

(b) Street Address: 247 N ELIZABETH  

(c) Owners:  
Brian J. Wilkinson  
POST ON PROPERTY  

(d) Resident Agent: None  

(e) Occupant: None  

(f) Lienholders of Record:  
Kelly Arnold, County Clerk  
525 N. Main  
Wichita, KS 67203  

State of Kansas (SRS)  
230 E. William  
Wichita, KS 67203  

Bank of America  
c/o Attorney Chad Doornink  
8900 Indian Creek Pkwy #180  
Overland Park, KS 66210  

Bank of America  
c/o Attorneys Christina Carr  
Dwayne Duncan  
Aaron Schuckman  
612 Spirit Dr  
St Louis, Mo 63005  

(g) Mortgage Holder(s): None  

(h) Interested Parties: None
DATE: September 14, 2017

CDM SUMMARY

COUNCIL DISTRICT # VI

ADDRESS: 247 N ELIZABETH

LEGAL DESCRIPTION: LOTS 7 AND 8, BLOCK 1, JUNCTION TOWN COMPANY ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

DESCRIPTION OF STRUCTURE: A one story frame and masonry, combined dwelling and commercial building about 31 x 80 feet in size. Vacant, this structure has been damaged by fire. It has fire damaged framing members; rotted, missing and fire damaged siding; fire damaged composition roof with holes; fire damaged roof trusses; fire damaged wood trim; and the two accessory structures are deteriorating.

Description of dangerous or unsafe condition(s): The property is found to be dangerous and unsafe because of the following conditions:

A. Those, which have been damaged by fire, wind, want of repair, or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the city.

B. The structure fails to provide the necessities to decent living, which makes it, unfit for human habitation.

C. Those whose use, equipment or want of good housekeeping constitutes a decided fire or safety hazard to the property itself or its occupants or which presents a decided fire or safety hazards to surrounding property or a menace to the public safety and general welfare.

City Ordinance states that any one of the above categories is just cause to declare the building a public nuisance and shall be repaired or demolished.

______________________________  ____________
Director of Metropolitan Area Building and Construction Department     Date
Enforcing Officer
A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AT WHICH THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF PROPERTY LEGALLY DESCRIBED AS: LOTS 7 AND 8, BLOCK 1, JUNCTION TOWN COMPANY ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS COMMONLY KNOWN AS 247 N ELIZABETH MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS A DANGEROUS STRUCTURE.

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 10th day of October 2017, file with the governing body of said city, a statement in writing that certain structure(s), hereinafter described, is unsafe or dangerous.

NOW THEREFORE, be it Resolved by the Governing Body of the City of Wichita.
That a hearing will be held on the 21st day of November 2017, before the governing body of the city at 9:30 A.M., or thereafter in the council chambers, City Hall at which time the owner, his agent, any lienholders of record or any occupant of property, legally described at LOTS 7 AND 8, BLOCK 1, JUNCTION TOWN COMPANY ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, commonly known as: 247 N ELIZABETH, may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure ordered repaired or demolished. The structure is a one story frame and masonry, combined dwelling and commercial building about 31 x 80 feet in size. Vacant, this structure has been damaged by fire. It has fire damaged framing members; rotted, missing and fire damaged siding; fire damaged composition roof with holes; fire damaged roof trusses; fire damaged wood trim; and the two accessory structures are deteriorating.

Be it further resolved that the City Clerk shall cause this Resolution to be published and shall give notice of the aforesaid hearing in the manner provided by K.S.A. 12-1752.

Adopted this 10th day of October 2017.

Jeff Longwell, Mayor

(SEAL)

ATTEST:_______________________

Karen Sublett, City Clerk

Approved as to form:

Jennifer L. Magana, City Attorney and Director of Law
OCA: 230200

PUBLISHED IN THE WICHITA EAGLE ON October 13, 2017 and October 20, 2017

RESOLUTION NO. 17-358


WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 10th day of October 2017, file with the governing body of said city, a statement in writing that certain structure(s), hereinafter described, is unsafe or dangerous.

NOW THEREFORE, be it Resolved by the Governing Body of the City of Wichita.

That a hearing will be held on the 21st day of November 2017, before the governing body of the city at 9:30 A.M., or thereafter in the council chambers, City Hall at which time the owner, his agent, any lienholders of record or any occupant of property, legally described at THE WEST 40 FEET OF THE SOUTH 10 FEET OF LOT 179, AND THE WEST 40 FEET OF LOT 181, BLOCK 10, ORME AND PHILLIPS ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, commonly known as: 422 E. LINCOLN ST, may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure ordered repaired or demolished. The structure is a one story frame dwelling, about 25 x 30 feet in size. Vacant, this structure has cracking and shifting concrete basement walls; broken, cracked and missing siding; dilapidated front porch; and rotted fascia and wood trim.

Be it further resolved that the City Clerk shall cause this Resolution to be published and shall give notice of the aforesaid hearing in the manner provided by K.S.A. 12-1752.

Adopted this 10th day of October 2017.

__________________________________
Jeff Longwell, Mayor
(SEAL)

ATTEST: _______________________
Karen Sublett, City Clerk

Approved as to form:

_____________________________________________
Jennifer L. Magana, City Attorney and Director of Law
RESOLUTION NO. 17-359

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AT WHICH THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF PROPERTY LEGALLY DESCRIBED AS: LOT 22, BLOCK G, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS COMMONLY KNOWN AS 1318 S. BLUFFVIEW DR MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS A DANGEROUS STRUCTURE.

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 10th day of October 2017, file with the governing body of said city, a statement in writing that certain structure(s), hereinafter described, is unsafe or dangerous.

NOW THEREFORE, be it Resolved by the Governing Body of the City of Wichita.
That a hearing will be held on the 21st day of November 2017, before the governing body of the city at 9:30 A.M., or thereafter in the council chambers, City Hall at which time the owner, his agent, any lienholders of record or any occupant of property, legally described at LOT 22, BLOCK G, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS, commonly known as: 1318 S. BLUFFVIEW DR, may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure ordered repaired or demolished. The structure is a one story frame dwelling, about 24 x 57 feet in size. Vacant and open, this structure has been damaged by fire. It has cracked and missing siding shingles; fire damaged composition roof with holes and severely damaged rafters; rotted and fire damaged wood trim; fire damaged framing members; fire damaged interior; and the 8 x 8 foot accessory structure is deteriorated.

Be it further resolved that the City Clerk shall cause this Resolution to be published and shall give notice of the aforesaid hearing in the manner provided by K.S.A. 12-1752.

Adopted this 10th day of October 2017.

__________________________________
Jeff Longwell, Mayor

(SEAL)

ATTEST:_______________________
Karen Sublett, City Clerk

Approved as to form:

______________________________
Jennifer L. Magana, City Attorney and Director of Law
RESOLUTION NO. 17-360

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AT WHICH THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF PROPERTY LEGALLY DESCRIBED AS: LOT 6, REPLAT OF PART OF BLOCK 3, PAWNEE RANCH, SEDGWICK COUNTY, KANSAS COMMONLY KNOWN AS 2512 S TWIN OAKS RD MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS A DANGEROUS STRUCTURE.

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 10th day of October 2017, file with the governing body of said city, a statement in writing that certain structure(s), hereinafter described, is unsafe or dangerous.

NOW THEREFORE, be it Resolved by the Governing Body of the City of Wichita.
That a hearing will be held on the 21st day of November 2017, before the governing body of the city at 9:30 A.M., or thereafter in the council chambers, City Hall at which time the owner, his agent, any lienholders of record or any occupant of property, legally described at LOT 6, REPLAT OF PART OF BLOCK 3, PAWNEE RANCH, SEDGWICK COUNTY, KANSAS, commonly known as: 2512 S TWIN OAKS RD, may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure ordered repaired or demolished. The structure is a one story frame dwelling about 34 x 38 feet in size. Vacant, this structure has cracking foundation; cracked and chipped siding shingles; badly worn composition roof with missing shingles; dilapidated rear enclosed porch; and deteriorated wood trim and framing members.

Be it further resolved that the City Clerk shall cause this Resolution to be published and shall give notice of the aforesaid hearing in the manner provided by K.S.A. 12-1752.

Adopted this 10th day of October 2017.

__________________________________
Jeff Longwell, Mayor

(SEAL)

ATTEST:_______________________
Karen Sublett, City Clerk

Approved as to form:

_____________________________________________
Jennifer L. Magana, City Attorney and Director of Law
RESOLUTION NO. 17-361

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AT WHICH THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF PROPERTY LEGALLY DESCRIBED AS: LOT 34, BLOCK A, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS COMMONLY KNOWN AS 4448 E BAYLEY DR MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS A DANGEROUS STRUCTURE.

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 10th day of October 2017, file with the governing body of said city, a statement in writing that certain structure(s), hereinafter described, is unsafe or dangerous.

NOW THEREFORE, be it Resolved by the Governing Body of the City of Wichita.
That a hearing will be held on the 21st day of November 2017, before the governing body of the city at 9:30 A.M., or thereafter in the council chambers, City Hall at which time the owner, his agent, any lienholders of record or any occupant of property, legally described at LOT 34, BLOCK A, HILLTOP MANOR, A RE-PLAT OF PARTS OF HILLTOP MANOR AND HILLTOP MANOR 2ND ADDITION, SEDGWICK COUNTY, KANSAS, commonly known as: 4448 E BAYLEY DR, may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure ordered repaired or demolished. The structure is a one story frame dwelling about 24 x 57 feet in size. Vacant, this structure has a deteriorated wood pier foundation; cracked and chipped siding shingles; deteriorated front porch; deteriorated wood trim and framing members; and the four accessory structures are dilapidated.

Be it further resolved that the City Clerk shall cause this Resolution to be published and shall give notice of the aforesaid hearing in the manner provided by K.S.A. 12-1752.

Adopted this 10th day of October 2017.

Jeff Longwell, Mayor

(SEAL)

ATTEST: _________________________
Karen Sublett, City Clerk

Approved as to form:

Jennifer L. Magana, City Attorney and Director of Law
A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AT WHICH THE OWNER, HIS AGENT, LIENHOLDERS OF RECORD AND OCCUPANTS OF PROPERTY LEGALLY DESCRIBED AS: LOTS 7 AND 8, BLOCK 1, JUNCTION TOWN COMPANY ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS COMMONLY KNOWN AS 247 N ELIZABETH MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS A DANGEROUS STRUCTURE.

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 10th day of October 2017, file with the governing body of said city, a statement in writing that certain structure(s), hereinafter described, is unsafe or dangerous.

NOW THEREFORE, be it Resolved by the Governing Body of the City of Wichita.
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Be it further resolved that the City Clerk shall cause this Resolution to be published and shall give notice of the aforesaid hearing in the manner provided by K.S.A. 12-1752.

Adopted this 10th day of October 2017.

__________________________________
Jeff Longwell, Mayor

(SEAL)

ATTEST:___________________________
Karen Sublett, City Clerk

Approved as to form:

Jennifer L. Magana, City Attorney and Director of Law
TO: Mayor and City Council

SUBJECT: 2016 Community Services Block Grant Budget Adjustment

INITIATED BY: Housing and Community Services Department

AGENDA: Consent

Recommendation: Approve the 2016 Community Services Block Grant (CSBG) request for budget adjustment.

Background: The Community Services Block Grant (CSBG) is a Federal funding source, which supports programs to address the needs of persons who meet poverty guidelines. The CSBG is administered by the Kansas Housing Resources Corporation (KHRC) and subsequently awarded by formula to Community Action Programs (CAPs) throughout the state. The City of Wichita has been designated as a CAP for more than 30 years and receives funding for Wichita and Sedgwick County. The Wichita Sedgwick County Community Action Partnership (WSCCAP) is a division of the Housing and Community Services Department and provides program management.

Funding is provided to the WSCCAP following KHRC approval of an application, which designates categories of use for the funds. The City Council authorized staff to submit an application for the 2016 CSBG program on February 9, 2016. The application included the following allocations: $50,000 for the Summer Activity Camps; $21,933.56 for City indirect costs; $160,000 for an Employment and Training contract to provide job readiness training and employment services for adults 18 and older; $200,000 to Project Access to provide prescription assistance and durable medical equipment to uninsured persons; and $512,664.40 to provide case management and supportive services to CSBG eligible individuals and families. The KHRC approved the application, and awarded a grant in the amount of $944,597.96. The 2016 CSBG funds were to be encumbered by September 30, 2017.

On May 16, 2017, the City Council authorized staff to submit a change of scope with the Employment and Training contract in the amount of $150,000. The change of scope resulted in the expansion of The Way to Work programming in the amount of $42,920, which leveraged Community Development Block Grant funds and increased participation to nearly 150 youth. The Summer Activity Camps program received an additional $17,080 to increase low-income youth attendance by approximately 50, and extended operation for two additional weeks only for the 2017 Summer Activity Camps. Commercial driver’s license training was also allocated in the amount of $30,000. This job training would yield a minimum of 10 placements of Wichita Sedgwick County Community Action Partnership clients into positions aligning with the Blueprint for Regional Economic Growth. The remaining amount covered program administration.

Analysis: The grant budget will not be fully expended by September 30. The Department seeks City Council authorization to reallocate $44,000 in accordance with Administrative Regulation 2.4.

The Employment and Training budget will have an available balance of up to $26,000 due to less than anticipated participation in the CDL training program. The Way to Work budget will have a remaining balance of up to $16,000 due to the Youth Enrichment Services (SayYES!) Initiative covering bus pass expenses, and temporary staff expenses were less than anticipated. A remaining balance of $2,000 in City
indirect costs will be available due to over-budgeting. The total remaining balances, not to exceed $44,000, must be reallocated in order to fully spend 2016 CSBG funds. The exact amounts will be known when City financial records through September 30, 2017 are available.

In order to fully expend the remaining 2016 funds, staff proposes the unspent funds be reallocated to the Individual and Family Development program to cover budgetary shortfall for salary costs of six staff as well as client supportive services, materials and supplies through September 30, 2017. The City has 60 days beyond September 30 in which to reconcile expenditures.

**Financial Considerations:** There is no impact to the General Fund.

**Legal Considerations:** The Law Department has approved the Summary of Proposed Budget Adjustments as to form.

**Recommendation/Action:** It is recommended that the City Council approve the 2016 Community Services Block Grant (CSBG) request for budget adjustment.

**Attachments:** Summary of Proposed Budget Adjustments.
## Summary of Proposed Budget Adjustments

CSBG FFY 2016 Non-Discretionary Formula Grant request for proposed estimated budget adjustments.

<table>
<thead>
<tr>
<th>Project</th>
<th>Approved Budget</th>
<th>Proposed Estimated Adjustments</th>
<th>Revised Budget</th>
<th>Reason for Adjustment:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative (City Indirect)</td>
<td>$21,933.56</td>
<td>-$2,000.00</td>
<td>$19,933.56</td>
<td>Anticipate City indirect charges to be less than approved budget.</td>
</tr>
<tr>
<td>IFD</td>
<td>$572,664.40</td>
<td>+$44,000</td>
<td>$616,664.40</td>
<td>Extends program budget through the end of September to cover shortfalls for WSCCAP operation.</td>
</tr>
<tr>
<td>The Way to Work</td>
<td>$42,920.00</td>
<td>-$16,000</td>
<td>$26,920.00</td>
<td>Bus passes that were originally budgeted for participants covered by Say YES! Program budget from alternative funding source. The actual cost of temporary staff was less than budgeted.</td>
</tr>
<tr>
<td>Project Access</td>
<td>$200,000.00</td>
<td>No Change</td>
<td>$200,000.00</td>
<td>N/A</td>
</tr>
<tr>
<td>Employment &amp; Training</td>
<td>$40,000.00</td>
<td>-$26,000</td>
<td>$14,000.00</td>
<td>Participation in program was less than anticipated.</td>
</tr>
<tr>
<td>Summer Camps</td>
<td>$67,080</td>
<td>No Change</td>
<td>$67,080.00</td>
<td>N/A</td>
</tr>
<tr>
<td>Total</td>
<td>$944,597.96</td>
<td></td>
<td>$944,597.96</td>
<td></td>
</tr>
</tbody>
</table>
TO: Mayor and City Council

SUBJECT: 2017 The Way to Work Summer Youth Employment Program Summary Report

INITIATED BY: Housing and Community Services Department

AGENDA: Consent


Background: The Way to Work (TWTW) Summer Youth Employment Program is designed to equip and empower program participants, 14-17 years of age, with the job readiness training and practical employment experience necessary to become successful employees. Since 2012, the TWTW program has provided workforce development activities to a total of 644 youth in eligible families participating with the Wichita Housing Authority programs. In addition to inviting eligible youth in the Wichita Housing Authority, the greater Wichita community was also invited. Thirty-five youth participated in the program that were not independent of the department’s services. The Housing and Community Services Department administers the TWTW Program with funding from the Community Development Block Grant (CDBG) and the Community Services Block Grant (CSBG).

According to the Bureau of Labor Statistics, approximately 2.6 million or 11.5 percent of youth on a national level seek employment each summer. With 20 percent of children in Kansas suffering from poverty and half of adults experiencing poverty by the age of 65, a need exists to develop the next generation of laborers. Youth employability will likely have long-term effects on our youth’s economic prospects as adults. Youth who lack job skills become less competitive in the workforce and makes self-sufficiency less attainable.

According to the assessment prepared by the Wichita State University, “City of Wichita Youth Employment Services Project-Spring 2017,” a framework is needed to “address youth services and youth employment in the future.” The study shows that youth find it hard to maintain employment because they lack “educational competencies, interpersonal skills, and work ethic foundation.” The Way to Work Summer Youth Employment Program seeks to address these deficiencies using a curriculum focused on basic reading and math fundamentals, job preparation, soft skills, and financial literacy.

Analysis: The nine-week 2017 program began on June 1 and ended on July 28, and 110 youth were employed through placements on 40 jobsites. There were an additional 28 second-year youth who were referred to Workforce Alliance as part of a City-wide collaboration. The youth were required to attend paid workshops, Monday through Friday, for the month of June; and paid workshops each Friday during the month of July. The workshops focused on job skills/readiness (mock interviews, counting back change, alpha/numeric office filing, and how to use the transit system); educational fundamentals (reading comprehension, cursive and creative writing, and solving algebraic equations); financial literacy and personal development.

The TWTW Program was able to fund three Kansas certified teachers who facilitated the educational workshops and served as counselors to the youth throughout the program, made jobsite visits and performed labor relations. City staff and community professionals also facilitated workshops. Another
program enhancement was the SayYES! youth enrichment program that provided an identification badge for free access to Wichita Transit rides to TWTW jobsites, free weekday lunches at three participating Wichita locations, access to Wichita Public Schools, golf at LW Clapp golf course, opportunity for youth to have library book fees waived and participate in a reading program that resulted in a school backpack.

Program Statistics

Total number of Youth Completing the Program
• 110 TWTW (14-15 year olds)
• 28 TWTW-FL (16-17 year olds)

Total Jobsites
• 29 Non-profit organizations, businesses, and USD 259
  Private 4
  Non-profit 19
  Public (USD 259) 6

12 City Departments participated

Total Youth Hours Worked & Wages Earned
• TWTW (14-15 year old) – 20 hours total per week @ $7.45/hour
  Total Hours Worked: 17,718.50
  Total Wages Earned: $131,718.53

• TWTW-FL (16-17 year old) – 20 hour total per week @ $8.02/hour
  Total Hours worked: 4,195.75
  Total Wages Earned: $33,664.85

Workshop/Training Topics
• Approximately 20 topics on Job Skills/Readiness, Education Fundamentals, Financial Literacy, and Personal Development

Financial Literacy Success
• 55 youth opened savings account

The 2017 Job Site Supervisor Survey results confirmed that the program enhancement to add the educational component to the workshop schedule for the month of June effectuated an improvement in youth attendance and employability skills. Staff recommends retaining the educational component in the summer youth employment program and continuing collaborative partnerships.

Financial Considerations: There is no impact to the General Fund.

Legal Considerations: The Law Department has approved the 2017 TWTW Program Summary as to form.

Recommendation/Action: It is recommended that the City Council accept the 2017 The Way to Work Summer Youth Employment Program Summary Report and file of public record.

Attachments: None.
### CONTRACTS & AGREEMENTS
#### BLANKET PURCHASE ORDERS RENEWAL OPTIONS
#### SEPTEMBER 2017

| COMMODITY TITLE                                                                 | EXPIRATION | VENDOR NAME                                | DEPARTMENT                  | ORIGINAL | RENEWAL OPTIONS |
|---------------------------------------------------------------------------------|------------|--------------------------------------------|-----------------------------|----------|-----------------|----------------|
| Controlled Substance & Alcohol Testing Program Third-Party Administrator        | 9/30/2018  | Kelly Compliance, Inc.                     | Human Resources             | 10/1/2014 - 9/30/2015 | Last option |
| Hauling - Salt                                                                   | 9/30/2018  | A-Plus Logistics, LLC                      | Public Works & Utilities    | 1/1/2016 - 9/30/2016  | Last option |
| Industrial Pretreatment Wastewater Sampling                                       | 9/30/2018  | Integrated Solutions Inc. DBA iSi Environmental Services | Public Works & Utilities    | 10/1/2015 - 9/30/2016 | Last option |
| Mat, Mop, Towel & Fender Cover Rental                                            | 9/30/2018  | Aramark Uniform & Career Apparel GRP Inc.  | Various                     | 10/1/2016 - 9/30/2017 | 1 - 1 year options |
| Paper Products, Group 6                                                           | 9/30/2018  | Ferguson Enterprises, Inc.                 | Various                     | 10/1/2016 - 9/30/2017 | 1 - 1 year options |
| Paper Products, Group 9                                                          | 9/30/2018  | Southwest Paper Company, Inc.              | Various                     | 10/1/2016 - 9/30/2017 | 1 - 1 year options |
| Paper Products, Groups 1 and 5                                                    | 9/30/2018  | Ventiv Operating Company                   | Various                     | 10/1/2016 - 9/30/2017 | 1 - 1 year options |
| Paper Products, Groups 2, 5 and 10                                                | 9/30/2018  | Massimo, Inc.                              | Various                     | 10/1/2016 - 9/30/2017 | 1 - 1 year options |
| Paper Products, Groups 3 and 7                                                    | 9/30/2018  | Lafe T Williams & Associates, Inc. dba Various | 10/1/2016 - 9/30/2017       | Williams Janitorial  | 1 - 1 year options |
| Reprographic Services                                                             | 9/30/2018  | ARC Document Solutions, LLC                | Various                     | 10/1/2016 - 9/30/2017 | 1 - 1 year options |
| Transcription Services                                                            | 9/30/2018  | Net Transcripts, Inc.                      | Police                      | 10/1/2015 - 9/30/2016 | Last option |
| Uniforms - Airport Utility                                                        | 9/30/2018  | Quickstitch Alterations Inc.               | Airport                     | 10/1/2015 - 9/30/2016 | Last option |
| Uniforms - Transit                                                                | 9/30/2018  | Galls, LLC                                 | Wichita Transit             | 9/15/2014 - 9/30/2017 | 1 - 1 year options |
| Uniforms (for Public Works & Utilities, Various Water Divisions)                  | 9/30/2018  | Industrial Uniform Co., LLC dba Logo Depot | Public Works & Utilities    | 10/1/2015 - 9/30/2016 | Last option |
| Water Heaters                                                                    | 9/30/2018  | The Tap of Kansas, Inc.                    | Housing & Community Services | 10/1/2015 - 9/30/2016 | Last option |
| Wichita Intervention Program Instructor                                           | 9/26/2018  | Heartstone Substance Abuse                 | Municipal Court             | 10/1/2016 - 9/26/2017 | 3 - 1 year options |
| Workers Compensation Injuries Treatment                                           | 9/30/2018  | Via Christi Rehabilitation Hospital, Inc.  | Finance                     | 10/4/2016 - 9/30/2017 | 3 - 1 year options |

### PROFESSIONAL CONTRACTS UNDER $50,000
#### SEPTEMBER 2017

<table>
<thead>
<tr>
<th>VENDOR NAME</th>
<th>DOCUMENT NO</th>
<th>DOCUMENT TITLE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baughman Co.</td>
<td>PO740628</td>
<td>Engineering Consulting</td>
<td>32,100.00</td>
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</tbody>
</table>

### ANNUAL MAINTENANCE CONTRACTS OVER $50,000
#### DIRECT PURCHASE ORDERS FOR SEPTEMBER 2017
TO: Mayor and City Council Members

SUBJECT: Linwood Park Improvements (District I)

INITIATED BY: Department of Park & Recreation

AGENDA: Consent

Recommendations: Adopt the amending bonding resolution.

Background: Linwood Park is one of the oldest parks in the City’s system. It continues to be a vibrant and well-used site, with a swimming pool, tennis and basketball courts, a sand volleyball court, a playground, horseshoe courts, picnic facilities, walking paths, the historic City Greenhouse and an active Recreation Center, which includes a branch library. A football field, baseball diamond and two softball diamonds round out the site. League play is popular at these outdoor fields and diamonds, which are served by an adjacent parking lot and a free-standing restroom facility. Staff initiated $50,000 to begin design work on December 13, 2016 and $250,000 for development and construction on August 8, 2017.

Analysis: The outdoor fields and accompanying facilities are aging and in need of renovation/replacement, particularly the restroom building. Design of the restroom and storage facility, which will also include ADA compliant sidewalks and additional lighting for the parking lot has been completed and construction is planned this fall. Any remaining funds would be used to improve or add dugouts, bleachers, or other field improvements. This project continues the implementation of Wichita’s 2016 Park, Recreation and Open Space Plan, the strategic master plan for the City’s park system and will address improvements to athletic fields.

Financial Considerations: The 2017-2026 Adopted Capital Improvement Program includes funding of $300,000 in 2018 for final design and construction related to Linwood Park improvements. Staff requests initiation of funding in the amount of $300,000 at this time, resulting in a total project budget of $600,000 in 2017. The funding source for this project is general obligation bonds.

Legal Considerations: The Law Department has approved the amending bonding resolution as to form.

Recommendation/Actions: It is recommended that the City Council adopt the bonding resolution, authorize the necessary signatures and initiation of the project.

Attachments: Site plan, amending bonding resolution.
South Linwood Park Improvement Area
RESOLUTION NO. __-___

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 17-262 OF THE CITY OF WICHITA, KANSAS WHICH AMENDED SECTIONS 1 AND 2 OF RESOLUTION 16-474 OF THE CITY OF WICHITA, KANSAS, WHICH AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS OF PUBLIC PARK IMPROVEMENTS.

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the City Council (the “Governing Body”) of the City has heretofore, pursuant to K.S.A. 13-1346, created the Wichita Board of Park Commissioners (the “Board”); and

WHEREAS, the Governing Body is authorized, pursuant to K.S.A. 13-1024c, as amended by Charter Ordinance No. 156 of the City (the “Act”) to issue general obligation bonds of the City without an election for the purpose of paying for the construction, purchase or improvement of any public improvement, including the land necessary therefore, and for the purpose of rebuilding, adding to or extending the same as the necessities of the City may require and for the purpose of paying for certain personal property therefore; and

WHEREAS, the Governing Body has heretofore by Resolution No. 17-262 of the City (the “Prior Resolution”), authorized the following described public improvements:

Labor, material, equipment and expenditures necessary for preliminary design, development, construction and improvement of Linwood Park’s restroom building, outdoor fields and expansion of accompanying facilities. As funds allows, additional improvements would be used to improve or add dugouts, bleachers, field improvements, additional lighting or parking lot expansion (collectively, the “Project”) for the use of the Board and/or City, and to provide for the payment of all or a portion of the costs thereof by the issuance of general obligation bonds of the City pursuant to the Act.

WHEREAS, the Governing Body now finds it necessary to expand the scope of the project and increase the amounts that may be expended and financed for the costs of the Project.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Amendment. Section 1 of the Prior Resolution is hereby amended to read as follows:

Section 1. Amendment. Sections 1 and 2 of Resolution No. 16-474 are hereby amended to read as follows:

Section 1. Project Authorization. It is hereby authorized, ordered and directed that the Project including Labor, material, equipment and expenditures necessary for preliminary design, development, construction and improvement of Linwood Park’s restroom building, outdoor fields and expansion of accompanying facilities and the renovation or addition of
dugouts, bleachers, field improvements, additional lighting or parking lot expansion and other associated renovations as funding allows be acquired and/or constructed at an estimated cost of $600,000 in accordance with specifications prepared or approved by the Board.

Section 2. Project Financing. All or a portion of the costs of the Project, interest on financing and administrative and financing costs shall be financed with the proceeds of general obligation bonds of the City (the “Bonds”). The Bonds may be issued to reimburse expenditures authorized by Resolution No. 16-474 made on or after the date which was 60 days before the date of adoption of Resolution No. 16-474 and to reimburse additional expenditures authorized by Resolution No. 17-262, which were made on or after August 8, 2016 which was 60 days before the date of adoption of Resolution No. 17-262, and to reimburse additional expenditures authorized by this Resolution, which were made on or after the date 60 days prior to the date of adoption hereof, all pursuant to Treasury Regulation §1.150-2.

Section 2. Repealer; Ratification. Section 1 of the Prior Resolution, as it previously existed, is hereby repealed and replaced in its entirety with the amended version set forth above; and the rest and remainder of the Prior Resolution is hereby ratified and confirmed.

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

ADOPTED by the City Council of the City of Wichita, Kansas, on ______________.

(SEAL)  
Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, City Attorney and  
Director of Law
TO: Mayor and City Council

SUBJECT: Water Treatment Plant Roof Rehabilitation- Filter Gallery (All Districts)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve project as a design-build.

Background: The Wichita Water Treatment Plant (WTP) was constructed in the early 1940s, with major upgrades in the 1950s and the mid-1990s. The building is in need of substantial masonry, roof, and structural repairs.

A Business Case Evaluation (BCE) for the Main Water Treatment Plant roof replacement was performed by CH2M-Hill as part of the City’s Water Utility Asset Management Plan. The BCE concluded the roof condition to be a high asset risk and recommended the immediate replacement of the roof and fixing the structural deficiencies.

A condition assessment dated November 17, 2015, was performed by LK Architecture. The evaluation identified structural deficiencies on the exterior masonry walls which is now under construction. The assessment also included a more in-depth structural evaluation of the roof support structure in need of repairs.

Analysis: The roof structure consists of a cast-in-place concrete roof slab, which is supported by steel beams and a grid of masonry-veneered steel columns. Observations concluded the most severe and detrimental corrosion has taken place on portions of the steel framing members that support the upper clerestory roof element. The analysis provided three repair options, which included complete clerestory removal with construction of a new roof deck matching the elevation of adjoining plant roofs, entire clerestory replacement in-kind and total rehabilitation of the existing upper clerestory roof section.

While the study concluded that the most cost-effective method to repair the high roof area would be to remove the upper portion entirely and construct a new roof structure at the same elevation as the adjacent roofs, utilizing a design-build approach would allow for other options of repair to be more carefully vetted by staff. Existing skylights on the lower roofs will be removed, infilled with concrete and covered with new roof material. New lighting will be provided throughout the filter gallery. Renovations of the upper roof structure area will require extensive shoring as well as positive protection of the open filter basins.

Staff recommends a design-build approach to manage and perform the construction activities of the project based on the following:

A) The clerestory roof and side walls occupy an area of 26 feet in width x 254 feet in length. Repair renovations to the various roof structures while maintaining plant operations work ideally with the concepts of the design-build process to maximize design and constructability ideas while providing maximum assurances that the water supply is safeguarded from construction activities.

B) Construction of wall and ceiling barriers over the 28 filter basins to allow the removal of the loose paint, new ceiling deck coatings, removal and slab infill of 60 skylights while maintaining operator access to all basins will also allow the design-build process to be used to its fullest capability in design and constructability of this construction element.
C) The design-build process would allow the fastest construction start to the repairs. The removal and repair work is very difficult and constant exposure to a nearly finished water source is present in all of the repair activities. Ensuring that the delivery of potable water throughout the construction work is best achieved through the design-build process over other delivery mechanisms. The design-build approach provides the best method of partnering with the City and the design-build team to deliver a repair project that is within budget and maintains plant operations throughout the construction area.

**Financial Considerations:** On May 3, 2016, the City Council approved $6,000,000 funded from future revenue bonds or Water Utility cash reserves to address WTP improvements which included roof and exterior repairs.

**Legal Considerations:** The proposed procedure complies with the requirements of Charter Ordinance 228 and standard purchasing procedures.

**Recommendation/Action:** It is recommended that the City Council approve the project as a design-build and approve release of the Request for Proposal for design-build services.

**Attachment:** Design-build contractor criteria.
Design-Build Contractor Selection Criteria

The Owner to select a Design-Builder on the basis of best value and the other criteria listed below. The Owner’s Staff Screening and Selection Committee will evaluate the proposals and select the candidates that will be scheduled for interviews. Final selection of the Design-Builder will be based on both an evaluation of the proposals and the results of the interviews.

The Design-Builder and each firm must be licensed in the State of Kansas for the type of work to be performed. The Designer must include in responsible charge an engineer registered in the State of Kansas.

Each Proposal will be reviewed to determine whether it is responsive to the RFP. Failure to comply with the requirements of the RFP may result in a Proposal being rejected as non-responsive. At its sole discretion, however, the selection Committee may waive any such failure to meet a requirement of this RFP and may request clarification or additional information to remedy a failure.

The selection Committee will evaluate and rank the responsive Proposals using the evaluation criteria set forth below.

- Experience and capabilities
- Project approach
- Design concepts
- Schedule
- EBE/DBE Participation and/or Subcontracting/Joint Ventures
- Rate Proposal
SECOND READING ORDINANCES FOR OCTOBER 10, 2017 (FIRST READ OCTOBER 3, 2017)

a. ORDINANCE NO. 50-600
AN ORDINANCE AMENDING SECTIONS 6.04.010, 6.04.040, 6.04.045, 6.04.046, 6.04.047, 6.04.048, 6.04.060, 6.04.190, 6.04.210, 6.08.010, 6.08.020, 6.08.030, 6.08.040, 6.08.070, 6.08.080 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING DEFINITIONS, CONTROL AND PROTECTION OF ANIMALS IN GENERAL, DANGEROUS DOGS, AND DANGEROUS OR EXOTIC ANIMALS AND REPEALING THE ORIGINAL OF SAID SECTIONS.

b. ORDINANCE NO. 50-601
AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.
Case No. ZON2017-00026
TO: Mayor and City Council

SUBJECT: SUB2017-00032 -- Plat of BG Products Addition Located on the South Side of West Kellogg Drive, West of South Main Street (District III)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

MAPC Recommendation: Approve the plat (8-0-1).

Staff Recommendation: Approve the plat.

Background: The site consists of one lot on 2.8 acres and is zoned General Commercial (GC) and Limited Industrial (LI).

Analysis: Water services are available to serve the site. The applicant has submitted a Petition and a Certificate of Petition for sewer improvements. The applicant has provided a Water Meter Removal Certificate for the removal of abandoned water meters.

The plat has been reviewed and approved by the Metropolitan Area Planning Commission subject to conditions.

Financial Considerations: The petition amount is $21,000 for sewer improvements. The funding source for the project is special assessments.
**Legal Considerations:** The Law Department has reviewed and approved the pertinent documents and Resolution as to form and the documents will be recorded with the Register of Deeds.

**Recommendations/Actions:** It is recommended that the City Council approve the documents and plat, authorize the necessary signatures and adopt the Resolution.

**Attachments:**
- Certificate of Petition
- Water Meter Removal Certificate
- Resolution
CERTIFICATE OF PETITION

STATE OF KANSAS  
COUNTY OF SEDGWICK  

We, BG Products, Inc. and BG Real Estate, Inc., owners of Lot 1, Block 1, BG Products Addition to Wichita, Sedgwick County, Kansas, do hereby certify that a petition for the following improvements has been submitted to the City Council of the City of Wichita, Kansas:

1. Sanitary Sewer ($21,000)

As a result of the above-mentioned petitions for improvements, lots or portions thereof within BG Products Addition may be subject to special assessments assessed thereto for the cost of constructing the above described improvement.

Signed this 11 day of September, 2017.

BG PRODUCTS, INC.

By: Darin Greseth, President and CEO

BG REAL ESTATE, INC.

By: Darin Greseth, President and CEO
STATE OF KANSAS
) SS
SEDGWICK COUNTY
)

BE IT REMEMBERED that on this 11 day of September, 2017, before me, a Notary Public, in and for the County and State aforesaid, came Darin Greseth, President and CEO of BG Products, Inc., a Kansas corporation, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged to me the execution of the same.

IN WITNESS WHEREOF, I have set my hand and affixed my seal the day and year last above written.

[Signature]
Notary Public

SEAL

My Commission Expires: 3/3/2018

STATE OF KANSAS
) SS
SEDGWICK COUNTY
)

BE IT REMEMBERED that on this 11 day of September, 2017, before me, a Notary Public, in and for the County and State aforesaid, came Darin Greseth, President and CEO of BG Real Estate, Inc., a Kansas corporation, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged to me the execution of the same.

IN WITNESS WHEREOF, I have set my hand and affixed my seal the day and year last above written.

[Signature]
Notary Public

SEAL

My Commission Expires: 3/3/2018
WATER METER REMOVAL CERTIFICATE

Sedgwick County  
State of Kansas  

BG Products, Inc., a Kansas corporation and BG Real Estate, Inc., a Kansas Corporation, owners of that certain real property to be known as, BG Products Addition, Wichita, Sedgwick County, Kansas, is in the process of platting said property, and does hereby acknowledge that in accordance with the requirements of the platting process as set forth by the City of Wichita, any existing water services per said platting requirements shall be removed.

This is to place on notice the owner(s) of the above-described property and subsequent owners thereof that, as a result of the above-cited platting requirements, said owner and subsequent owners thereof are responsible for seeing that such water meters are removed and services are killed at the main per City of Wichita specifications for such work, and that sufficient guaranty of such closures), in a form acceptable to the City of Wichita (e.g. -bond, cash, letter of credit, etc.) and/or acknowledge that the City of Wichita may withhold the issuance of an occupancy permit for any future building construction, will be a pre-condition of the issuance of any future building permit for all development on the above-described property.

Signed this 11th day of September, 2017.

BG Products, Inc.  
By: ____________________________  
Darin Greseth, President and CEO

BG Real Estate, Inc.  
By: ____________________________  
Darin Greseth, President and CEO
STATE OF KANSAS
COUNTY OF SEDGWICK } SS:

BE IT REMEMBERED, that on this 11th day of September, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Darin Greseth, President and CEO of BG Products, Inc., a Kansas Corporation, personally known to me to be the same person who executed the within instrument of writing and such persons duly acknowledged the execution of the same on behalf, and as the act and deed on behalf of said Corporation.

IN TESTIMONY, WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Notary Public

(My Appointment Expires: 3/31/2018)

BE IT REMEMBERED, that on this 11th day of September, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Darin Greseth, President and CEO of BG Real Estate, Inc., a Kansas Corporation, personally known to me to be the same person who executed the within instrument of writing and such persons duly acknowledged the execution of the same on behalf, and as the act and deed on behalf of said Corporation.

Notary Public

(My Appointment Expires: 3/31/2018)

Approve as to form:

Jennifer Magana, City Attorney and Director of Law
RESOLUTION NO. 17-365


WHEREAS, a petition (the “Petition”) was filed with the City Clerk of the City of Wichita, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 et seq.,(the "Act"); and

WHEREAS, the City Council (the “Governing Body”) of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) The improvements proposed to be made are as follows (the "Improvements"):

Construction of a sanitary sewer system, including necessary manholes, pipes, and appurtenances to serve the Improvement District defined below:

(b) The estimated or probable cost of the Improvements is: $21,000.00 (Twenty-One Thousand Dollars), exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof

(c) The extent of the improvement district (the "Improvement District") to be assessed for the costs of the proposed Improvements is Parcel A as described on Exhibit A attached hereto.

(d) The method of assessment is: on a per lot basis as described below:

Lot 1, Block 1, BG Products Addition to Wichita, Sedgwick County, Kansas shall pay 100% of the Improvement District portion of the total cost.
In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City’s Special Assessment Deferral Program.

**Section 2. Authorization of Improvements.** The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 1** of this Resolution.

**Section 3. Plans and Specifications.** The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

**Section 4. Bond Authority; Reimbursement.** The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

**Section 5. Effective Date.** This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

**ADOPTED** by the City Council of the City of Wichita, Kansas, on October 10, 2017.

(SEAL)  

Jeff Longwell, Mayor  

ATTEST:

Karen Sublett, City Clerk  

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law and City Attorney
TO: Mayor and City Council

SUBJECT: VAC2015-00022 – City Request to Vacate a Platted Alley Located Between Lincoln and Morris Streets, Santa Fe Avenue and Railroad Right-of-Way. (District III)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

MAPC Recommendation: The Metropolitan Area Planning Commission recommended approval of the vacation request (13-0).

Staff Recommendation: Staff recommended approval of the vacation request.
**Background:** The applicant is requesting the vacation of the gravel, platted 16-foot wide alley right-of-way (ROW), abutting Lots 37-73 (odd, rail road side), Lots 38-74 (even, Santa Fe Avenue side), the north side of Lincoln Street, and the south side of Morris Street, all in the Elliott Addition. There are power poles, power lines, manholes, and a sewer line located in the alley. Westar has equipment in the platted alley. Conditions #1 and #5 covers Westar. Shane Price, Supervisor, Construction Services is the representative for this area and can be contacted at 261-6315. No property will be denied access to public street right-of-way if the vacation is approved. All of the abutting property owners have signed the application/petition to vacate the alley. The Elliott Addition was recorded with the Register of Deeds February 1, 1887.

**Analysis:** The Metropolitan Area Planning Commission (MAPC) voted (13-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC’s advertised public hearing or its Subdivision Committee meeting.

**Financial Considerations:** All improvements are to City standards and at the applicant’s expense.

**Legal Considerations:** The Law Department has reviewed and approved, as to form, the Vacation Order. The Law Department concurs that the approval of the Vacation Order is in accordance with City policy. The original Vacation Order will be recorded with the Sedgwick County Register of Deeds.

**Recommendation/Actions:** It is recommended that the City Council follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order (simple majority of four votes required) and authorize the necessary signatures.

**Attachments:**
- Vacation Order
- Utility Easement
- Restrictive Covenant
BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF )
A PLATTED ALLEY )
) )
) )
) )
) )
) )
) )
) )
) )
) )
GENERALLY LOCATED BETWEEN ) Case No. VAC2015-00022
SOUTH SANTA FE AVENUE AND SOUTH )
MEAD AVENUE AND BETWEEN EAST )
MORRIS STREET AND EAST LINCOLN STREET )
) )
) )
) )
) )
MORE FULLY DESCRIBED BELOW )

VACATION ORDER

NOW on this 10th day of October, 2017 comes on for hearing the petition for vacation filed by Wichita Material Recovery LLC, Michaelis Real Estate 3 LLC, KCM & ORY Co., AT & SF Railway Company, H & D Real Estate LLC, James Wyatt for the vacation of the following described portion of public street right-of-way, to-wit:

A platted alley in the Elliott Addition to Wichita, Sedgwick County, Kansas, being more particularly described as follows:

Beginning at the northwest corner of Lot 37 on Mead Av.; thence south along the west line of Lots 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, and 73 on Mead Av. to the southwest corner of Lot 73; thence west on a straight line to the southeast corner of Lot 74 on Fifth Av., now Santa Fe Ave.; thence north along the east line of Lots 74, 72, 70, 68, 66, 64, 62, 60, 58, 56, 54, 52, 50, 48, 46, 44, 42, 40, and 38 on Fifth Av., now Santa Fe Ave. to the northeast corner of Lot 38; thence east on a straight line to the point of beginning.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in The Wichita Eagle on June 18, 2015 which was at least 20 days prior to the public hearing.

2. No private rights will be injured or endangered by the vacation of the above-described portion of public street right-of-way, and the public will suffer no loss or
inconvenience thereby.

3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

4. A 20-foot wide drainage and utility easement dedicated by separate instrument will be recorded with this Vacation Order at the Sedgwick County Register of Deeds.

5. Covenants binding and tying the described vacated alley to the abutting private properties will be recorded with this Vacation Order at the Sedgwick County Register of Deeds and the Sedgwick County Appraiser’s Office.

6. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

7. The vacation of the portion of public street right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 10th day of February 2017 ordered that the above-described portion of public street right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

____________________________
Jeff Longwell, Mayor

ATTEST:

____________________________
Karen Sublett, City Clerk

Approved as to Form:

____________________________
Jennifer Magana, City Attorney and Director of Law
Upon Recording Mail to:
City Engineer's Office
455 N. Main 7th Floor
Wichita, KS 67202

DRAINAGE AND UTILITY EASEMENT

THIS EASEMENT made this 21st day of July, 2017, by and between Wichita Material Recovery, LLC, a Kansas limited liability company, Michaelis Real Estate #3, L.L.C., a Kansas limited liability company, KCM & O Ry Co., AT & SF Railway Company, H & D Real Estate LLC, a Kansas limited liability company, and James Wyatt, Grantors, and the City of Wichita, Kansas, a Municipal Corporation, Grantee.

WITNESSETH: That the Grantors, in consideration of the sum of One Dollar ($1.00) and other valuable consideration, the receipt of which is hereby acknowledged, do hereby grant and convey unto the Grantee, or the franchised utility entity, a perpetual easement for the purpose of constructing, operating, maintaining, and repairing all public and/or franchised utilities, and drainage ways and any appurtenances thereto, over, along and under the following-described real estate situated in Sedgwick County, Kansas; to wit:

THAT PORTION OF LOTS 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, AND 73 ON MEAD AV., AND LOTS 38, 40, 42, 44, 46, 48, 50, 52, 54, 70, 72, AND 74, ON FIFTH AV., NOW SANTA FE AVE., ALL BEING IN ELLIOTT ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS TOGETHER WITH THE PLATTED 16.00 FOOT NORTH-SOUTH ALLEY LYING BETWEEN SAID LOTS (now vacated) DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 37, ON MEAD AV., THENCE EAST ON THE NORTH LINE OF SAID LOT 37 TO A POINT THAT MEASURES 2.00 FEET PERPENDICULAR FROM THE WEST LINE OF SAID LOT 37; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID LOTS 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, AND 73, ON MEAD AV., TO A POINT ON THE SOUTH LINE OF SAID LOT 73; THENCE WEST 2.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 73; THENCE WEST ON A STRAIGHT LINE TO THE SOUTHEAST CORNER OF SAID LOT 74, ON FIFTH AV., NOW SANTA FE AVE.; THENCE WEST ON THE SOUTH LINE OF SAID LOT 74 TO A POINT THAT MEASURES 2.00 FEET PERPENDICULAR FROM THE EAST LINE OF SAID LOT 74; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOTS 74, 72, AND 70, ON FIFTH AV., NOW SANTA FE AVE. TO A POINT ON THE NORTH LINE OF SAID LOT 70, THENCE EAST ON THE NORTH LINE OF SAID LOT 70, 2.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 70, THENCE NORTH ALONG THE EAST LINE OF LOTS 68, 66, 64, 62, 60, 58, AND 56, TO THE NORTHEAST CORNER OF SAID LOT 56; THENCE WEST ON THE NORTH LINE OF SAID LOT 56, 2.00 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID LOTS 54, 52, 50, 48, 46, 44, 42, 40, AND 38, ON FIFTH AV., NOW SANTA FE AVE., TO A POINT ON THE NORTH LINE OF SAID LOT 38; THENCE EAST ON SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID LOT 38; THENCE EAST ON A STRAIGHT LINE TO THE POINT OF BEGINNING.

And said Grantee and/or agents of the franchised utilities are hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such utility or drainage way, and any appurtenances thereto.
IN WITNESS WHEREOF, the grantors have signed these presents the day and year first above written.

Wichita Material Recovery, LLC

By: ____________________________
   ____________________________
   (Signature)
   James Wyatt CEO
   (Printed Name)

STATE OF KANSAS )
SEDGWICK COUNTY ) SS:

BE IT REMEMBERED, that on this 21 day of July, 2017, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came James Wyatt as CEO of Wichita Material Recovery, LLC, a Kansas limited liability company, who is personally known to me to be the same person who executed this written document and such person duly acknowledged the execution of the same, for and on behalf of the limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[Signature]
Notary Public

My Appointment Expires: 7-7-2021
Michaelis Real Estate #3, L.L.C., Graham-Michaelis Corp., Manager

By: ____________________________
   (Signature)

W. A. Michaelis, Jr., President
   (Printed Name)

STATE OF KANSAS   )
SEDGWICK COUNTY   )    SS:

BE IT REMEMBERED, that on this 30th day of May, 2017, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came W. A. Michaelis, Jr. as President of Michaelis Real Estate #3, L.L.C., a Kansas limited liability company, who is personally known to me to be the same person who executed this written document and such person duly acknowledged the execution of the same, for and on behalf of the limited liability company.

* Of Graham-Michaelis Corp., Manager

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

_______________________________
Notary Public

My Appointment Expires: 5/26/20

MARCI WOODWARD
Notary Public - State of Kansas
My Appt. Expires 5/26/20
KCM & O RY Co.

By: ____________________________
(Signature)

Keith Cameron, Director of Real Estate
(Printed Name)

STATE OF (Kansas)        COUNTY OF (Crawford)   SS:

BE IT REMEMBERED, that on this 27 day of June, 2017, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Keith Cameron, as Director of Real Estate of KCM & O RY Co., who is personally known to me to be the same person who executed this written document and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[Signature]
Notary Public

My Appointment Expires: 7-5-2019
AT & SF Railway Company

By: [Signature]

Keith Cameron, Director of Real Estate
(Printed Name)

STATE OF Kansas
COUNTY OF Crawford
SS:

BE IT REMEMBERED, that on this 27 day of June, 2017, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came [Signature] as Director of Real Estate of AT & SF Railway Company, who is personally known to me to be the same person who executed this written document and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[Signature]
Notary Public

My Appointment Expires: 7-5-2019
H & D Real Estate, LLC

By:  

(Signature)

Mark A. Michaelis, President
(Parted Name)

STATE OF KANSAS  )
SEDGWICK COUNTY  )   SS:

BE IT REMEMBERED, that on this 30th day of [Day], 2017, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Mark A. Michaelis as President of H & D Real Estate, LLC, a Kansas limited liability company, who is personally known to me to be the same person who executed this written document and such person duly acknowledged the execution of the same, for and on behalf of the limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[Signature]
Notary Public

My Appointment Expires: 5/26/20
By:  
James Wyatt

STATE OF KANSAS )
SEDGWICK COUNTY ) SS:

BE IT REMEMBERED, that on this 21st day of July, 2017, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came James Wyatt, who is personally known to me to be the same person who executed this written document and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Hollie Wyatt  
Notary Public

My Appointment Expires: 7-7-2021

Reviewed and approved by the City Engineer:

for  
Gary Janzen, P.E.
RESTRICTIVE COVENANT

THIS RESTRICTIVE COVENANT is made this 21st day of July, 2017, by Wichita Material Recovery, LLC, a Kansas limited liability company, Michaelis Real Estate #3, L.L.C., a Kansas limited liability company, KCM & O RY Co., AT & SF Railway Company, H & D Real Estate LLC, a Kansas limited liability company, and James Wyatt, hereinafter collectively called “Declarants”,

WITNESSETH

WHEREAS, Declarants are the owners of various lots within the following described real property:

PARCEL ‘A’
LOTS 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, AND 73, ON MEAD AV., AND LOTS 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, AND 74, ON FIFTH AV., NOW SANTA FE AVE., ALL BEING IN ELLIOTT ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS

and,

WHEREAS, Declarants are in the process of vacating the 16.00 foot platted alley lying adjacent to the lots in said Parcel ‘A’, such that one-half (either east half or west half, as applicable) of the vacated portion of said platted alley will revert to the owners immediately abutting thereon in separate tracts, according to the frontage of real estate thereon (each, a “Vacation Tract”); and

WHEREAS, as a condition of this vacation case, the Planning Commission of the City of Wichita has required this Restrictive Covenant.

NOW, THEREFORE, Declarants hereby declare that, for and in consideration of the recitals, Declarants hereby covenant and agree as follows:

Each individual lot within Parcel ‘A’ together with each individual adjacent Vacation Tract, shall be tied together as one ownership, and under this ownership shall be conveyed, encumbered, improved, operated, and otherwise used together as one undivided parcel. For example, Lot 50, on Fifth Av., now Santa Fe Ave., Elliott Addition and its adjacent Vacation Tract are tied together as one ownership; and Lot 52, on Fifth Av., now Santa Fe Ave., Elliott Addition and its adjacent Vacation Tract are tied together as one ownership, but those two Vacation Tracts are not tied together as one ownership.

This covenant shall remain in force as to each lot in Parcel ‘A’ and its respective Vacation Tract, until such tract is re-platted or this Restrictive Covenant is released through a public hearing process.

This Restrictive Covenant shall run with said properties and shall be binding on the owners, their heirs, successors or assigns and is a covenant running with the land and is binding on all successors in title for the above described properties located in Wichita, Sedgwick County, Kansas.
Wichita Material Recovery, LLC

By: [Signature]

James Wyatt CEO

(Printed Name)

STATE OF KANSAS )
SEDGWICK COUNTY ) SS:

BE IT REMEMBERED, that on this 21 day of July, 2017, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came James Wyatt as [CEO] of Wichita Material Recovery, LLC, a Kansas limited liability company, who is personally known to me to be the same person who executed this written document and such person duly acknowledged the execution of the same, for and on behalf of the limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Hollie Wyatt
Notary Public

My Appointment Expires: 7-7-2021
Michaelis Real Estate #3, L.L.C., Graham-Michaelis Corp., Manager

By: [Signature]

W. A. Michaelis, Jr., President
(Printed Name)

STATE OF KANSAS    )
SEDGWICK COUNTY    ) SS:

BE IT REMEMBERED, that on this 30th day of May, 2017, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came W. A. Michaelis, Jr., as President of Michaelis Real Estate #3, L.L.C., a Kansas limited liability company, who is personally known to me to be the same person who executed this written document and such person duly acknowledged the execution of the same, for and on behalf of the limited liability company.

* of Graham-Michaelis Corp., Manager

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Marci Woodward
Notary Public

My Appointment Expires: 5/26/20
KCM & O RY Co.

By: _________________________________
(Signature)

Keith Cameron, Director of Real Estate
(Printed Name)

STATE OF ____________________________
COUNTY OF __________________________
SS:

BE IT REMEMBERED, that on this ___ day of __________, 2017, before me, the
undersigned, a Notary Public, in and for the County and State aforesaid, came _____________ as Director of Real Estate of KCM & O RY Co., who is personally known to me to
be the same person who executed this written document and such person duly acknowledged the
execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year
above written.

__________________________
Notary Public

My Appointment Expires: 7-5-2019
AT & SF Railway Company

By: ____________________________
   (Signature)

______________________________
Keith Cameron, Director of Real Estate
   (Printed Name)

STATE OF ________________________
COUNTY OF ______________________

BE IT REMEMBERED, that on this _______ day of ______________, 2017, before me, the
undersigned, a Notary Public, in and for the County and State aforesaid, came ________________________________
as ______________________ of AT & SF Railway Company, who is personally
known to me to be the same person who executed this written document and such person duly
acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year
above written.

______________________________
Barbara Crawford
   Notary Public

My Appointment Expires: _______-
   ______-______

BARBARA CRAWFORD
My Appointment Expires
July 5, 2019
STATE OF KANSAS  )
SEDG Wick COUNTY ) SS:

BE IT REMEMBERED, that on this 30th day of May, 201 7, before me, the
undersigned, a Notary Public, in and for the County and State aforesaid, came Mark A. Michaelis
as President of H & D Real Estate, LLC, a Kansas limited liability
company, who is personally known to me to be the same person who executed this written document and
such person duly acknowledged the execution of the same, for and on behalf of the limited liability
company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year
above written.

Marci Woodward
Notary Public

My Appointment Expires: 5/26/20

MARCI WOODWARD
Notary Public - State of Kansas
My Appt. Expires 5/26/20
By: James Wyatt

STATE OF KANSAS )
SEDGWICK COUNTY ) SS:

BE IT REMEMBERED, that on this 21 day of July, 2017, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came James Wyatt, who is personally known to me to be the same person who executed this written document and such person duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Hollie Wyatt
Notary Public

My Appointment Expires: 7-7-2021
TO: Mayor and City Council

SUBJECT: ZON2010-00028 – Ordinance For a Zone Change Request From the Single-Family Residential (SF-5) District to the Limited Commercial (LC) District and Office Warehouse (OW) District on Property Generally Located on the West Side of North Meridian Avenue and North of West K-96 Highway. (Associated With CUP2010-00016) (District VI)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

**MAPC Recommendations:** The Metropolitan Area Planning Commission recommended approval (9-0) subject to the recommended development standards and platting within one year.

**MAPD Staff Recommendations:** Planning staff recommended approval subject to the recommended development standards and platting within one year.

**DAB Recommendations:** The District Advisory Board recommended approval subject to the recommended development standards and platting within one year (7-0).
**Background:** The City Council approved the Zone Change Request on September 21, 2010 with a one-year platting requirement. The applicant has requested the elimination of the platting requirement to perfect the zoning.

**Analysis:** In light of the MAPC policy which has ended the one-year platting requirement, MAPD recommends that the one-year platting requirement be rescinded by the City Council, and the Ordinance adopted and published.

**Financial Considerations:** Approval of the request will not create any atypical financial considerations to the City.

**Legal Considerations:** The Law Department has reviewed and approved the Ordinance as to form.

**Recommendation/Actions:** It is recommended that the City Council rescind the one-year platting requirement imposed on the Zone Change Request, authorize the Mayor to sign the Ordinance, place the Ordinance on first reading, and publish the Ordinance.

**Attachment:** Ordinance
ORDINANCE NO. 50-604

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

**Case No. ZON2010-00028**

Zone change from SF-5 Single-Family Residential to LC Limited Commercial and OW Office Warehouse on property described as:

**Legal Description for LC Limited Commercial Rezoned Site:**

All of Lots 1, 2, 3, 4, 5, 27, 28, 29, 30, and 31, Block 1, together with all of Lots 1, 2, 3, 4, 13, 14, 15, 16, and 17, Block 2, together with all of Lots 1 and 2, Block 3, together with all of Reserve “C”, together with all of the southerly Sandkey Ct., all as platted and dedicated in The Moorings South Addition to Wichita, Kansas, TOGETHER with that part of Lots 6, 7, 23, 24, 25, and 26, in said Block 1, and that part of Lots 5, 6, 7, 8, 9, 10, 11, and 12, in said Block 2, and that part of Reserves “A” and “D” in said The Moorings South Addition, and that part of Sandkey and Bachman Drive as dedicated in said The Moorings South Addition, and that part of Bachman Drive and Cobblestone as dedicated in The Moorings Sixth Addition to Wichita, Sedgwick County, Kansas lying generally south of and abutting the following described line: Beginning at the northeast corner of Lot 1, Block 3, in said The Moorings South Addition; thence N00°27′10″W along the northerly extension of the east line of Lot 1 in said Block 3, 50.00 feet; thence S89°32′50″W, 138.34 feet to the point of curvature of a curve to the right; thence westerly along said curve, through a central angle of 11°27′10″ and having a radius of 500.00 feet, an arc distance of 99.78 feet, (having a chord length of 99.62 feet bearing N84°43′02″W), to the point of tangency of said curve; thence N79°00′00″W along the centerline of said Bachman Drive, 313.70 feet, more or less, to a point on the centerline of said Cobblestone; thence N11°00′00″E along the centerline of said Cobblestone, 32.00 feet to the point of curvature of a curve to the left in said centerline; thence northerly along said curve, having a central angle of 27°42′38″ and a radius of 309.62 feet, an arc distance of 149.74 feet, (having a chord length of 148.28 feet bearing N02°51′21″W), to the point of tangency of said curve; thence N16°42′38″W along the centerline of said Cobblestone, 251.10 feet to the point of curvature of a curve to the right in said centerline; thence northerly along said curve, having a central angle of 16°42′08″ and a radius of 530.86 feet, an arc distance of 154.75 feet, (having a chord length of 154.20 feet bearing S08°21′34″W), to the point of tangency of said curve; thence N00°00′30″W along the centerline of said Cobblestone, 13.61 feet to the point of curvature of a non-tangent curve to the right; thence westerly along said curve, through a central angle of 37°45′50″ and having a radius of 162.00 feet, an arc distance of 106.77 feet, (having a chord length of 104.85 feet bearing S71°10′46″W), to the point of tangency of said curve; thence N89°56′20″W, 771.60 feet to the point of curvature of a curve to the left; thence westerly and southwesterly along said curve, having a central angle of 53°00′42″ and a radius of 38.00 feet, an arc distance of 35.16 feet, (having a chord length of 33.92 feet bearing S63°33′19″W), to the point of tangency of said curve; thence S37°02′58″W, 114.09 feet to the point of curvature of a curve to the left; thence southwesterly, southerly, and southeasterly along said curve, having a central angle of 75°54′33″ and a radius of 38.00 feet, an arc distance of 50.34 feet, (having a chord length of 46.74 feet bearing S00°54′18″E), to the point of tangency of said curve; thence S38°51′35″E, 17.55 feet to the point of curvature of a curve to the right; thence southeasterly along said curve, having a central angle of 10°45′12″ and a radius of 230.00 feet, an arc distance of 43.17 feet, (having a chord length of 43.11 feet bearing S33°28′58″E), to the point of tangency of said curve;
thence S28°06’22"E, 18.85 feet to the point of curvature of a non-tangent curve to the right; thence southeasterly, southerly, and southwesterly along said curve, through a central angle of 148°36’57” and having a radius of 80.00 feet, an arc distance of 207.51 feet, (having a chord length of 154.04 feet bearing S10°25’52"E), to the point of tangency of said curve; thence S63°52’36"W, 217.36 feet to a point on the east line of said Reserve “A”, said point being S28°06’28"E, 36.95 feet from the most westerly corner of Lot 7 in said Block 1; thence S28°06’28"E along the east line of said Reserve “A”, 37.83 feet to a deflection corner on said east line; thence S33°25’27"E along the east line of said Reserve “A”, 183.96 feet to a deflection corner on said east line; thence S11°05’46"E, 96.75 feet to a deflection corner on the south line of said Reserve “A”, said deflection corner being N65°17’40"E, 194.56 feet from the most southerly corner of said Reserve “A”, and for a point of termination, together with Government Lots 1 and 2 in Sec. 25, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas, EXCEPT that part of said Government Lots 1 and 2 platted as Hallock Addition, Sedgwick County, Kansas, and EXCEPT that part platted as Riverlawn Christian Addition, Wichita, Sedgwick County, Kansas, and EXCEPT that part platted as Fire Station 13 Addition, an Addition to Wichita, Sedgwick County, Kansas and EXCEPT that part taken for road in Condemnation Case 35916, and EXCEPT that part dedicated for road in Film 174 at Page 182, and EXCEPT that part dedicated for road in Film 1299 at Page 1251, and EXCEPT that part platted as The Moorings 6th Addition to Wichita, Kansas, and EXCEPT a tract of land lying in the NE ¼ of Sec. 25, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: Beginning 1895.48 feet south and 1210 feet west of the northeast corner of said NE ¼, said point being the NW corner of Lot 1, Block 1, Riverside Christian Addition; thence west to the Arkansas River Levee (Condemnation Case A-33666); thence southeasterly along said Levee to the south line of said NE ¼; thence east to the SW corner of Lot 1, Block 1, Riverside Christian Addition; thence north along the west line of Lot 1, Block 1, Riverside Christian Addition to point of beginning, all being subject to road right-of-way of record for Meridian Avenue on the east. Lot 1, Slaughter Addition, Wichita, Kansas, EXCEPT the South 225 feet thereof; TOGETHER WITH Lot 1, Wilson and Brown Second Addition, Wichita, Sedgwick County, Kansas, EXCEPT the South 225 feet thereof, generally located north of MacArthur Road, 3,000 feet east of Broadway Street (1100 E. MacArthur Road).

Legal Description for OW Office Warehouse Rezoned Site:

A tract of land lying in the NE ¼ of Sec. 25, Twp. 26-S, R-1-W of the 6th P.M., Sedgwick County, Kansas described as follows: Beginning 1895.48 feet south and 1210 feet west of the northeast corner of said NE ¼, said point being the NW corner of Lot 1, Block 1, Riverside Christian Addition; thence west to the Arkansas River Levee (Condemnation Case A-33666); thence southeasterly along said Levee to the south line of said NE ¼; thence east to the SW corner of Lot 1, Block 1, Riverside Christian Addition; thence north along the west line of Lot 1, Block 1, Riverside Christian Addition to point of beginning.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

___________________________
Jeff Longwell, Mayor

ATTEST:

______________________________
Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Jennifer Magaña, City Attorney and Director of Law
MINUTES - BOARD OF BIDS AND CONTRACTS*

The Board of Bids and Contracts met with Marty Strayer, Administrative Assistant, Public Works and Utilities, Trinh Bui, Principal Budget Analyst, Budget Office, Clarence Rose, Senior Buyer, representing Purchasing, Ian Hucheson, Fellow, representing the City Manager’s Office and Jamie Buster, Deputy City Clerk, present.

Minutes of the regular meeting date October 2, 2017, were read and on motion approved.

Bids were opened October 6, 2017, pursuant to announcements published on:

WICHITA AIRPORT AUTHORITY: Concrete Sealer.

Logan Contractors Supply - $62,400.00

The Purchasing Division recommended that the contracts be awarded as outlined above.

On motion the Board of Bids recommended that the contracts be awarded as outlined above.

On motion the Board of Bids adjourned.

Marty Strayer, Administrative Assistant
Department of Public Works & Utilities

Jamie Buster, CMC
Deputy City Clerk
FORMAL BID REPORT

TO: Robert Layton, City Manager
DATE: October 9, 2017

WICHITA AIRPORT AUTHORITY BIDS – VICTOR WHITE, DIRECTOR OF AIRPORTS
October 6, 2017
Concrete Sealer – Wichita Airport Authority
Logan Contractors Supply

$62,400.00

ITEMS TO BE PURCHASED AS ADVERTISED IN THE OFFICIAL CITY NEWSPAPER.

Melinda A. Walker
Purchasing Manager
BID RESULTS

This page summarizes vendor responses by the bid total. Awarded vendors will be notified of their respective purchase orders/contracts.

**Vendor** | **Group** | **Line** | **Solicitation Type** | **Award Method** | **Department** | **Close Date/Time** | **Responses** | **City Comments** |
---|---|---|---|---|---|---|---|---|
**Concrete Sealer** | **Formal Bid** | **Aggregate Cost** | **Airport** | 10/6/2017 10:00 AM CST | 3 |
**Complete** | **BID TOTAL** |
**BORDER CONSTRUCTION SPECIALTIES** | **Complete** | **$28,207.98** | Does Not Meet Specifications |
**LOGAN CONTRACTORS SUPPLY** | **Complete** | **$62,400.00** | Award 10/10/17 Wichita Airport Authority |
**SOIL-TEK** | **Complete** | **$72,000.00** | |

BIDS ARE WITHIN ENGINEERS ESTIMATE

Top of the Page
This page summarizes vendor bids by the extended cost for each commodity line on the solicitation.

**Vendor:** FB740178  
**Type:** Formal Bid  
**Award Method:** Aggregate Cost  
**Department:** Airport  
**Close Date/Time:** 10/6/2017 10:00 AM CST  
**Responses:** 3

**Line 001**  
Provide materials, an applicator and a technical representative to ensure the Penetrating Crystalline Blocking Concrete Sealer is applied to cover approximately 150,000 SF of concrete pavement on Taxiway E at Wichita Eisenhower National Airport per manufacturer’s requirement and as per Specifications. Lump Sum Total.

<table>
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<th>Vendors</th>
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<th>Price</th>
<th>Extended Cost</th>
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