

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS
HELD ON NOVEMBER 1, 2016**

The City Council (the “Governing Bod”) of the City of Wichita, Kansas (the “City”) met in regular session at the usual meeting place in the City, at 9:00 a.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, there was presented on the governing body’s consent agenda Resolution entitled:

A RESOLUTION STATING THAT THE CITY OF WICHITA, KANSAS IS CONSIDERING FURTHER AMENDING ORDINANCE NO. 42-966 OF THE CITY THAT ESTABLISHED THE EAST BANK REDEVELOPMENT DISTRICT TO INCLUDE ADDITIONAL PROPERTY IN SUCH DISTRICT FOR STAR BOND PURPOSES ONLY; AND PROVIDING FOR A SUBSTANTIAL CHANGE TO THE DISTRICT PLAN ASSOCIATED WITH SUCH DISTRICT.

Thereupon, Councilmember _____ moved that the Resolution be adopted. The motion was seconded by Councilmember _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the Governing Body, the vote being as follows:

Yea:

Nay:

Thereupon, the Resolution was then duly numbered Resolution No. 16-430, and was signed by the Mayor and attested by the Clerk.

(Other Proceedings)

* * * * *

CERTIFICATE

I certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Wichita, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

[SEAL]

Karen Sublett, City Clerk

(Published in *The Wichita Eagle* on November 4, 2016 and November 11, 2016)

RESOLUTION NO. 16-430

A RESOLUTION STATING THAT THE CITY OF WICHITA, KANSAS IS CONSIDERING FURTHER AMENDING ORDINANCE NO. 42-966 OF THE CITY THAT ESTABLISHED THE EAST BANK REDEVELOPMENT DISTRICT TO INCLUDE ADDITIONAL PROPERTY IN SUCH DISTRICT FOR STAR BOND PURPOSES ONLY; AND PROVIDING FOR A SUBSTANTIAL CHANGE TO THE DISTRICT PLAN ASSOCIATED WITH SUCH DISTRICT.

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation duly organized and validly existing under the laws of the State of Kansas as a city of the first class; and

WHEREAS, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the "TIF Act") and Ordinance No. 42-966, passed December 12, 1995, and published December 15, 1995, the City Council (the “Governing Body”) of the City established a redevelopment district pursuant to the TIF Act, known as the East Bank Redevelopment District (the “District”) and approved a District Plan (the “District Plan”); and

WHEREAS, by Ordinance No. 45-339, passed June 25, 2002, and published June 29, 2002, the City removed certain property and reduced the boundaries of the District pursuant to K.S.A. 12-1771(g); and

WHEREAS, by Ordinance No. 46-407, passed November 23, 2004, and published November 29, 2004, the City added certain property, increased the boundaries of the District and adopted a substantial change to the District Plan, all pursuant to K.S.A. 12-1771(f); and

WHEREAS, pursuant to Ordinance No. 47-518, passed July 17, 2007, and published July 20, 2007, the City approved, pursuant to HB 2005, 2007 Kansas Legislature, as later codified as K.S.A. 12-17,160 *et seq.*, as amended (the “STAR Bond Act”) the River District STAR Bond Project Plan, which provided that the District was also approved as a STAR Bond District; and

WHEREAS, pursuant to Ordinance No. 49-557, passed August 13, 2013, and published August 16, 2013, a non-substantial amendment to Ordinance No. 46-407 and the District Plan was made by attaching a map of the proposed project areas; and

WHEREAS, the Governing Body desires to further expand the boundaries of the District for STAR Bond purposes to include certain property located west of the existing District boundaries in order to provide a site for public infrastructure improvements, the renovation and expansion of athletic facilities and related commercial activities both within the District and the proposed expanded boundary area; and

WHEREAS, pursuant to the STAR Bond Act, the Secretary of the Kansas Department of Commerce (the “Secretary”) has consented to amending the boundaries of the District for STAR Bond purposes to include the additional property; and

WHEREAS, the Governing Body is authorized by the Constitution of the State of Kansas (particularly Article 12, Section 5) and the STAR Bond Act to pass an ordinance further amending Ordinance No. 42-966

to expand the boundaries of the District for STAR Bond purposes and adopt a substantial change to the District Plan, subject to conducting a public hearing after notice provided in the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 1. Ordinance Amendment. The Governing Body is considering amending *Exhibit A* to Ordinance No. 42-966, as previously amended by Ordinance Nos. 46-407 and 49-557, in order to provide a site for public infrastructure improvements, the renovation and expansion of athletic facilities and related commercial activities both within the District and the proposed expanded boundary area and consider a substantial change to the District Plan to implement such improvements. *Such amendments are for STAR Bond purposes only and are not applicable for activities or financing pursuant to the TIF Act.*

Section 2. Public Hearing. The Governing Body will hold a public hearing to consider further amending *Exhibit A* to Ordinance No. 42-966 in order to amend the boundaries of the District and consider a substantial change to the District Plan on December 6, 2016, at 9:30 a.m., or as soon thereafter as possible, in the City Council Chambers, City Hall, 455 North Main Street, Wichita, Kansas. Following the conclusion of the public hearing, the Governing Body will consider an ordinance that would further amend Ordinance No. 49-208 as described in *Section 1* hereof.

Section 3. Description and Map. The description of the District, including the additional property to be included with the proposed amendment, is contained in *Exhibit A* hereto. A map generally outlining the boundaries of the District, including the additional property to be included, is attached as *Exhibit B* hereto. A copy of such description and map are available for inspection by the public at the office of the City Clerk, 13th Floor, City Hall, 455 North Main, Wichita, Kansas 67202-1679.

Section 4. Proposed Changes to District Plan. The District Plan as proposed to be changed is attached hereto as *Exhibit C*. A copy of such proposed District Plan is available for inspection during regular office hours in the office of the City Clerk, 13th Floor, 455 N. Main, Wichita, Kansas.

Section 5. Notice of Public Hearing. A copy of this resolution shall be sent by certified mail, return receipt requested to the Sedgwick County Board of County Commissioners, and to the Board of Education of Unified School District Nos. 259. Copies of this resolution shall also be mailed by certified mail, return receipt requested, to each owner and occupant of land within the District, including the property proposed to be added to the District, not more than ten (10) days following the date of the adoption of this resolution.

Section 6. Publication. This resolution, including the *Exhibits* hereto, shall be published once in the official City newspaper not less than one week or more than two weeks preceding the date fixed for the public hearing.

Section 7. Effective Date This Resolution shall take effect and be in force from and after its adoption by the Governing Body.

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ADOPTED by the City Council of the City of Wichita, Kansas, on November 1, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law and
City Attorney

CERTIFICATE

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the original Resolution No. 16-430 (the "Resolution") of the City of Wichita, Kansas (the "City") adopted by the City Council on November 1, 2016,; and that the Resolution has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: November 1, 2016.

Karen Sublett, City Clerk

EXHIBIT “A”
EAST BANK REDEVELOPMENT DISTRICT DESCRIPTION

(Current Boundaries)

Within the City of Wichita, Sedgwick County, Kansas, beginning at the intersection of Douglas Avenue North and Main Street, thence south along the center line of Main Street to the intersection of Main Street South and Kellogg Street, thence west along the center line of Kellogg Street South to the intersection of Kellogg Street and McLean Boulevard South, thence north along the center line of McLean Boulevard to the intersection of McLean Boulevard and Douglas Avenue North, thence east along the center line of Douglas Avenue to the intersection of Douglas Avenue and Main Street North, to the the point of beginning.

(Additional Property to be Added for STAR Bond Purposes Only)

Within the City of Wichita, Sedgwick County Kansas, beginning at the center of the intersection of 2nd Street North and Mclean Boulevard, thence southeasterly along the center line of McLean Boulevard to the center line of Maple Street, thence west along the center line of Maple Street to a point on the east line of Lot 1, Block A, Wichita Ice Center Addition extended, thence south along said extended east line of Lot 1, Block A, Wichita Ice Center Addition to the northeast corner of Lot 1, Block A, Wichita Ice Center Addition, thence continuing south along the east line of Lot 1, Block A, Wichita Ice Center Addition to the southeast corner of Lot 1, Block A, Wichita Ice Center Addition, thence continuing south along said east line extended to the center line of Kellogg Street, thence southwesterly along the center line of Kellogg Avenue to the center line of Sycamore Street, thence north along the center line of Sycamore Street to point 40 feet north and 40 feet east of the northeast corner of Lot 100, West Wichita Addition, said point being the intersection of Sycamore Street and the center line of vacated Pearl Street, thence west along the center line of vacated Pearl Street to a point 40 feet south of the southeast corner of Lot 42, West Wichita Addition, thence north along the east line of even Lots 42 through 72, West Wichita Addition the south line of vacated Cherokee (now 1st Street) and continuing north along the west line, extended, of Lot 1, Block 1, Advance Learning Library Addition to a point on the center line of Second Street, thence east to the point of beginning

EXHIBIT "B"

MAP OF EAST BANK REDEDVELOPMENT DISTRICT WITH PROPOSED MODIFICATION

(ON FOLLOWING PAGE)

EXHIBIT "C"

EAST BANK REDEVELOPMENT DISTRICT PLAN

WITH PROPOSED MODIFICATION

(ON FOLLOWING PAGE)

EXHIBIT C

REVISED DISTRICT PLAN FOR THE REDEVELOPMENT OF THE EAST BANK

REDEVELOPMENT DISTRICT

SECTION 1: PURPOSE

A district plan is required for inclusion in the establishment of a redevelopment district under K.S.A. 12-

1770 *et seq.* and a STAR bond district under K.S.A. 12-17,160 *et seq.* The district plan is a preliminary

plan that identifies proposed redevelopment project areas within the district, and describe in a general

manner the buildings and facilities to be constructed, reconstructed or improved.

SECTION 2: DESCRIPTION OF TAX INCREMENT INCOME

Projects financed through tax increment financing typically involve the creation of an "increment" in real

estate property tax income. The increment is generated by segregating the assessed values of real property

located within a defined geographic area such that a portion of the resulting property taxes are paid to the

City to fund projects in the redevelopment district, and the remaining portion is paid to all taxing

jurisdictions. The portion of property taxes paid to the City in this way is determined increase in the

assessed value of the properties within the redevelopment district as a result of the new development

occurring within the area. When the aggregate property tax rates of all taxing jurisdictions are applied to

this increase in assessed property value from new development, increment income is generated. Public

improvements within the district may be funded by the City and repaid over a specified period of time with

this increment income. The property taxes attributable to the assessed value existing prior to

redevelopment, the "original valuation," are distributed to all taxing jurisdictions just as they were prior to

redevelopment. This condition continues until all eligible project costs are funded, or for the 20-year

duration of the established district, as defined by statute, whichever is shorter. A similar increment of State

and local sales taxes will support improvements authorized by the Kansas Secretary of Commerce

associated with STAR bond financing, including the repayment of STAR bonds.

SECTION 3: BUILDINGS AND FACILITIES

The redevelopment district is within the city limits of Wichita, Kansas. The current district is generally

bounded on the north by Central Avenue and Greenway Boulevard, on the east by Waco Avenue and Main

Street, on the south by Kellogg Street and on the west by McLean Boulevard.

This area included in the district has been the object of significant public redevelopment efforts for over

forty years. The Century II Civic Center was undertaken as a major urban renewal project in the 1960s, as

was the construction of the main branch of the Wichita Public Library. In the 1970s, the old City Library

was redeveloped as a science museum, old City Hall was reopened as the Wichita/Sedgwick County

Historic Museum and Century II was expanded by the addition of Expo Hall. During the 1980s, the City

concentrated on acquisition of property along the east bank of the Arkansas River in order to clear the land

for future public redevelopment projects, including the construction of a convention hotel. In the 1990s,

the City continued to acquire land on the east bank, and together with Sedgwick County, redeveloped the

West Bank of the Arkansas River into the Exploration Place science museum.

The condition of the buildings in the district that predate the recent redevelopment efforts is typical of that

of a seventy year old central business district. Many aging commercial and office buildings stood vacant

due to the migration of commercial businesses to the suburbs during the 1970s and 1980s. However many

of the buildings in the proposed redevelopment district have been demolished during this period. The

redevelopment plan is intended provide the catalyst that will help complete the downtown revitalization

process that started over thirty years ago.

The proposed expanded STAR bond project district, whose boundaries are generally set forth in “Schedule

1”. attached hereto, is an area that meets the criteria for designation as a “major commercial entertainment

and tourism area, including a major multi-sport athletic complex” as defined by state law governing the

establishment and financing of STAR bond project districts. Property located within a major commercial

entertainment and tourism area is legally eligible for establishment of a STAR bond project district.

The buildings and facilities to be constructed or improved in the STAR Bond project district may be

described in a general manner as a mixed-use development consisting of some or all of the following uses:

major multi-sport athletic complex; stadium improvements; destination attractions; retail uses; restaurant

uses; other general commercial development; hotel uses; pedestrian overpasses; museums; and associated

public and private infrastructure.

SECTION 4: STAR BOND PROJECT AREAS AND ELIGIBLE PROJECT COSTS

It is anticipated that the proposed improvements may occur in single or multiple phases within the STAR

Bond Project Area, which must be adopted by the City Council by a 2/3 majority vote before the expenditure

of any funds to be financed with STAR bonds.

STAR bond financing may be used to pay for the purchase of real estate and site preparation including the

demolition of structures and utility relocations, as well as on public infrastructure improvements, such as

streetscape, public parking, utility extensions, landscaping, public plazas, sidewalks and pedestrian

underpasses or overpasses, museum facilities and multi-sport athletic complex and any other items

permitted to be financed by statute.

SECTION 5: REDEVELOPMENT

Redevelopment plans center around the construction of a 300-room full-service convention hotel adjacent

to the Century II Expo Hall, the River Corridor improvements and the WaterWalk mixed-use commercial

development. The Hyatt Regency Hotel was developed in 1996, and serves as the "headquarters" hotel for

large conventions at Century II. In addition to the hotel, the City built and operates a 12,000 square foot

conference center and a 500-car parking garage adjoining both the hotel and Century II. Both the Douglas

Avenue Bridge and the Lewis Street Bridge have been substantially reconstructed, based on designs

selected through a nationwide design competition, and a pedestrian promenade along the east bank of the

Arkansas River, has been constructed from Kellogg to Douglas. In addition, Waterman, Wichita and Lewis

Streets on the east bank, and McLean Boulevard on the west bank have been improved and upgraded with

appropriate streetscape designs.

Plans for the other phases of redevelopment in the area include the public-private development of a major

commercial, entertainment and tourism area in the immediate vicinity of the Arkansas River between the

Kellogg and Seneca bridges, which will include restaurants, shops, offices and apartments. The WaterWalk

Project includes as public amenities a water feature, a small outdoor amphitheater, plazas, fountains,

walkways, a pedestrian bridge across the Arkansas River and public parking facilities. The River Corridor

Project includes riverbank promenades, water features, a large outdoor amphitheater and renovation of the

Keeper of the Plains complex at the confluence of the Arkansas River and the Little Arkansas River. The

goal is to create a major tourism attraction that will bring people from throughout the State of Kansas and

the United States. (? Add brief references to West Bank Apts improvements and Drury Hotel project)

SECTION 6: SUMMARY

Per statute, the above-mentioned redevelopment projects will be presented to the Governing Body in

segments through the adoption of separate redevelopment plans. Each plan will identify specific project

areas located within the district and will include detailed descriptions of the projects as well as a financial

feasibility study that shows the economic benefits out-weigh the costs. *A map generally describing the*

various project areas is attached hereto as Schedule 1.

SCHEDULE I

MAP GENERALLY DEPICTING PROJECT AREAS

[ON FOLLOWING PAGE]

