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RESOLUTION NO. 07-740

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS TO INITIATE PROCEEDINGS TO AMEND THE ORDINANCE ESTABLISHING A SELF SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT PURSUANT TO K.S.A. 12-1794 ET SEQ.

WHEREAS, the governing body of the City of Wichita established the Downtown Self-Supported Municipal Improvement District by Ordinance No. 44-895, approved March 20, 2001, pursuant to K.S.A 12-1796;

WHEREAS, Section 5 of Ordinance No. 44-895, pertains to the Term of the District and provides as follows:

“Term. The term of the existence of the District shall be from the effective date of this Ordinance, and terminating on December 31, 2011, unless sooner dissolved pursuant to K.S.A. 12-1799, and shall include not to exceed ten (10) assessments for the operation of the District during each subsequent year during the term of the District.”

WHEREAS, the governing body of the City of Wichita on its own motion pursuant to K.S.A. 12-1798, desires to initiate proceedings for the amendment of said ordinance pertaining to the Term of the District;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, THAT;

Section 1. Proceedings for the amendment of the Term of the Ordinance establishing the Downtown Self-Supported Municipal Improvement District (the “District”) be initiated as provided by law, subject to the restrictions and limitations set forth herein.

Section 2. Section 5 of Ordinance No. 44-895 of the City of Wichita be amended to provide as follows:

“Term. The term of existence of the District shall be from the effective date of Ordinance No. 44-895 and terminating December 31, 2012, provided that beginning in 2008 and in each subsequent year, such termination date shall be deemed extended by one addition year without further amendment of the ordinance, upon the approval of the budget for the District by the governing body, unless the governing body disapproves of such extension in any such year or unless the District is sooner dissolved pursuant to K.S.A. 12-1799.”

Except as specifically amended, all provisions of Ordinance No. 44-895 shall remain in full force and effect.

Section 3. A public hearing shall be held on February 12, 2008 at 9:30 a.m. (or soon thereafter) in the Council Chambers of the City of Wichita at 455 North Main Street to hear public comment regarding the amendment of the ordinance establishing the District.

Section 4. A copy of this Resolution shall be mailed by certified mail to each owner of land within the District not less than 15 days prior to the date of the hearing set herein. A copy of such resolution shall also be mailed to the Wichita-Sedgwick County Planning Commission.

Section 5. The governing body of the City of Wichita shall not take final action on the proposed amendment to the ordinance within 30 days after the public hearing has been held nor prior to the receipt from the planning commission of a finding that the amendment of the Term of the District is consistent with the comprehensive plan for the development of the City. If the governing body finds that amendment of the ordinance is advisable and in the best interest of the City, it may adopt an ordinance amendment subject to the limitations and restrictions set out in this resolution.

Section 6. This resolution shall be published in the official newspaper of the City once each week for three consecutive weeks, the last such publication to be not less than one week nor more than two weeks preceding the date fixed for the public hearing.

PASSED AND APPROVED THIS 18th DAY OF DECEMBER, 2007.

THE CITY OF WICHITA, KANSAS

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to form:

Gary E. Rebenstorf, City Attorney