

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 197

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, February 13, 2007
Tuesday, 9:06 A.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Schlapp, Skelton; present.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

Rev. Kevin Graham with Genesis Christian Fellowship Church gave the invocation.

The pledge of allegiance was participated in by the Council Members, staff, and guests.

The Minutes of the February 6, 2007 meeting were approved 6 to 0.

AWARDS AND PROCLAMATIONS

Proclamations:

Proclamations:

Mayor Mayans read aloud the following proclamations:

- Black Colleges and Universities Recognition Day
- Activity Professionals Month

CONSENT AGENDA

Council Member Skelton Council Member Skelton requested that items 10a, 10g, 10h, 10i and 19 be pulled for clarification.

Mayor Mayans Mayor Mayans requested that item 23 be pulled for the purpose of being discussed in Executive Session and return for possible action.

Motion-- Mayans moved that Consent Agenda items 1-24o, be approved in accordance with the recommended
--carried action shown thereon, excluding items 10a, 10g, 10h, 10i, 19 and 23. Motion carried 6 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED FEBRUARY 12, 2007.

Bids were opened February 9, 2007, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications

2007 Sanitary Sewer Reconstruction, Phase 2 various locations south of 13th Street North, east of Hydraulic (468-84307/620407/667588) Traffic to be maintained during construction using flagpersons and barricades. (District I, III)

Motion-- Mayans moved that the contracts be awarded as outlined above, subject to check, same being the lowest
--carried and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 198

PUBLIC WORKS DEPARTMENT/BUILDING SERVICES DIVISION: Fire Training Facility Improvements.

National Builders Inc. - \$791,000.00 Base Bid
\$2,625.00 Option 1
\$79,800.00 Option 2
\$16,400.00 Option 4
\$15.00 Option 5 (per cubic yard)
\$68.00 Option 6 (per cubic yard)

PARK DEPARTMENT/PARK MAINTENANCE: Herbicides and Fertilizer.

Vegetation Management Supply Inc. - \$2,791.65 (Line 1)

UAP Professional Products - \$1,777.60 (Line 2)

Helena Chemical Company - \$484.50 (Line 3)

Van Diest Supply Company - \$3,104.40 (Line 4)

BWI Springfield - \$665.00 (Line 5)

Helena Chemical Company - \$6,886.80 (Line 6)
\$2,220.00 (Line 7)

Van Diest Supply Company - \$5,207.00 (Line 8)

Vegetation Management Supply Inc. - \$2,835.90 (Line 9)

UAP Professional Products* - \$7,756.00 (Line 10)
*Tie bid award by random drawing

AIRPORT/ENGINEERING: Electrical Service High Voltage Phase V.

Atlas Electric LLC - \$346,000.00

FIRE DEPARTMENT/SAFETY DIVISION: Thermal Imaging Cameras and Accessories, 4 @ \$7,191.75 each, totaling \$28,767.00.

Municipal Emergency Services-DBA MES – KAN* – \$28,767.00

*Purchases utilizing Sole Source of Supply Ordinance No. 35-856 Section 2. (b).

PUBLIC WORKS/BUILDING SERVICES: Audio and Video Recording Equipment/RQ700250 Public Works Department/10th Floor.

McClelland Sound Inc*. \$60,023.00

* Per Purchasing Ordinance 35-856 Section 2.64.020 (c) Public Exigency

Motion--
--carried

Mayans moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 199

LICENSES

APPLICATION FOR LICENSES.

Renewal 2007

Lori Johnson	A-Absolute 10	2415 South Glendale
Kenneth P Cox	Flight International Corp DBA TLC	333 East English
Robert Floyd	Kellogg Gift Shop Inc.	6143 West Kellogg

Motion--
--carried

Mayans moved that the licenses be approved subject to Staff review and approval. Motion carried 6 to 0.

CMBS

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

Renewal 2007

		<u>(Consumption off Premises)</u>
Mark Branham	Quik Trip No. 396	324 East West
Mark Branham	Quik Trip No. 315	1500 South Maize Road
Stephen Diehl	Dillon Store No. 35	6297 E 13 th Street North
Stephen Diehl	Dillon Store No. 34	3932 West 13 th
Stephen Diehl	Dillon Store No. 33	4747 South Broadway
Stephen Diehl	Dillon Store No. 31	1640 South Broadway
Stephen Diehl	Dillon Store No. 72	10515 West Central
Stephen Diehl	Dillon Store No. 66	2244 North Rock Road
Stephen Diehl	Dillon Store No. 65	3211 South Seneca
Stephen Diehl	Dillon Store No. 62	1435 North Waco
Stephen Diehl	Dillon Store No. 56	3707 North Woodlawn
Stephen Diehl	Dillon Store No. 42	4801 East Central
Stephen Diehl	Dillon Store No. 249	2212 North Maize Road
Stephen Diehl	Dillon Store No. 49	10222 West 21 North
Stephen Diehl	Dillon Store No. 30	225 West Douglas
Stephen Diehl	Dillon Store No. 26	1227 South Hydraulic
Stephen Diehl	Dillon Store No. 21	5500 East Harry
Stephen Diehl	Dillon Store No. 16	8828 West 13 th North
Stephen Diehl	Dillon Store No. 12	9450 East Harry
Hau Ma	K-T Store	4001 South Seneca

New Operator 2007

Ashkan Alizadeh	Ashkan BP Amoco	<u>(Consumption off Premises)</u> 5562 South Seneca
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Motion--
--carried

Mayans moved that the licenses be approved subject to Staff review and approval. Motion carried 6 to 0.

PRELIM. ESTS

PRELIMINARY ESTIMATES:

- a) 2007 Sanitary Sewer Reconstruction, Phase 1 various locations north of MacArthur, west of Broadway (468-84277/620466/666585) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, IV, VI) - \$240,000.00
- b) 2007 Sanitary Sewer Rehabilitation, Phase A across Lincoln, west of Minneapolis (468-84299/620468/666586) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$85,000.00
- c) Gouverneur from the south line of Harry to the south line of Osie Circle; Osie Circle from the east line of Gouverneur to the cul-de-sac to serve Grillot Addition & East Substation Addition south of Harry, west of Rock (472-84428/766107/490124) Does not affect existing traffic. (District III) - \$275,000.00

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 200

- d) Lateral 7, Main 15, Sanitary Sewer #23 to serve Northcrest Estates Addition south of 53rd Street North, east of Meridian (468-84258/744202/480890) Does not affect existing traffic. (District VI) - \$115,000.00
- e) Lateral V, Sanitary Sewer #8 to serve Santa Fe Orient Industrial District 3rd Addition north of Harry, east of Meridian (468-84282/744207/480895) Does not affect existing traffic. (District IV) - \$28,000.00
- f) Water Distribution System to serve Santa Fe Orient Industrial District 3rd Addition north of Harry, east of Meridian (448-90259/735344/470017) Does not affect existing traffic. (District IV) - \$28,000.00
- g) Storm Water Sewer #623 to serve Santa Fe Orient Industrial District 3rd Addition north of Harry, east of Meridian (468-84281/751433/485324) Does not affect existing traffic. (District IV) - \$40,000.00
- h) UPRR Drainage Improvements of Harry Street and Meade Harry Street, east of Broadway (468-84219/751429/636180/485320/776752) Traffic to be maintained during construction using flagpersons and barricades. (District I, III) - \$238,083.99
- i) Doonan Storm Water Sewer Extension to serve the Intersection of Ringer and Lark north of Kellogg, west of Maize Road (468-84297/660491/854101) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$107,571.50
- j) Bracken/Troon/Woodridge from the north line of Central to the north line of Central; Bracken Court from the west line of Bracken to and including the cul-de-sac; Troon Court from the south line of Troon to and including the cul-de-sac; White Tail from the north line of Troon to a point approximately 50 feet north of the north line of Crestlake to serve Crestlake Addition north of Central, west of 127th Street East (472-84406/765994/490111) Does not affect existing traffic. (District II) - \$497,000.00
- k) Spring Hollow Drive from the north line of Clear Creek Addition to the west line of Creekside Lane; Watson from the west line of Lot 3, Block 4 to the west line of Creekside Lane; Clear Creek from the north line of Clear Creek Addition to the south line of Lot 2, Block 10; St. Andrews Drive from the north line of Watson to the north line of Clear Creek Addition; Sidewalk along one side of all through, non cul-de-sac streets to serve Clear Creek Addition south of Kellogg, west of 143rd Street East (472-84448/766114/490131) Does not affect existing traffic. (District II) - \$372,000.00
- l) Upland Hills from the south line of Lot 11, Block D, south to the south line of the plat; Rogers Lane from the west line of Lot 16, Block A, south to the west line of Upland Hills; Haskell from the east line of Upland Hills, east to the west line of Rogers Lane; Upland Hills Court from the east line of Upland Hills, east to and including the cul-de-sac; Sidewalk along one side of Upland Hills, Rogers Lane, to serve Turkey Creek 2nd Addition north of Pawnee, west of 119th Street West (472-84030/766111/490128) Does not affect existing traffic. (District IV) - \$553,000.00
- m) Storm Water Drain #297 to serve Bellechase Addition north of Harry, east of 127th Street East (468-84204/751430/485321) Does not affect existing traffic. (District II) - \$202,000.00
- n) 2007 Sanitary Sewer Reconstruction, Phase 2 various locations south of 13th Street North, east of Hydraulic (468-84307/620407/667588) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, III) - \$133,000.00

Motion--carried

Mayans moved that the file be received. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 201

PETITION

CONSTRUCT PAVING IMPROVEMENTS IN AUBURN HILLS 16TH ADDITION, SOUTH OF MAPLE, EAST OF 151ST STREET WEST. (DISTRICT V)

Agenda Report No.07-0109

On March 21, 2006, the City Council approved paving petitions for Auburn Hills 16th Addition. The developer has submitted new petitions that modify the projects for marketing purposes. The new Petitions have been signed by one owner representing 100% of the improvement district.

The projects will provide paving improvements within a residential development located south of Maple, east of 151st St. West.

The original Petitions total \$787,000. The new Petitions total \$815,000. The funding source is special assessments.

These projects address the Efficient Infrastructure goal by providing street paving required for a new residential development.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of property in the improvement district.

Motion--
--carried

Mayans moved that the new Petitions be approved; the Resolutions adopted and the necessary signatures authorized. Motion carried 6 to 0.

RESOLUTION NO. 07-101

Resolution of findings of advisability and resolution authorizing constructing pavement on Onewood from the west line of Lot 1, Block D, west to the east line of Fawnwood, on Fawnwood from the north line of Lot 11, Block A, south to the south line of the plat, on Moscelyn and Moscelyn Ct. from the west line of Fawnwood, west to the west line of the plat, and on city view from the south line of Onewood, southwesterly to the southwest line of Lot 13, Block C and that sidewalk be constructed on Onewood, Fawnwood, and Moscelyn (south of Maple, east of 151st St. West) 472-84290 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-102

Resolution of findings of advisability and resolution authorizing constructing pavement on Onewood from the east line of the plat west to the west line of Lot 1, Block D, on City View and City View Circle, from the south line of Onewood, southwesterly to and including the cul-de-sac and on City View Ct., from the west line of Cit View, west to and including the cul-de-sac (south of Maple, east of 151st Street West) 472-843933, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-130

Resolution of findings of advisability and resolution authorizing constructing pavement on Onewood from the east line of the plat west to the west line of Lot 1, Block D, on City View and City View Cir. from the south line of Onewood, southwesterly to and including the cul-de-sac and on City View Ct. from the west line of City View, west to and including the cul-de-sac (south of Maple, east of 151st St. West) 472-84393, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 202

BOARD MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Wichita Employees' Retirement Board/Police & Fire Retirement Board Joint Investment Committee Regular Meeting, November 02, 2006
Police & Fire Retirement System Regular Meeting, November 15, 2006
Wichita Employees' Retirement System Regular Meeting, November 15, 2006
Wichita Public Library Monthly Report, December 2006
Board of Code Standards and Appeals, December 04, 2006
District II Advisory Board, December 04, 2006
District VI Advisory Board, December 04, 2006
Wichita Airport Advisory Board, December 04, 2006
District III Advisory Board, December 06, 2006
District IV Advisory Board, December 06, 2006
Design Council, December 07, 2006
Wichita Employees' Retirement Board/Police & Fire Retirement Board Joint Investment Committee Regular Meeting, December 07, 2006
Board of Park Commissioner Regular Meeting, December 11, 2006
District VI Advisory Board, December 20, 2006
Police & Fire Retirement System Regular Board Meeting, December 20, 2006
Wichita Employees' Retirement System Regular Board Meeting, December 20, 2006

Motion--carried

Mayans moved that the file be received. Motion carried 6 to 0..

STREET CLOSURE

CONSIDERATION OF STREET CLOSURES/USES.

Agenda Report No. 07-0110

In accordance with the Community Events Procedure, the event promoter Tom Schwartz is coordinating with City of Wichita Staff, subject to final approval by the City Council.

The following street closure request has been submitted:

St. Patrick's Day Run March 17, 2007 12:00 pm – 4:00 pm, Downtown Wichita and Oak Park

- Murdock, Broadway to Waco. (Westbound lanes).
- Waco to Back Bay Boulevard. (Southbound, curbside lane).
- Back Bay Boulevard, Waco to 9th Street.
- 9th Street, Back Bay Boulevard, Oak Park Drive
- Murdock Street Bridge, Waco to West River Boulevard.
- West River Boulevard, Murdock to Nims Street.
- Wiley Street, West River Boulevard to Murdock.
- Murdock, Wiley Street to Nims.
- Nims Street, Murdock to Stackman Drive.
- Stackman, Nims to Murdock.

Client will arrange to remove blockades as necessary to allow emergency vehicle access during entire designated time period. Blockades will be removed immediately upon completion of the event.

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Enhance the Quality of Life

Motion--

Mayans moved that the request be approved 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) Certificate of Liability Insurance on file with the Community Events Coordinator. Motion carried 6 to 0.

--carried

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 203

ASSESS. ROLLS

PROPOSED ASSESSMENT ROLLS.

Proposed Assessment Rolls have been prepared for twenty-two (22) water projects, twenty-three (23) sewer projects and thirteen (13) storm sewer projects and it is necessary to set a public hearing date. Informal hearing with City personnel will be held March 5, 2007 at 11:00 a.m.

Motion--

Mayans moved that the hearing be set on the Proposed Assessment Rolls for 9:30 a.m., Tuesday, March 20, 2007, and direct the City Clerk to publish the notices of hearing at least once not less than 10 days prior to the date of the hearing. Motion carried 6 to 0.

--carried

CONTS/AGRMNTS

CONTRACTS AND AGREEMENTS FOR DECEMBER 2006 AND JANUARY 2007.

Motion--carried

Mayans moved to receive and file. Motion carried 6 to 0.

(Item 10a) MFP

MULTI-FUNCTION PRINT DEVICES, (MFP).

Agenda Report No.07-0111

The City of Wichita IT Department provides copier/ network printer/ fax/ scan machines for all City departments. The five (5) year lease for the current copier/ network printer/ fax/ scan machines has expired and a new solution is necessary. Copier/ network printer/ fax/ scan machines are funded from an internal service fund that provides machines for all City departments and divisions. The cost includes all toner, paper and repairs to the machine.

A competitive Request for Proposal (FP600050) for a lease contract for Multi-Function Print (MFP) Devices was issued and eight (8) responses were received. A staff screening and selection committee reviewed and evaluated the proposals based on the criteria set forth in the Request for Proposal. Additionally, an independent consultant reviewed the eight (8) responses and evaluated the proposals. The Lanier MFP proposed by KK Office Solutions offered the highest quality product at a competitive price. The lease agreement includes on-site maintenance for the term of the lease and includes all supplies except for paper and staples. The agreement also includes the option to add color MFP devices as needed.

The printer lease is within the departmental operating budget.

This project addresses the Internal Perspective goal by influencing the following indicators: Improve Technology Efficiencies and Increased Productivity.

The Law Department has reviewed and approved the contract as to form.

Council Member Skelton Council Member Skelton stated that items 10a, 10g, 10h and 10i are related to IT/IS and would like a brief discussion and background on how they operate because most of these items are lease agreements with outsource providers.

George Kolb

City Manager stated we could go through each item and talk about them in general but if you would like to go into more detail about the department that will require a work session or something else. Stated these are items that we do not hire staff for, they are normal maintenance and equipment type things.

Council Member Skelton Council Member Skelton stated he would be open to defer these items under unfinished business until our next regular meeting.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 204

- George Kolb City Manager stated that we need to move forward approving these items and if Council Member Skelton would like to talk more about the department then that discussion can take place at another time.
- Kevin Norman Senior Systems Analyst stated item 10a is an agreement for the multi-function printer devices, which are basically copiers that they also utilize for other functions. Stated this is a contract that replaces existing services and refreshes existing copy and printer technology and the IT Department desires that their help desk staff concentrate on software and support issues so that they can resolve those calls, which are the majority of their calls. Stated that on the hardware side, they would like to defer that kind of work out to vendors and can pay to do that more cost effectively then developing that expertise in-house and maintaining a large inventory of spares that becomes obsolete. This contract and the others will provide on time delivery of those items.
- Council Member Skelton Council Member Skelton asked how this effects the funding of each department and is there a lease component.
- Kevin Norman Senior Systems Analyst stated the IT Department pays that lease to the vendor and then the departments pay for the paper that they use and they charge the departments five cents per page.
- Motion-- Mayans moved that the lease agreement be approved and the necessary signatures authorized. Motion
--carried carried 6 to 0.

EMERALD BAY

CONSTRUCTION ENGINEERING AND STAKING IN EMERALD BAY ESTATES ADDITION, WEST OF WEST STREET, NORTH OF 21ST STREET. (DISTRICT V)- SUPPLEMENTAL.

Agenda Report No. 07-0112

The City Council approved the sewer and paving improvements in Emerald Bay Estates Addition on January 24, 2006. On February 7, 2006 the City approved an Agreement with Ruggles & Bohm, P.A. (R&B) to design the improvements. The Design Agreement with R&B requires R&B to provide construction engineering and staking services if requested by the City.

The proposed Supplemental Agreement between the City and R&B provides for construction engineering and staking the improvements. Due to the current workload created by previous projects, City crews are not available to perform the staking for this project.

Payment to R&B will be on a lump sum basis of \$111,000 and will be paid by special assessments.

This Supplemental Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of sewer and paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Supplemental Agreement has been approved as to form by the Law Department.

- Motion-- Mayans moved that the Supplemental Agreement be approved and the necessary signatures
--carried authorized. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 205

KS. LEGAL SERV.

VICTIM ADVOCATE CONTRACT WITH KANSAS LEGAL SERVICES, INC.

Agenda Report No.07-0113

The domestic violence victim advocate is located within the Department of Law, Prosecutor's Office. The domestic violence victim advocate provides services to victims of domestic violence, including but not limited to notification of court appearances, information pertaining to services offered to victims of domestic violence related crimes, and assistance of victims throughout the court process. This position has been an integral part of the City of Wichita's Domestic Violence Program since its inception in 1990.

The contract provisions remain relatively unchanged from the contract approved and executed in 2005 and extended in 2006. The contract amount remains the same as that in the 2005 and 2006 contract and contract extension.

The contract amount shall not exceed \$35,000 for fiscal year 2007.

Provide a Safe and Secure community. This contract will provide a DV victim advocate to continue to provide services to victims of domestic violence throughout the Municipal Court process.

The contract has been prepared and approved as to form by the Law Department.

Motion--carried

Mayans moved that the contract be approved. Motion carried 6 to 0..

FAWN GROVE

RESPREAD ASSESSMENTS. FAWN GROVE AT SUNSET LAKES, SOUTH OF KELLOGG, WEST OF GREENWICH. (DISTRICT II)

Agenda Report No. 07-0114

The landowner, Clint Miller Properties, Inc., has submitted an Agreement to respread special assessments within Fawn Grove at Sunset Lakes.

The land was originally included in several improvement districts for a number of public improvement projects. The purpose of the Agreement is to correct the assessments on two parcels due to a typographical error in the original petitions.

There is no cost to the City.

The City of Wichita aggressively uses special assessments to lower the cost of residential developments. In doing so, the City's program satisfies the City Council's goal to promote Economic Vitality and Affordable Living. The program supports this goal through partnering with stakeholders in the development community and sustains affordable living by lowering the costs of home ownership.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 206

TRASH CONTAIN.

VARIOUS DEPARTMENTS, BOARDS AND AGENCIES TRASH CONTAINERS AND COLLECTION SERVICE.

Agenda Report No. 07-0115

The City of Wichita currently contracts with Waste Management to provide trash collection service for various City departments, boards and agencies throughout the City. There are over 100 service locations ranging from fire stations, park locations and the Airport. The current contract will expire February 28, 2007. Request for Proposal (FP600110) to provide trash containers and labor and equipment necessary to provide trash collection service for specified City buildings and areas was sent to 10 vendors.

Three (3) proposals were received from Waste Connections of Kansas, Inc., Waste Management and John McCray Sanitation, Inc. Staff evaluated the proposals on criteria including: 1) the ability to meet or exceed all requirements listed in the scope of services; 2) qualifications and experience; 3) equipment; 4) references; 5) customer service; and 6) cost/pricing. Staff selected Waste Connections of Kansas, Inc. on the basis of the evaluation criteria, and they were the lowest cost proposal at \$10,511.00 per month.

Budget is available in each department's line item budget.

Waste collection services for public locations throughout the city affects indicators for multiple goals. Appropriate sanitation improves environmental health and community safety (Safe and Secure Community). It directly impacts the maintenance and optimization of public facilities and assets (Efficient Infrastructure). And it is vital to ensure citizen satisfaction with the quality of life afforded through public services, most notably park, recreation, and entertainment venues (Quality of Life).

The Contract will be approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the contract with Waste Connections of Kansas, Inc., be approved and the necessary signatures authorized. Motion carried 6 to 0..

TRANSIT DEPT.

MANAGEMENT SERVICES FOR TRANSIT DEPARTMENT.

Agenda Report No. 07-0116

The City has utilized contracted management services for the Transit system since 1981. The current general management services contract for the Transit Department is with First Transit at a fee of \$8,417.83 per month. On November 14, 2006, the City Council voted to maintain the current management team. The contract expired in February 2005 and had continued on a month-to-month basis pending City Council approval. Many cities retain contract management services because of training, purchasing support, inspections, service monitoring, and information on best practices available from the management company. Other communities hire a professional management company to ensure succession planning and organizational experience is in place to manage the transit system effectively and efficiently with allocated resources.

The Wichita Transit Department provides over 2 million fixed route rides annually. There is a total of 131 city positions budgeted in the 2007 Budget. The annual Wichita Transit Department budget is \$5.4 million in city funds, supplemented with federal operating and capital grants.

First Transit has submitted a proposal to the City of Wichita to continue the Management Service Contract for a term of five (5) years. The Transit Director is responsible for overseeing the operations of the Transit system and is assisted by the support services offered by First Transit. First Transit proposed a fee for 2007 in the amount of \$12,450 monthly, which is inclusive of salary and benefits paid to the Transit Director.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 207

Based on staff's research, federal funds are available to support the First Transit proposed fee for 2007. The proposed contract will include a performance measures index, which First Transit has reviewed and accepted as a component of this contract agreement. The City will assign an employee to administer the contract and report back to the City Manager's Office on those results before an annual increase is reviewed and approved.

First Transit has proposed a management fee of \$12,450 per month with additional contract increases reviewed and approved on an annual basis. The proposed contract will be a three (3) year contract with two (2) one (1) year renewals, with monthly fee increases starting February 1, 2008 being dependant upon the Contractor's level of attainment compared to the agreed performance measures. The City of Wichita and First Transit will review the agreed upon performance measures index on an annual basis and adjust it accordingly with both parties being in agreement with such changes. The management fee is for services provided by the company to manage the Transit Department by providing an on-site General Manager and other expertise and services as required. The 2007 Transit Budget includes funding for the approval of this management services contract.

Transit operations are included in the Efficient Infrastructure goal area. In order to continue providing transit services, effective management of the system is essential, and contracting for management services will provide this level of expertise.

The Law Department has reviewed and approved the contract to form.

Motion--
-- carried

Mayans moved that the professional management services contract with First Transit be approved and the necessary signatures authorized. Motion carried 6 to 0.

(Item 10g) COMPUTER EQUIP.

COMPUTER EQUIPMENT AND MAINTENANCE – SELECTION OF VENDORS FOR THE COMPUTER PC ACCESSORIES AND PERIPHERALS SECTION.

Agenda Report No. 07-0117

The City purchases computer equipment and maintenance through a bid process based on each requirement. To secure volume pricing/discounts, staff explored securing a master contract for computer purchases in 2003 and 2000. In 2003, it was determined that splitting the contract into four sections: (Computer Hardware, Support Services and Maintenance, PC and Monitor Removal, and PC Accessories and Peripherals) the City of Wichita could attain optimal pricing each being awarded on its own merit. This Agenda Report is for the Computer PC Accessories and Peripherals Section

A competitive Request for Proposal (RFP) for computer equipment and maintenance was posted and 5 responses were received for some or all portions of the RFP. A staff screening and selection committee consisting of the IT/IS Help Desk Manager, the IT/IS Help Desk Lead Analyst, an IT/IS Systems Analyst, an IT/IS Operations Analyst, a Budget Analyst, and a Purchasing Analyst, reviewed and evaluated the proposals based on the criteria set forth in the Request for Proposal.

PC Accessories and Peripherals: Global Government/ Educational Solutions (our current vendor) proposal for the PC Accessories and Peripherals section was competitively priced and the company maintains a large inventory on-hand to ensure same day shipping on most products. The City will incur no shipping costs from Global.

Computer equipment and maintenance service costs are within departmental operating budgets.

This project addresses the Internal Perspective goal by influencing the following indicators: Improve Technology Efficiencies and Increased Productivity.

The Law Department has reviewed and approved the contracts as to form. The contracts will be for one year with an annual renewal options for an additional two years.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 208

Kevin Norman Senior Systems Analyst stated item 10g is for computer PCs, accessories and peripherals and it is a straight forward RFP for most of the kit that the IT Department uses. Stated they buy cables, minor network equipment, such as switches, floppy drives and new additions to machines. Stated they went out to all of their vendors that provide that equipment and asked them to give us their best bid on all of those items.

Motion-- Mayans moved that the contracts be approved and the necessary signatures authorized. Motion
--carried carried 6 to 0.

(Item 10h) COMP. EQUIP.

COMPUTER EQUIPMENT AND MAINTENANCE – SELECTION OF VENDOR FOR THE COMPUTER SUPPORT SERVICES & MAINTENANCE SECTION.

Agenda Report No. 07-0118

The City purchases computer equipment and maintenance through a bid process based on each requirement. To secure volume pricing/discounts, staff explored securing a master contract for computer purchases in 2003 and 2000. In 2003, it was determined that splitting the contract into four sections: (Computer Hardware, Support Services and Maintenance, PC and Monitor Removal, and PC Accessories and Peripherals) the City of Wichita could attain optimal pricing each being awarded on its own merit. This Agenda Report is for the Computer Support Services & Maintenance Section

A competitive Request for Proposal (RFP) for computer equipment and maintenance was posted and 5 responses were received for some or all portions of the RFP. A staff screening and selection committee consisting of the IT/IS Help Desk Manager, the IT/IS Help Desk Lead Analyst, an IT/IS Systems Analyst, an IT/IS Operations Analyst, a Budget Analyst, and a Purchasing Analyst, reviewed and evaluated the proposals based on the criteria set forth in the Request for Proposal.

Computer Support Services & Maintenance: Frontier Technologies Inc. (our current vendor) proposed an hourly rate of \$45 and a depth of technical qualification that exceeded the expectations of the RFP.

Computer equipment and maintenance service costs are within departmental operating budgets.

This project addresses the Internal Perspective goal by influencing the following indicators: Improve Technology Efficiencies and Increased Productivity.

The Law Department has reviewed and approved the contracts as to form. The contracts will be for one year with an annual renewal options for an additional two years.

Kevin Norman Senior Systems Analyst stated item 10h is computer support services and maintenance, which is piece work that they can actually pay for as it happens, a lot cheaper then hiring an additional staff person.

Council Member Skelton Council Member Skelton stated that what he is hearing is that the IT Department generally does software applications.

Kevin Norman Senior Systems Analyst stated they like to concentrate as much as they can on the software piece because that is the majority of their work and the majority of their calls. Stated that they still do break-fix work on non-warranty equipment like hard drive replacements, key boards and mice. Stated for the factory authorized repair, they need a factory authorized person to do that and this contract brings that person in to do that work.

Motion-- Mayans moved that the contract be approved and the necessary signatures authorized. Motion
--carried carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 209

(Item 10i)
COMP. EQUIP.

COMPUTER EQUIPMENT AND MAINTENANCE – SELECTION OF VENDOR FOR THE PC AND MONITOR REMOVAL SECTION.

Agenda Report No.07-0119

The City purchases computer equipment and maintenance through a bid process based on each requirement. To secure volume pricing/discounts, staff explored securing a master contract for computer purchases in 2003 and 2000. In 2003, it was determined that splitting the contract into four sections: (Computer Hardware, Support Services and Maintenance, PC and Monitor Removal, and PC Accessories and Peripherals) the City of Wichita could attain optimal pricing each being awarded on its own merit. This Agenda Report is for the PC and Monitor Removal Section.

A competitive Request for Proposal (RFP) for computer equipment and maintenance was posted and 5 responses were received for some or all portions of the RFP. A staff screening and selection committee consisting of the IT/IS Help Desk Manager, the IT/IS Help Desk Lead Analyst, an IT/IS Systems Analyst, an IT/IS Operations Analyst, a Budget Analyst, and a Purchasing Analyst, reviewed and evaluated the proposals based on the criteria set forth in the Request for Proposal.

PC and Monitor Removal: Frontier Technologies Inc. offered removal of all electronic waste from the City at no charge and in some cases would pay the City for items. They are compliant with all EPA regulations concerning electronic waste.

Computer equipment and maintenance service costs are within departmental operating budgets.

This project addresses the Internal Perspective goal by influencing the following indicators: Improve Technology Efficiencies and Increased Productivity.

The Law Department has reviewed and approved the contracts as to form. The contracts will be for one year with an annual renewal options for an additional two years.

Kevin Norman

Senior Systems Analyst stated 10i is PC and monitor for equipment disposal of items that are at end of life and the City and IT Staff does not have the resources to store equipment that is obsolete and being replaced. Stated there is an issue about appropriate disposal of those devices and this contract is with a company that has expertise in the disposal and also has a market for used equipment. Stated that they also give them a little more back for the value of those used assets.

Motion--
--carried

Mayans moved that the contracts be approved and the necessary signatures authorized. Motion carried 6 to 0.

SW PASSAGE ADD.

SOUTHWEST PASSAGE ADDITION, SOUTH OF PAWNEE, WEST OF 119TH STREET WEST. (DISTRICT IV).

Agenda Report No. 07-0120

The City Council approved the water, sanitary sewer and drainage improvements in Southwest Passage Addition on January 9, 2007.

The proposed Agreement between the City and Ruggles & Bohm, P.A. (R&B) provides for the design of bond financed improvements consisting of water, sanitary sewer and drainage in Southwest Passage Addition. Per Administrative Regulation 1.10, staff recommends that R&B be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to R&B will be on a lump sum basis of \$65,660 and will be paid by special assessments.

This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of paving improvements in a new subdivision. It also addresses the

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 210

Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0.

BRENTWOOD S.

BRENTWOOD SOUTH ADDITION, NORTH OF PAWNEE, EAST OF WEBB. (DISTRICT II)

Agenda Report No. 07-0121

The City Council approved the water, sanitary sewer and paving improvements in Brentwood South Addition on November 7, 2006.

The proposed Agreement between the City and Ruggles & Bohm, P.A. (R&B) provides for the design of bond financed improvements consisting of water, sanitary sewer and paving in Brentwood South Addition. Per Administrative Regulation 1.10, staff recommends that R&B be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to R&B will be on a lump sum basis of \$48,640 and will be paid by special assessments.

This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0.

CHANGE ORDER

KELLOGG/ROCK INTERCHANGE, EASTERN BRIDGE. (DISTRICT II)

Agenda Report No. 07-0122

On September 20, 2005, the City Council approved a construction contract with King Construction Company to construct the Eastern Bridge at Kellogg. After the work began, poor soil conditions were encountered which necessitated the installation of approach slab footings to prevent pavement settlement. In addition, it was determined that a storm sewer system that was to be built with the next phase of construction could be more economically built with this phase. The Kansas Department of Transportation required an improved standard for concrete pavement joint sealant, which resulted in increased costs. The amount of frontage road curb and gutter was increased to facilitate access to adjacent businesses. The amount of existing pavement that had failed and needed replacement was higher than expected and additional temporary pavement removal was needed for traffic safety.

A Change Order has been prepared for the additional work. Funding is available within the project budget.

The total cost of the additional work is \$122,093 with the total paid by a combination of Local Sales Tax funds and Federal Grants. The original contract amount is \$9,653,080. This Change Order plus a previous change order represents 01.60% of the original contract amount.

This project addresses the Efficient Infrastructure goal by improving the traffic capacity and safety along a vital transportation corridor.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 211

The Law Department has approved the Change Order as to legal form. The Change Order amount is within the 25% of construction contract cost limit set by City Council policy.

Motion--
--carried

Mayans moved that the Change Order be approved and the necessary signatures authorized.
Motion carried 6 to 0.

PROP. ACQUIS.

PARTIAL ACQUISITION OF 115 NORTH WEST STREET FOR THE IMPROVEMENT OF WEST STREET FROM MAPLE TO CENTRAL. (DISTRICTS IV AND VI)

Agenda Report No. 07-0123

On October 18, 2005 the City Council approved the improvement of West Street between Maple and Central. Existing pavement will be replaced, a center turn lane added, traffic signals will be upgraded and a new storm water sewer will be installed. The project will require the acquisition of all or part of 36 parcels. The tracts include residential, retail and commercial properties. This particular acquisition is a twenty-foot strip of land along West Street at 115 N. West Street, a residential property.

The proposed 1,200 square foot acquisition was appraised at \$6,000 or \$5.00 per square foot. The property is improved with a 1920's single-family residential home on a 18,000 square foot lot. The improvements are removed from the acquisition and are not impacted. The owner has agreed to accept the city's appraised value.

The funding source for the project is General Obligation Bonds. A budget of \$7,500 is requested. This includes \$6,000 for the acquisition and \$1,500 for closing costs and title insurance.

The acquisition of this parcel is necessary to ensure efficient infrastructure in the area.

The Law Department has approved the contract as to form.

Motion--
--carried

Mayans moved that the Budget and Real Estate Purchase Contracts be approved and the necessary signatures authorized. Motion carried 6 to 0.

PROP. ACQUIS.

PARTIAL ACQUISITION OF 1810 WEST MACARTHUR FOR THE MACARTHUR ROAD IMPROVEMENT PROJECT, MERIDIAN TO SENECA. (DISTRICT IV)

Agenda Report No.07-0124

On February 7, 2006, City Council approved a project to improve MacArthur, between Meridian and Seneca. The road will be widened to four lanes with left turn lanes and landscaped medians. The intersection of MacArthur and Meridian will be signalized with left turn lanes at all four approaches to the intersection. A new storm water sewer system will be built. To accommodate the project, right-of-way must be acquired from fifteen tracts of land.

The project requires the southern 10 feet of the whole parcel for road right-of-way. This proposed acquisition area consists of 1,400 square feet. The improvements are removed from the road and will not be impacted. Landscaping within the proposed area will be damaged and the owner compensated \$128.00 as damages. The owner agreed to accept the appraised value of \$688.00, or \$0.40 per square foot.

A budget of \$1,100.00 is requested. This includes \$688.00 for the acquisition, \$412.00 for closing costs and title insurance. The funding source is General Obligation Bonds and Federal Grants administered by the Kansas Department of Transportation.

The acquisition of this parcel is necessary to ensure efficient infrastructure as this area is rapidly growing.

The Law Department has approved the agreement as to form.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 212

Motion--
--carried

Mayans moved that the agreement be approved and the necessary signatures authorized. Motion carried 6 to 0.

PROP. ACQUIS.

PARTIAL ACQUISITION OF 4729 EAST CENTRAL FOR THE OLIVER AND CENTRAL INTERSECTION PROJECT. (DISTRICTS I AND II)

Agenda Report No. 07-0125

On January 10, 2006, City Council approved a project to improve the intersection of Central and Oliver. Left turn lanes will be provided at all four approaches to the intersection. The traffic signal system will be upgraded and a new storm sewer will be constructed. The intersection improvement plan calls for partial acquisitions of four parcels. One of the parcels involves a partial acquisition at 4729 E. Central consisting of 156 square feet.

The proposed acquisition was appraised at \$2,250, or \$3.75 per square foot. Additionally, the City must pay to relocate the sign on the site. The owner countered this offer at \$350,000 based on the improvements being adversely impacted by the increased proximity to the street. The City Council approved the initiation of eminent domain on October 3, 2006. Negotiations were continued during the eminent domain process. Based on these negotiations, the owner is willing to accept \$25,500 for the partial acquisition. This amount includes \$5,000 for the partial acquisition and temporary construction easement; \$7,500 to relocate the sign; and \$13,000 as damages to the remainder. The improvements will require approximately \$60,000 of modifications as a result of the proximity of the taking.

The funding source for the City share of the project is General Obligation Bonds. A budget of \$32,500 is requested. This includes \$25,500 for the acquisition, and \$7,000 for closing costs and title insurance.

The acquisition of this parcel is necessary to ensure efficient infrastructure as this area is rapidly growing.

The Law Department has approved the contract as to form.

Motion--
--carried

Mayans moved that the Budget and Real Estate Purchase Contracts be approved and the necessary signatures authorized. Motion carried 6 to 0.

HEARTLAND PTAC

COOPERATIVE AGREEMENT WITH HEARTLAND PTAC.

Agenda Report No. 07-0126

The City of Wichita is committed to ensuring equal opportunity, promoting diversity and enhancing economic opportunities for Emerging and Disadvantaged businesses. It is the policy and commitment of the City of Wichita to provide Emerging and Disadvantaged businesses the maximum opportunity to participate in, compete for and be utilized by the City of Wichita in its procurement of goods and services.

The Finance Department/Purchasing Division is continuously striving to find ways to enhance and improve the Emerging and Disadvantaged Business Enterprise Program. The cooperative agreement between Heartland PTAC and the City of Wichita increases procurement opportunities for Kansas businesses by providing comprehensive technical assistance to businesses interested in selling their goods and services to the federal government.

The mission of Heartland PTAC (HPTAC) is to identify Missouri and Kansas businesses with the potential for market expansion through Department of Defense (DoD) and other government procurement opportunities and assist those viable companies in becoming successful DoD and government contractors. This expands the industrial base and increases competition of DoD goods, which reduces the cost of maintaining a strong national security, and also enhances the economies of Missouri and Kansas.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 213

Another important component of Heartland PTAC is the development of linkages with other programs at the federal, state, and local level. This program works in close cooperation with the Missouri and Kansas Small Business Development Centers' (SBDCs') full services and technology centers. This allows participating firms to receive a full range of business development services, including business management assistance, product development and technology transfer.

The Finance Department/Purchasing Division collaborates with Heartland PTAC. This collaboration increases the range of business development services that are offered by the Emerging and Disadvantaged Business Enterprise Program. The services that Heartland PTAC provides include general procurement counseling, assistance with bidder application forms, matching of products and/or services with appropriate buying activities, bid package review, pre-award and post-award assistance, and providing specifications and other information needed to complete government bids. Without this assistance, many of the program's clients might not consider entering the government market.

Total cost to the City for the 12-month agreement is \$20,410 in non-federal, in-kind matching funds. The existing EBE program budget already established and included within the Purchasing Division (OCA 037200) is eligible to provide the match. The City of Wichita will receive \$9,278 of federal Procurement Technical Assistance (PTA) funds from Missouri Southern State University.

The Economic Vitality and Affordable Living Goal is impacted as Wichita area businesses have accesses to potential market expansion through government procurement opportunities, enhancing the quality and diversity of jobs and providing opportunities for the City to partner with economic development stakeholders.

The Law Department has reviewed and approved the contract as to form. The contract will be for 12 months beginning January 1, 2007 through December 31, 2007.

Motion--
--carried

Mayans moved that the City Council continue its relationship with Heartland PTAC; approve the contract; and authorize the necessary signature. Motion carried 6 to 0.

KS FOODBANK

KANSAS FOODBANK WAREHOUSE EDI-SIGNATORY AUTHORITY. (DISTRICT I)

Agenda Report No. 07-0127

On November 30, 2005 President Bush signed into law (PL 109-115) authorizing the Department of Housing and Urban Development funds for Economic Development Initiative (EDI) special projects specified in the Congressional Record of November 18, 2005. One of the EDI projects provides funds to the Kansas Foodbank Warehouse located in Wichita, Kansas.

The EDI funds will assist the Kansas Foodbank Warehouse with construction costs incurred from building a new central distribution facility located at 1919 E. Douglas.

The EDI grant will provide \$297,000 to the Kansas Foodbank Warehouse.

The Kansas Foodbank Warehouse provides emergency food assistance to a network of organizations that serve thousands of needy families. This service impacts the City's Core Area and Vibrant Neighborhoods goal, by increasing the sense of community, neighborhood involvement, and satisfaction.

The Congressional Record lists the City of Wichita as the recipient for the grant, which requires the federal application form to be signed by the City's authorized representative.

Motion--
--carried

Mayans moved that the signatures for the Kansas Foodbank Warehouse EDI grant application be authorized. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 214

LEGAL SERVICES

AMENDMENT OF CONTRACT FOR LABOR NEGOTIATION CONSULTANT LEGAL SERVICES.

Agenda Report No.07-0128

In June, 2006 the City entered into a contract with McAnany, VanCleave and Phillips law firm and Frank Ojile as the law firm team to serve as the City's Labor Negotiation Consultant. The City of Wichita employs approximately 3,300 employees and has 5 union contracts, with four labor organizations: IAFF, FOP, SEIU and Teamsters. The City continues to meet and confer with the Fraternal Order of Police and International Association of Firefighters Unions, and SEIU and Airport Teamsters for future year or years labor contracts. A consultant familiar with public sector negotiations and issues is of assistance to the City with such negotiations.

Negotiations were sidetracked due to the filing, hearing and resolution of complaints filed with the Public Employee's Relations Board by the unions and the City. Based on the high quality service of the firm and the continuing nature of union negotiations it is recommended that the firm be retained to the completion of all the negotiations.

The original contract amount was \$75,000. The contract amendment is for an additional amount of \$20,000. The hourly rate and expense items for the consultant services are the same as the original contract.

The Department of Law drafted the Amendment to the Agreement for Professional Services for the City's Labor Negotiation Consultant and approved it as to form.

Goal Impact: Provide a Safe and Secure Community.

Motion--
--carried

Mayans moved that the amendment to the contract be approved and the Mayor authorized to sign.
Motion carried 6 to 0.

KS EMER SHELTER

GRANT APPLICATION FOR KANSAS EMERGENCY SHELTER GRANT FUNDS.

Agenda Report No. 07-0129

The State of Kansas receives Emergency Shelter Grant (ESG) funds under the McKinney-Vento Homeless Assistance Act. These funds are awarded to local government agencies throughout the state on behalf of homeless service providers. Awards are based on statewide competition. In the past, the City of Wichita has applied for and received emergency shelter grants from the Kansas state program on behalf of local providers, in addition to the City's ESG direct allocation from HUD.

The Kansas Housing Resources Corporation (KHRC) has issued a statewide "Application for a 2007 Kansas Emergency Shelter Grant (KESGP)". Seven homeless service providers in Wichita have submitted requests to the City for the 2007 KESGP application, as detailed below. These projects will be evaluated by the KHRC for funding awards, against projects submitted by other local government agencies in the state.

The City of Wichita grant application includes funds for the following agencies and activities:

1. Catholic Charities Anthony Family Shelter - \$17,000 is requested for shelter operations and case management services.
2. Center of Hope - \$8,800 is requested for homeless prevention (assistance with rent).
3. Inter-Faith Inn - \$32,670 is requested for shelter operations and case management services.
4. Ti'Wiconi Safe Haven - \$15,895 is requested for shelter operations and case management services.
5. Salvation Army Emergency Lodge - \$25,000 is requested for shelter operations.
6. United Methodist Open Door Drop-In Center - \$11,778 to purchase equipment, one part time position, and shelter supplies.
7. YWCA - \$5,000 is requested for shelter operations.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 215

8. City of Wichita - The City is allowed up to 2.5% for administration of the grant. The amount received for administration will be determined by the amount awarded to the City.

Enhance the Quality of Life and Provide Economic Vitality and Affordable Living.

The total amount of the request is \$116,143. Each of the requesting agencies has committed to providing the required matching funds or volunteer hours.

Motion--

Mayans moved that the application for grant funds be approved; the necessary signatures for the application and necessary signatures for contracts if funding is awarded authorized. Motion carried 6 to 0.

--carried

2007 CSBG

2007 COMMUNITY SERVICES BLOCK GRANT APPLICATION.

Agenda Report No. 07-0130

The Community Services Block Grant (CSBG) is a federal program targeted to the needs of the low-income. Funds are awarded by formula to Community Action Programs (CAPs) throughout the state. The City of Wichita has been a CAP and received CSBG funds since the mid-1970. The Career Development Division of the City Manager's Office administers the CSBG program locally.

An annual application is required for receipt of CSBG funds. Activities in the application include the prescription drug component of Project Access, support of the Neighborhood City Halls, summer day care and recreation for children of low-income families, and neighborhood clean-ups. The City has been instructed to use \$990,358 as a planning budget figure for the Application, the 2006 amount received, since official federal notification of the grant amount has not been received.

No general operating funds from the City's budget are obligated by the application.

The programs supported by CSBG funds will: (1) support a dynamic core area and vibrant neighborhoods through continued revitalization of the Core Area (neighborhood clean-ups); (2) promote economic vitality and affordable living by sustaining the affordable living of the clients served (employment services); (3) enhance the quality of life of clients served (summer youth activity programs, Project Access, Neighborhood Centers, and homeless services)

The CSBG Review Committee met on February 8, 2007 to consider the Application and recommends approval by the City Council.

Motion--

Mayans moved that the 2007 CSBG application be approved and the necessary signatures authorized. Motion carried 6 to 0.

--carried

(Item 19)

SNOW BUDGET

SNOW AND ICE BUDGET ADJUSTMENT.

Agenda Report No. 07-0131

The 2007 Snow and Ice budget was appropriated \$161,590 in its commodities budget for de-icing materials (salt, sand, calcium chloride), plow blades, etc. The City's three salt storage facilities were completely stocked at the end of 2006 and the Snow and Ice budget had funds remaining at year-end. However, extremely cold temperatures coupled with three significant snow and ice storms in the month of January depleted salt and sand supplies several times and made it necessary to order additional materials. The most recent storms saw snow and ice which fell on extremely cold pavement and froze immediately requiring substantial amounts of salt and sand material. The 2007 Snow and Ice commodities budget has been depleted.

CITY COUNCIL PROCEEDINGS

In addition, two of these storms took place on weekends (one of which included a holiday). Overtime used by employees in Public Works, Park Department and Water Department is charged to the Snow and Ice budget. \$44,210 was appropriated and \$225,937 in overtime has been used through the pay period ending January 26th. The Snow and Ice program is set up in such a way to keep overtime to a minimum by immediately going to three 8-hour shifts in a snow event. However, when the events require weekend or holiday work, overtime is unavoidable. Additional funds will be needed in Personal Services to address future storms and reimburse the fund the current shortage.

With several winter months remaining in 2007, it is a near certainty that the City will have additional inclement weather requiring response from the Snow and Ice crews. This will require additional materials be purchased and the possibility of additional overtime usage. It is imperative that wages and material be adequately funded to ensure the safety of the public and support the local economy.

With currently pending invoices and outstanding orders for salt and sand deducted, the 2007 Snow and Ice commodities budget is overextended by approximately \$70,000. An immediate budget transfer is needed to pay for these materials.

In addition, the Personal Services portion of the Snow & Ice budget is presently overextended by \$182,000. A budget transfer is also needed to address this overage and provide for anticipated future needs during the remainder of 2007.

It is requested that \$790,000 be transferred into the snow and ice budget to cover the outstanding order, restock our storage facilities with salt and sand, allow for the purchase of calcium chloride and additional snow plow blades, to cover overtime already expended, and to fund additional overtime. A breakdown of these costs follows:

• Pending Orders	\$ 70,000
• Restock 3 salt domes twice. (6,000 tons)	\$ 248,000
• Restock straight salt facilities twice. (500 tons)	\$ 10,000
• 2 Plow Blade orders	\$ 50,000
• Calcium Chloride (3 locations)	\$ 30,000
• Personal Services (Potential 2 weekend events)	\$ 200,000
• Personal Services (Reimburse fund for current shortage)	\$ 182,000
	\$ 790,000

Funds are available in the appropriated reserve to address the needs in the Snow and Ice budget. Appropriated reserve is the City's "rainy day" account. It's available to be used for events such as this that are not predictable and therefore difficult to budget.

This budget transfer will support the Safe and Secure Communities Goal by insuring the continued safety and mobility of the traveling public, and the Efficient Infrastructure Goal by providing dependable, passable highways and streets.

All budget adjustments over \$25,000 require Council approval.

- Council Member Skelton Council Member Skelton stated he knows that this is necessary and we have had the weather to justify this. Stated that the green sheet states that the appropriate reserve is in the rainy day account and asked how much is in that account and is it just for snow and ice removal or do we use it for other things too.
- George Kolb City Manager explained that when we talk about the reserve account it is the monies that they have set aside in the unappropriated reserve of the general fund. Stated these funds are used for emergency, cash flow and working capital. Stated when we have a situation like this, they go to our reserves and appropriate the funds to complete that project. Stated the dollar amount in the account is around \$23 million.
- Council Member Gray Council Member Gray requested in the future that the agenda reports for IT items include under their financial considerations, itemized expenses on specific items

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 217

Council Member Skelton Council Member Skelton stated that his interest is to have a workshop sometime in the future regarding the function of the IT Department for better clarification on how they operate and what exactly they are doing and how they work within the City.

Motion-- Mayans moved that the budget adjustment of \$790,000 for the 2007 Snow and Ice fund be approved.
--carried Motion carried 6 to 0.

BELMONT ARCHES REPAIRS TO BELMONT PLACE ARCHES. (DISTRICT II)

Agenda Report No.07-0132

Belmont Place Homeowner's Association was formed in 1990 for the purpose of care, maintenance and preservation of the Belmont arches and the antique lampposts that line the four blocks of Belmont Place between Douglas and Central. The Association owns the arches and the City of Wichita owns the ground beneath them.

Dues are assessed annually to the Belmont Place Homeowners and are used for insurance, light repair, and other items pertaining to the upkeep of the lights. The Association's fund balance is between \$1,000 and \$3,000 after expenditures.

During the 1990's some repairs were done on the arches, but time and research has shown that those repairs were more of a band-aid and not a more permanent restoration solution.

In 2006 the Belmont Place Homeowners Association requested the arches be granted historic status and this status was approved. As a result of the historic status, the Association received a grant from the City of Wichita Historic Preservation Board to hire the services of U.S. Heritage Group, Inc. to perform a masonry condition assessment. This assessment will provide the Association with the necessary information to make the repairs properly to ensure longevity.

The Association has been active in seeking grant funds to repair the arches. They applied for two grants in the past but were unsuccessful. The Association is now seeking a grant from the Heritage Trust Fund for archway improvements in the amount of \$90,000, the maximum amount allowed from this grant. The Belmont Place Homeowners Association has defined the budget at \$112,000 and thus needs over a 20 percent match.

The Belmont arches are historic structures that are in need of repair. The Belmont Place Homeowners Association owns the arches and the City owns the ground beneath the arches. The Association is seeking a Heritage Trust Fund grant for archway improvements which requires at least a 20 percent match.

The City of Wichita has committed funding to other neighborhood markers. Most recently, the City assisted with the construction of the McAdams marker. Additionally, the Capital Improvement Plan (CIP) has money programmed for gateway structures for the 21st Street project.

The Association has asked that the City partner with them to reconstruct the arches because the City owns the land underneath the structures and because they have historical significance. The Association is requesting the City contribute \$7,500 to this project with the remainder of the match raised by the Association.

The Belmont Place Homeowner's Association will seek a Heritage Trust Fund Grant in the amount of \$90,000 to fund the cost of repairing the historic archways. It is requested that the City contribute \$7,500 to this project with the Association paying the remaining amount of the match. Funding for the City's portion of this project is contingent upon the Association receiving the grant and would come from a closed out project account which has \$9,689 remaining and could be used for this purpose.

This activity addresses the goals of Enhancing Quality of Life and Supporting a Dynamic Core Area and Vibrant Neighborhoods in that it preserves a historic structure in a vibrant neighborhood and improves the quality of life for citizens.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 218

The City has the authority to expend funds for this purpose.

Motion--
--carried

Mayans moved to authorize \$7,500 in matching funding for the Belmont Place archway improvements contingent upon the Association receiving grant funding for this project. Motion carried 6 to 0.

2007 CENTURY II

2007 CENTURY II RENOVATION.

Agenda Report No. 07-0133

Century II, a multipurpose convention and performing arts venue, was completed in 1969. Century II is an asset to the community and has provided a venue for a wide variety of events. However, the building is showing signs of age from the many years of use.

Original allocation of funds was sought to replace locks and keys at Century II (Council action, January 10, 2006). Since the allocation of funds, a Homeland Security grant was obtained for this project.

Our original intent for the 2005 CIP funds was to improve Century II through replacing antiquated lock systems. It is now our intent to replace antiquated and damaged restroom fixtures and improve the nearly 30-year-old dressing rooms. These necessary renovation projects will protect the City's investment in these facilities by keeping them aesthetically attractive to citizen users. Plans for these improvements call for utilizing labor, materials and equipment for replacement of broken restroom and shower fixtures and replacement of manual flush valves to automatic. Currently Century II has 112 sinks, 79 urinals, 183 toilets and 33 showers. CIP funding would be used to replace 32 broken sinks, 18 urinal flush valves, 56 toilet flush valves, and 20 shower enclosures.

The 2005 Century II CIP included \$75,000 for the renovation of Century II. The current available funding is \$74,976. The funding source is general obligation bonds.

This project will impact the Quality of Life Goal by providing citizens with maintained and optimized public restrooms.

The Law Department has approved the bonding resolution as to form.

Motion--
--carried

Mayans moved that the original bonding resolution be rescinded; the new bonding resolution adopted; initiation of the project authorized and the all necessary signatures authorized. Motion carried 6 to 0.

RESOLUTION NO. 07-103

A resolution authorizing the issuance of bonds by the City of Wichita at large for the renovation of outdated and damaged restroom fixtures at Century II, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray Schlapp, Skelton, and Mayans.

WATERWALK

HUD EDI SPECIAL PURPOSE GRANT-WATERWALK.

Agenda Report No.07-0134

On June 20, 2006, the City Council approved submission of a HUD grant application under the HUD-EDI special purpose funding for a grant in the amount of \$247,500 for the WaterWalk public amphitheater by the Arkansas River.

The City was recently notified by the U.S. Department of Housing and Urban Development (HUD) that the City had received a grant in the amount of \$247,500 for the downtown WaterWalk revitalization project.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 219

These grant funds require no local match and are projected to be used to fund a portion of the cost of the public amphitheater along the Arkansas River. In order to obtain the grant funds, the City must submit the signed grant award and Assistance Award documents to HUD and complete an Environmental Review of the project. The Environmental Review is being undertaken by the Metropolitan Area Planning Department. When completed, the Environmental Review will be published permitting 15 days for public comment before grant funds can be released. The Environmental Review has been sent to HUD for approval.

The grant application totals \$247,500. No local funds are required.

The Economic Vitality/Affordable Living goal is advanced with the receipt of the HUD EDI Special Purpose grant funds, which aid in redevelopment of downtown Wichita.

The City must submit three originals of the grant award and Assistance Award to the HUD Headquarters office in Washington D.C. and one copy must be submitted to the HUD regional office in Kansas City.

Motion--
--carried

Mayans moved that the grant award and Assistance Award be approved and the necessary signatures authorized. Motion carried 6 to 0.

(Item 23, action shown in agenda order)

COWSKIN

PAYMENT OF CONDEMNATION AWARD (CASE NO. 06 CV3456)—COWSKIN FLOOD CONTROL PROJECT. (DISTRICT V)

Agenda Report No. 07-0135

The City identified the need to acquire a portion of the two tracts of land along the Cowskin Creek channel between Maple and Kellogg in connection with flood control and stormwater improvements to the channel of the creek in the far west part of the City. One tract is owned by the Ochsner family and the second is owned by the Neville family. In 2006 the City initiated eminent domain proceedings to acquire these properties. On January 24, 2007, the court appointed appraisers filed their award. They determined the compensation to be paid for the acquisition of the Ochsner property to be \$180,600.00. This is for acquisition of 6.6 acres from their 24.4 acre ownership. They determined the compensation to be paid for the Neville property to be \$747,500.00. This is for acquisition of 25.5 acres of their 65.59 acres ownership and an easement to permit the spreading of dirt over the Neville's remaining 40 acres. The court awarded the three appraisers fees in the amount of \$16,500.00. Court costs are \$147.

In order for the City to acquire this property, it must pay the award, together with fees and costs, to the Clerk of the District Court on or before February 23, 2007.

The costs of acquiring these properties will be paid from project funds.

The City has until February 23, 2007, to decide whether or not to acquire the property. If payment is not made to the Clerk by that date, the eminent domain is deemed abandoned.

Motion--
--carried

Mayans moved that the payment to the Clerk of the District Court in the amount of \$ 944,747.00 for acquisition of property interests condemned in Case No. 06 CV 3456 be approved. Motion carried 5 to 0, (Skelton absent).

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 220

CLAIM

SETTLEMENT OF CLAIM.

Agenda Report No. 07-0152

This claim results from an accident in April, 2003 between an automobile and a service truck driven by a Wichita City Park and Recreation Department Employee while on duty. The claimant was the driver of his own vehicle but since he was in the course of his own employment duties, his workers' compensation carrier intervened as a third-party plaintiff.

After investigating the claim, evaluating the extent of the claimed damages, and considering the risks of trial, the City determined that a resolution of this matter was appropriate. After some discussion, the City has been offered an opportunity to resolve the claim with a lump sum payment of \$47,000 to be divided between the vehicle driver and the workers' compensation carrier as full settlement of his claims arising out of this transaction. Settlement would include a full release of liability for the City and the City employee and resolution of existing hospital liens. Because of the risks associated with litigation, the Law Department recommends acceptance of the offer.

Funding for this settlement payment of \$47,000 is from the Tort Claims Fund.

Settlement of this claim contributes to the City goal of providing a safe and secure community.

The Law Department recommends acceptance of the offer of settlement.

Motion--

Mayans moved that the payment of \$47,000 as full settlement of all possible claims from the vehicle passenger arising out of the transactions which are the subject of this claim be authorized. Motion carried 6 to 0.

--carried

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ FEBRUARY 6, 2007)

a) Sidewalk Repair and Sidewalk Cleaning Assessment Program.

ORDINANCE NO. 47-340

An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the city of Wichita, Kansas, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

ORDINANCE NO. 47-341

An Ordinance making a special assessment to provide a tax levy for the cost of sidewalk cleaning in the city of Wichita, Kansas, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

b) Adoption of Douglas and Hillside Redevelopment Project Plan.
(District II)

ORDINANCE NO. 47-342

An Ordinance of the City of Wichita establishing the Douglas & Hillside Redevelopment District, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

CITY COUNCIL PROCEEDINGS

ORDINANCE NO. 47-356

An ordinance adopting a project plan for the College Hill urban Village Project in the Douglas and Hillside Redevelopment District, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

- c) Issuance of Industrial Revenue Bonds, Capps Manufacturing, Inc. (District IV)

ORDINANCE NO. 47-343

An Ordinance authorizing the city of Wichita, Kansas to issue its industrial revenue bonds, Series I-a, 2007 and Series I-b, 2007 (Capps Manufacturing, Incorporated) in the principal amount of \$2,800,000 for the purpose of acquiring, constructing and equipping an addition to an existing manufacturing facility; authorizing execution of a trust indenture by and between the city and UMB Bank, N A., Kansas City, Missouri, as trustee; authorizing the city to lease such facility to Capps Manufacturing, Incorporated and authorizing execution of a lease agreement between said city and Capps Manufacturing, Incorporated; authorizing execution of a tax compliance agreement between the city, Capps Manufacturing, Incorporated and UMB Bank, N.A.; approving the form of a personal guaranty by and between Barney L. Capps and Ron L. Capps, as personal guarantors, and GE Capital Public Finance, Inc.; authorizing the execution of a bond purchase agreement for the bonds by and between the city, Capps Manufacturing, Incorporated and GE Capital Public Finance, Inc., as purchaser of the bonds; and authorizing the execution of additional documents necessary or desirable to effect the transaction contemplated hereby, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

- d) Forgivable Loan Agreement-Burnham Composite Structures, Inc. (District IV)

ORDINANCE NO. 47-344

An Ordinance of the city of Wichita, Kansas, authorizing, prescribing the form and authorizing the execution of a forgivable loan agreement and promissory note by and between Burnham Composite Structures, Inc. and the city of Wichita, Kansas, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

- e) Ordinance Creating a Non-Potable Wholesale Water Use Rate.

ORDINANCE NO. 47-345

An Ordinance amending Section 17.12.090 of the code of the City of Wichita, Kansas, as amended by Ordinance No. 47-124, pertaining to schedule of rates and charges for water service, and repealing the original of said section, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

- f) Adopt updated Flood Damage Prevention.

ORDINANCE NO.47-346

An Ordinance creating Chapter 27.06 of the code of the City of Wichita, Kansas and repealing Chapter 27.04 of the code of the City of Wichita, Kansas, all pertaining to flood plain management, read for the second time. Gray moved that the Ordinance be placed upon its passage and adopted. Motion carried 5 to 1. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton. (Mayans, nay).

CITY COUNCIL PROCEEDINGS

- g) DR2005-21-Proposed Amendments to the Wichita-Sedgwick County Unified Zoning Code pertaining to the recommendations from the McConnell Air Force Base Joint Land Use Study.

ORDINANCE NO. 47-347

An Ordinance creating Section III-b.16a., Section III-b.21., Section III-c.9., Section III-d.6.ii., Section V-I-2.o., and Section VII-a.4. of the Wichita-Sedgwick County Unified Zoning Code and amending the use regulations schedule of Section III-d. and Section III-d.6. of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition), as adopted by reference in city of Wichita Code Section. 28.04.010 by Ordinance No. 44-975, pertaining to the recommendations from the McConnell Air Force Base joint Land Use Study, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans. (DR2005-21)

- h) ZON2006-00051-Zone change from “SF-5” Single Family Residential to “LI” Limited Industrial. Generally located midway between 29th Street North and 37th Street North, west of Ridge Road. (District V)

ORDINANCE NO. 47-348

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, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans. (ZON2006-00051)

- i) ZON2006-00055-Zone change from “SF-5” Single-Family Residential to “LI” Limited Industrial. Generally located south of I-235 and north of MacArthur Road on the east side of West Street. (District IV)

ORDINANCE NO. 47-349

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, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans. . (ZON2006-00055)

- j) DR2006-19-Street Name Change from Andrea Court to Michelle Court, located south of Harry and west of 127th Street East; and DR2006-20-Request for a Street Name Change from Andrea Court to Michelle Street, located south of Harry and west of 127th Street East. (District II)

ORDINANCE NO. 47-350

An Ordinance changing a street name from Andrea Court to Michelle Court and Andrea Court to Michelle Street, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans. (DR2006-19)

CITY COUNCIL PROCEEDINGS

- k) ZON2004-42-south side of 37th Street North and on the west side of Ridge Road. (District V)

ORDINANCE NO. 47-351

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. read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans. (ZON2004-42)

- l) ZON2005-42-southwest corner of 53rd Street North and Meridian. (District VI)

ORDINANCE NO. 47-352

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, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans. . (ZON2005-52)

- m) ZON2005-56-north side of MacArthur and west of Broadway. (District III)

ORDINANCE NO. 47-353

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.), read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans. (ZON2005-56)

- n) A06-25R-Request by Dale Graham of Unified School District No. 385, Rob Ramseyer of Ritchie Investment Company and Steven C. Lee of Lee Builders, Inc., to annex land generally located northwest of the intersection of 21st Street North and 159th Street East. (District II)

ORDINANCE NO. 47-354

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the city of Wichita, Kansas, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans. (A06-25)

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 224

UNFINISHED BUSINESS

COWSKIN CREEK COWSKIN CREEK CHANNEL IMPROVEMENTS, SECTION 205 PROJECT, KELLOGG TO MAPLE. (DISTRICT V)

Chris Carrier

Public Works Director reviewed the item.

Agenda Report No. 07-0136

Subsequent to the 1998 Halloween Flood in the Cowskin Creek Basin, the City hired Professional Engineering Consultants (PEC) to investigate the flooding and recommend possible flood mitigation projects to reduce flood losses in the basin. PEC recommended the preparation of a master drainage plan for the basin and that the City look further into three possible mitigation projects, one of which was a Cowskin channel improvement between Kellogg and Maple. On February 8, 2000, the City Council approved a professional services agreement with MKEC Engineering Consultants for design services on the channel project.

In an effort to secure Federal funding for the project, the City approached the US Army Corps of Engineers about participating in a Section 205 Project for this work. On April 3, 2001, the City Council approved agreements with the Corps and entered into a supplemental agreement with MKEC implementing the Section 205 Project. The Corps feasibility study was completed in April 2005 and they have advised that they will be able to assist in the funding of this project. Generally, the Corps will provide up to 65% of the design, right-of-way, and construction costs.

The Corp evaluated a total of fifteen project alternatives in their feasibility study against the "No Action" alternative. The Co

Cowskin Creek Local Flood Protection Project between Kellogg and Maple was the only alternative that produces the greatest net economic development benefits and was technically sound, economically justified and environmentally sustainable and meets the objectives of flood damage reduction. The project will excavate a 300-foot-width east overflow bench between Kellogg and Maple and will reduce flood elevations up to 1.8 feet during the 25-yr event, 1.6 feet during the 50-yr event and 1.6 feet during the 100-yr event.

In order to construct this project, the City has already acquired some of the right-of-way along this section of Cowskin Creek, as much of the property is in private ownership. A total of 52.41 acres of land was authorized for purchase on December 19, 2003 by the City Council. In 2003, the project design was 75% complete and did not include all of the necessary drainage right-of-way, access easements, construction easements, and stormwater easements. As of this year, MKEC's project design is 100% complete and the Corp is finalizing the plans and bid documents to their form. A total 33.36 acres of additional right-of-way and easements are required in addition to the previously stated 52.41 acres for a total of 85.77 acres. There are only two remaining landowners we need to purchase easements and right-of-way from. All of the remaining acquisitions are vacant land. Federal right-of-way acquisition and relocation procedures will apply to this project.

CITY COUNCIL PROCEEDINGS

The 2005-2014 CIP has \$3.5 million budgeted for this project, \$1.4 million in City funds and \$2.1 million in Federal funds. The total cost of the project is currently estimated to be \$4,782,200, of which \$2,757,200 will be Corps funds, and \$2,025,000 is to be City funds. The project budget is broken down as follows:

Right-of-way Acquisition:	\$1,800,000
Plans & Specifications:	\$ 418,200
Construction Cost:	\$2,364,000
Const. Administration:	\$ 200,000
Total Costs:	\$4,782,200

The total cost to the City is \$2,025,000. On December 19, 2003 \$1 million was initiated for this project. Today's request is to initiate \$1.2 million of the \$1.4 million authorized in the 2005-2014 CIP. The total budget of \$2.2 million includes a contingency of \$175,000. Any funds that aren't needed will be returned to the CIP when the project is complete.

This project addresses the Ensure Efficient Infrastructure goal by reducing the flooding risks for existing neighborhoods.

The Resolution has been approved as to form by the Law Department.

- Council Member Fearey Council Member Fearey stated that a lot of this budget is the right of way acquisition and asked if that property is being acquired from people who do not flood.
- Chris Carrier Public Works Director stated that it is being acquired from people who have lands in the flood plain that they need to do this channel project.
- Council Member Fearey Council Member Fearey asked if staff will go to them and talk to them about donating some of this for the good of their fellow citizens.
- Chris Carrier Public Works Director stated all of the right of way acquisitions except two parcels are already complete and it is the two parcels that will be talked about in Executive Session.
- Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard and no one appeared.
- Motion--
--carried Mayans moved that the revised project budget be approved; the Resolution adopted and the necessary signatures authorized. Motion carried 6 to 0.

RESOLUTION NO. 07-104

A Resolution authorizing the issuance of bonds by the City of Wichita at large for right-of-way acquisitions and channel improvements for Cowskin Drainage (SW862004), presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray Schlapp, Skelton, and Mayans.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 226

NEW BUSINESS

REDEVELOP PLAN

RESOLUTION CONSIDERING THE ADOPTION OF A REDEVELOPMENT PLAN (TAX INCREMENT FINANCING), BROADWAY AND 47TH STREET REDEVELOPMENT DISTRICT. (DISTRICT IV)

Allen Bell

Economic Development Administrator reviewed the item.

Agenda Report No. 07-0137

On April 25, 2006, the City Council adopted an ordinance establishing a redevelopment district in the area of Broadway and 47th Street South, for the purpose of providing tax increment financing (TIF) to pay a portion of the costs of constructing a commercial redevelopment project in that area. The next step in establishing the legal authority to use tax increment financing is the adoption by the City Council of a redevelopment project plan, which provides more detailed information on the proposed project and how tax increment financing would be used, and demonstrates how the projected increase in property tax revenue will amortize the costs financed with tax increment financing.

Similar to the process for establishing the TIF district, adoption of the TIF project plan also requires a public hearing to be held by the City Council, following the giving of proper notice, prior to adopting an ordinance that approves the project plan. The action needed to set the public hearing is by adoption of a resolution.

The developer has provided the details of a redevelopment project in the Broadway and 47th Street area, which includes construction of a Home Depot Store, a multi-tenant shopping center and out-parcel developments. The Project Plan has been prepared in consultation with the Wichita-Sedgwick County Metropolitan Planning Commission, which has made a finding that the project is consistent with the Comprehensive Plan for development of the area. The date of March 20, 2007 at the regular City Council meeting is proposed for the public hearing on the Broadway and 47th Redevelopment Project Plan.

If adopted by the City Council, the resolution calling for the public hearing will be sent to the owners and occupants of all property located within the Broadway and 47th Redevelopment District, by certified mail. The resolution includes a map that shows the boundaries of the redevelopment district and project area. The resolution will also be published in the Wichita Eagle and copies will be provided to the Board of County Commissioners and Board of Education.

After closing the public hearing, the City Council may adopt the Project Plan by ordinance, by two-thirds majority vote. Once adopted, the City will be authorized to use tax increment financing to finance eligible project costs. However, any expenditure of public funds on any project costs will be governed by the terms of a development agreement to be approved by the City Council, and all other necessary proceedings governing the expenditure of public funds.

All costs of reproducing, mailing and publishing the resolution will be paid from the City's Economic Development Fund and will be ultimately reimbursed from the proceeds of tax increment financing.

Economic Vitality and Affordable Living and Quality of Life. Redevelopment of blighted and declining areas is needed to avoid economic stagnation.

The Resolution has been reviewed by the Department of Law and approved as to form.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 227

- Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard and no one appeared.
- Council Member Gray Council Member Gray stated he is very excited about this project and looks forward to all of the opportunities that can bring into this area.
- Council Member Skelton Council Member Skelton stated there is a lot of economic potential in this area but there are some challenges to further growth and the biggest challenge he sees in this area is the interchange at 47th and Interstate 135. Stated the infrastructure could pose a roadblock for further opportunities and is glad to see that this is on the federal agenda. Stated it is a step in the right direction and does address the needs that are outlined in the neighborhood plan.
- Motion-- Gray moved that the resolution be adopted and the necessary signatures authorized. Motion
--carried carried 6 to 0.

RESOLUTION NO. 07-105

A Resolution stating that the City of Wichita is considering the adoption of a Redevelopment Project plan for the Broadway and 47th Redevelopment District, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray Schlapp, Skelton, and Mayans.

QUARTERLY REPT. QUARTERLY FINANCIAL REPORT FOR THE QUARTER ENDING DECEMBER 31, 2006.

- Kelly Carpenter Finance Director reviewed the item.
- Agenda Report No. 07-0138
- The Finance Department prepares quarterly unaudited financial reports to monitor and review the financial activities of the operating and capital funds. The report is presented to provide the City Council and citizens with information that will assist in making informed decisions. The report is available on the City's web-site and citizens may obtain a printed copy by contacting the Department of Finance at 268-4651.
- Comparisons of budgeted amounts to actual revenue and expenditures are provided for each operating fund. In addition, financial statements prepared on an accrual basis are presented for enterprise funds, consistent with requirements of revenue bond covenants. The quarterly financial report does not contain all the year-end entries and adjustments that will be reflected in the Comprehensive Annual Financial Report.
- Financial highlights are summarized beginning on page iii, with financial statements beginning on page 1. Information supplementary to the financial statements begins on page 61, including information on the performance of invested funds, the City's bonded indebtedness relative to the legal debt limitations, capital projects currently underway, tax abatements, the status of the Debt Service fund relative to any debt service payments due from the tax increment financing districts, and a quarterly summary of disadvantaged and emerging business activity.
- The Director of Finance will provide a financial overview and stand for questions.
- The Internal Perspective is advanced with the Quarterly Financial Report providing information on the financial condition of City to the City Council, the Citizens of Wichita and to investors. In addition, the report demonstrates budgetary compliance with applicable laws and ordinances for report year.
- No consideration necessary.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 228

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Mayans moved that the Quarterly Financial Report for the quarter ended December 31, 2006 be received and filed. Motion carried 6 to 0.

DEL RAY

PUBLIC HEARING; REQUEST FOR RESOLUTION OF SUPPORT FOR APPLICATION FOR LOW-INCOME HOUSING TAX CREDITS, DEL RAY APARTMENTS, (DISTRICT VI)

Mary K. Vaughn

Director of Housing and Community Services reviewed the item.

Agenda Report No. 07-0139

The City has received a request from Transitional Residence Company (TRC), for a City Council resolution of support for its application for Low-Income Housing Tax Credits in connection with acquisition and renovation of an existing apartment building located at 515 N. St. Francis. The project plan includes renovation of the existing building, and construction of a new parking lot. The State of Kansas requires developers/owners to obtain a Resolution of Support from the local government, when submitting applications for financing through the Low-Income Housing Tax Credit Program.

Under the City's adopted Low-Income Housing Tax Credit (LIHTC) policy, developers/owners must present proposed LIHTC projects to the applicable District Advisory Board. The policy also requires a review by the Housing Advisory Board (HAB) and the City's Development Coordinating Committee (DCC). The Planning Department and the Office of Central Inspection (OCI) review the project for design appropriateness, and consistency with applicable neighborhood plans. Once the project is reviewed by the DAB, the HAB, DCC, Planning and OCI, it is forwarded to the City Council for a public hearing, with a staff recommendation regarding the resolution of support for the LIHTC application.

The project proposed by TRC involves acquisition/rehabilitation of the Del Ray Apartments, located at 515 N. St. Francis, by H.O.P.E., Inc. (HOPE), a local non-profit organization. TRC will serve as the project developer. HOPE will refer potential clients for housing and will provide services to apartment residents on an "as needed" basis. The project will involve renovation of the existing apartment building in order to provide for four one-bedroom apartments, and 12 studio apartments, for a total of 16 units, for individuals with disabilities. The monthly rent amounts are expected to be \$345 for the one-bedroom units and \$295 for the studio apartments. Tenants will pay for electric service (units are to be all-electric), and the developer will pay for water, sewer, and trash removal. Renovation of the building will be carried out in such a manner so as to retain the historic character of the building.

The City's Low Income Housing Tax Credit Policy requires a set-aside of 20% of the units for market-rate tenants. Since the project will serve individuals with disabilities, it qualifies for a waiver of the 20% market-rate unit requirement.

The City's Planning Department has provided comment regarding the proposed project, with respect to zoning compliance and consistency with the Center City Neighborhood Plan, as well as the Centercity Organized Revitalization Effort (C.O.R.E.) Master Plan. The Planning Department's comments reflect that the project is consistent with the Center City Neighborhood Plan that was adopted in February 2000, which advocates major neighborhood redevelopment in this area. Further, the project was determined to be consistent with the C.O.R.E. Plan. Although this plan calls for new multi-family garden apartments at the project site, the proposed rehabilitation of the apartments would be compatible in terms of desired end-land uses. The C.O.R.E. group reviewed the proposal during a meeting held on November 9, 2006, and voted to issue a resolution of support for the project.

The developer is aware that on-site parking will ultimately fall short of current City requirements, which call for 1.25 spaces per one-bedroom or studio apartment. The site plan reflects 15 on-site parking spaces, while 20 spaces would be required. Thus, it will be necessary for the developer to request an administrative reduction of the parking requirement and possibly a zoning variance, or to make other arrangements to provide additional parking for the complex.

CITY COUNCIL PROCEEDINGS

The project site is currently zoned "LI" or Light Industrial, which does not permit residential uses. It will be necessary for the current owner or the developer to register the property as "non-conforming use" through the Office of Central Inspection (OCI). OCI comments further reflect that apartment use would be legally non-conforming under the zoning code, and the renovation of the apartment building would be allowed, as proposed. The alley area behind the site currently has a gravel surface. City policy generally requires paving of the alley portion that is used for access to and circulation to/through their parking lot. OCI supports the project.

The project has been reviewed by the Housing and Community Services Department, and has received recommendation for adoption of the resolution of support from the DAB and the HAB with waiver of the 20% market-rate unit requirement. The District VI Advisory Board approved a recommendation for adoption of the resolution of support by a 7-0 vote, and the Housing Advisory Board approved recommendation for adoption of the resolution of support by a 6-0 vote. The DCC has also approved recommendation of adoption of the resolution.

The resolution of support will not constitute final plan or design approval. If the project is awarded tax credits, the project developer must comply with all requirements associated with appropriate plan reviews required for issuance of a City building permit. These reviews will include compliance with the City of Wichita's LIHTC Policy design guidelines. Further, the developer must comply with any additional reviews that may be requested by the City Council member in whose district the proposed project is planned.

The total project cost for acquiring and renovating the apartment complex is estimated to be approximately \$2,100,000. The applicant intends to finance the project utilizing funding from the sale of housing tax credits and historic tax credits, financing provided through the Federal Home Loan Bank's Affordable Housing Program, and partial deferral of the developer fee. The City will not directly participate in the financing of the project.

The proposed project contributes to the goal of Economic Vitality and Affordable Living.

In accordance with City Council Resolution No. R-95-479, TRC has notified property owners within 200 feet of the proposed project, in order to allow them the opportunity to provide comment to the City Council regarding the project. City Council Resolution No. R-95-479 also requires that the City Council hold a public hearing. Upon closing the public hearing, the Council may vote on a motion to approve the resolution of support for the application of low-income housing tax credits. The resolution document has been approved as to form by the City Law Department.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--

Fearey moved that the public hearing be closed; the resolution of support for the TRC application for Low-Income Housing Tax Credits with waiver of the 20% market-rate requirement, subject to all local building and zoning codes, ordinances and any additional design review requirements adopted and the necessary signatures authorized. Motion carried 6 to 0.

--carried

RESOLUTION NO. 07-106

A resolution establishing support of the development of affordable housing in the City of Wichita, Kansas, presented. Fearey moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray Schlapp, Skelton, and Mayans.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 230

SEC. 11.42.030

ORDINANCE AMENDMENTS TO SECTION 11.42.030 PERTAINING TO DRIVING WHILE LICENSE SUSPENDED, AND CREATION OF SECTION 11.32.035 PERTAINING TO VIOLATION OF DRIVING LICENSE RESTRICTIONS.

Gary Rebenstorf

Director of Law reviewed the item.

Agenda Report No. 07-0140

K.S.A. 8-291 requires that the driver's licenses for individuals convicted of violating their driver's license restrictions be suspended for a period of not less than 30 days and not more than two years. Currently, section 11.42.030 of the Code of the City of Wichita do not require the license suspension as mandated by state law.

The proposed amendment is necessary to bring the city's ordinances into compliance with applicable state statutes.

The amendment has been prepared and approved as to form by the Law Department.

Provide a Safe and Secure Community. This amendment will allow municipal court judges to properly suspend the driver's licenses for individuals convicted under these ordinances.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--carried

Mayans moved that the ordinance be placed on first reading. Motion carried 6 to 0.

ORDINANCE

An Ordinance amending section 11.42.030 of the code of the City of Wichita, Kansas, pertaining to driving while license suspended, canceled or revoked and repealing the original of said section, and creating Section 11.42.035 of the Code of the City of Wichita, Kansas, pertaining to violating driver's license restrictions, introduced and under the rules laid over.

2008 LEGIS. AGENDA. 2008 FEDERAL LEGISLATIVE AGENDA.

Dale Goter

Government Relations Manger reviewed the item.

Agenda Report No. 07-0141

Each year City Departments are asked to submit requests for federal legislative assistance. The City Council was provided with staff's list of requests at its February 6, 2007 meeting. The Council was asked to review the list and to add other issues of importance and then to prioritize their top five legislative requests. The Federal Legislative Agenda will be provided to the Federal Delegation in March for review and consideration.

The Proposed Federal Legislative Agenda contains requests for appropriations relating to rail and surface transportation, drainage, public safety, community redevelopment, aviation and water quality. Based upon the direction provided by the City Council, staff will finalize the 2008 Federal Legislative Program and prepare a document describing the requests. This document will be provided to the Federal Delegation in March 2007. Communication with the Delegation will continue throughout the year to assure that the City's needs are communicated effectively and appropriate information is provided.

Some federal requests require local matching funds. Historically, the City has identified a variety of sources to provide local matching funds when necessary. City staff will attempt to provide matching funding as necessary based upon Council approval.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 231

On January 4, 2006, the City Council adopted five (5) goals for the City of Wichita. They include: Provide a Safe and Secure Community, Promote Economic Vitality and Affordable Living, Ensure Efficient Infrastructure, Enhance Quality of Life and Support a Dynamic Core Area and Vibrant Neighborhoods. The issues in this Proposed Federal Legislative Agenda address all five goals.

Should federal funding be secured, contracts and/or memorandums of understanding will be initiated as appropriate.

Dale Goter

Government Relations Manager stated he hoped to have a recommended agenda to the delegation by February 20th. Stated their deadline for submitting the project is March 1st and they wanted to have some time to look at them and if they had questions, then they could be addressed by Staff. Stated he sent the list out and hoped to get a response from the Council in prioritizing that list and by default, Vice-Mayor Gray is the only one who submitted one. Stated there are a lot of projects on here that will draw from the same federal pot, like the two highway plans and he feels that it would be useful for the delegation to know which of those two the Council considers to be the priority. Stated the same is true for the two rail projects and the drainage studies and would like the Council to consider that in this process. Stated that the Council could consider just adopting the entire list and the counsel that they got from the delegation is that they do not mind having a lot of projects presented to them because it gives them a lot of opportunities to look for various funding sources and they might match up something that the Council might not think as a priority, they might have the money available for it and you would want to have it funded. Stated that is why there is a long list of projects. Stated he is looking for some guidance on which of these paths the Council wants to proceed and the Council can endorse the entire list, they can put it in the booklet and say that the entire list is endorsed by the Council and leave it to the delegation to try and find money to match those projects. Stated he feels it would be useful to at least rank the highway projects, the rail projects and the drainage studies because they have multiple projects within those categories and you would not want to leave that up to the delegation to decide which of those they feel is most important for you.

Mayor Mayas

Mayor Mayans stated he feels that is a great recommendation because at the end of the day they are going to have to see what monies are available if any and what areas will have the best opportunity to receive some of that matching funding. Stated he feels to go ahead and prioritize and at least earmark these to what is the most important, makes a lot of sense.

Council Member Skelton

Council Member Skelton stated the Council has had discussions repeatedly about what his priorities are. Stated that he agrees that the transportation funding is critical and the funding for the railroad overpasses is also critical and the drainage has been a long time issue in this community that needs worked on.

Dale Goter

Government Relations Manager stated there is a third project in the highway component and Council Member Fearey had submitted the noise abatement project in the Sherwood Glenn Development and that would draw from the same pot of money as I-235 and I-135, so you would want to rank that in that category also.

Council Member Skelton

Council Member Skelton stated regarding the Wichita Area Drainage Master Study, he knows that FEMA had revised our flood maps and asked what additional work would be accomplished here.

Chris Carrier

Public Works Director explained that FEMA takes care of only open channels and what they wanted to look at with this study was all of our storm drainage systems including all of our underground pipes and conduits and inlets etc. Stated they had a master plan done back in the late 1980's and they have done a lot of projects that were on that plan and it is time to update it and would like to try and get federal money to help them do that.

Council Member Skelton

Council Member Skelton stated he does not see anything in the packet that he objects to but feels that the priorities are the highway, the rail and the drainage.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 232

- Dale Goter Government Relations Manager asked if it would be appropriate at this time to have the Council consider those three highway projects and rank them and put them in order in the booklet with that notation. Stated he could also give the Council a couple more days to respond back with the priorities in those categories and submit the whole list at that point.
- George Kolb City Manager suggested if Council just wants to leave those three and put all of those projects in there, they can also do that.
- Mayor Mayans Mayor Mayans stated he thinks that makes a lot of sense to earmark those three projects and emphasize that is where the priorities are in those three areas and then we could always have the other areas as secondary to those priorities.
- Dale Goter Government Relations Manager stated if the delegation is going to the same pot of money to fund all of them and there is only a certain amount of money, they will have to make a choice of which project they attach those funds to.
- Council Member Gray Council Member Gray stated on the three highway projects, there are a lot of different opinions going around as far as which way to rank them or not to rank them and let them decide but he looks at these three projects and two of them are \$100 plus million dollar projects. Stated one is a \$15 to \$20 million dollar project that Council Member Skelton and he supports and there are people down there amassing to do redevelopment right now and today. Stated he would like some encouragement in making that the priority because we are a long ways away in getting the other two done.
- George Kolb City Manager stated he agrees and if you look at your past allocations that have come from the feds, there have been projects that what he considers to be "low hanging fruit," that your major big ticket items might get a little bit of money towards it but if they have highway money that they can allocate, they will look at that list and say this fits perfectly and that is the way they have been doing it in the past. Stated that his why he suggested if your highways are your top priority and there are monies available and they can pick and chose then he feels that you are more likely to get something.
- Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard and no one appeared.
- Motion--carried Mayans moved that the 2008 Federal Legislative Program be approved. Motion carried 6 to 0.

PLANNING AGENDA

- Motion--
--carried Mayor Mayans moved that Planning Consent items 31-36 be approved in accordance with the recommended action shown thereon. Motion carried 6 to 0.

SUB2006-93

SUB2006-93-PLAT OF MONARCH LANDING ADDITION, LOCATED ON THE NORTH SIDE OF 21ST STREET NORTH AND WEST OF 159TH STREET EAST. (DISTRICT II)

Agenda Report No. 07-0142

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (13-0)

This site, consisting of 68 lots on 54 acres, is on the same agenda as the annexation case (A06-25R). This site is zoned "SF-5" Single-family Residential District.

Petitions, 100 percent, and a Certificate of Petitions have been submitted for paving, sewer, water and drainage improvements. A Restrictive Covenant was submitted to provide for the ownership and maintenance of the proposed reserves and to provide four off-street parking spaces per dwelling unit on each lot that abuts a narrow street. An off-site Drainage Easement has been submitted.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 233

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

Ensure Efficient Infrastructure.

The Certificate, Restrictive Covenant and Drainage Easement will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the documents and plat be approved; the necessary signatures authorized and the Resolutions adopted. Motion carried 6 to 0.

RESOLUTION NO. 07-107

Resolution of findings of advisability and resolution authorizing construction of Water Distribution System Number 448-90275 (north of 21st Street, west of 159th Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-108

Resolution of findings of advisability and resolution authorizing construction of Main 23, Four Mile Creek Sewer, 468-84316 (north of 21st Street, west of 159th Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-109

Resolution of findings of advisability and resolution authorizing construction of Lateral 1, Main 23, Four Mile Creek Sewer, 468-84317<< (north of 21st Street, west of 159th Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-110

Resolution of findings of advisability and resolution authorizing improving Storm Water Drain No. 317, 468-84318 (north of 21st Street, west of 159th Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-111

Resolution of findings of advisability and resolution authorizing improving Storm Water Sewer No. 627, 468-84319 (north of 21st Street, west of 159th Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 234

RESOLUTION NO. 07-112

Resolution of findings of advisability and resolution authorizing constructing pavement on Flutter Lane/24th Street, from the north line of 21st Street to the west line of Lot 1, Block 2; paving Boxthorn, from the east line of Flutter Lane/24th Street to the east line of Lot 2, Block 3; paving Camden Chase, from the east line of Flutter Lane/24th to the east line of Lot 2, Block 4; paving Chelmsford/Camden Chase/Graystone, from the south line of Flutter Lane/24th Street to the north line of Lot 38, Block 1; paving Chelmsford Circle, from the south line of Chelmsford to and including the cul-de-sac serving Lots 16 through 24, Block 1; and paving Camden Chase Court, from the north line of Camden Chase to and including the cul-de-sac serving Lots 8 through 19, Block 2; sidewalk to be constructed on one side of Graystone, Camden chase, 24th street, Flutter Lane, and Chelmsford (north of 21st, west of 159th St. East) 472-84505) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-113

Resolution of findings of advisability and resolution authorizing constructing right and left turn lanes on 21st Street, from the west line of Lot 39, Block 1, Monarch Landing Addition to the east line of Lot 39, Block 1, Monarch Landing Addition, 472-85424 (north of 21st Street, west of 159th Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-114

Resolution of findings of advisability and resolution authorizing constructing a left turn lane of 21st Street, from the west line of Lot 39, Block 1, Monarch Landing Addition to Flutter Lane, 472-84525 (north of 21st Street, west of 159th Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-115

Resolution of findings of advisability and resolution authorizing constructing a right turn lane of 21st Street for west bound traffic from 159th Street to the east line of Lot 39, Block 1, Monarch Landing Addition, 472-84526 (north of 21st Street, west of 159th Street East) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

SUB2006-94

SUB2006-94-PLAT OF KRUG SOUTH ADDITION LOCATED ON THE SOUTHWEST CORNER OF 21ST STREET NORTH AND 143RD STREET EAST. (DISTRICT II)

Agenda Report No. 07-0143

MAPC Recommendation: Approve the plat. (12-1) The negative vote reflected a Commissioner's concern regarding the need for a public access easement extending to a railbanked recreation corridor.

This site, consisting of 163 lots on 95.94 acres, has recently been annexed into Wichita's city limits. This site is zoned "SF-5" Single-family Residential district. This plat is the final portion of the overall preliminary plat approved for the site and represents the first phase of development.

Petitions, 100 percent, and a Certificate of Petitions have been submitted for paving, sewer, water and drainage improvements. A Restrictive Covenant was submitted to provide for the ownership and

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 235

maintenance of the proposed reserves and to provide four off-street parking spaces per dwelling unit on each lot that abuts a narrow street.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

Ensure Efficient Infrastructure.

The Certificate and Restrictive Covenant will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the documents and plat be approved; the necessary signatures authorized and the Resolutions adopted. Motion carried 6 to 0.

RESOLUTION NO. 07-116

Resolution of findings of advisability and resolution authorizing construction of Water Distribution System Number 448-90277 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-117

Resolution of findings of advisability and resolution authorizing construction of Water Distribution System Number 448-90278 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-118

Resolution of findings of advisability and resolution authorizing construction of Lateral 7, Main 14, Four Mile Creek Sewer, 468-84321 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-119

Resolution of findings of advisability and resolution authorizing construction of Lateral 8, Main 14, Four Mile Creek Sewer, 468-84322 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-120

Resolution of findings of advisability and resolution authorizing improving Storm Water Drain No. 318, 468-84323 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 236

RESOLUTION NO. 07-121

Resolution of findings of advisability and resolution authorizing improving Storm Water Drain No. 319, 468-84324 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-122

Resolution of findings of advisability and resolution authorizing improving Storm Water Sewer No. 628, 468-84325 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-123

Resolution of findings of advisability and resolution authorizing improving Storm Water Sewer No. 629, 468-84326 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-124

Resolution of findings of advisability and resolution authorizing improving Storm Water Drain No. 320, 468-84327 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-125

Resolution of findings of advisability and resolution authorizing improving Storm Water Drain No. 321, 468-84328 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-126

Resolution of findings of advisability and resolution authorizing constructing pavement on Castle Rock/Rockhill, from the south line of 21st St. North to the west line of 143rd St. East; paving Castle Rock Ct., serving Lots 26 through 29, Block 1, from the east line of Castle Rock to and including the cul-de-sac; paving Castle Rock Ct., serving Lots 15 through 19, Block 5, from the east line of Castle Rock to and including the cul-de-sac; paving Rockhill Ct., serving Lots 23 through 33, Block 5, from the north line of Rockhill to and including the cul-de-sac; paving Split Rail/Churchill Cir., serving Lots 1 through 16, Block 1 and Lots 1 through 6, Block 5 from the north line of Rockhill to and including the cul-de-sac; and paving Split Rail Ct., serving Lots 1 through 8, Block 1 from the east line of Split Rail to and including the cul-de-sac; and paving Burning Tree/Burning Tree Court, from the south line of Lot 61, Block 2 to the west line of Castle Rock; sidewalk to be constructed on one side of Castle Rock, Rockhill, Split Rail and Burning Tree 472-84521 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 237

RESOLUTION NO. 07-127

Resolution of findings of advisability and resolution authorizing constructing pavement on Churchill, from the east line of Castle Rock to the west line of Split Rail; paving Burning Tree Court, from the south line of Lot 61, Block 2, serving Lots 47 through 60, Block 2, to and including the cul-de-sac; paving Rockhill, from the east line of Burning Tree Circle to the south line of Rockhill; paving Split Rail Circle serving Lots 12 through 28, Block 2, from the west line of Wooddale to and including the cul-de-sac; and paving Wooddale/Split Rail, from the north line of Lot 19, Block 3, to the north line of Lot 1, Block 3; and sidewalk to be constructed on one side of Wooddale, Split Rail, Rockhill, Burning Tree and Churchill, 472-84522 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-128

Resolution of findings of advisability and resolution authorizing construction a westbound left turn lane on 21st St., and a northbound left turn lane on 143rd St.; paving a right turn lane for south bound traffic on 143rd St.; and paving a right turn lane for east bound traffic on 21st St.; into major entrances on 21st St. and 143rd St. east, 472-84523 (south of 21st Street, west of 143rd Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

SUB2006-110

SUB2006-110-PLAT OF RAIN LINK ADDITION, LOCATED ON THE EAST SIDE OF WEST STREET AND NORTH OF MACARTHUR ROAD. (DISTRICT IV)

Agenda Report No. 07-0144

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (11-0)

This site, consisting of 2 lots on 1.6 acres, has recently been annexed into Wichita's city limits. This site was approved for a zone change (ZON 2006-55) from "SF-20" Single-family Residential District to "LI" Limited Industrial District.

A Petition, 100 percent, and a Certificate of Petition have been submitted for future sewer improvements. A Restrictive Covenant was submitted prohibiting non-domestic wastes on the site until public sewer is available. This site has also been approved by City Environmental Services for the use of on-site sanitary sewer facilities.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

Ensure Efficient Infrastructure.

The Certificate of Petition and Restrictive Covenant will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the documents and plat be approved; the necessary signatures authorized; the Resolution adopted and the ordinance placed on first reading. Motion carried 6 to 0.

RESOLUTION NO. 07-129

Resolution of findings of advisability and resolution authorizing construction of lateral 520, Southwest Interceptor Sewer (east of West St., north of Macarthur) 468-84320 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 238

ORDINANCE

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, introduced and under the rules laid over. (ZON 2006-55)

VAC2006-00038

VAC2006-00038-REQUEST TO VACATE A PORTION OF A PLATTED ALLEY RIGHT-OF-WAY, GENERALLY LOCATED BETWEEN SECOND AND THIRD STREETS AND CLEVELAND AND INDIANA AVENUES. (DISTRICT I)

Agenda Report No. 07-0145

Staff Recommendation: Approve.

MAPC Recommendation: Approve (unanimously).

The applicant is requesting vacation of the approximately 300-foot long by 14.25-foot wide portion of the platted alley right-of-way (ROW). This portion of the alley is the southern most portion of a platted alley that runs from 2nd Street to 3rd Street. The applicant plans to redevelop/sell their property, which abuts both sides of the portion of the alley they propose to vacate. A possible redevelopment would include a loading dock, with access to the dock oriented towards Indiana Avenue. The applicant must dedicate public ROW on a portion of their property/lots to either Indiana or Cleveland Avenues to prevent the alley from becoming a dead end. A loading dock, and access to it, cannot be in the required dedicated public ROW that provides access to either Indiana or Cleveland Avenues. There are utilities, manholes and a sewer line in this portion of the alley, thus the vacated alley will be retained as easement. The Mathewson 3rd Addition was recorded with the Register of Deeds on May 7, 1886.

The 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. No written protests have been filed.

A Letter of Credit has been submitted to Public Works to ensure the dedicated right-of-way is constructed to City Standards.

Ensure efficient infrastructure.

A certified copy of the Vacation Order and dedications by separate instruments for additional easement and right-of-way will be recorded with the Register of Deeds

Motion--
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures authorized. Motion carried 6 to 0.

VAC2006-00041

VAC2006-00040-REQUEST TO VACATE A UTILITY EASEMENT DEDICATED BY SEPARATE INSTRUMENT, GENERALLY LOCATED ON THE EAST SIDE OF WEBB ROAD AND SOUTH OF LINCOLN STREET. (DISTRICT II)

Agenda Report No. 07-0146

Staff Recommendation: Approve.

MAPC Recommendation: Approve (unanimously).

The applicant has applied for the vacation of the described easement dedicated by separate instrument. There is a projected water line in the east portion of the easement, Project #448-90188. There are no sewer lines or manholes in the easement. The Harrison Park 3rd Addition was recorded with the Register of Deeds on September 7, 2000. There is an associated Lot Split of Lot 1, Harrison Park 3rd Addition, and SUB2006-67 that was approved on October 2, 2006.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 239

The MAPC voted (11-0) 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. No written protests have been filed.

Ensure efficient infrastructure.

A certified copy of the Vacation Order will be recorded with the Register of Deeds. A replacement easement has been recorded with the Register of Deeds: FLM-PG: 28822832

Motion--
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures authorized.
Motion carried 6 to 0.

VAC2006-00041

VAC2006-00041-REQUEST TO VACATE A PORTION OF PLATTED STREET RIGHT-OF-WAY, GENERALLY LOCATED SOUTH OF CENTRAL AVENUE, MIDWAY BETWEEN RIDGE ROAD AND TYLER ROAD; NORTH OF THE WOODCHUCK LANE AND REDBARN LANE INTERSECTION. (DISTRICT V)

Agenda Report No. 07-0147

Staff Recommendation: Approve.

MAPC Recommendation: Approve (unanimously).

The applicant is requesting vacation of the described platted 40-foot wide portion of the platted half-street right-of-way (ROW) of Woodchuck Lane as dedicated on the Notre Dame High School Addition. The Notre Dame High School Addition was recorded with the Register of Deeds on April 10, 1963. There is a water line that crosses a portion of the proposed vacated ROW. There are franchised utilities located in a portion of the ROW. The proposed vacation would prevent Woodchuck from continuing straight south, through unplatted Catholic Diocese/Bishop Carroll property (partially developed as playing fields) to a platted 58-foot wide Woodchuck ROW, as dedicated on the Whispering Pines Addition, which was recorded on May 16, 1979. The proposed vacation would not dead-end Woodchuck, as it continues immediately southeast to Redbarn Lane (60-foot wide ROW), as platted on the Meadowview Estates Addition, which was recorded on June 20, 1955. Redbarn currently dead-ends against the unplatted Diocese/Bishop Carroll property. The street design of Woodchuck as recorded on the Meadowview Estates Addition does not provide the necessary ROW for it to continue straight south, through the unplatted Diocese/Bishop Carroll property. A small irregular shaped Lot 1, Block C; the Meadowview Estates Addition (which is not developed) is in place rather than additional half street Woodchuck ROW. The continuation of Redbarn (Meadowview Estates Addition) to Woodchuck (Whispering Pines Addition) depends on the platting of the Diocese/Bishop Carroll property, which is partially used by playing fields. As the area is currently platted, the above mentioned dedicated Redbarn and Woodchuck ROWs dead-end against the unplatted Diocese/Bishop Carroll property. Continuation of those two described streets will be resolved at the time of the platting of the abutting unplatted Diocese/Bishop Carroll property.

The MAPC voted (11-0) 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. No written protests have been filed.

Ensure efficient infrastructure.

A certified copy of the Vacation Order will be recorded with the Register of Deeds. Retain the vacated right-of-way as a utility easement.

Motion--
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures authorized.
Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 240

HOUSING AGENDA

(Skelton momentarily absent)

Motion--
--carried

Inafay Grays-McClellan moved that Housing Consent items 37-38 be approved in accordance with the recommended action shown thereon. Motion carried 6 to 0, (Skelton absent).

SECTION 8

SECTION 8 MANAGEMENT ASSESSMENT PROGRAM, (SEMAP).

Agenda Report No. 07-0148

On October 6, 1998 HUD issued final rules for the Section 8 Rental Voucher and Certificate Programs, Section 8 Management Assessment Program (SEMAP). SEMAP is a Management Assessment System that HUD will use to measure annually the performance of all Housing Agencies that administer the Section 8 Tenant Based Rental Assistance Programs. Under the SEMAP, HUD will assess Housing Authorities' performance on 14 Key Indicators that show how well eligible families are helped to afford decent rental units at a reasonable subsidy cost.

The Housing Authority (HA) must certify as to their program performance under these 14 standards, 60 days after the Housing Authority's fiscal year ends. The Wichita Housing Authority's fiscal year ends December 31, 2006, so the first certification will be due March 1, 2007.

The indicators are:

1. Selection from the Waiting List (15 points): The HA has a written policy for selecting applicants and follows these policies when selecting applicants from the waiting list.
2. Reasonable Rent (20 points): The HA has implemented written methods to determine reasonable rents.
3. Determination of Adjusted Income (20 points): The HA correctly determines adjusted annual income.
4. Utility Allowance Schedule (5 points): The HA maintains up to date utility allowance schedules.
5. HQS Quality Control Inspections (5 points): An HA supervisor re-inspects a sample of units for Quality Control.
6. HQS Enforcement (10 points): HQS inspection deficiencies are corrected in a timely manner.
7. Expanding Housing Opportunities (5 points): The HA has adopted and implemented a written policy to encourage participation in areas outside poverty or minority concentrations.
8. FMR limit and Payment Standards (5 points): Gross rents for 98% of new units leased are applicable and reasonable.
9. Annual Reexaminations (10 points): The HA completes an annual reexamination for each tenant.
10. Correct Tenant Rent Calculations (5 points): The HA correctly calculates tenant rents.
11. Pre-Contract HQS Inspections (5 points): Newly leased units pass HQS before the
12. Annual HQS Inspections (10 points): Each unit is inspected annually and on time.
13. Lease up (20 points): The HA enters into HAP contracts for the number of units under budget for at least one year. The standard is 98%.

CITY COUNCIL PROCEEDINGS

14. Family Self-Sufficiency Enrollment and Escrow Accounts (10 points): Measures the percentage of required families enrolled in FSS program, and the percentage that have escrow accounts. The standards are 80% and 30%, respectively.

The total number of points that may be awarded is 145. Five bonus points are available to Housing Authorities that achieve certain de-concentration goals during the year. A housing authority with a SEMAP score of at least 90% shall be rated a High Performer. Housing Authorities with a SEMAP score of 60-80% shall be rated Standard. Housing Authorities with scores of less than 60% shall be rated "troubled" and shall be subject to a HUD onsite review and development of a corrective action plan.

The Wichita Housing Authority Section 8 Voucher program has been rated a high performer for four years and self-evaluation indicates the same for 2006.

Housing authorities with a "high performer" rating may be given competitive advantage under notices of fund availability.

Promote Economic Vitality and Affordable Living

Motion--
--carried

Inafay Grays-McClellan moved that the Certification relative to the submission of the 2006 Section 8 Management Assessment Program (SEMAP) be approved. Motion carried 6 to 0, (Skelton absent).

PUBLIC HOUSING

2006 PUBLIC HOUSING ASSESSMENT SYSTEM.

Agenda Report No. 07-0149

On January 11, 2000, HUD published 24 CFR Part 902 in the Federal Register requiring housing authorities to submit The Public Housing Assessment System (PHAS) Certification. The evaluation system designates public housing authorities as High Performers, Standard Performers or Troubled Performers, based on PHAS scores. Housing authorities that score 90 or higher on a 100-point scale are designated as High Performers and will be given more operating flexibility; housing authorities that score above 60 and below 90 are designated as Standard Performers. Housing authorities scoring below 60 are designated as Troubled Performers under PHAS and will receive help from HUD's Troubled Agency Recovery Center to improve their performance and meet HUD's new standards. If a troubled housing authority fails to significantly improve its performance a year after it is referred to the Recovery Center, HUD's Enforcement Center can ask a federal judge to create a receivership to take over management of the authority and remove its board members from office. HUD can also seek civil and criminal sanctions against housing authorities in the most serious cases.

Key elements of the PHAS Certification are:

Physical Inspections – 30% of score – HUD conducts the physical inspection of all public housing developments. Evaluations are based on objective, verifiable and uniform national standards designed to determine if public housing residents receive decent, safe and sanitary housing. Wichita inspections will be conducted in March, 2007.

Financial Assessment – 30% of score – HUD will evaluate the financial condition of the WHA, using generally accepted accounting principles. The Wichita Housing Authority (WHA) accountants will electronically submit standardized financial information to HUD prior to March 1, 2007.

Management Certification – 30% of score – HUD measures six management indicators. Components of those indicators include unit turnaround time, Capital Fund expenditures, completion time of maintenance work orders, annual inspections lease enforcement and resident self-sufficiency.

Resident Satisfaction and Services Assessment – 10% of score – HUD surveys public housing residents about their satisfaction with the developments in which they reside. Residents are asked their opinion of

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 242

the quality of their dwelling units, resident organizations, program activities, safety and other issues. The HUD survey is currently underway.

Wichita Housing Authority staff has completed the 2006 PHAS Management Certification, which will comprise 30% of our PHAS score. The Management Certification reflects continued positive performance in modernization and work orders; those scores should continue to be rated high by HUD. The vacancy turnaround time has improved since 2005, however is still short of the desired goal. In this case, the Public Housing Division made ready and leased 142 units in 2006 compared to 109 units in 2005. The increase of unit turnaround is attributed to an increased number of evictions for tenant non-compliance.

The final results of the Financial Assessment and Resident Assessment will not be known until the overall PHAS scores are released. The overall PHAS score is calculated based upon all indicators and graded by HUD's computer.

Final 2005 PHAS Scores	
Physical Condition	25 of 30
Financial Condition	25 of 30
Management	26 of 30
Resident Satisfaction	9 of 10
Total	85 of 100

Promote Economic Vitality and Affordable Living

Motion--

--carried

Inafay Gray-McClellan moved that the submission of the 2006 Public Housing Assessment System Certification for Management Indicators to the Department of HUD be reviewed and approved; the resolution adopted and the necessary signatures authorized. Motion carried 6 to 0, (Skelton absent).

AIRPORT AGENDA

Motion--

--carried

Mayans moved that the Airport Consent items be approved in accordance with the recommended action shown thereon. Motion carried 5 to 0, (Skelton absent).

AIR SERVICE

AIR SERVICE INCENTIVE PROGRAM, DEPARTMENT OF AIRPORTS.

Agenda Report No. 07-0150

In order to be competitive with airports around the country vying for air service enhancements, it is necessary that the Wichita Airport Authority adopt an air service incentive policy. Many airports of varying sizes are offering incentives, such as Lincoln, Allentown, Moline, Peoria, Fort Wayne, Des Moines, Knoxville, St. Louis, and Dallas/Fort Worth. The airlines are aware of those incentives and are expecting them.

The program has been developed in order to improve the air service at Wichita Mid-Continent Airport with new non-stop destinations and increased frequency. The program is designed to incentivize an airline to provide the type of service that will increase passenger traffic from Mid-Continent Airport.

The FAA allows airports to provide incentives on a nondiscriminatory basis for a promotional period. Incentives may include any or all of the following:

1. Waiver or discount of landing fees, terminal rents and charges;
2. Assistance with start-up costs;
3. A per-enplanement credit to be applied against airport fees;
4. Marketing, promotion and/or public relations campaign.

The Wichita Airport Advisory Board has reviewed this program, and voted unanimously to recommend its adoption by the Airport Authority.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 243

The increased passengers from additional service are expected to increase parking and concession revenue, as well as additional passenger facility charges. Marketing incentives will be paid out of the Airport's marketing budget. Other waivers of fees and charges will be absorbed by the Airport's operating budget.

The Airport's contribution to the economic vitality of Wichita is promoted through developing airline incentive programs; thereby improving air service and attracting additional passengers to Mid-Continent Airport, which ultimately provide economic benefits to the community.

The policy has been reviewed by the Federal Aviation Administration, the Kaplan Kirsch & Rockwell law firm, and the City Law Department and is approved as to legal form.

Motion--carried

Mayans moved that the program be approved. Motion carried 5 to 0.

SA NO. 1

ADMINISTRATION AND SAFETY BUILDING ELECTRICAL SERVICE, SUPPLEMENTAL AGREEMENT NO. 1, MID-CONTINENT AIRPORT.

Agenda Report No. 07-0151

On September 26, 2006 the Wichita Airport Authority approved the capital project and a budget of \$180,000. On December 12, 2006 the Wichita Airport Authority approved an agreement with Professional Engineering Consultants for \$13,797.75 for design and bid phase services.

During the design phase, additional work was discovered that will require an increase in the budget. A supplemental agreement has been prepared to authorize construction-related services.

The cost of the construction-related services is a not-to-exceed amount of \$25,760. A project budget of \$450,000 is needed, which results in a budget increase of \$270,000. The project will be funded with General Obligation bonds paid for with Airport Revenue.

The Airport's contribution to the economic vitality of Wichita is promoted through infrastructure improvements to allow tenant development.

The supplemental agreement and Authorizing Resolution have been approved by the Law Department as to form.

Motion--
--carried

Mayans moved that the supplemental agreement and budget adjustment be approved; the resolution adopted and the necessary signatures authorized. Motion carried 5 to 0.

RESOLUTION NO. A07-003

A Resolution declaring that a public necessity exists for, and that the public safety, service and welfare will be advanced by the authorization of certain capital improvements to the Wichita Mid-Continent Airport Facility; and setting forth the nature of said improvements thereof; and the manner of payment of same, presented Mayans moved the Resolution be adopted. Motion carried 5 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

FEBRUARY 13, 2007

PAGE 244

CITY COUNCIL

BOARD APPTS. BOARD APPOINTMENTS.

There were no appointments to be made.

RESOLUTION A RESOLUTION DESIGNATING WICHITA AS A PRESERVE AMERICA COMMUNITY.

Council Member Fearey Council Member Fearey stated this is a resolution for Wichita to ask to be designated as a Preserve America Community and it gives Wichita the ability to protect and promote historic resources and by doing that it helps with economic development and with tourism and convention business to keep your local history strong.

Motion--carried Fearey moved that the resolution be adopted. Motion carried 6 to 0.

RESOLUTION NO. 07-132

A Resolution designating Wichita as a Preserve America Community, presented. Fearey moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray Schlapp, Skelton, and Mayans.

RECESS

Motion-- Mayans moved at 1025 a.m. that the City Council recess into Executive Session to consider: consultation with legal counsel on matters privileged in the attorney-client relationship relating to: pending litigation, legal advice and contract negotiations and that the Council return from Executive Session no earlier than 11:00 a.m. and reconvene in the City Council Chambers on the first floor of City Hall. Motion carried 5 to 0, (Skelton absent).

--carried

RECONVENE The Council Reconvened in the Council Chambers at 11:09 a.m.

Motion--carried Mayans moved at 11:10 a.m. to close the Executive Session. Motion carried 5 to 0, (Skelton absent).

(Item 23)

COWSKIN CREEK COWSKIN CREEK CHANNEL IMPROVEMENTS, SECTION 205 PROJECT, KELLOGG TO MAPLE. (DISTRICT V)

(Action for this item is shown in order of the agenda)

Motion--carried Mayans moved at 11:12 a.m. to close the regular meeting. Motion carried 6 to 0.

ADJOURNMENT The City Council meeting adjourned at 11:12 a.m.

Respectfully submitted,

Karen Sublett CMC
City Clerk

Workshop followed in the 10th Floor Personnel Training Room