

## **NOVEMBER 22, 2005 AGENDA REPORTS**

### **Agenda Item No. 4a.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report No. 05-1066

TO: Mayor and City Council Members

SUBJECT: Petition to construct a Sanitary Sewer to serve an unplatted tract located north of Pawnee, west of Maize (District V)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Petition.

Background: The Petition has been signed by one owner representing 100% of the improvement district.

Analysis: The project will provide sanitary sewer service for an existing home that is currently served by a private septic tank system.

Financial Considerations: The Petition totals \$12,000. The funding source is special assessments.

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

Recommendation/Action: It is recommended that the City Council approve the Petition adopt the Resolution and authorize the necessary signatures.

### **Agenda Item No. 4b.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report No. 05-1067

TO: Mayor and City Council Members

SUBJECT: Petition to construct a Sanitary Sewer to serve an unplatted tract located west of Hydraulic, south of 31st St. South (District III)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Petition.

Background: The Petition has been signed by one owner representing 100% of the improvement district.

Analysis: The project will provide sanitary sewer service for a church building.

Financial Considerations: The Petition totals \$35,000. The funding source is special assessments.

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

Recommendation/Action: It is recommended that the City Council approve the Petition, adopt the Resolution and authorize the necessary signatures.

**Agenda Item No. 4c.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report No. 05-1068

TO: Mayor and City Council Members

SUBJECT: Petition to construct a Sanitary Sewer to serve an unplatted tract located west of Hydraulic, south of 43rd St. South (District III)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Petition.

Background: The Petition has been signed by one owner representing 100% of the improvement district.

Analysis: The project will provide sanitary sewer service for an existing home that is currently served by a private septic tank system.

Financial Considerations: The Petition totals \$15,000. The funding source is special assessments.

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

Recommendation/Action: It is recommended that the City Council approve the Petition, adopt the Resolution and authorize the necessary signatures.

### **Agenda Item No. 6a.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report No. 05-1069

TO: Mayor and City Council Members

SUBJECT: Custodial Cleaning Contract (All Districts)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Contract.

Background: Since 1994, the City of Wichita has maintained contracts for custodial services with private vendors due to difficulty in attracting and keeping City employees as custodians. Facilities served by these contracted services include the State Office Building, Main Library, Park buildings, Career Development Offices, Old Town Parking Garage and the Health Department Clinic/Offices. As the current contract is about to expire, a Request for Proposals (FP500035) was published earlier this year inviting interested vendors to submit price quotations for performing these services in order to continue this service.

Analysis: Formal proposals were submitted by twelve (12) vendors on six (6) different Contract options to cover both the existing and added facilities. These options were reviewed by the Staff Screening & Selection Committee and the committee recommended entering into a contract with Wilson Building Maintenance Inc, a Woman-Owned Business Enterprise, for a total annual cost of \$478,339.92 renewable in yearly increments at this quoted total price for a total of three (3) years. After completing the first year of contractual services, Wilson may request an increase in the total annual cost of the contract, based on the previous year's posted increase in the Consumer Price Index (CPI). Requests for future CPI increases will have to be approved by the City Council.

Financial Considerations: The funding for the custodial contract is available in the Building Services Budget and is sufficient to maintain the required levels of services.

Legal Considerations: The contract has been approved as to form by the Law Department.

Recommendation/Action: It is recommended that the City Council approve the custodial contract and authorize the necessary signatures.

**Agenda Item No. 6c.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report No. 05-1071

TO: Mayor and City Council

SUBJECT: Contract for Wichita Intervention Program Facility

INITIATED BY: Municipal Court

AGENDA: Consent

Recommendation: Approve the contract.

Background: Kansas Law requires defendants convicted of a first Driving Under the Influence (DUI) offense to be incarcerated for forty-eight hours and attend alcohol intervention/education classes. In 1984, Municipal Court established the Wichita Intervention Program (WIP), which combined both aspects in a setting outside of jail. Participants stay in the designated facility from Friday evening until Sunday evening. A trained facilitator conducts alcohol education classes and security guards provide 24 hours supervision. The City has contracted with local hotels to provide lodging, classroom space, and meals for program participants.

Analysis: A Request for Proposal (RFP) was developed seeking facilities that could provide lodging for two nights (Friday and Saturday) for up to forty participants; breakfast, lunch, and dinner on Saturday and breakfast and lunch on Sunday; and space to accommodate up to forty participants for lectures and other intervention presentations. The RFP was sent to 29 hotels and motels in the Wichita area, published in The Wichita Eagle and posted on E-Procurement. Three facilities responded. A selection committee reviewed and evaluated the proposals and Bledsoe Management, Inc. d/b/a/ Best Western Airport Red Coach Inn, 6815 West Kellogg, was selected. The hotel offered the lowest cost and met the RFP requirements.

Financial Considerations: The Wichita Intervention Program is funded from the General Fund but all expenses are offset by revenues based on participant fees. The proposed contractor submitted a hotel fee for lodging/meals averaging \$112 per participant per weekend. This cost is

slightly higher than the existing cost of \$102 per participant per weekend, but represents the lowest fee submitted by the respondents to the request for proposal. The 2005 Adopted budget includes \$161,500 for lodging and food based on current contract prices. The proposed contract will increase expenditures to \$162,460, an increase of \$960. The 2006 Revised Budget will be sufficient to absorb the increase in City costs associated with this contract

Legal Considerations: The contract has been approved as to form by the Law Department.

Recommendations/Actions: It is recommended the City Council approve the contract with Bledsoe Management, Inc., d/b/a/ Best Western Airport Inn for one (1) year with an option to renew for one (1) or two (2) additional one (1) year terms.

## AGREEMENT

For Use of Facilities By The Wichita Intervention Program

By and Between

THE CITY OF WICHITA, KANSAS

And

BLEDSOE MANAGEMENT, INC.  
d/b/a BEST WESTERN AIRPORT INN

THIS AGREEMENT, entered into this 22nd day of November, 2005, between the THE CITY OF WICHITA, KANSAS, ("City"), and BLEDSOE MANAGEMENT, INC., d/b/a BEST WESTERN AIRPORT INN, ("Hotel").

WHEREAS, certain persons who have been convicted of, or placed on diversion for, driving under the influence of intoxicating beverages and or drugs contrary to Section 11.38.150 of the Code of the City of Wichita, Kansas, are required to complete an alcohol and drug counseling program;

WHEREAS, persons who have been convicted of driving under the influence of intoxicating beverages and drugs contrary to Section 11.38.150 of the Code of the City of Wichita, Kansas, and said conviction constitutes their first conviction, as defined by the code, are required to spend a minimum of 48 continuous hours in custody prior to being released on probation;

WHEREAS, the Wichita Intervention Program (hereinafter called "WIP") as administered by the Wichita Municipal Court is a qualified provider of community based alcohol and drug safety action program; and

WHEREAS, Hotel has agreed, as an independent contractor, and not as an agent or employee of the City of Wichita, Kansas, to furnish meeting rooms, food, housing, utilities, maintenance and linen services for such WIP purposes;

NOW, THEREFORE, in consideration of the mutual promises set forth below, the parties agree as follows:

### I. SCOPE OF SERVICES

A. Hotel agrees as follows:

1. To make available for persons confined as a result of a first conviction, pursuant to Section 11.38.150 of the Code of the City of Wichita, Kansas, hereinafter "confinees", the facilities as mutually agreed upon. Lodging in facilities will consist of semiprivate bed space for up to forty (40) confinees - (20 rooms);
2. To provide bedding, towels, and other housekeeping supplies necessary to meet the needs of the confinees and the WIP staff placed in facilities during the confinement period;
3. To provide five (5) meals during the weekend period commencing with Saturday breakfast and ending with Sunday lunch. Meals will be provided as follows:

Saturday - Breakfast  
Lunch  
Dinner  
Coffee Breaks

Sunday - Breakfast  
Lunch  
Coffee Breaks

4. To make available the use of facilities from Friday evening until the conclusion of the Sunday portions of the seminar to provide space to conduct educational lectures, films, and discussion groups, and to provide a podium, chalkboard, chairs, and all utilities and maintenance necessary for the conduct of said programs, for any and all program participants;
5. To invoice the Wichita Municipal Court WIP on a monthly basis for the services utilized pursuant to this agreement and to keep good and sufficient records showing the number of confinees housed by Hotel and to maintain such records as required by the Wichita Municipal Court.

B. The CITY agrees as follows:

1. To provide for the security of the maintenance of order among those participating by order of the Municipal Court in the WIP during the time spent at Hotel in conjunction with the WIP; and to reimburse Hotel for the destruction of any motel property caused by any of the WIP program participants;
2. To provide all personnel support necessary to operate and maintain the WIP and to be solely responsible for program content and for all educational materials and supplies to WIP participants except as provided above; and
3. To pay the Hotel fifty-eight dollars and thirty cents \$58.30 inclusive of tax, per single or double room per two (2) occupants, per night and forty-seven dollars and sixty-two cents (\$47.62) per person for meals (Saturday breakfast, lunch and dinner, Sunday breakfast and lunch, and all coffee breaks at sixty-three dollars and seventy-two cents (\$63.72) per urn within forty-five (45) days from date of receipt of invoice.

II. TERM OF AGREEMENT

The term of this Agreement shall be for one (1) year, with an option to renew for one (1) or two (2) additional one (1) year terms by agreement of the parties. The initial term will commence January 1, 2006 and continue through December 31, 2006.

During the term of this Agreement or any extension thereof, either party may terminate the Agreement, with or without cause, upon thirty (30) days written notice.

III. REQUEST FOR PROPOSAL AND RESPONSE INCORPORATED BY REFERENCE

In the case of a conflict among the terms of the incorporated documents, the language of this agreement shall take precedence, followed in order of priority by Exhibit A (Addendum to Response to Proposal) to this agreement and then by Exhibit B, (Response to the Request for Proposal #FP500077), followed by Exhibit C (Request for Proposal #FP500077).

IV. NONDISCRIMINATION

Hotel agrees to comply with federal, state and local laws, ordinances and regulations applicable to the work; to not discriminate on the basis of race, color, sex, religion, national origin, ancestry, age, or disability; and to comply with the City's Affirmative Action EEOC Program as set forth in Exhibit "D" which is attached hereto and adopted by reference.

V. NO THIRD PARTY BENEFICIARY CREATED

It is not intended by any of the provisions of any part of this agreement to create in the public or any member thereof a third party beneficiary hereunder, or to authorize anyone not a party to this agreement to maintain a suit for damages pursuant to the terms or provisions of this agreement.

IN WITNESS THEREOF, the City and Hotel have executed this agreement as of the date first written above.

CITY OF WICHITA, KANSAS

\_\_\_\_\_  
Carlos Mayans, Mayor

ATTEST:

\_\_\_\_\_  
Karen Sublett, City Clerk

Approved as to Form:

\_\_\_\_\_  
Gary E. Rebenstorf  
Director of Law

BLEDSOE MANAGEMENT, INC.

d/b/a BEST WESTERN AIRPORT INN

By \_\_\_\_\_

**Agenda Item No. 6d.**

City of Wichita  
City Council Meeting  
November 22, 2005  
Agenda Report No. 05-1072

TO: Mayor and City Council Members

SUBJECT: Central Rail Corridor Improvement-Construction Project Administration  
(District VI)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Supplemental Agreements.

Background: On March 8, 2005, the City Council approved Supplemental Agreements with TranSystems Corporation and HNTB in the amount of \$3,319,523 and \$4,427,494, respectively, for construction contract administration on this project.

Due to some situations that have arisen with the BNSF Railroad, staff has determined that it is in the City's best interest to restructure the Consultant Agreements. At present, HNTB has been the principal project inspectors, with TranSystems providing general project oversight and coordination with railroad operations. Under the restructuring plan, TranSystems would become the primary project inspectors and HNTB will assume a reduced role relating principally to remaining project design issues. If approved, the attached Supplemental Agreements will accomplish the restructuring.

Financial Considerations: Staff has been able to negotiate new Agreements with the consultants. The contract comparisons are as follows:

Firm	Current Contract Amount	Revised Contract Amount	Difference
HNTB	\$4,427,494	\$2,199,563	-\$2,227,931
TranSystems	\$3,319,524	\$5,547,100	+\$2,227,576
Totals	\$7,747,018	\$7,746,663	-\$ 355

Legal Considerations: The Law Department has approved the proposed Supplemental Agreements as to form.

Recommendation/Action: Approve the Supplemental Agreements.

**Agenda Item No. 7.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report # 05-1073

TO: Mayor and Members of the City Council

SUBJECT: K-96 Lake Improvements (District I)

INITIATED BY: Department of Park and Recreation

AGENDA: Consent

Recommendation: Adopt the bonding resolution and authorize initiation of the project.

Background: In 2000, the City's Park and Recreation Department began improving the area commonly known as K-96 Lake. This lake, which is bounded on the east side of the junction of K-96 Highway and Highway I-35 North, has increasingly become a favorite urban fishery for anglers citywide.

In the fall of 2001, the City developed an entry road, parking area, fish stocking ramp and post and cable installation for vehicular access control. The project was then followed by the development of concrete walkways, retaining walls, landscaping to the water's edge, and tree planting in 2002. In 2003, the project was continued with the development of handicapped-accessible fishing docks equipped with 10 ADA-compliant fishing stations for wheelchair-bound anglers. The current parking lot and entry drive are made of crushed concrete surfacing.

Analysis: The existing parking lot and entry drive have been heavily used in recent years and require a permanent surface to comply with the City's parking lot ordinance. A new parking lot and entry drive will improve function and reduce yearly maintenance required to grade the crushed concrete surfacing.

Financial Considerations: The Park 2005 Capital Improvement Plan includes \$400,000 for the K-96 Lake parking lot and entry drive paving. The funding source is general obligation bonds.

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

Recommendation/Action: It is recommended that the City Council 1) adopt the bonding resolution, 2) authorize initiation of the project, and 3) authorize all necessary signatures.

### **Agenda Item No. 8.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report No. 05-1074

TO: Mayor and City Council Members

SUBJECT: Acquisition of Easement for Main 4, Northwest Interceptor Sewer (District V)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Acquisition.

Background: The City Council adopted a Resolution on October 4, 2005 declaring it necessary to provide sanitary sewer main service to a developing residential corridor along 135th Street West, between Central and 21st Street North. Fulfillment of this Resolution requires easements on tracts located on the west side of 135th Street.

Analysis: A negotiated settlement of \$2,500 has been accepted by one property owner in exchange for a utility easement and a 6549 sq. ft. temporary construction easement.

Financial Considerations: A budget of \$2,500 is requested. The funding source will be the Main 4, Northwest Interceptor Sanitary Sewer Project.

Legal Considerations: The Law Department has approved the Sanitary Sewer Easement and temporary construction easement as to form.

Recommendation/Action: It is recommended that the City Council approve the budget and the easement; authorize all necessary signatures.

### **Agenda Item No. 9.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report No. 05-1075

TO: Mayor and City Council Members

SUBJECT: Funding for Kansas Technical Training Initiative

INITIATED BY: City Manager's Office

AGENDA: Consent

Recommendation: Approve funding.

Background: Since 2001, the City of Wichita has been a member of the Kansas Technical Training Institute (KTTI). Other members include: Boeing, Bombardier, Cessna, Raytheon, Spirit, the State of Kansas and Sedgwick County. Since its inception members of KTTI have each contributed \$50,000 annually to support KTTI's work efforts. Currently KTTI is working with other organizations in the community to develop a high performance and quality technical education system for this region.

KTTI is currently involved with a number of projects and programs to improve technical education. They include the development of an Aviation Technical School at Jabarra Airport, a

partnership with IBM for advanced Information Technology training and the development and the future launch of the Manufacturing Specialist Certificate. Aviation companies, in partnership with the City and Sedgwick County, are working towards finalizing the details associated with the construction and financing of the Aviation School. This project is a top priority as aviation companies are experiencing an immediate demand for skilled workers. The guidance and direction of the KTTI Board and its staff as this project progresses is critical to its success.

Analysis: It has always been the intent of the KTTI Board of Directors to sunset KTTI once its mission has been accomplished and/or a broader public and industry coalition is organized to continue to build on the foundation laid by KTTI. A new governance structure for oversight of technical training has been established with the Sedgwick County Technical Training Authority. Because the Authority is relatively new and is establishing its structure and operational practices, the KTTI Board of Directors agreed to continue its investment and activities for one more year. The Board supports and will continue to assist the Authority in its development, and over the next year desires to transfer KTTI activities to the Authority. However, because Aviation School project still needs the leadership of the Board and staff it is requested that funding continue for another year. At the end of 2006, the project should have progressed sufficiently for others to continue with management and oversight.

Financial Considerations: The City's Economic Development Fund has sufficient funding to cover a \$50,000 contribution to KTTI to assist with operational expenses. Other partners (aviation companies and state and county governments) have pledged to contribute the same amount for 2006.

Legal Considerations: The City has the legal authority to grant the requested funds.

Recommendation: Authorize the funding for KTTI.

### **Agenda Item No. 11.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report 05-1076

TO: Mayor and City Council Members

SUBJECT: CUP2003-00055 & ZON2003-00053 – Extension of time to complete platting required for DP-269 Spencer's Cove Commercial Community Unit Plan and a zone change from "SF-5" Single Family Residential to "LC" Limited Commercial, "NR" Neighborhood Retail, and "GO" General Office. Generally located south of 29th Street North and west of Maize Road (District V).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning (Consent)

---

Staff Recommendation: Approve extension of platting deadline to April 16, 2006, subject to dedication of 60 feet of right-of-way along the 29th Street North frontage by December 22, 2005.

Background: On December 17, 2003, the Board of County Commissioners approved the creation of DP-269 Spencer's Cove Commercial Community Unit Plan (CUP) and a zone change from "SF-20" Single Family Residential to "LC" Limited Commercial, "NR" Neighborhood Retail, and "GO" General Office for 19.1 acres located south of 29th Street North and west of Maize Road. The CUP and zone change were approved subject to platting the property within one year. Per adopted policy, the platting deadline was extended by six months to June 17, 2005, by the Chair of the Board of County Commissioners. Following the June 17, 2005 deadline, the applicant requested an additional two years to complete platting due to the uncertainty regarding the length of time it will take to resolve the outstanding drainage issues with the Corps of Engineers. On May 27, 2005, the subject property was annexed by the City of Wichita, thus changing the current zoning to "SF-5" Single Family and placing the requested platting extension under the decision making authority of the City Council. The Wichita City Council granted a four-month extension, expiring on October 17, 2005. The applicant is now requesting another six-month platting extension, until April 16, 2006. The applicant indicates in the attached letter that a plat for the property has yet to be prepared due to delays in working with the Corps of Engineers regarding drainage issues associated with the property, and awaiting the City design for 29th Street North.

Analysis: Public Works has reviewed the requested six-month platting extension. Public Works indicates that a design for this portion of 29th Street North is underway and the right-of-way dedication is needed prior to completion of the plat. Other property owners along the 29th Street North frontage have already made necessary right-of-way dedications. Therefore, staff recommends that the requested platting extension be granted subject to dedication of 60 feet of right-of-way along the 29th Street North frontage by December 22, 2005.

Financial Considerations: None.

Legal Considerations: No legal documents are required to enact the granting of the platting extension. The granting of a platting extension is indicated via letter to the applicant noting the extended platting deadline as granted by the City Council.

Recommendations/Actions: Approve the extended platting deadline of April 16, 2006, subject to dedication of 60 feet of right-of-way along the 29th Street North frontage by December 22, 2005.

**Agenda Item No. 12.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report No. 05-1077

TO: Mayor and City Council Members

SUBJECT: SUB 2005-34- Plat of Fontana Second Addition, Located East of 119th Street West and North of 29th Street North. (District V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning (Consent)

---

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (12-0)

Background: This site, consisting of 44 lots on 32.7 acres, is a replat of a portion of the Fontana Addition, and has recently been annexed into Wichita's city limits. This site is zoned SF-5, Single-Family Residential District.

Analysis: Petitions, 100 percent, and a Certificate of Petitions have been submitted for paving, drainage, sidewalks, sewer, water and paving improvements. A Restrictive Covenant was submitted to: 1) create a Lot Owners' Association for the ownership and maintenance of the proposed reserves being platted for drainage purposes; 2) provide four off-street parking spaces per dwelling unit on each lot that abuts a 58-foot street; and 3) outline restrictions for lot-owner use for platting of narrow street right-of-way with adjacent 15-foot street drainage and utility easements.

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

Financial Consideration: None.

Legal Considerations: The Certificate of Petitions and Restrictive Covenant will be recorded with the Register of Deeds.

Recommendations/Actions: It is recommended that the City Council approve the documents and plat and authorize the necessary signatures.

**Agenda Item No. 13.**

City of Wichita  
City Council Meeting  
November 22, 2005

Agenda Report No. 05-1078

TO: Mayor and City Council Members

SUBJECT: SUB 2005-90 -- Plat of Executive at White Tail Second Addition, Located South of 13th Street North and West of 127th Street East. (District II)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning (Consent)

---

Staff Recommendation: Approve the plat.

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

Background: This site, consisting of five lots on 4.33 acres, is a replat of Executive at White Tail Addition. This site is located within Wichita's city limits and is zoned LC, Limited Commercial District.

Analysis: Petitions, 100 percent, and a Certificate of Petitions have been submitted for paving and sewer improvements. Water services are available to serve this site. Restrictive Covenants were submitted to 1) allow the creation of a Lot Owner's Association that will provide for the ownership and maintenance of the reserves being platted for drainage purposes; and 2) to provide shared access between the lots. In order to guarantee the closure of driveway openings located in areas of complete access control or that exceed the number of allowed openings, a Drive Approach Closure Certificate has been submitted. A Cross-lot Circulation Agreement was submitted to assure internal vehicular movement between the lots.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and record-ing within thirty (30) days.

Legal Considerations: The Certificate of Petitions, Restrictive Covenants, Drive Approach Closure Certificate and Cross-lot Circulation Agreement will be recorded with the Register of Deeds.

Recommendations/Actions: It is recommended that the City Council approve the documents and plat, authorize the necessary signatures and adopt the Resolutions.