

ORDINANCE NO. 51-749

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS ADOPTING A REDEVELOPMENT PROJECT PLAN AMENDMENT FOR THE WEST BANK REDEVELOPMENT DISTRICT WITHIN THE CITY.

WHEREAS, the City Council (the “Governing Body”) of the City of Wichita, Kansas (the “City”) desires to promote, stimulate and develop the general and economic welfare of the City and the state of Kansas (the “State”) and to assist in the development and redevelopment of eligible areas within the City, thereby promoting the general welfare of the citizens of the State and the City, by acquiring property and providing for the development and redevelopment thereof and the financing relating thereto; and

WHEREAS, pursuant to the provisions of K.S.A. 12-1770, *et seq.*, as amended (the “Act”), and Ordinance No. 50-434, passed April 18, 2017, and published April 21, 2017, the City established a redevelopment district pursuant to the Act designated as the “West Bank Redevelopment District” (the “District”) and approved the District Plan for the District (the “District Plan”), and

WHEREAS, the City prepared the Delano and Stadium Project Plan for the District, dated June 8, 2017 (the “Project Plan”); and

WHEREAS, on June 8, 2017, the Wichita-Sedgwick County Metropolitan Area Planning Commission reviewed the Project Plan and adopted a resolution finding that the Project Plan is consistent with the comprehensive plan for the development of the City; and

WHEREAS, by Ordinance No. 50-561, passed July 25, 2017, and published July 28, 2017, the City adopted the Project Plan for the District; and

WHEREAS, in accordance with the provisions of the Act, a copy of the Project Plan was delivered by the City to the Board of County Commissioners of Sedgwick County, Kansas and to the Board of Education of U.S.D. No. 259, Sedgwick County, Kansas (Wichita); and

WHEREAS, by Ordinance No. 51-164, passed December 17, 2019, and published December 20, 2019, the City added certain property and increased the boundaries of the District pursuant to K.S.A. 12-1771(f) and made a substantial change to the District Plan for the District; and

WHEREAS, the Act, particularly K.S.A. 12-1772(f), authorizes the Governing Body to approve substantial changes to the Project Plan, subject to public hearing, notice of which is provided by publication at least twice in the official City newspaper; and

WHEREAS, the City has prepared a Project Plan Amendment for the District, dated as of April 2022 (the “Project Plan Amendment”), which modifies the scope of the public improvements described in the Project Plan and provides that the City may issue additional full faith and credit tax increment bonds to finance (the “Bonds”), in whole or in part, the costs to finance projects previously described in the Project Plan and the proposed Project Plan Amendment, and is considering adoption of the Project Plan Amendment; and

WHEREAS, on April 19, 2022, after providing notice required by the Act, a public hearing on the Project Plan Amendment was opened, public comment was received by the Governing Body and the public hearing was closed; and

WHEREAS, the Governing Body is authorized by the Act to adopt the Project Plan Amendment by ordinance passed by not less than two-thirds vote of the Governing Body.

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

Section 1. Project Plan Amendment Approval. The Project Plan Amendment for the redevelopment of the District, together with all attachments and exhibits thereto, which is on file in the office of the City Clerk, is hereby adopted.

Section 2. Financing Authorization. The Governing Body hereby declares its intention to issue and sell the Bonds in order to implement the Project Plan Amendment. The Bonds may be issued to reimburse the City for such project costs pursuant to Treasury Regulation §1.150-2.

Section 3. Notification. The City Clerk shall cause to be transmitted copies of this Ordinance and the Project Plan Amendment to the Sedgwick County Board of County Commissioners, Clerk, Treasurer and Appraiser and to the Board of Education of Unified School District No. 259 (Wichita).

Section 4. Further Action. The Mayor, City Manager, Director of Finance, City Clerk, City Attorney and other officials, agents and employees of the City, including Gilmore & Bell, P.C., Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

Section 5. Effective Date. This Ordinance shall be effective upon its passage by the Governing Body of the City and publication of the Ordinance or a summary one time in the official City newspaper.

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PASSED by not less than two-thirds vote the City Council of the City on April 26, 2022 and **SIGNED** by the Mayor.

(SEAL)

Brandon J. Whipple, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law and
City Attorney