

(Published in The Wichita Eagle on January 6, 2023)

ORDINANCE NO. 52-018

AN ORDINANCE OF THE CITY OF WICHITA, KANSAS (THE "CITY"), AMENDING AND REPEALING SECTION I OF ORDINANCE NO. 50-915 OF THE CITY.

WHEREAS, Article 12, Section 5 of the Kansas Constitution empowers cities to determine their local affairs and government; and

WHEREAS, the Governing Body of the City, in Section I of Ordinance No. 50-915 of the City, provided for a five-year loan to finance equipment for the Starlite Drive-in Theatre, funded from Hyatt sale proceeds, but now finds it necessary and desirable to extend the term of the loan to seven years.

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

Section 1. Amendment. Section I of Ordinance No. 50-915 of the City is hereby amended to read as follows:

Section 1. Amendment of Section 6 of Ordinance 50 -585. Section 6 of Ordinance 50 -585 of the City is hereby amended to read as follows:

Section 6. Authorization of District 3 Neighborhood Grant Program.

Pursuant to the authority of Article 12, Section 5 of the Kansas Constitution, the Governing Body of the City hereby authorizes and establishes a Neighborhood Grant Program for District III, to be funded with 500,000 of Hyatt sale proceeds. Grants from this program will be available for one time neighborhood projects

within District 3, as selected by a review committee of City staff. The review committee will select projects that meet the criteria of this Section for either a neighborhood physical improvement grant or a neighborhood preservation grant. Neighborhood physical improvement grants will be up to \$ 100,000 per project for projects that are playgrounds, common areas, park amenities, community gardens, neighborhood markers, identity signs, trash cans, benches and similar improvements that beautify the neighborhood. The grants cannot be used for paving or sidewalk construction. Neighborhood preservation grants will be up to \$50,000 per project for materials, programs and services that sustain or improve the health, public safety and welfare of a neighborhood. Grant funds will also support activities that generate new neighborhood connections, grow an organization, educate and develop neighborhood leadership or promote involvement.

Pursuant to the authority of Article 12, Section 5 of the Kansas Constitution, the Governing Body of the City further authorizes the expenditure of up to \$200,000 for a 1%, seven-year loan to Starlite, LLC, ad Kansas limited liability corporation, for the purchase of digital projection and related equipment and installation expenses, subject to the execution of a Promissory Note secured by a letter of credit and Personal Guarantee by Mr. Blake Smith, Lessor of the Starlite Drive - In and the principal of Starlite LLC.

Section 2. Repeal. Section I of Ordinance No. 50-915 of the City, as it previously existed, is hereby repealed and replaced with the amended text set forth in Section 1 above, and the remainder of Ordinance No. 50-915 shall continue in force unmodified.

Section 3. Effective Date. This Ordinance shall take effect and be in full force after its adoption by the City's Governing Body and publication once in the official newspaper of the City.

PASSED by the Governing Body of the City of Wichita, Kansas this 3rd day of January, 2023.

(SEAL)

Brandon J. Whipple, Mayor

ATTEST:

Jamie Buster, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law
and City Attorney