

CITY COMMISSION POLICY

Policy 2
June 8, 2010
Supersedes: October 29, 1996

SUBJECT: Financing of Public Improvements

Distribution of costs for financing of public improvements in the City of Wichita shall be in accordance with the policies outlined herein:

Streets

The cost of original construction of local and collector streets shall be assessed 100% to the property within the improvement district. The improvement district is defined as including those properties on either side of the proposed street improvement half the distance to the next paralleling street as provided by statute.

For projects initiated under provisions of K.S.A. 12-6a01, et seq. (Chesney Law), the City may pay such cost as the governing body may determine, but not more than 95% thereof.

The cost of maintenance and repair of streets will be paid by the City-at-large, except for repair of damage that can be attributed to an act or acts of a specific person or person.

The cost of reconstruction or replacement of residential streets shall be paid 100% by special assessment. In the event the street reconstruction or replacement is made prior to the expiration of the anticipated useful life of the street a result of increased traffic or other factors, the City Engineer may recommend to the City Council that a portion of the cost of reconstruction or replacement be paid by the City-at-large

After March 3, 1992, the costs of constructing or reconstructing arterial streets shall be paid by the City-at-large and no special assessments shall be levied for such arterial projects, excepts as provided below

Construction or reconstruction of acceleration-deceleration lanes, left turn lanes or specialized signalization on arterial streets necessitated by a specific development or as a condition of platting shall be paid by special assessments.

The paving of an unpaved arterial or mile-line road, or the reconstruction of an unimproved arterial or mile-line road necessitated to provide paved access to a new development shall be the developer's responsibility. In addition, the developer shall also be responsible for paving temporary accel-decel lanes required to serve the development. There are two methods of funding such improvements: (1) a cash contribution for the cost of temporary pavement designed to a seven-year standard, or (2) special assessments to pave the roadway to a 15-year design standard. The City reserves the option to combine the cash or special assessments with other funds to build the roadway to a higher standard or to enlarge the limits of the project. This policy will apply to all existing undeveloped plats and future plats.

CITY COMMISSION POLICY

Sidewalks

The costs of construction, reconstruction or replacement and repair of sidewalks shall be paid by the benefited property except:

- 1) When newly constructed along arterial streets and the governing body elects to pay the cost and with City-at-large funds.
- 2) When repair or reconstruction is a result of damage that can be attributed to an act or acts of a specific person or persons and for repairs required as a result of utility operations.
- 3) When it is necessary in connection with a reconstruction project to remove and replace a sidewalk determined by the City Engineer to be in good condition.

Sanitary Sewers

The costs of construction of sanitary sewers shall be distributed between improvement districts and the City-at-large in accordance with the following schedule based on the type of sewers.

- 1) Lateral Sewer: Costs to be assessed 100% against land in the improvement district.
- 2) Main (Submain) Sewer: Subject to the provisions of Sewer Main Benefit Fee Policy dated November 1, 2005. This policy allows sewer main (submain) projects to be assessed on a square foot benefit fee for projects that have been approved by the Wichita Water Utilities.
- 3) Interceptor Sewer: Costs to be paid 100% by Wichita Water Utilities.

The costs of maintenance and repair will be paid by the Wichita Water Utilities except for repair of damage that can be attributed to an act or acts of a specific person or person.

Maximum use will be made of federal financial assistance for sewer construction where appropriate.

Connection charges as set forth in the Wichita Water Utilities *Department Operations Policies and Procedures (DOPP #48)*, dated November 25, 2008.

Water System Improvements

The costs of construction and reconstruction of water system improvements shall be distributed between improvement districts and the City-at-large in accordance with the following schedule based on the type of sewers.

- 1) Subdivision Interior Water Lines: Costs to be assessed 100% against land in the improvement district.

CITY COMMISSION POLICY

- 2) Water Mains: Subject to the provisions of Water Main Benefit Fee Policy dated October 21, 2008. This policy allows water main projects to be assessed on a square foot benefit fee for projects that have been approved by the Wichita Water Utilities.

The costs of maintenance and repair will be paid by the Wichita Water Utilities except for repair of damage that can be attributed to an act or acts of a specific person or persons.

Connection charges as set forth in the Wichita Water Utilities *Department Operations Policies and Procedures (DOPP #48)*, dated November 25, 2008.

Storm Drainage

The costs of storm water sewer construction shall be paid in accordance with the following:

- 1) All improvements to the Arkansas River and to creeks, and canals and sloughs shall be funded 100% City-at-large, or through budgeted maintenance funds, Storm Water Utility funds, general obligation bonds, and such federal funds as may become available.
- 2) Drainage improvements in developed areas of the City shall be funded 100% City-at-large or by Storm Water Utility funds.
- 3) Drainage improvements in new areas of the City shall be funded 100% by the developer, land owner or they may be assessed to an improvement district as approved by the City Council.
- 4) Pumping stations required as a result of City drainage improvements shall be funded 100% City-at-large or by Storm Water Utility funds.

Spreading of Special Assessments

Special assessments for public improvements shall be distributed in accordance with the statute under which the project was initiated.

When appraisers are required in connection with determining property values within the benefit district, qualified appraisers shall be retained in accordance with Administrative Regulation 1.6. Appraisers will be instructed as to their duties by the City Clerk.

Citizen Participation

Appropriate systems will be utilized to permit maximum citizen participation in the preparation of the City Capital Improvement Program as it relates to public improvements.

CITY COMMISSION POLICY

Notification procedures as provide in Administrative Regulation 6.6 will be used to advise affected citizens of impending City Council action to initiate a public improvement, except in those instances where the improvement has been requested by owners of 100% of the benefited property.

Deferrals

- 1) **Hardship Deferral:** Hardship Deferrals may be granted to qualifying low income property owners. Qualification for hardship deferrals shall be reevaluated annually.
- 2) **Agricultural Deferral:** Agricultural Deferrals may be granted to protect individual property owners from financial hardship when inadvertently impacted by surrounding development. Special assessments against unplatted and undeveloped land may be deferred in accordance with Charter Ordinance XXX.
- 3) **Storm Water Drain Deferral:** Storm Water Drain Improvements in platted areas may be eligible for deferral for a maximum of 5 years as outlined in Charter Ordinance XXX.