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CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
09:30 a.m. March 22, 2016

First Floor Board Room
455 North Main

OPENING OF REGULAR MEETING

- Call to Order
- Approve the minutes of regular meeting on March 15, 2016

II. CONSENT AGENDA ITEMS 1 THROUGH 18

NOTICE: Items listed under the "Consent Agendas" will be enacted by one motion with no separate discussion. If discussion on an item is desired, the item will be removed from the "Consent Agendas" and considered separately

(The Council will be considering the City Council Consent Agenda as well as the Planning, Housing, and Airport Consent Agendas. Please see "ATTACHMENT 1 – CONSENT AGENDA ITEMS" for a listing of all Consent Agenda Items.)

COUNCIL BUSINESS

COUNCIL AGENDA

VIII. COUNCIL MEMBER AGENDA

IX. COUNCIL MEMBER APPOINTMENTS AND COMMENTS

1. Board Appointments.

RECOMMENDED ACTION: Approve the appointments.

Adjournment

*****WORKSHOP TO FOLLOW*****

(ATTACHMENT 1 – CONSENT AGENDA ITEMS1 THROUGH 18)

II. CITY COUNCIL CONSENT AGENDA ITEMS

1. Report of Board of Bids and Contracts dated March 21, 2016

RECOMMENDED ACTION: Receive and file report; approve the contracts; and authorize the necessary signatures.

2. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renew</u>	<u>2016</u>	<u>(Consumption on Premises)</u>
Roselia Tello-Rubio	Lalo’s ExpressLLC**	2051 South Seneca

<u>Renew</u>	<u>2016</u>	<u>(Consumption off Premises)</u>
Mohammad Z. Hossain	D Enterprise LLC dba H Food Mart	100 West 21st North
Anita Haeri	Valero #1***	851 South Meridian

* Tavern (less than 50% of gross revenues from sale of food)
**General/Restaurant (need 50% or more gross revenue from sale of food)
***Retailer (Grocery stores, convenience stores, etc.)

RECOMMENDED ACTION: Approve licenses subject to staff review and approval.

3. Preliminary Estimates:

- a. List of Preliminary Estimates.

RECOMMENDED ACTION: Receive and file.

4. Petitions for Public Improvements:

- a. New and Revised Petitions for Improvements to Serve Tyler Pointe Commercial Addition. (District V)

RECOMMENDED ACTION: Approve the petitions and adopt the resolutions.

5. Consideration of Street Closures/Uses:

- a. Community Events - Step Up for KIDS. (District VI)
- b. Community Events - Third Annual Thin Mint Sprint. (District II)

RECOMMENDED ACTION: Approve the request 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) Securing a Certificate of Liability Insurance on file with the Community Events Coordinator.

6. Design Services Agreements:

- a. Supplemental Design Agreement No. 1 for Country Acres Phase II Water Main Replacement. (District V)

RECOMMENDED ACTION: Approve agreements/contracts, adopt the resolution and authorize the necessary signatures.

7. Minutes of Advisory Boards/Commissions:

Board of Building Code Standards and Appeals, February 1, 2016
Wichita Public Library, February 16, 2016
Joint Investment Committee, February 4, 2016
Board of Electrical Appeals, February 9, 2016
Board of Appeals of Plumbers and Gas Fitters, December 30th, 2015
Board of Appeals of Plumbers and Gas Fitters, January 27, 2016
2015 Plumbing Code Review Committee, January, 27, 2016
2015 Plumbing Code Review Committee, February 24, 2016
Board of Appeals of Refrigeration, Air Conditioning, Warm Air Heating and Boiler, January 7, 2016
Board of Appeals of Refrigeration, Air Conditioning, Warm Air Heating and Boiler, February 4, 2016

RECOMMENDED ACTION: Receive and file.

8. Dillon's Convenience Bus Pass Sales.

RECOMMENDED ACTION: Approve the Memorandum of Agreement allowing the sale of transit passes at Dillon's.

9. Exploited and Missing Child Unit Memorandum of Understanding.

RECOMMENDED ACTION: Approve the MOU and authorize the necessary signatures

10. Funding for Improvements to 37th Street North, Oliver to Woodlawn. (District I)

RECOMMENDED ACTION: Approve the revised budget, and adopt the amending resolution.

11. Funding for Sanitary Sewer Relocation for Kellogg and Greenwich. (District II)

RECOMMENDED ACTION: Approve the budget, adopt the resolution, and authorize the necessary signatures.

12. Water Storage Tank Rehabilitation.

RECOMMENDED ACTION: Approve the budget, adopt the resolution and authorize the necessary signatures.

13. Release of Property, Bombardier Learjet. (District IV)

RECOMMENDED ACTION: Adopt the Resolution and authorize the necessary signatures.

14. SAFER Grant Program.

RECOMMENDED ACTION: Authorize submission for the 2015 Staffing for Adequate Fire and Emergency Response (SAFER) grant for six firefighter positions

15. Second Reading Ordinances: (First Read March 15, 2016)

a. Second Reading Ordinances.

RECOMMENDED ACTION: Adopt the Ordinances.

II. CONSENT PLANNING AGENDA ITEMS

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

16. *SUB2015-00011 -- Plat of Silver Springs 2nd Addition Located on the North Side of West Central Avenue, East of North Ridge Road. (District V)

RECOMMENDED ACTION: Approve the documents and plat, authorize the necessary signatures, adopt the Resolutions and place the Ordinance on first reading. Publication of the Ordinance should be withheld until the plat is recorded with the Register of Deeds.

17. *ZON2016-00001 – Zone Change from SF-5 Single-Family Residential and LC Limited Commercial to LI Limited Industrial with a Protective Overlay on Property Generally Located West of North Hoover Road, between 21st Street North and 23rd Street North, 2241 and 2249 N. Hoover Road. (District VI)

RECOMMENDED ACTION: Adopt the findings of the MAPC and approve the Zone Change with Protective Overlay #304, subject to platting within one year, (simple majority vote), and instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council.

18. *A16-02 - Request by Robert J. and Jessica C. Morris to Annex Lands Generally Located One-Quarter Mile North of East 21st Street North on the West Side of North 159th Street East. (District II)

RECOMMENDED ACTION: Approve the annexation request, place the ordinance on first reading, authorize the necessary signatures and instruct the City Clerk to publish the ordinance after approval on second reading.

II. CONSENT HOUSING AGENDA ITEMS

NOTICE: The City Council is meeting as the governing body of the Housing Authority for consideration and action on the items on this Agenda, pursuant to State law, HUD, and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

Carole Trapp, Housing Member is also seated with the City Council.

None

II. CONSENT AIRPORT AGENDA ITEMS

NOTICE: The City Council is meeting as the governing body of the Airport Authority for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

None

**PRELIMINARY ESTIMATES
FOR CITY COUNCIL MARCH 22, 2016**

- a. Kackley Court (Lots 1-9, Block A) from the north line of Lot 1, Block A, north to and including the cul-de-sac; and on Kackley Court (Lots 10-16, Block A) from the east line of Kackley Court east to and including the cul-de-sac to serve Tyler's Landing 4th Addition (east of Tyler, south of 37th Street North) (472-85181/766358/490381) Does not affect existing traffic. (District V) - \$261,416.10
- b. 2016 Sanitary Sewer Rehabilitation Phase A (CIPP) (north of Pawnee, east of West Street) (468-85084/620760/665005) Traffic to be maintained during construction using flagpersons and barricades. (District I,II,III,IV,VI) - \$381,000.00
- c. Stormwater Sewer #705 Repairs at South Mead Avenue, north of East Kinkaid Avenue (South Mead north of East Kinkaid) (468-85098/707090/211545) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$20,000.00
- d. Water Distribution System to serve Copper Gate 3rd Addition (north of 13th Street North, west of 135th Street West) (448-90708/735545/470218) Does not affect existing traffic. (District V) - \$109,000.00
- e. Lateral 21, Northwest Interceptor Sewer to serve Copper Gate 3rd Addition (north of 13th Street North, west of 135th Street West) (468-85093/744409/480101) Does not affect existing traffic. (District V) - \$156,000.00
- f. 63rd Street South Water Main Extension (along 63rd Street, west of Hwy K-15) (448-90609/636338/775070) Traffic to be maintained during construction using flagpersons and barricades. (District County/Derby) - \$1,000,000.00

PRELIMINARY ESTIMATE of the cost of:

Kackley Court (Lots 1-9, Block A) from the north line of Lot 1, Block A, north to and including the cul-de-sac; and on Kackley Court (Lots 10-16, Block A) from the east line of Kackley Court east to and including the cul-de-sac to serve Tyler's Landing 4th Addition (east of Tyler, south of 37th Street North)

All work done and all materials furnished to be in accordance with plans and specifications on file in the office of the City Engineer.

LUMP SUM BID ITEMS

1	Maintain Existing BMPs	1	LS
2	Grading, Mass	1	LS
3	Signing	1	LS
4	Seeding	1	LS
5	Site Clearing	1	LS
6	Site Restoration	1	LS

MEASURED QUANTITY BID ITEMS

7	AC Pavement 5" (3" Bit Base)	1,838	sy
8	Crushed Rock Base 5", Reinforced	2,062	sy
9	Concrete Pavement (VG) 7" (Reinf)	100	sy
10	Concrete C & G, Type 2 (3-5/8" RL & 1-1/2")	993	lf
11	Concrete Curb, Mono Edge (6-5/8" & 1-1/2")	63	lf
12	Fire Hydrant Adjusted	1	ea
13	BMP, Back of Curb Protection	1,056	lf
14	BMP, Construction Entrance	1	ea

Construction Subtotal

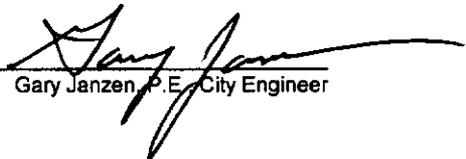
Design Fee
Engineering & Inspection
Administration
Publication
Contingency

Total Estimated Cost

\$261,416.10

CITY OF WICHITA)
STATE OF KANSAS) SS

I do solemnly swear that the above amount is correct, reasonable and just.


Gary Janzen, P.E. City Engineer

Sworn to and subscribed before me this _____
(DATE)

City Clerk

490381 (766358) 472-85181

Page _____

EXHIBIT

PRELIMINARY ESTIMATE of the cost of:
 2016 Sanitary Sewer Rehabilitation Phase A (CIPP)
 (north of Pawnee, east of West Street)

All work done and all materials furnished to be in accordance with plans and specifications on file in the office of the City Engineer.

LUMP SUM BID ITEMS		
1	Pipe, Cured-in-Place, 8" (Site 1)	741 lf
2	Pipe, Cured-in-Place, 8" (Site 2)	898 lf
3	Pipe, Cured-in-Place, 8" (Site 3)	444 lf
4	Pipe, Cured-in-Place, 8" (Site 4)	543 lf
5	Pipe, Cured-in-Place, 8" (Site 5)	1,248 lf
6	Pipe, Cured-in-Place, 8" (Site 6)	541 lf
7	Pipe, Cured-in-Place, 15" (Site 7)	600 lf
8	Pipe, Cured-in-Place, 8" (Site 8)	613 lf
9	Pipe, Cured-in-Place, 8" (Site 9)	215 lf
10	Pipe, Cured-in-Place, 8" (Site 10)	606 lf
11	Pipe, Cured-in-Place, 8" (Site 11)	486 lf
12	Pipe, Cured-in-Place, 8" (Site 12)	500 lf
13	Pipe, Cured-in-Place, 8" (Site 13)	763 lf
14	Pipe, Cured-in-Place, 8" (Site 14)	300 lf
15	Pipe, Cured-in-Place, 8" (Site 15)	749 lf
16	Pipe, Cured-in-Place, 8" (Site 16)	230 lf
17	Pipe, Cured-in-Place, 15" (Site 16)	621 lf
18	Pipe, Cured-in-Place, 8" (Site 17)	625 lf
19	Pipe, Cured-in-Place, 8" (Site 18)	520 lf
20	Pipe, Cured-in-Place, 10" (Site 18)	308 lf
21	Pipe, Cured-in-Place, 12" (Site 19)	581 lf
22	Site Preparation	1 LS
23	Site Restoration	1 LS

Construction Subtotal _____

Engineering & Inspection
 Administration
 Publication

Total Estimated Cost _____

\$381,000.00

CITY OF WICHITA)
 STATE OF KANSAS) SS

I do solemnly swear that the above amount is correct, reasonable and just.


 Gary Janzen, P.E., City Engineer

Sworn to and subscribed before me this _____
 (DATE)

 City Clerk

To be Bid: March 4, 2016

PRELIMINARY ESTIMATE of the cost of:

Stormwater Sewer #705 Repairs at South Mead Ave north of East Kinkaid Ave
(S Mead north of E Kinkaid)

All work done and all materials furnished to be in accordance with plans and specifications
on file in the office of the City Engineer.

LUMP SUM BID ITEMS

1 S Mead Ave SWS Repair 1 LS

Construction Subtotal _____

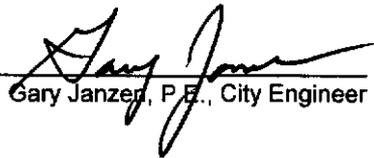
Design Fee
Engineering & Inspection
Administration
Publication
Water Dept

Total Estimated Cost _____

\$20,000.00

CITY OF WICHITA)
STATE OF KANSAS) SS

I do solemnly swear that the above amount is correct, reasonable and just.



Gary Janzer, P.E., City Engineer

Sworn to and subscribed before me this _____
(DATE)

City Clerk

211545 (707090) 468-85098
Page _____

EXHIBIT

To be Bid: March 4, 2016

PRELIMINARY ESTIMATE of the cost of:
 Water Distribution System to serve Copper Gate 3rd Addition
 (north of 13th Street North, west of 135th Street West)

All work done and all materials furnished to be in accordance with plans and specifications on file in the office of the City Engineer.

LUMP SUM BID ITEMS (735545) - Group 1

1	Maintain Existing BMPs	1	LS
2	Seeding	1	LS
3	Site Clearing	1	LS
4	Site Restoration	1	LS

MEASURED QUANTITY BID ITEMS (735545) - Group 1

5	WL Pipe 4"	257	lf
6	WL Pipe 8"	1,275	lf
7	WL Pipe 8", Directional Drilled	305	lf
8	Fire Hydrant Assembly	3	ea
9	Valve Assembly 4"	2	ea
10	Valve Assembly 8"	2	ea
11	Valve Assembly, Blowoff 2"	3	ea

Construction Subtotal _____

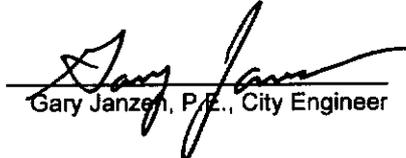
Design Fee
 Engineering & Inspection
 Administration
 Publication
 Water Dept

Total Estimated Cost _____

\$109,000.00

CITY OF WICHITA)
 STATE OF KANSAS) SS

I do solemnly swear that the above amount is correct, reasonable and just.


 Gary Janzen, P.E., City Engineer

Sworn to and subscribed before me this _____
 (DATE)

 City Clerk

To be Bid:

March 4, 2016

PRELIMINARY ESTIMATE of the cost of:

Lateral 21, Northwest Interceptor Sewer to serve Copper Gate 3rd Addition
(north of 13th Street North, west of 135th Street West)

All work done and all materials furnished to be in accordance with plans and specifications on file in the office of the City Engineer.

LUMP SUM BID ITEMS (744409) - Group 2

1	Seeding	1	LS
2	Site Clearing	1	LS
3	Site Restoration	1	LS

MEASURED QUANTITY BID ITEMS (744409) - Group 2

4	Pipe, SS 8"	1,960	lf
5	Air Testing, SS Pipe	1,960	lf
6	Pipe Stub, 4"	3	ea
7	Riser Assembly 4", Manhole Stub	4	ea
8	Riser Assembly 4", Vertical	7	ea
9	Riser Assembly 8", Cleanout	2	ea
10	Outside Drop Constructed	1	ea
11	MH, Connect to existing	2	ea
12	MH, Standard SS (4')	7	ea
13	MH, Shallow SS (4')	3	ea
14	Fill, Flowable	69	lf
15	Fill, Sand (Flushed & Vibrated)	776	lf
16	BMP, Construction Entrance	1	ea
17	BMP, Silt Fence	850	lf

Construction Subtotal _____

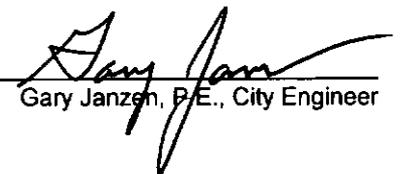
Design Fee
Engineering & Inspection
Administration
Publication

Total Estimated Cost _____

\$156,000.00

CITY OF WICHITA)
STATE OF KANSAS) SS

I do solemnly swear that the above amount is correct, reasonable and just.


Gary Janzen, P.E., City Engineer

Sworn to and subscribed before me this _____
(DATE)

City Clerk

480101 (744409) 468-85093
Page _____

EXHIBIT

To be Bid: March 4, 2016

PRELIMINARY ESTIMATE of the cost of:
 63rd Street South Water Main Extension
 (along 63rd Street, west of Hwy K-15)

All work done and all materials furnished to be in accordance with plans and specifications on file in the office of the City Engineer.

LUMP SUM BID ITEMS

1 Mobilization	1	LS
2 Site Clearing	1	LS
3 Site Restoration	1	LS
4 Traffic Control	1	LS
5 Sodding	1	LS
6 Seeding	1	LS

MEASURED QUANTITY BID ITEMS

7 Pipe, WL 16"	4,461	lf
8 Pipe, WL 16", RJ, Directional Drill	302	lf
9 Pipe, WL 18", HDPE, Directional Drill - DO NOT BID	960	lf
10 Pipe, Casing (24" ID min.)	174	lf
11 Fire Hydrant Assembly	10	ea
12 Valve Assembly, 16"	5	ea
13 Valve Assembly, Air Release	7	ea
14 BMP Silt Fence	1,413	lf
15 BMP Ditch Check	371	lf
16 BMP Erosion Control Mat	3,560	sy
17 BMP Drop Inlet Protection	1	ea
18 Tree Removed, Large	5	ea
19 Tree Removed, Small	5	ea

LUMP SUM BID ITEMS

20 Water Main, Sta 4+60 to 14+20	1	LS
21 Water Main, Sta 8+10 to 14+50	1	LS

Construction Subtotal _____

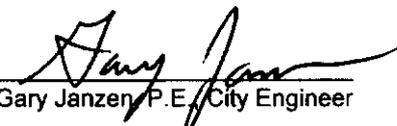
Design Fee (other OCA, 635823)
 Engineering & Inspection
 Administration
 Publication

Total Estimated Cost

 \$1,000,000.00

CITY OF WICHITA)
 STATE OF KANSAS) SS

I do solemnly swear that the above amount is correct, reasonable and just.


 Gary Janzen, P.E., City Engineer

Sworn to and subscribed before me this _____
 (DATE)

 City Clerk

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council

SUBJECT: New and Revised Petitions for Improvements to Serve Tyler Pointe Commercial Addition (District V)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve the new and revised petitions and adopt the new and amending resolutions.

Background: On January 8, 2013, the City Council approved a petition for sanitary sewer improvements to serve Tyler Pointe Commercial Addition. The developer has submitted a revised petition with an increased budget.

The developer has also submitted new petitions for drainage and two separate water distribution system improvements. The signatures on the petitions represent 100% of the improvement district and the petitions are valid per Kansas Statute 12-6a01.

Analysis: The projects will provide sanitary sewer, drainage and water distribution improvements required for a new commercial development located south of 13th Street North, east of Tyler road.

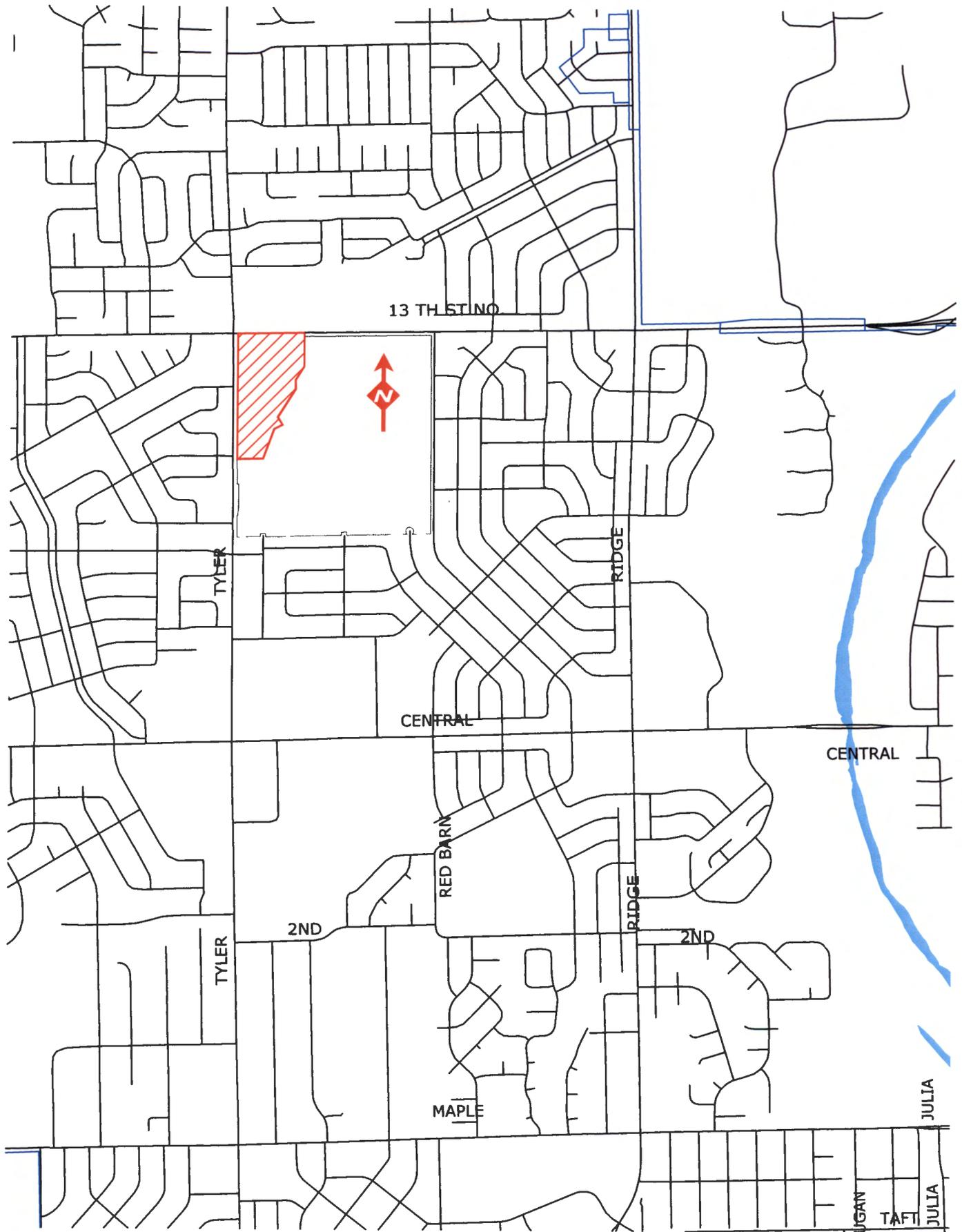
Financial Considerations: The existing petition total for the sanitary sewer improvements was \$43,900. The revised petition total is \$172,200, a difference of \$128,300.

The newly submitted petition totals are \$176,500 for drainage and \$44,400 and \$50,400 for the two water distribution projects. The funding source for the projects are 100% special assessments.

Legal Considerations: The Law Department has reviewed and approved the new and revised petitions and the new and amending resolutions as to form.

Recommendations/Actions: It is recommended that the City Council approve the new and revised petitions, adopt the new and amending resolutions, and authorize the necessary signatures.

Attachments: Map, new and revised petitions, new and amending resolutions, and budget sheets.



Project Request

CIP Non-CIP

NEIGHBORHOOD IMPROVEMENT

ORDERED BY WCC

PETITION

PETITION PERCENTAGE: 100 _____

DEPARTMENT: 13 Public Works & Utilities

DIVISION: Engineering

RESOLUTION/ORDINANCE #: _____

ENGINEERING REFERENCE #: 448-90725

FUND: 470 Water Improvements N.I.

COUNCIL DISTRICT: 05 Council District 5

DATE COUNCIL APPROVED: _____

REQUEST DATE: _____

PROJECT #: _____

PROJECT TITLE: Water Distribution System Tyler Pointe Addition Phase 2

PROJECT DETAIL #: _____

PROJECT DETAIL DESCRIPTION: Water Distribution System Tyler Pointe Addition Phase 2

OCA #: _____

OCA TITLE: Water Distribution System Tyler Pointe Addition Phase 2

PERSON COMPLETING FORM: Kim Pelton

PHONE #: 268-4499

PROJECT MANAGER: Julianne Kallman

PHONE #: 268-4236

NEW BUDGET

REVISED BUDGET

REVENUE

EXPENSE

Object Level 3	Budget	Object Level 3	Budget
9730 S.A. Bonds	\$44,400.00	2999 Contractuals	\$44,400.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
REVENUE TOTAL:	\$44,400.00	EXPENSE TOTAL:	\$44,400.00

NOTES: Hold for LOC

Print Form

SIGNATURES REQUIRED

DIVISION HEAD: _____

[Signature]

DATE: 03/08/16

DEPARTMENT HEAD: _____

[Signature]

DATE: 3/10/16

BUDGET OFFICER: _____

[Signature]

DATE: 3/4/16

CITY MANAGER: _____

DATE: _____

Project Request

CIP Non-CIP

NEIGHBORHOOD IMPROVEMENT

ORDERED BY WCC

PETITION

PETITION PERCENTAGE: 100

DEPARTMENT: 13 Public Works & Utilities

DIVISION: Engineering

RESOLUTION/ORDINANCE #: _____

FUND: 470 Water Improvements N.I.

ENGINEERING REFERENCE #: 448-90724

COUNCIL DISTRICT: 05 Council District 5

DATE COUNCIL APPROVED: _____

REQUEST DATE: _____

PROJECT #: _____

PROJECT TITLE: Water Distribution System Tyler Pointe Addition Phase 1

PROJECT DETAIL #: _____

PROJECT DETAIL DESCRIPTION: Water Distribution System Tyler Pointe Addition Phase 1

OCA #: _____

OCA TITLE: Water Distribution System Tyler Pointe Addition Phase 1

PERSON COMPLETING FORM: Kim Pelton

PHONE #: 268-4499

PROJECT MANAGER: Julianne Kallman

PHONE #: 268-4236

NEW BUDGET

REVISED BUDGET

REVENUE

EXPENSE

Object Level 3	Budget	Object Level 3	Budget
9730 S.A. Bonds	\$50,400.00	2999 Contractuals	\$50,400.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
REVENUE TOTAL:	\$50,400.00	EXPENSE TOTAL:	\$50,400.00

NOTES: Hold for LOC

SIGNATURES REQUIRED

Print Form

DIVISION HEAD: _____

DATE: 03/09/16

DEPARTMENT HEAD: _____

DATE: 3/10/16

BUDGET OFFICER: _____

DATE: 3/4/16

CITY MANAGER: _____

DATE: _____

Project Request

CIP Non-CIP

NEIGHBORHOOD IMPROVEMENT

ORDERED BY WCC

PETITION

PETITION PERCENTAGE: 100

DEPARTMENT: 13 Public Works & Utilities

DIVISION: Engineering

RESOLUTION/ORDINANCE #: _____

FUND: 480 Sewer Improvements N.I.

SUBFUND: 480 Sanitary Sewers N.I.

ENGINEERING REFERENCE #: 468-84861

COUNCIL DISTRICT: 05 Council District 5

DATE COUNCIL APPROVED: Jan 8, 2013

REQUEST DATE: _____

PROJECT #: _____

PROJECT TITLE: Lateral 35, Westlink Sanitary Sewer Tyler Pointe Addition

PROJECT DETAIL #: _____

PROJECT DETAIL DESCRIPTION: Lateral 35, Westlink Sanitary Sewer Tyler Pointe Addition

OCA #: _____

OCA TITLE: Lateral 35, Westlink Sanitary Sewer Tyler Pointe Addition

PERSON COMPLETING FORM: Kim Pelton

PHONE #: 268-4499

PROJECT MANAGER: Julianne Kallman

PHONE #: 268-4236

NEW BUDGET

REVISED BUDGET

Revenue Object Level 3	Original Budget	Adjustment	New Budget
9730 S.A. Bonds	\$43,900.00	\$128,300.00	\$172,200.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
	\$43,900.00	\$128,300.00	\$172,200.00

Expense Object Level 3	Original Budget	Adjustment	New Budget
2999 Contractuals	\$43,900.00	\$128,300.00	\$172,200.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
Total Expense:	\$43,900.00	\$128,300.00	\$172,200.00

NOTES:

Worked by Planning
1-8-2013
Hold for LOC

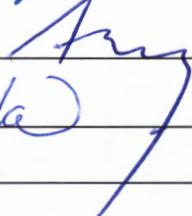
SIGNATURES REQUIRED

DIVISION HEAD: _____



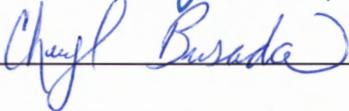
DATE: 03/08/16

DEPARTMENT HEAD: _____



DATE: 3/10/16

BUDGET OFFICER: _____



DATE: 3/4/16

CITY MANAGER: _____

DATE: _____

Print Form

Project Request

CIP Non-CIP

NEIGHBORHOOD IMPROVEMENT

ORDERED BY WCC

PETITION

PETITION PERCENTAGE: 100

DEPARTMENT: 13 Public Works & Utilities

DIVISION: Engineering

RESOLUTION/ORDINANCE #: _____

FUND: 480 Sewer Improvements N.I.

SUBFUND: 485 Storm Drainage N.I.

ENGINEERING REFERENCE #: 468-85102

COUNCIL DISTRICT: 05 Council District 5

DATE COUNCIL APPROVED: _____

REQUEST DATE: _____

PROJECT #: _____

PROJECT TITLE: Storm Water Drain No. 408 Tyler Pointe Addition Phase 1

PROJECT DETAIL #: _____

PROJECT DETAIL DESCRIPTION: Storm Water Drain No. 408 Tyler Pointe Addition Phase 1

OCA #: _____

OCA TITLE: Storm Water Drain No. 408 Tyler Pointe Addition Phase 1

PERSON COMPLETING FORM: Kim Pelton

PHONE #: 268-4499

PROJECT MANAGER: Julianne Kallman

PHONE #: 268-4236

NEW BUDGET

REVISED BUDGET

REVENUE

EXPENSE

Object Level 3	Budget	Object Level 3	Budget
<u>9730 S.A. Bonds</u>	<u>\$176,500.00</u>	<u>2999 Contractuals</u>	<u>\$176,500.00</u>
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00

REVENUE TOTAL: \$176,500.00

EXPENSE TOTAL: \$176,500.00

NOTES: Hold for LOC

SIGNATURES REQUIRED

Print Form

DIVISION HEAD: _____ *[Signature]*

DATE: 03/08/16

DEPARTMENT HEAD: _____ *[Signature]*

DATE: 3/10/16

BUDGET OFFICER: _____ *[Signature]*

DATE: 3/4/16

CITY MANAGER: _____

DATE: _____

RECEIVED

FEB 19 '16

CITY CLERK OFFICE

SWD # 408
468-85102

**PETITION
DRAINAGE AND STORM SEWER IMPROVEMENT
TYLER POINTE ADDITION PH 1, WICHITA, KS**

TO: The Mayor and City Council (the "Governing Body")
City of Wichita, Kansas

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment set forth below for the proposed improvements of the City of Wichita, Kansas (the "City"), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq* (the "Act").

(a) The improvements proposed to be made are as follows (the "Improvements"):

Construction of a drainage and storm sewer, including necessary storm sewer mains and appurtenances to serve the Improvement District defined below.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements is: \$ 176,500, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of this Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the "Improvement District") to be assessed for the costs of the proposed Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

(d) The proposed method of assessment is on a fractional basis:

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

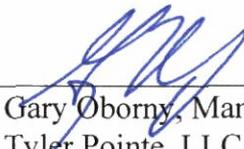
3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

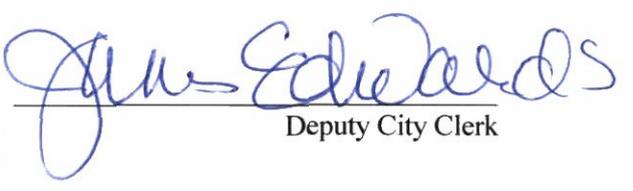
WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
<u>Tyler Pointe Addition</u> Lots 1 through 6, Block A, Tyler Pointe Addition, an addition to Wichita, Sedgwick County, Kansas	Tyler Pointe, LLC	

By: 
Gary Oborny, Manager
Tyler Pointe, LLC

THIS PETITION was filed in my office on 2-19-16.




Deputy City Clerk

448 - 90725

**PETITION
WATER DISTRIBUTION IMPROVEMENT – TYLER POINTE ADDITION PH. 2,
WICHITA, KS**

TO: The Mayor and City Council (the “Governing Body”)
City of Wichita, Kansas

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment set forth below for the proposed improvements of the City of Wichita, Kansas (the “City”), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq* (the “Act”).

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the Improvement District defined below

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements is: \$ 44,400, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of this Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

(d) The proposed method of assessment is on a fractional basis:

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

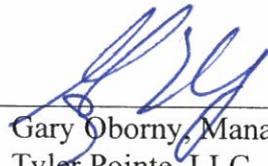
5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
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Tyler Pointe Addition
Lots 1 through 6, Block A, Tyler Pointe
Addition, an addition to Wichita, Sedgwick
County, Kansas

Tyler Pointe, LLC

By: 
Gary Oborny, Manager
Tyler Pointe, LLC

THIS PETITION was filed in my office on 2-19-16.




Deputy City Clerk

RECEIVED

FEB 19 '16

448-90724

CITY CLERK OFFICE

**PETITION
WATER DISTRIBUTION IMPROVEMENT – TYLER POINTE ADDITION PH. 1,
WICHITA, KS**

TO: The Mayor and City Council (the “Governing Body”)
City of Wichita, Kansas

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment set forth below for the proposed improvements of the City of Wichita, Kansas (the “City”), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq* (the “Act”).

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of a *water distribution system*, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the Improvement District defined below

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements is: \$ 50,400, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of this Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

(d) The proposed method of assessment is on a fractional basis:

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

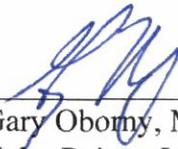
5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
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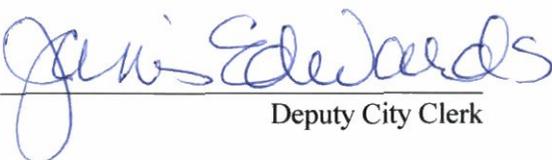
Tyler Pointe Addition
Lots 1 through 6, Block A, Tyler Pointe
Addition, an addition to Wichita, Sedgwick
County, Kansas

Tyler Pointe, LLC

By: 
Gary Oborny, Manager
Tyler Pointe, LLC

THIS PETITION was filed in my office on 2-19-16.




Deputy City Clerk

\$

RECEIVED

FEB 19 '16

CITY CLERK OFFICE

PETITION

SANITARY SEWER IMPROVEMENT – TYLER POINTE ADDITION, WICHITA, KS

TO: The Mayor and City Council (the “Governing Body”)
City of Wichita, Kansas

Replaces 468-84861
Lot. 135, Westlink SS

1. The undersigned, being the owners of record of more than one-half of the area liable for assessment set forth below for the proposed improvements of the City of Wichita, Kansas (the “City”), do hereby request that said improvements be made in the manner provided by K.S.A. 12-6a01 *et seq* (the “Act”).

(a) The improvements proposed to be made are as follows (the “Improvements”):

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District defined below.

The Improvements shall be constructed in accordance with City standards and plans and specifications prepared or approved by the City Engineer

(b) The estimated or probable cost of the proposed Improvements is: \$ 172,200, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of this Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the proposed improvement district (the “Improvement District”) to be assessed for the costs of the proposed Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

(d) The proposed method of assessment is on a fractional basis:

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

3. If the Improvements are: (i) abandoned, altered and/or constructed privately, in part or whole, precluding the building of the Improvement under the authority of this Petition and the Act; or (ii) it is necessary for the City to redesign, repair or reconstruct the Improvements after its initial design and/or construction because the design and/or construction does not meet the requirements of City code provisions; any costs incurred by the City as a result of submission of this Petition shall be assessed to property within the proposed Improvement District in accordance with the provisions hereof.

4. Names may not be withdrawn from this Petition by the signers hereof after the Governing Body commences consideration of this Petition, or, later than seven (7) days after the filing hereof, whichever occurs first.

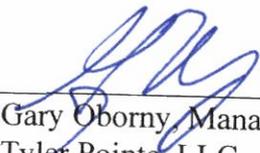
5. The Governing Body is further requested to proceed with adoption of a resolution authorizing the Improvements and establishing the Improvement District in accordance with the Act and the construction of the Improvements in an expeditious manner.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
-------------------	-----------	------

Tyler Pointe Addition
Lots 1 through 6, Block A, Tyler Pointe
Addition, an addition to Wichita, Sedgwick
County, Kansas

Tyler Pointe, LLC

By: 
Gary Oborny, Manager
Tyler Pointe, LLC

THIS PETITION was filed in my office on 2-19-16.




Deputy City Clerk

(Published in the *Wichita Eagle*, on _____)

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (LATERAL 135, WESTLINK SANITARY SEWER – TYLER POINTE ADDITION/SOUTH OF 13TH STREET NORTH, EAST OF TYLER) (468-84861).

WHEREAS, the City of Wichita, Kansas (the "City") is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the City Council of the City (the "Governing Body") has heretofore by **Resolution No. 13-007** of the City (the "Prior Resolution") authorized certain internal improvements; and

WHEREAS, the estimated probable cost and scope of the improvements authorized by the **Prior Resolution** has increased;

WHEREAS, pursuant to the receipt of a new petition (the "Petition"), it is necessary to authorize the improvements requested therein by the adoption of a new resolution of the City and repeal the Prior Resolution; and

WHEREAS, the Petition was filed with the City Clerk proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the Governing Body hereby finds and determines that said Petition was signed by **the owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Repealer. The Prior Resolution is hereby repealed.

Section 2. Findings of Advisability. The Governing Body hereby finds and determines that:

- (a) It is advisable to make the following improvements:

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District define below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **One Hundred Seventy-Two Thousand Two Hundred Dollars (\$172,200)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

- (d) The method of assessment is: **on a fractional basis:**

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 3. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in *Section 2* of this Resolution.

Section 4. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 5. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of adoption of the Prior Resolution, and 60 days before the date of adoption of this Resolution, to the extent of the increased authorization contained herein, all pursuant to Treasury Regulation § 1.150-2.

Section 6. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on _____.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña

for Jennifer Magaña, City Attorney
and Director of Law

(Published in the *Wichita Eagle*, on _____)

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION SYSTEM – TYLER POINTE ADDITION PH. 1/SOUTH OF 13TH STREET NORTH, EAST OF TYLER) (448-90724).

WHEREAS, a petition (the "Petition") was filed with the City Clerk of the City of Wichita, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the City Council (the "Governing Body") of the City hereby finds and determines that said Petition was signed by **the owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) It is advisable to make the following improvements:

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **Fifty Thousand Four Hundred Dollars (\$50,400)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

(d) The method of assessment is: **on a fractional basis:**

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in *Section 1* of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on _____.

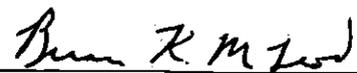
(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:



for Jennifer Magaña, City Attorney and Director of Law

(Published in the *Wichita Eagle*, on _____)

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION SYSTEM - TYLER POINTE ADDITION PH. 2/SOUTH OF 13TH STREET NORTH, EAST OF TYLER) (448-90725).

WHEREAS, a petition (the "Petition") was filed with the City Clerk of the City of Wichita, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the City Council (the "Governing Body") of the City hereby finds and determines that said Petition was signed by **the owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) It is advisable to make the following improvements:

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **Forty-Four Thousand Four Hundred Dollars (\$44,400)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

(d) The method of assessment is: **on a fractional basis:**

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in *Section 1* of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on _____.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña

for Jennifer Magaña, City Attorney and Director of Law

(Published in the *Wichita Eagle*, on _____)

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORM WATER DRAIN NO. 408 – TYLER POINTE ADDITION PH 1/SOUTH OF 13TH STREET NORTH, EAST OF TYLER) (468-85102).

WHEREAS, a petition (the "Petition") was filed with the City Clerk of the City of Wichita, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the City Council (the "Governing Body") of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) It is advisable to make the following improvements:

Construction of a drainage and storm sewer, including necessary storm sewer mains and appurtenances to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **One Hundred Seventy-Six Thousand Five Hundred Dollars (\$176,500)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

(d) The method of assessment is: **on a fractional basis:**

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in *Section 1* of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on _____.

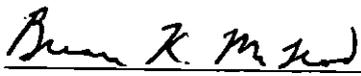
(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:



for Jennifer Magaña, City Attorney and Director of Law

(Published in the *Wichita Eagle*, on March 25, 2016)

RESOLUTION NO. 16-058

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (LATERAL 135, WESTLINK SANITARY SEWER – TYLER POINTE ADDITION/SOUTH OF 13TH STREET NORTH, EAST OF TYLER) (468-84861).

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 13-007** of the City (the “Prior Resolution”) authorized certain internal improvements; and

WHEREAS, the estimated probable cost and scope of the improvements authorized by the **Prior Resolution** has increased;

WHEREAS, pursuant to the receipt of a new petition (the “Petition”), it is necessary to authorize the improvements requested therein by the adoption of a new resolution of the City and repeal the Prior Resolution; and

WHEREAS, the Petition was filed with the City Clerk proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the “Act”); and

WHEREAS, the Governing Body hereby finds and determines that said Petition was signed by **the owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Repealer. The Prior Resolution is hereby repealed.

Section 2. Findings of Advisability. The Governing Body hereby finds and determines that:

- (a) It is advisable to make the following improvements:

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District define below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **One Hundred Seventy-Two Thousand Two Hundred Dollars (\$172,200)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

- (d) The method of assessment is: **on a fractional basis:**

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The proposed apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 3. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 2** of this Resolution.

Section 4. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 5. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of adoption of the Prior Resolution, and 60 days before the date of adoption of this Resolution, to the extent of the increased authorization contained herein, all pursuant to Treasury Regulation § 1.150-2.

Section 6. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on March 22, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney
and Director of Law

RESOLUTION NO. 16-059

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORM WATER DRAIN NO. 408 – TYLER POINTE ADDITION PH 1/SOUTH OF 13TH STREET NORTH, EAST OF TYLER) (468-85102).

WHEREAS, a petition (the "Petition") was filed with the City Clerk of the City of Wichita, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the City Council (the "Governing Body") of the City hereby finds and determines that said Petition was signed by **the owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) It is advisable to make the following improvements:

Construction of a drainage and storm sewer, including necessary storm sewer mains and appurtenances to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **One Hundred Seventy-Six Thousand Five Hundred Dollars (\$176,500)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

(d) The method of assessment is: **on a fractional basis:**

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 1** of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on March 22, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney and Director of Law

RESOLUTION NO. 16-060

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION SYSTEM – TYLER POINTE ADDITION PH. 1/SOUTH OF 13TH STREET NORTH, EAST OF TYLER) (448-90724).

WHEREAS, a petition (the "Petition") was filed with the City Clerk of the City of Wichita, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the City Council (the "Governing Body") of the City hereby finds and determines that said Petition was signed by **the owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) It is advisable to make the following improvements:

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **Fifty Thousand Four Hundred Dollars (\$50,400)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

(d) The method of assessment is: **on a fractional basis:**

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay 1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000

of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City’s Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 1** of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on March 22, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney and Director of Law

RESOLUTION NO. 16-061

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION SYSTEM – TYLER POINTE ADDITION PH. 2/SOUTH OF 13TH STREET NORTH, EAST OF TYLER) (448-90725).

WHEREAS, a petition (the "Petition") was filed with the City Clerk of the City of Wichita, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the City Council (the "Governing Body") of the City hereby finds and determines that said Petition was signed by **the owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

(a) It is advisable to make the following improvements:

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, and appurtenances to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **Forty-Four Thousand Four Hundred Dollars (\$44,400)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 6, Block A, Tyler Pointe Addition, Wichita, Sedgwick County, Kansas

(d) The method of assessment is: **on a fractional basis:**

Lot 1, Block A; Tyler Pointe Addition shall pay 5808/10000 of the total cost payable by the improvement district. Lot 2, Block A; Tyler Pointe Addition shall pay

1561/10000 of the total cost payable by the improvement district. Lot 3, Block A; Tyler Pointe Addition shall pay 643/10000 of the total cost payable by the improvement district. Lot 4, Block A; Tyler Pointe Addition shall pay 1289/10000 of the total cost payable by the improvement district. Lot 5, Block A; Tyler Pointe Addition shall pay 539/10000 of the total cost payable by the improvement district. Lot 6, Block A; Tyler Pointe Addition shall pay 160/10000 of the total cost payable by the improvement district.

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 1** of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on March 22, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney and Director of Law

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council
SUBJECT: Community Events – Step Up for KIDS (District VI)
INITIATED BY: Division of Arts & Cultural Services
AGENDA: Consent

Recommendation: Approve the request for temporary street closures.

Background: In accordance with the Community Events procedure, event promoter Christy Schunn, Kansas Infant Death and SIDS Network, Inc., is coordinating the Step Up for KIDS event with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Step Up for KIDS April 9, 2016 8:00 am – 10:00 am

- West Museum Boulevard, North Seneca Street to West Sim Park Drive
- West Sim Park Drive, West Museum Boulevard to West Murdock Street

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

Financial Consideration: The event promoter is responsible for all costs associated with the special event.

Legal Consideration: This action complies with the ordinance on street closures for community events.

Recommendation/Actions: It is recommended that the City Council approve the request subject to: 1) Hiring off-duty certified law enforcement officers as required; 2) Obtaining barricades to close the streets in accordance with requirements of the Police, Fire and Public Works and Utilities Departments; and 3) Securing a Certificate of Liability Insurance on file with the Community Event Coordinator.

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council
SUBJECT: Community Events – Third Annual Thin Mint Sprint (District II)
INITIATED BY: Division of Arts & Cultural Services
AGENDA: Consent

Recommendation: Approve the request for temporary street closures.

Background: In accordance with the Community Events procedure, event promoter Trevor Dormstetter, goracetiming.com, is coordinating the Third Annual Thin Mint Sprint with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Third Annual Thin Mint Sprint April 16, 2016 8:00 am – 10:00 am

- South Ridgecrest Street, Lexington Road to South Lynwood Boulevard
- East English Street, South Brookside Street to South Lynwood Street
- South Waverly Street, South Ridgecrest Street to East Kellogg Drive North
- South Brookside Street, Douglas Avenue to Ridgecrest Street
- Courtleigh Street, Douglas Avenue to Ridgecrest Street
- South Morningside Street, Douglas Avenue to Ridgecrest Street
- South Lynwood Boulevard, Douglas Avenue to South Mission Road
- South Mission Road, Lynwood Boulevard to walking path

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

Financial Consideration: The event promoter is responsible for all costs associated with the special event.

Legal Consideration: This action complies with the ordinance on street closures for community events.

Recommendation/Actions: It is recommended that the City Council approve the request subject to: 1) Hiring off-duty certified law enforcement officers as required; 2) Obtaining barricades to close the streets in accordance with requirements of the Police, Fire and Public Works and Utilities Departments; and 3) Securing a Certificate of Liability Insurance on file with the Community Event Coordinator.

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council

SUBJECT: Supplemental Design Agreement No. 1 for Country Acres Phase II Water Main Replacement (District V)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve Supplemental Design Agreement No. 1.

Background: On December 17, 2013, the City Council approved an agreement with Wilson Company to design improvements to the Country Acres Neighborhood water distribution system as part of the City's Water Main Replacement Project.

Analysis: The original design agreement covered design fees for one project and a set of plans for approximately 53,000 linear feet of pipe. In order to create a manageable project for construction and inspection, it is recommended that the project be constructed as two separate, smaller projects. A supplemental agreement has been prepared for the additional services.

Financial Considerations: The original design services fee was \$133,000. The cost of the additional services is \$3,900, which brings the total design fee to \$136,900. Funding is available within the existing budget, approved by the City Council on December 10, 2013.

Legal Considerations: Supplemental Design Agreement No. 1 has been reviewed and approved as to form by the Law Department.

Recommendation/Action: It is recommended that the City Council approve Supplemental Design Agreement No. 1 and authorize the necessary signatures.

Attachment: Supplemental Design Agreement No. 1.

SUPPLEMENTAL AGREEMENT NO. 1
TO THE
AGREEMENT FOR PROFESSIONAL SERVICES DATED DECEMBER 17, 2013
BETWEEN
THE CITY OF WICHITA, KANSAS
PARTY OF THE FIRST PART, HEREINAFTER CALLED THE
"CITY"
AND
WILSON & COMPANY, INC.
PARTY OF THE SECOND PART, HEREINAFTER CALLED THE
"ENGINEER"

WITNESSETH:

WHEREAS, there now exists an Agreement (dated December 17, 2013) between the two parties covering engineering services to be provided by the ENGINEER in conjunction with the construction of improvements to **COUNTRY ACRES WATER MAIN REPLACEMENT, PHASE 2** (Project No.448-90711_635820).

WHEREAS, Paragraph IV. B. of the above referenced Agreement provides that additional work be performed and additional compensation be paid on the basis of a Supplemental Agreement duly entered into by the parties, and

WHEREAS, it is the desire of both parties that the ENGINEER provide additional services required for the PROJECT and receive additional compensation (as revised herein):

NOW THEREFORE, the parties hereto mutually agree as follows:

A. PROJECT DESCRIPTION

The description of the improvements that the CITY intends to construct and thereafter called the "PROJECT" as stated on page 1 of the above referenced agreement is hereby amended to include the following:

Splitting one project into two bid packages, renumbering pages, splitting quantities and estimates for Country Acres Water Main Replacement, Phase 2

B. PAYMENT PROVISIONS

The fee in Section IV. A. shall be amended to include the following:

Payment to the ENGINEER for the performance of the professional services as outlined in this supplemental agreement shall be made on the basis of the not to exceed fee as follows:

Water improvements (635820):	\$3,900.00
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C. COMPLETION

The ENGINEER agrees to complete and deliver the field notes, preliminary and final plans (including final tracings), specifications and estimates to the CITY within the time allotted for the project as stipulated below; EXCEPT that the ENGINEER shall not be responsible or held liable for delays occasioned by the actions or inactions of the CITY or other agencies, or for other unavoidable delays beyond the control of the ENGINEER.

- (a) Field check plans of the project for distribution to utilities by **N/A**.
- (b) Office check plans by **N/A**.
- (c) Completion of all work required by this agreement (including submittal of final approved plans, field notes, and related project documents by **May 2, 2016**.

D. PROVISIONS OF THE ORIGINAL AGREEMENT

The parties hereunto mutually agree that all provisions and requirements of the original Agreement, not specifically modified by this Supplemental Agreement, are hereby ratified and confirmed.

IN WITNESS WHEREOF, the CITY and the ENGINEER have executed this Supplemental Agreement as of this _____ day of _____, 2016.

CITY OF WICHITA

Jeff Longwell, Mayor

ATTEST:

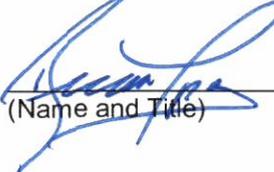
Karen Sublett, City Clerk

APPROVED AS TO FORM:



Jennifer Magaña, City Attorney and
Director of Law

WILSON & COMPANY, INC.



(Name and Title) PRINCIPAL

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council
SUBJECT: Dillon's Convenience Bus Pass Sales
INITIATED BY: Wichita Transit
AGENDA: Consent

Recommendation: Approve Memorandum of Agreement for sale a bus passes at Dillon's.

Background: Wichita Transit provides public transportation service in the City of Wichita. A portion of the cost operate the transit system are covered by passenger revenues. Passengers pay cash fare or use prepaid fares such as tickets and passes. The use of tickets and passes is a convenience that encourages more frequent bus use. The use of remote sites for distributing fare media is typical. Wichita Transit recommends continuation of the current agreement with Dillon's to function as a remote pass sales outlet.

Analysis: Wichita Transit has used Dillon's grocery stores as a primary source for the distribution of transit passes since the 1990s. Under the current agreement 15 Dillon's stores throughout the city make transit passes and tickets available to the public at their customer service desk. The availability of passes is a convenience for the passenger and the transit system. Dillon's benefits by providing a service for their customers. Currently Dillon's stores sell on average \$240,000 annually in tickets and passes.

Financial Consideration: There is no cost associated with the use of Dillon's as pass sales outlet as Dillon's charges no fee for this service. The added convenience of having remote pass sales outlet encourages transit usage and could have a positive effect on the transit budget.

Legal Consideration: The Law Department has approved the contract as to form.

Recommendation/Actions: It is recommended that the City Council approve the Memorandum of Agreement allowing the sale of transit passes at Dillon's.

Attachment: Memorandum of Agreement with Attachment A- participating Dillon's locations

MEMORANDUM OF AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2016, by and between the City of Wichita, through its department of Wichita Transit, hereafter referred to as “**WT**”, and Dillon’s, hereafter referred to as “**COMPANY**”.

WHEREAS, the Wichita Transit (WT) has several different denominations of Convenience bus passes available for sale to the public, and,

WHEREAS, the **COMPANY** is willing to sell these passes as a service to the public at the following locations as set out in Attachment “A.” The **COMPANY** agrees to distribute these passes at the price that **WT** sets for each denomination.

THE PARTIES HERETO AGREE AS FOLLOWS:

1. **WT** will provide **COMPANY** a stock of cards, numbered in sequence, with all necessary reporting documents and **COMPANY** will report sales and deposits of any money collected in a manner that is mutually acceptable to the parties to this agreement.
2. **COMPANY** will not be required to pre-pay for the passes delivered to it for sale at the location noted above, and **COMPANY** agrees to sell the passes at no profit or handling charge or other surcharge.
3. **COMPANY** will be responsible for the recording of all sales, delivery to **WT** of all receipts, the security of the passes and money collected. **COMPANY** agrees to reimburse **WT** any unaccounted for sums, and for the face value of any unaccounted for passes.
4. **COMPANY** will agree to use **WT**’s established accounting when reconciling passes and money at closeouts.

5. This agreement may be terminated by either party upon 30 days notice in writing to the other party.

IN WITNESS WHEREOF, the parties have set their hands the day and year first above written.

CITY OF WICHITA

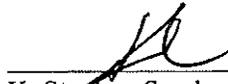
Jeff Longwell, Mayor

ATTEST:

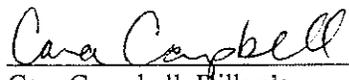
Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law



K. Stephen Spade, Wichita Transit Director

 2-26-2016

Cara Campbell, Dillon's

Wichita Transit Pass Sales Outlets
Attachment A

Dillon's Store 12
9450 E Harry
Wichita, KS 67207

Dillon's Store 66
2244 N Rock Road
Wichita, KS 67226

Dillon's Store 16
8828 W 13th St N
Wichita, KS 67212

Dillon's Store 72
10515 W Central
Wichita, KS 67212

Dillon's Marketplace Store 20
7707 E Central
Wichita, KS 67206

Dillon's Store 81
13415 W Maple
Wichita, KS 67235

Dillon's Store 33
4747 S Broadway
Wichita, KS 67216

Dillon's Store 89
1910 W 21st St N
Wichita, KS 67203

Dillon's Store 34
3932 W 13th St N
Wichita, KS 67203

Dillon's Store 91
3020 E Douglas
Wichita, KS 67214

Dillon's Marketplace Store 49
10222 W 21st St N
Wichita, KS 67205

Dillon's Store 92
640 N West
Wichita, KS 67203

Dillon's Store 56
3707 N Woodlawn
Wichita, KS 67220

Dillon's Store 96
5500 E Harry
Wichita, KS 67218

Dillon's Store 65
3211 S Seneca
Wichita, KS 67217

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council
SUBJECT: Exploited and Missing Child Unit Memorandum of Understanding
INITIATED BY: Police Department
AGENDA: Consent

Recommendation: Approve the Memorandum of Understanding (MOU) and authorize the necessary signatures.

Background: The City of Wichita Police Department, Sedgwick County Sheriff's Office and Department for Children and Families (DCF) Wichita Regional Service Center have jointly operated an Exploited and Missing Child Unit (EMCU) since 1985. The mission of the unit is to investigate cases of missing and/or abused children, identify offenders and collect evidence for the prosecution of violators, all with the intent of applying the least amount of trauma to child victims. The DCF Wichita Regional Service Center assigns nine social workers, one administrative assistant; the Wichita Police Department assigns ten detectives, two police officers; and the Sheriff's Office assigns two detectives and two clerical positions to staff EMCU. The Wichita Police Department, Sedgwick County Sheriff's Office and DCF each fund the wages for their respective positions; operating expenditures are financed one-third by each entity. EMCU operations is based on a Memorandum of Understanding (MOU) signed by the three participating entities.

Analysis: EMCU has successfully operated since 1985 with a proven track record of helping children and their caregivers in our community. As one of the busiest multi-disciplinary investigative sections, EMCU is a collaborative effort with a goal to minimize secondary trauma to child victims. During the past five years, EMCU has averaged 557 child sex crimes investigations, 705 child abuse/endangerment cases, conducted 66 outside requests for assistance, investigated 3,020 runaway cases, conducted 1,519 DCF intakes, and filed 52 Child in Need of Care petitions annually. EMCU works in partnership with the Child Advocacy Center to provide therapy for victims and their families including advocacy during the court process. This specialized unit assists all law enforcement agencies in Sedgwick County as well as other agencies throughout the state of Kansas.

Financial Considerations: The proposed agreement does not increase the current one-third allocation within the Police Department operating budget. The EMCU operational budget is through Sedgwick County and will be reimbursed by the Police Department through a cooperative agreement.

Legal Considerations: The Law Department has reviewed and approved the MOU as to form.

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

Attachments: Exploited and Missing Child Unit MOU.



**WICHITA/SEDGWICK COUNTY EXPLOITED AND MISSING
CHILD UNIT
MEMORANDUM OF UNDERSTANDING**

Revised: 1/26/2016

SUBJECT

The Exploited and Missing Child Unit

PARTIES TO THE AGREEMENT

Wichita Region, Department for Children and Families (DCF)

Police Department, City of Wichita, Kansas

Sheriff's Office, County of Sedgwick, Kansas

City of Wichita, Wichita Mayor

Sedgwick County Commission, Current Chair

Child Advocacy Center of Sedgwick County

Sedgwick County District Attorney's Office

PURPOSE

This memorandum is to record the present understanding of the parties thereto regarding the creation of a joint investigative unit, specializing in the investigation of certain types of cases. This memorandum is not intended to create any future contractual obligations upon any of the parties or agencies joining in its execution.

TERM OF AGREEMENT

This agreement shall commence on January 1, 2016 and continue through December 31, 2016 and may be extended annually by written agreement of the parties for a period not to exceed one (1) year per exercised extension; provided, if this agreement is not renegotiated and extended before January 1, 2017, then it will continue in effect with its current terms for an additional three (3) months, during which period all parties shall reconvene to determine reauthorization of the above and foregoing memorandum.

INTRODUCTION

It is recognized that law enforcement agencies have the primary duty to investigate situations involving criminal activities, and that the Kansas Department for Children and Families has the principle duty to investigate situations of suspected child abuse and/or neglect. [K.S.A. 38-2226]. It is also recognized that there is a statutory duty for such agencies to cooperate in such

EMCU MEMORANDUM OF UNDERSTANDING

investigations and freely exchange information when it appears that both a crime has been committed and a child has been abused. In order to maximize the efficiency of an investigation and usage of investigative personnel, and facilitate a freer and more rapid exchange of information, the parties to this agreement hereby establish a specialized investigative unit to be staffed by personnel from the agencies involved, and to be operated in accordance with this memorandum.

ORGANIZATION OF THE EXPLOITED AND MISSING CHILD UNIT (EMCU)

Executive Committee: There is hereby created an Executive Committee to oversee the operation of the EMCU which shall consist of: (1) the Regional Director of the Wichita DCF, or the director's designated representative; (2) The Mayor, City of Wichita, or the Mayor's designated representative; (3) The Chairperson of the Sedgwick County Board of Commissioners, or the Chairperson's designated representative; (4) The Wichita Chief of Police, or the Chief's designated representative; (5) The Sheriff of Sedgwick County, or the Sheriff's designated representative; (6) The Executive Director of the Child Advocacy Center of Sedgwick County or designated representative; (7) The Sedgwick County District Attorney or the District Attorney's designated representative.

Advisory Committee: Shall consist of the following representatives, or their appointed designees, who will address relevant issues concerning EMCU and will meet as needed: (1) Captain of Crimes Against Persons Bureau, W.P.D.; (2) Captain of Sheriff's Investigations, Sedgwick County Sheriff's Office; (3) Program Administrator for Prevention and Protection Services of DCF; (4) Supervisors of EMCU; and, (5) Attorneys for each parent organization.

Budget Coordinator: The Sedgwick County Sheriff's Office will make available the services of the Sheriff's Chief Deputy who will fill the position of Budget Coordinator and will provide the Executive Committee with valuable budget analysis.

Director of Operations: The Wichita Police Department shall provide a Command level officer to serve as the Director of Operations. That person will perform the duties of the position as defined by the Executive Committee.

Social Work Supervisor: The Wichita Area DCF shall provide a person to serve as supervisor of the activities of the DCF staff assigned to carry out the mission and objectives of the EMCU.

Law Enforcement Supervisors: The Sheriff's Office will provide a person to supervise the activities of the other Law Enforcement Officers assigned to carry out the mission and objectives of the EMCU. The Wichita Police Department will provide a person to serve as supervisor of the activities of the I.C.A.C. Unit (Internet Crimes Against Children Task Force).

Social Workers: Wichita Area DCF will assign nine (9) Social Workers to the EMCU and they will have a primary responsibility to coordinate investigative efforts with law enforcement in the area of sexual abuse, severe physical abuse and neglect. One of these social worker positions will be assigned to assess runaway reports of youth placed in police protective custody as well as cases involving potential Human Trafficking. Other areas of minor physical abuse, neglect, etc.

EMCU MEMORANDUM OF UNDERSTANDING

will still be worked in cooperation with law enforcement in a team environment but may be partnered with any number of DCF Investigators who are not necessarily assigned specifically to the EMCU.

Law Enforcement Officers: The Wichita Police Department will assign nine (9) detectives and two (2) officers to the EMCU. The Sedgwick County Sheriff's Office will assign two (2) detectives, who shall perform the law enforcement duties of the EMCU.

Additionally, the Wichita Police Department will assign four (4) detectives and the Sedgwick County Sheriff's Office will assign three (3) detectives to the ICAC Unit. These positions will conduct investigations into Internet crimes against children, as well as forensic examination of digital evidence. The forensic examinations will not be limited to EMCU/ICAC related cases.

Clerical Personnel: The Sheriff's Office will provide two (2) clerical positions to perform support functions. DCF will provide one (1) administrative assistant position to perform support functions.

FUNCTIONS AND DUTIES

Executive Committee: The establishment of policy for the operation of EMCU shall be the function of the Executive Committee. While this memorandum reflects the policy regarding the initial functioning and scope of the operations of EMCU, the Executive Committee may modify that policy at any time.

The Executive Committee shall meet during January, April, July, and October of each year to review the operation and effectiveness of EMCU. Special meetings may be called by the chairperson of the Executive Committee; or shall be called by the chairperson at the request of any two members. The elected chairperson will set up and notify other members of the Executive Committee meetings and will coordinate having someone present for documenting the minutes of the Executive Committee meeting.

Advisory Committee: The Advisory Committee will address relevant issues concerning EMCU and report to the Executive Committee their findings. This committee will meet as needed.

Budget Coordinator: The Budget Coordinator will be filled by the Sedgwick County Sheriff's Chief Deputy who will provide the Board with budget analysis.

Director of Operations: The Director of Operations reports directly to the Executive Committee and is responsible for the overall operation of EMCU in an effective manner. The Director is responsible for supervising the daily operation of all personnel assigned to EMCU. The Director is responsible for compliance with the policies of the Executive Committee and the mandates of applicable state and federal statutes. Other duties of the Director shall include: (1) responsibility for development and implementation of internal policies and the procedures for EMCU to perform its assigned mission; (2) compiling monthly statistics of the activities of EMCU which shall be provided to each member of the Executive Committee; (3)

EMCU MEMORANDUM OF UNDERSTANDING

developing methods for exchange of information between EMCU, Wichita DCF, Wichita Police Department and Sedgwick County Sheriff's Office; (4) developing procedures for coordinating investigation with other law enforcement agencies; and (5) such other duties as are assigned by the Executive Committee.

Social Work Supervisor: The Social Work Supervisor shall coordinate with the Director of Operations in supervising the activities of the other DCF staff assigned to EMCU. The Social Work Supervisor shall report to the DCF Prevention and Protection Program Administrator and/or the Assessment and Prevention Administrator for DCF's Wichita Region. Supervisor shall be responsible for the supervision of the Social Work staff assigned to the investigative efforts with law enforcement. Supervisor is responsible for implementing and maintaining all DCF policies and procedures. Supervisor will be responsible for the assignment of Social Workers to cases and for reporting any performance issues to PPS/PA and/or the Assessment and Prevention Administrator for DCF's Wichita Region. While Supervisor will perform each of these duties in a cooperative manner with the Director of Operations that strives for efficient functioning of EMCU, Supervisor will nevertheless retain managerial authority over the Social Work staff and preserve the chain of authority of DCF to those staff members.

Law Enforcement Supervisors: The Law Enforcement Supervisors shall be responsible to the Director of Operations in supervising the activities of the other law enforcement officers assigned to EMCU and the Internet Crimes Against Children Task Force, ICAC. The Law Enforcement supervisors, in coordination with the Director of Operations, will also be responsible for advising the Wichita Chief of Police or the Sedgwick County Sheriff, as appropriate, regarding the efficiency and manner of performance of duties by each of the law enforcement officers assigned to EMCU and ICAC.

Social Workers and Law Enforcement Officers: Each social worker and law enforcement officer assigned to EMCU shall perform the duties of investigation, accumulation and preservation of evidence, and preparation of a case for presentation in a court proceeding in accordance with the policy and directives established for EMCU and the instructions of the Director of Operations or the appropriate Social Work or Law Enforcement Supervisor.

Clerical Personnel: Three (3) clerical personnel positions will be provided. DCF will provide the Administrative Assistant position that will do the receptionist duties, answer the telephone, filing, computer data entry and typing for DCF personnel. The Sheriff's Office will provide two (2) Office Specialist positions that will do the transcribing of taped interviews, computer data entry, and typing for both law enforcement and DCF personnel.

POLICY AND SCOPE OF ACTIVITIES

Mission: The mission of the Exploited and Missing Child Unit is to investigate child abuse and missing or abducted children, identify offenders and present evidence for the prosecution of violators of any applicable laws with the least amount of trauma to the child victims. They will also provide services and facilitate available resources to the victims and their families.

EMCU MEMORANDUM OF UNDERSTANDING

Scope of Operation: EMCU is responsible for investigation of and preparation for criminal prosecution of the following cases occurring in the unincorporated areas of Sedgwick County, Kansas, the city limits of Wichita, Kansas or when requested by another agency.

1. Cases involving allegations of sexual assault (unless there is a death associated) where the victim is under the age of sixteen (16) years;
2. Cases involving allegations of incest where the victim is under the age of eighteen (18) years.
3. Cases involving allegations related to missing children where the child is under the age of eighteen (18) years.
4. Cases involving allegations of physical abuse where the child is under the age of eighteen (18) years (unless the abuse results in a death).

When an investigation originated by EMCU is found to be outside the scope of the activities of EMCU, such information as has been obtained will be immediately supplied to the appropriate law enforcement agency and/or the Wichita Area DCF.

When the investigation has produced sufficient evidence to indicate the prosecution of the perpetrator of the abuse or exploitation of a child may be warranted, EMCU will present such information to the United States Attorney's, District Attorney's, or Municipal Prosecutor's Office for determination as to whether commencement of criminal prosecution or proceedings under the Kansas Juvenile Offenders Code will occur. If the evidence indicates that the child has been exploited or abused by a family member and the custodial parent(s) have failed to adequately protect the child from abuse or exploitation, an EMCU member or a Social Worker assigned to that case shall also present such evidence obtained to the District Attorney's office for the purpose of requesting a petition alleging the child to be "a child in need of care" as defined in the revised Kansas Code for the Care of Children. (K.S.A. 38-2201).

Any investigation commenced by the Wichita Police Department or the Sedgwick County Sheriff's Office in which it appears that the crime committed was one that falls into the investigative venue of EMCU-ICAC, it shall be turned over to EMCU for the conclusion of the investigation. Investigations commenced by EMCU that reveal that the crime committed is not in their investigative venue, the investigation shall be turned over to and concluded by the appropriate law enforcement agency.

The investigation of reports of missing children shall be conducted by EMCU. These cases may involve reported missing children, voluntarily missing children or when the reported circumstances of the child's disappearance suggest abduction or other involuntary action on the part of the child.

In those instances where there are multiple crimes, some of which are those in the investigative venue of EMCU, or that in a particular case the investigation may be beyond the capabilities of EMCU and/or require the assignment of other investigative personnel, the Wichita Chief of Police or the Sedgwick County Sheriff may direct that further criminal investigation be done, either jointly between EMCU and the appropriate law enforcement agency, or that the investigation be done by resources other than EMCU.

EMCU MEMORANDUM OF UNDERSTANDING

EMCU-ICAC shall be immediately notified of any case alleging abuse in which a child has been taken into custody on probable cause to believe the child to be a "child in need of care" as authorized by K.S.A. 38-2231(b). EMCU, or a representative from law enforcement EMCU-ICAC in conjunction with an assigned DCF Worker outside of EMCU shall be responsible for follow-up investigation and recommendation to the District Attorney regarding whether or not a petition should be filed.

Concept of Operation: The establishment of EMCU is based on the concept of team investigation with each investigative team consisting of a law enforcement officer and a social worker. It is not perceived that EMCU will operate as an autonomous unit, but rather will present a coordinated and cooperative effort between law enforcement and social service agencies, with a free exchange of information between EMCU and the parent organizations.

Personnel – Assignment, Pay and Personnel Rules: All personnel assigned to work in EMCU shall remain on the payrolls of the parent organization from which assigned and shall be subject to the personnel rules of that parent organization. The decision on what persons shall be assigned to EMCU shall be the prerogative of the head of that parent organization.

Location of EMCU: EMCU WILL BE LOCATED AT THE State Office Building located at 130 S. Market B050, Wichita, Sedgwick County, Kansas 67202., until the new Child Advocacy Center of Sedgwick County facility is completed in 2016, then the address will be 1211 S. Emporia, Wichita, KS 67211. The three parent organizations are committed to remaining in a co-located facility to maximize the multi-disciplinary team concept.

News Media Contact: The Director of Operations or the Law Enforcement Supervisor shall have authority to release information to the news media, with consideration for Supreme Court Trial Publicity regulations or other rules and regulations governing the dissemination of information. Releases of information shall not conflict with established dissemination policies of the agencies by which those personnel are employed. Inquiries regarding policy governing the overall operation of EMCU should be referred to the Director of Operations or any EMCU Executive Committee voting member.

Non-discrimination and Equal Opportunity Statement: All parties to this MOU agree to comply with the Kansas Human Rights Commission requirements that are defined as:

1. All parties shall observe the provisions of the Kansas act against discriminations and shall not discriminate against any person in the performance of work under the present memorandum of understanding because of race, religion, color, sex, disability, national origin or ancestry.
2. In all solicitations or advertisements for employees, all parties shall include the phrase, "equal opportunity employer," or a similar phrase to be approved by the commission.
3. If any party fails to comply with the manner in which said party reports to the commission in accordance with the provisions of K.S.A. 44-1031 and amendments thereto, said party shall be deemed to have breached the present memorandum of

EMCU MEMORANDUM OF UNDERSTANDING

understanding and it may be cancelled, terminated or suspended, in whole or in part, by any of the other parties to this agreement.

- 4. If any party is found guilty of a violation of the Kansas act against discrimination under a decision or order of the commission which has become final, said party shall be deemed to have breached the present memorandum of understanding and it may be cancelled, terminated or suspended, in whole or in part, by any of the parties to this agreement.
- 5. All parties shall include the provisions of subsections (a)(1) through (4) in every agreement or purchase order arising out of this memorandum so that such provisions will be binding upon any such subcontractor or vendor.

Funding of EMCU: The three parent organizations agree to cover the cost of administrative support services with the State Department for Children and Families, the Wichita Police Department and the Sedgwick County Sheriff's Office each providing 33 1/3 % of that funding, but with the stipulation that DCF's paid share of such expenses shall not exceed a maximum dollar figure to be separately contracted among the parties for calendar year 2016, which is a maximum amount that the parties will re-negotiate annually. Annual Budget information will be included at each quarterly meeting. Due to the cooperative efforts of the organizations involved, the Executive Committee will set the Budget of EMCU at the January or April meeting. Once approved, the budget will be forwarded to the Budget Coordinator.

In witness whereof, we have executed our signatures on this _____ day of _____, 2016.

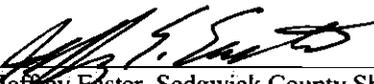
Wichita Region Department for Children and Families

By: _____ Date _____
Bill Gale, Regional Director of D.C.F.

Police Department, City of Wichita, Kansas

By:  _____ Date 3/15/16
Gordon Ramsay, Chief of Police

Sheriff's Office, County of Sedgwick, Kansas

By:  _____ Date 2-18-16
Jeffrey Easter, Sedgwick County Sheriff

City of Wichita, Kansas

By: _____ Date _____
Jeff Longwell, Mayor of the City of Wichita

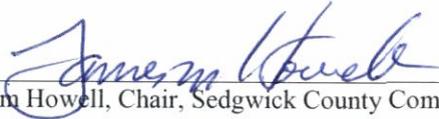
APPROVED



Jan Jarman, Law Dept ⁷²

EMCU MEMORANDUM OF UNDERSTANDING

County of Sedgwick, Kansas

By:  Date 3/9/2016
Jim Howell, Chair, Sedgwick County Commission Chairman

Child Advocacy Center of Sedgwick County

By: _____ Date _____
Diana Schumm, Executive Director of the CACSC

Sedgwick County District Attorney

By:  Date 2/18/16
Marc Bennett, Sedgwick County District Attorney

**City of Wichita
City Council Meeting
March 22, 2016**

TO: Mayor and City Council

SUBJECT: Funding for Improvements to 37th Street North, Oliver to Woodlawn (District I)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve the revised budget.

Background: On July 15, 2014, the City Council approved an agreement with Professional Engineering Consultants (PEC) to design improvements to 37th Street North, between Oliver and Woodlawn. The project area lies adjacent to properties annexed by both the cities of Wichita and Bel Aire. The design concept was approved by the Bel Aire City Council on February 17, 2015, and the Wichita City Council on April 21, 2015.

Analysis: The improvements consist of widening 37th Street North from a two-lane to a three-lane roadway with curb and gutter, and constructing an underground storm sewer. On-street bike lanes and sidewalk along both sides of the street are also included.

Construction is planned to begin in the summer of 2016 and be completed in early 2017. One lane of westbound traffic will be carried throughout construction, except during a six-week period when 37th Street will be closed at the railroad tracks. During that time, local access will be maintained through two-way traffic east and west of the closure.

Financial Considerations: The existing budget of \$340,000 was approved by the City Council on May 19, 2015.

The Proposed 2016-2025 Capital Improvement Program (CIP) includes \$772,604 in general obligation bond funding in 2016. The Proposed 2016-2025 CIP also references \$772,605 in year 2017 from the City of Bel Aire.

The Transportation Improvement Program (TIP) includes federal funding of up to \$2,954,791. Staff recommends initiating the combined \$4,500,000 of funding available in the Proposed 2016-2025 CIP and the TIP. This brings the total revised budget to \$4,840,000, which will allow for right-of-way acquisition, utility relocation, construction, and City staff administration and oversight costs.

Year and Funding Type	Amount
2016 Federal Funding	\$2,071,264
2017 Federal Funding	\$883,527
2016 GO Funding	\$772,604
2017 City of Bel Aire	\$772,605
Subtotal of Initiation Request	\$4,500,000
Previously approved GO Funding	\$340,000
Total Revised Budget	\$4,840,000

The previously approved agreement provided that the City of Bel Aire and the City of Wichita will split the costs of construction and construction engineering, less all federal funding. The right-of-way cost will

be paid by the city the right-of-way is in, Bel Aire paying for right-of-way on the north side of 37th Street and the City of Wichita paying for right-of-way on the south side of 37th Street.

Legal Considerations: The Law Department has reviewed and approved the amending resolution as to form.

Recommendation/Action: It is recommended that the City Council approve the revised budget, and adopt the amending resolution.

Attachments: Amending resolution and budget sheet.

Project Request

CIP Non-CIP CIP YEAR: 2016, 2017 CIP #: _____

NEIGHBORHOOD IMPROVEMENT

DEPARTMENT: 13 Public Works & Utilities DIVISION: Engineering RESOLUTION/ORDINANCE #: _____

ENGINEERING REFERENCE #: 472-85157

FUND: 400 Street Improvements SUBFUND: 405 Arterial Paving

COUNCIL DISTRICT: 01 Council District 1 DATE COUNCIL APPROVED: 03-22-16 REQUEST DATE: _____

PROJECT #: 211528 PROJECT TITLE: 37th Street North, Oliver to Woodlawn

PROJECT DETAIL #: 01 PROJECT DETAIL DESCRIPTION: 37th Street North, Oliver to Woodlawn

OCA #: 707064 OCA TITLE: 37th Street North, Oliver to Woodlawn

PERSON COMPLETING FORM: Jennifer Peterson PHONE #: 268-4548

PROJECT MANAGER: Shawn Mellies PHONE #: 268-4632

NEW BUDGET REVISED BUDGET

Revenue Object Level 3	Original Budget	Adjustment	New Budget
<u>9720 G.O. Bonds</u>	\$340,000.00	\$1,545,209.00	\$1,885,209.00
<u>8062 Federal pass thru State</u>	\$0.00	\$2,954,791.00	\$2,954,791.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
Total	\$340,000.00	\$4,500,000.00	\$4,840,000.00

Expense Object Level 3	Original Budget	Adjustment	New Budget
<u>2999 Contractuals</u>	\$340,000.00	\$4,500,000.00	\$4,840,000.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
Total Expense:	\$340,000.00	\$4,500,000.00	\$4,840,000.00

NOTES:

SIGNATURES REQUIRED

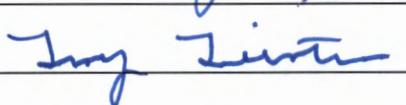
Print Form

DIVISION HEAD: 

DATE: 03/14/16

DEPARTMENT HEAD: 

DATE: 3/15/16

BUDGET OFFICER: 

DATE: 3/15/16

CITY MANAGER: _____

DATE: _____

RESOLUTION NO. ____ - ____

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 15-135 OF THE CITY OF WICHITA, KANSAS WHICH AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY.

WHEREAS, the City of Wichita, Kansas (the "City") is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the Governing Body is authorized, pursuant to K.S.A. 13-1024c, as amended by Charter Ordinance No. 156 of the City (the "Act") to issue general obligation bonds of the City without an election for the purpose of paying for the construction, purchase or improvement of any public improvement, including the land necessary therefore, and for the purpose of rebuilding, adding to or extending the same as the necessities of the City may require and for the purpose of paying for certain personal property therefore; and

WHEREAS, the Governing Body has heretofore by Resolution No. 15-135 of the City (the "Prior Resolution"), authorized the following described public improvements:

Design of improvements to 37th Street North, between Oliver and Woodlawn, as necessary for a major traffic facility (472-85157).

(the "Project") and provided for the payment of all or a portion of the costs thereof by the issuance of general obligation bonds of the City pursuant to the Act.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Amendment. Section 1 of the Prior Resolution is hereby amended to read as follows:

Section 1. Amendment. *Section 1* of Resolution No. 14-193 of the city of Wichita is hereby amended to read as follows:

Section 1. Project Authorization. It is hereby authorized ordered and directed that the Project be acquired and/or constructed at an estimated cost of **\$4,840,000** with such portion is not paid by Federal grants to be paid by general obligation bonds of the City, in accordance with plans and specifications prepared or approved by the City Engineer.

Section 2. Repealer; Ratification. Section 1 of the Prior Resolution is hereby repealed; and the rest and remainder thereof is hereby ratified and confirmed.

Section 3. Project Financing. All or a portion of the costs of the Project, interest on financing and administrative and financing costs shall be financed with the proceeds of expenditures made on or after the date which is **60 days prior to the July 15, 2014, adoption of Resolution No. 14-193, to the extent of Bonds authorized thereunder, 60 days prior to the May 19, 2015, adoption of Resolution No. 15-135 and expenditures made on or after the date 60 days prior to the adoption of this Resolution**, to the extent of the increased authorization contained herein, all pursuant to Treasury Regulation § 1.150-2.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

ADOPTED by the City Council of the City of Wichita, Kansas, on _____.

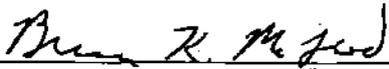
JEFF LONGWELL, MAYOR

(SEAL)

ATTEST:

KAREN SUBLETT, CITY CLERK

APPROVED AS TO FORM:


for Jennifer Magaña, Director of Law

RESOLUTION NO.16-062

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 15-135 OF THE CITY OF WICHITA, KANSAS WHICH AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY.

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the Governing Body is authorized, pursuant to K.S.A. 13-1024c, as amended by Charter Ordinance No. 156 of the City (the “Act”) to issue general obligation bonds of the City without an election for the purpose of paying for the construction, purchase or improvement of any public improvement, including the land necessary therefore, and for the purpose of rebuilding, adding to or extending the same as the necessities of the City may require and for the purpose of paying for certain personal property therefore; and

WHEREAS, the Governing Body has heretofore by Resolution No. **15-135** of the City (the “Prior Resolution”), authorized the following described public improvements:

Design of improvements to 37th Street North, between Oliver and Woodlawn, as necessary for a major traffic facility (472-85157).

(the “Project”) and provided for the payment of all or a portion of the costs thereof by the issuance of general obligation bonds of the City pursuant to the Act.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Amendment. Section 1 of the Prior Resolution is hereby amended to read as follows:

Section 1. Amendment. *Section 1* of **Resolution No. 14-193** of the city of Wichita is hereby amended to read as follows:

Section 1. Project Authorization. It is hereby authorized ordered and directed that the Project be acquired and/or constructed at an estimated cost of **\$4,840,000** with such portion is not paid by Federal grants to be paid by general obligation bonds of the City, in accordance with plans and specifications prepared or approved by the City Engineer.

Section 2. Repealer; Ratification. Section 1 of the Prior Resolution is hereby repealed; and the rest and remainder thereof is hereby ratified and confirmed.

Section 3. Project Financing. All or a portion of the costs of the Project, interest on financing and administrative and financing costs shall be financed with the proceeds of expenditures made on or after the date which is **60 days prior to the July 15, 2014, adoption of Resolution No. 14-193, to the extent of Bonds authorized thereunder, 60 days prior to the May 19, 2015, adoption of Resolution No. 15-135 and expenditures made on or after the date 60 days prior to the adoption of this Resolution**, to the extent of the increased authorization contained herein, all pursuant to Treasury Regulation § 1.150-2.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

ADOPTED by the City Council of the City of Wichita, Kansas, on _____.

JEFF LONGWELL, MAYOR

(SEAL)

ATTEST:

KAREN SUBLETT, CITY CLERK

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council

SUBJECT: Funding for Sanitary Sewer Relocation for Kellogg and Greenwich (District II)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve the budget.

Background: On March 2, 2010, the City Council approved a design concept for the expansion of east Kellogg to a six-lane freeway between Cypress and 127th Street East. The approved design concept includes improvements to the interchange at Kellogg and Greenwich.

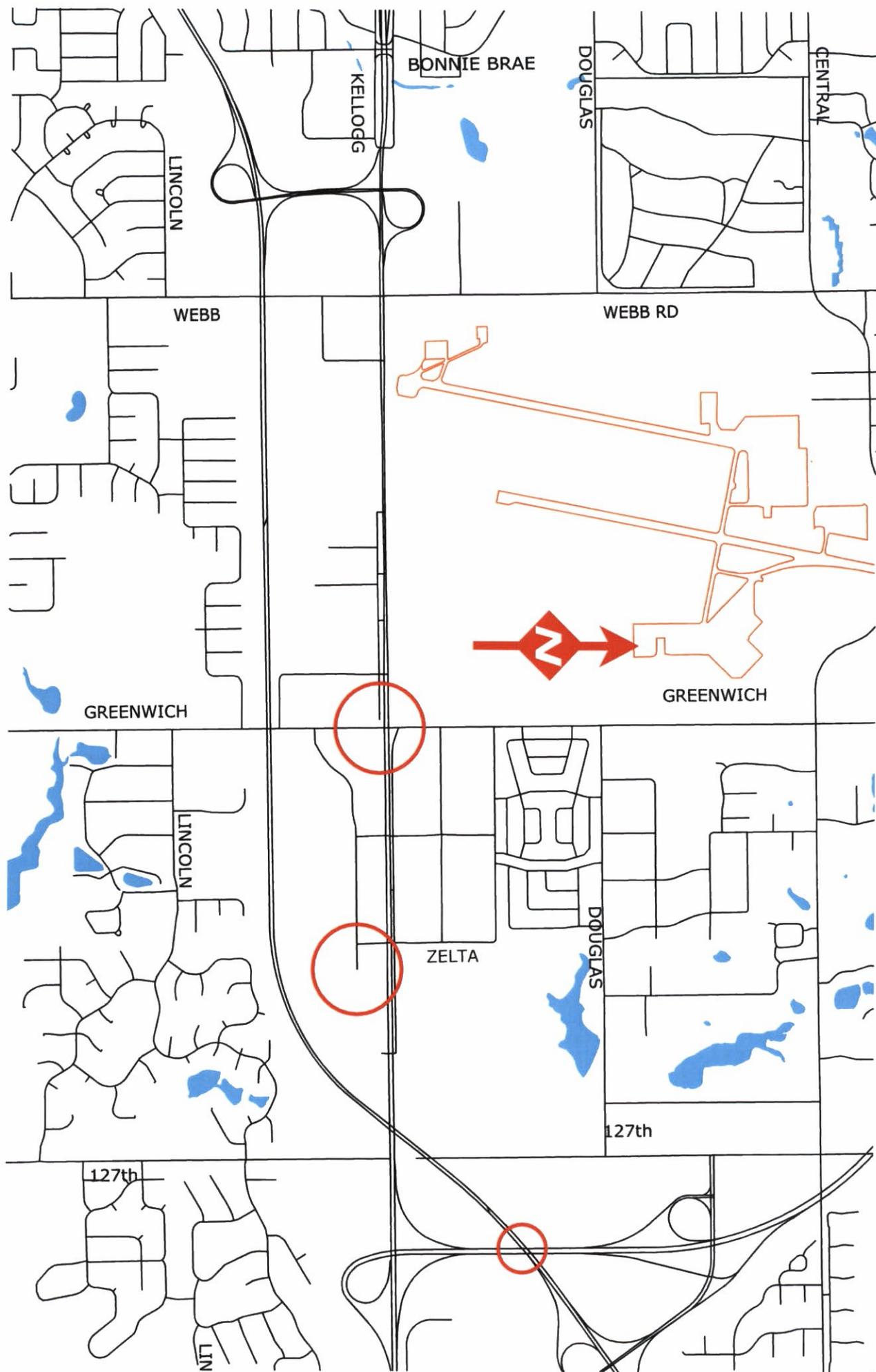
Analysis: To resolve conflicts with the proposed improvements to east Kellogg, the relocation of existing sanitary sewer facilities on Kellogg between Greenwich and 127th Street East is required. The extent of the work could not be determined until the overall design reached the final stage.

Financial Considerations: The Adopted 2015-2024 Capital Improvement Program includes \$350,000 in 2016 for the sanitary sewer relocation. The project will be funded from future revenue bonds or Sewer Utility cash reserves. If revenue bonds are issued, an additional 8% will be added for financing and administrative costs.

Legal Considerations: The resolution and notice of intent have been reviewed and approved as to form by the Law Department.

Recommendations/Actions: It is recommended that the City Council approve the budget, adopt the resolution, and authorize the necessary signatures.

Attachments: Resolution, notice of intent, budget sheet, and map.



Project Request

CIP Non-CIP CIP YEAR: 2015 CIP #: 7 (Pg 94)

NEIGHBORHOOD IMPROVEMENT

DEPARTMENT: 18 Public Works & Utilities DIVISION: Sewage Treatment RESOLUTION/ORDINANCE #: _____
 ENGINEERING REFERENCE #: _____

FUND: 533 Sewer Construction

COUNCIL DISTRICT: 02 Council District 2 DATE COUNCIL APPROVED: _____ REQUEST DATE: _____

PROJECT #: _____ PROJECT TITLE: Sanitary Sewer Relocation for Kellogg & Greenwich

PROJECT DETAIL #: _____ PROJECT DETAIL DESCRIPTION: Sanitary Sewer Relocation for Kellogg & Greenwich

OCA #: _____ OCA TITLE: Sanitary Sewer Relocation for Kellogg & Greenwich

PERSON COMPLETING FORM: LaShonda Garnes PHONE #: 268-4594

PROJECT MANAGER: Mike Armour PHONE #: 268-4598

NEW BUDGET REVISED BUDGET

REVENUE

EXPENSE

Object Level 3	Budget	Object Level 3	Budget
<u>9725 Revenue Bonds</u>	\$350,000.00	<u>2999 Contractuals</u>	\$350,000.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00

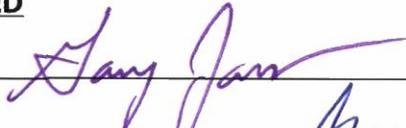
REVENUE TOTAL: \$350,000.00

EXPENSE TOTAL: \$350,000.00

NOTES:

SIGNATURES REQUIRED

Print Form

DIVISION HEAD: 
 DEPARTMENT HEAD: 
 BUDGET OFFICER: 
 CITY MANAGER: _____

DATE: 02/26/16
 DATE: 3/10/16
 DATE: 2/26/16
 DATE: _____

RESOLUTION NO. __ - __

A RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT, RECONSTRUCT, ALTER, REPAIR, IMPROVE, EXTEND AND ENLARGE THE WATER AND SEWER UTILITY OWNED AND OPERATED BY THE CITY OF WICHITA, KANSAS, TO ISSUE REVENUE BONDS FOR THE PURPOSE OF PAYING CERTAIN COSTS THEREOF, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH INTENTION IN THE MANNER REQUIRED BY LAW.

WHEREAS, the City of Wichita, Kansas (the "City") is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the City Council of the City (the "Governing Body"), has heretofore by Ordinance No. 39-888, passed May 26, 1987 and published in the official newspaper of the City on May 29, 1987, as required by law, authorized the combining of the City-owned and operated municipal water utility and municipal sewer utility thereby creating the City of Wichita, Kansas Water and Sewer Utility (the "Utility"); and

WHEREAS, the City is authorized under the Constitution and laws of the State of Kansas, including K.S.A. 10-1201 *et seq.*, as amended and supplemented by Charter Ordinance No. 211 of the City (collectively, the "Act"), to issue revenue bonds to construct, reconstruct, alter, repair, improve, extend and enlarge the Utility;

WHEREAS, the Governing Body hereby finds and determines that it is necessary and advisable to construct, reconstruct, alter, improve, extend and enlarge the Utility in the following manner:

Sanitary Sewer Relocation for Kellogg & Greenwich

(the "Project") and to provide for the payment of all or a portion of the costs thereof by the issuance of revenue bonds of the City pursuant to the Act; said bonds to be payable from the revenues of the Utility.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired, constructed and/or installed in accordance with plans and specifications therefore prepared under the direction of the City Engineer or designate and approved by the Governing Body; said plans and specifications to be placed on file in the offices of the Utility. The estimated cost of the Project, including related design and engineering expenses is **\$350,000**. The Project will not cause duplication of any existing water or sewer utility service furnished by a private utility in the City.

Section 2. Project Financing. It is hereby found and determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed **\$378,000** in order to pay all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs (the "Bonds"). The Bonds shall not be general obligations of the City payable from taxation, but shall be payable from the revenues derived from the operations of the Utility. Costs of the Project in excess of the proceeds of the Bonds, if any, shall be paid from unencumbered moneys of the Utility which will be available for that purpose. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution,

pursuant to Treasury Regulation 1.150-2.

Section 3. Notice. Before issuing the Bonds, there shall be published one (1) time in the official newspaper of the City, a notice of the intention of the Governing Body to undertake the Project and to issue the Bonds (the "Notice"); and if within fifteen (15) days after the publication of such Notice, there shall be filed with the City Clerk, a written protest against the Project or the issuance of the Bonds, signed by not less than twenty per cent (20%) of the qualified electors of the City, the Governing Body shall thereupon submit such proposed Project and the Bonds to the electors of the City at a special election to be called for that purpose as provided by the Act. If no sufficient protest is filed with the City Clerk within the period of time hereinbefore stated, then the Governing Body shall have the authority to proceed with the Project and issuance of the Bonds.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

ADOPTED by the City Council of the City of Wichita, Kansas, by not less than two-thirds of the members voting in favor thereof, on _____.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana

for Jennifer Magana, Director of Law

(Published in *The Wichita Eagle*, on _____.)

NOTICE

TO: THE RESIDENTS OF THE CITY OF WICHITA, KANSAS

You are hereby notified that the City Council (the "Governing Body") of the City of Wichita, Kansas (the "City"), by Resolution No. ___ - ___, duly adopted _____, 2016, has found and determined it to be necessary and declared its intention to construct, reconstruct, alter, improve, extend and enlarge the City of Wichita, Kansas Water and Sewer Utility, which is owned and operated by the City (the "Utility"), in the following manner:

Sanitary Sewer Relocation for Kellogg and Greenwich

(the "Project") at an estimated cost, including related design and engineering expenses of \$350,000.

In order to finance all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs, the Governing Body has further found and determined it to be necessary and declared its intention to issue revenue bonds an aggregate principal amount not to exceed \$378,000 under the authority of K.S.A. 10-1201 *et seq.*, as amended and supplemented by Charter Ordinance No. 211 of the City (the "Bonds"). The Bonds shall not be general obligation bonds of the City payable from taxation, but shall be payable only from the revenues derived from the operations of the Utility. Costs of the Project in excess of the proceeds of the Bonds shall be paid from unencumbered moneys of the Utility which will be available for that purpose.

This Notice shall be published one time in the official newspaper of the City; and if, within fifteen (15) days from and after the publication date hereof, there shall be filed in the Office of the City Clerk a written protest against the Project and the issuance of the Bonds, which protest is signed by not less than twenty percent (20%) of the qualified electors of the City, then the question of the Project and the issuance of the Bonds shall be submitted to the electors of the City at a special election which shall be called for that purpose as provided by law. If no sufficient protest to the Project and the issuance of the Bonds is filed within said period, then the Governing Body shall have the authority to proceed with the Project and issuance of the Bonds.

BY ORDER of the Governing Body of the City of Wichita, Kansas, on _____.

/s/ JEFF LONGWELL, Mayor

ATTEST:

/s/ Karen Sublett, City Clerk

RESOLUTION NO. 16-063

A RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT, RECONSTRUCT, ALTER, REPAIR, IMPROVE, EXTEND AND ENLARGE THE WATER AND SEWER UTILITY OWNED AND OPERATED BY THE CITY OF WICHITA, KANSAS, TO ISSUE REVENUE BONDS FOR THE PURPOSE OF PAYING CERTAIN COSTS THEREOF, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH INTENTION IN THE MANNER REQUIRED BY LAW.

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the City Council of the City (the “Governing Body”), has heretofore by Ordinance No. 39-888, passed May 26, 1987 and published in the official newspaper of the City on May 29, 1987, as required by law, authorized the combining of the City-owned and operated municipal water utility and municipal sewer utility thereby creating the City of Wichita, Kansas Water and Sewer Utility (the "Utility"); and

WHEREAS, the City is authorized under the Constitution and laws of the State of Kansas, including K.S.A. 10-1201 *et seq.*, as amended and supplemented by Charter Ordinance No. 211 of the City (collectively, the “Act”), to issue revenue bonds to construct, reconstruct, alter, repair, improve, extend and enlarge the Utility;

WHEREAS, the Governing Body hereby finds and determines that it is necessary and advisable to construct, reconstruct, alter, improve, extend and enlarge the Utility in the following manner:

Sanitary Sewer Relocation for Kellogg & Greenwich

(the “Project”) and to provide for the payment of all or a portion of the costs thereof by the issuance of revenue bonds of the City pursuant to the Act; said bonds to be payable from the revenues of the Utility.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired, constructed and/or installed in accordance with plans and specifications therefore prepared under the direction of the City Engineer or designate and approved by the Governing Body; said plans and specifications to be placed on file in the offices of the Utility. The estimated cost of the Project, including related design and engineering expenses is **\$350,000**. The Project will not cause duplication of any existing water or sewer utility service furnished by a private utility in the City.

Section 2. Project Financing. It is hereby found and determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed **\$378,000** in order to pay all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs (the “Bonds”). The Bonds shall not be general obligations of the City payable from taxation, but shall be payable from the revenues derived from the operations of the Utility. Costs of the Project in excess of the proceeds of the Bonds, if any, shall be paid from unencumbered moneys of the Utility which will be available for that purpose. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution,

pursuant to Treasury Regulation 1.150-2.

Section 3. Notice. Before issuing the Bonds, there shall be published one (1) time in the official newspaper of the City, a notice of the intention of the Governing Body to undertake the Project and to issue the Bonds (the “Notice”); and if within fifteen (15) days after the publication of such Notice, there shall be filed with the City Clerk, a written protest against the Project or the issuance of the Bonds, signed by not less than twenty per cent (20%) of the qualified electors of the City, the Governing Body shall thereupon submit such proposed Project and the Bonds to the electors of the City at a special election to be called for that purpose as provided by the Act. If no sufficient protest is filed with the City Clerk within the period of time hereinbefore stated, then the Governing Body shall have the authority to proceed with the Project and issuance of the Bonds.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

ADOPTED by the City Council of the City of Wichita, Kansas, by not less than two-thirds of the members voting in favor thereof, on March 22, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, Director of Law

NOTICE

TO: THE RESIDENTS OF THE CITY OF WICHITA, KANSAS

You are hereby notified that the City Council (the “Governing Body”) of the City of Wichita, Kansas (the “City”), by Resolution No.16-063, duly adopted March 22, 2016, has found and determined it to be necessary and declared its intention to construct, reconstruct, alter, improve, extend and enlarge the City of Wichita, Kansas Water and Sewer Utility, which is owned and operated by the City (the “Utility”), in the following manner:

Sanitary Sewer Relocation for Kellogg and Greenwich

(the “Project”) at an estimated cost, including related design and engineering expenses of **\$350,000**.

In order to finance all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs, the Governing Body has further found and determined it to be necessary and declared its intention to issue revenue bonds an aggregate principal amount not to exceed **\$378,000** under the authority of K.S.A. 10-1201 *et seq.*, as amended and supplemented by Charter Ordinance No. 211 of the City (the “Bonds”). The Bonds shall not be general obligation bonds of the City payable from taxation, but shall be payable only from the revenues derived from the operations of the Utility. Costs of the Project in excess of the proceeds of the Bonds shall be paid from unencumbered moneys of the Utility which will be available for that purpose.

This Notice shall be published one time in the official newspaper of the City; and if, within fifteen (15) days from and after the publication date hereof, there shall be filed in the Office of the City Clerk a written protest against the Project and the issuance of the Bonds, which protest is signed by not less than twenty percent (20%) of the qualified electors of the City, then the question of the Project and the issuance of the Bonds shall be submitted to the electors of the City at a special election which shall be called for that purpose as provided by law. If no sufficient protest to the Project and the issuance of the Bonds is filed within said period, then the Governing Body shall have the authority to proceed with the Project and issuance of the Bonds.

BY ORDER of the Governing Body of the City of Wichita, Kansas, on March 22, 2016.

/s/ JEFF LONGWELL, Mayor

ATTEST:

/s/ Karen Sublett, City Clerk

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council

SUBJECT: Water Storage Tank Rehabilitation (All Districts)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve the revised budget.

Background: On November 2, 2010, the City Council approved Phase 1 of the Water Storage Tank Rehabilitation project. To improve efficiency, the project was put on hold to be completed concurrent with Phase 2. On October 14, 2014, the City Council approved expanding the scope of the project to include removal and replacement of the external coatings of the water towers.

Analysis: The Water Tower Tank Rehabilitation project was originally split into two separate phases. Phase 1 provided replacement of walkways and ladders and the recoating of the interior of the tanks. Phase 2 provided for recoating of the exterior of the tanks. Estimates completed by Professional Engineering Consultants (PEC) concluded that combining both phases into one project would be a more efficient and cost effective approach.

The project also requires the installation of new cathodic protection for both tanks and relocation of existing cellular antennas per lease agreements, costs for which were not included in the original estimates. Increased costs for the specialized coating materials and labor needed to address the additional corrosion and sedimentation that has occurred between inspections as well as the aggressive schedule and minimized allowable downtime per tank, has resulted in a rise of the estimated total cost of the project.

Financial Considerations: The existing budget of \$3,500,000 was approved by the City Council on October 14, 2014.

The Proposed 2016-2025 Capital Improvement Program (CIP) includes \$1,330,000 in 2016, bringing the total revised budget to \$4,830,000. The project will be funded from future revenue bonds or Water Utility cash reserves. If revenue bonds are issued, an additional 8% will be added for financing and administrative costs.

Legal Considerations: The amending resolution and notice of intent have been reviewed and approved as to form by the Law Department.

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

Attachments: Amending resolution, notice of intent and budget sheet.

Project Request

CIP Non-CIP CIP YEAR: 2015 CIP #: _____

NEIGHBORHOOD IMPROVEMENT

DEPARTMENT: 13 Public Works & Utilities DIVISION: Engineering RESOLUTION/ORDINANCE #: _____

ENGINEERING REFERENCE #: _____

FUND: 544 Water Construction

COUNCIL DISTRICT: 07 All Districts DATE COUNCIL APPROVED: _____ REQUEST DATE: _____

PROJECT #: _____ PROJECT TITLE: Water Tower Rehabilitation

PROJECT DETAIL #: _____ PROJECT DETAIL DESCRIPTION: Water Tower Rehabilitation

OCA #: 633823 OCA TITLE: Water Tower Rehabilitation

PERSON COMPLETING FORM: LaShonda Garnes PHONE #: 268-4594

PROJECT MANAGER: Stan Breitenbach PHONE #: 268-4235

NEW BUDGET REVISED BUDGET

Revenue Object Level 3	Original Budget	Adjustment	New Budget
9720 G.O. Bonds	\$3,500,000.00	\$1,330,000.00	\$4,830,000.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
Total	\$3,500,000.00	\$1,330,000.00	\$4,830,000.00

Expense Object Level 3	Original Budget	Adjustment	New Budget
2999 Contractuals	\$3,500,000.00	\$1,330,000.00	\$4,830,000.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
Total Expense:	\$3,500,000.00	\$1,330,000.00	\$4,830,000.00

NOTES:
Additional budget is
CIP # 24, Pg. 106

SIGNATURES REQUIRED

DIVISION HEAD: _____ *[Signature]*

DEPARTMENT HEAD: _____ *[Signature]*

BUDGET OFFICER: _____ *[Signature]*

CITY MANAGER: _____

Print Form

DATE: 02/26/16

DATE: 3/10/16

DATE: 2/26/16

DATE: _____

RESOLUTION NO. __-__

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 14-304 OF THE CITY OF WICHITA, KANSAS WHICH DECLARED IT NECESSARY TO CONSTRUCT, RECONSTRUCT, ALTER, REPAIR, IMPROVE, EXTEND AND ENLARGE THE WATER AND SEWER UTILITY OWNED AND OPERATED BY THE CITY, TO ISSUE REVENUE BONDS FOR THE PURPOSE OF PAYING CERTAIN COSTS THEREOF, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH INTENTION IN THE MANNER REQUIRED BY LAW.

WHEREAS, the City of Wichita, Kansas (the "City") is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the City Council of the City (the "Governing Body"), has heretofore by Ordinance No. 39-888, passed May 26, 1987 and published in the official newspaper of the City on May 29, 1987, as required by law, authorized the combining of the City-owned and operated municipal water utility and municipal sewer utility thereby creating the City of Wichita, Kansas Water and Sewer Utility (the "Utility"); and

WHEREAS, the City is authorized under the Constitution and laws of the State of Kansas, including K.S.A. 10-1201 *et seq.*, as amended and supplemented by Charter Ordinance No. 211 of the City (collectively, the "Act"), to issue revenue bonds to construct, reconstruct, alter, repair, improve, extend and enlarge the Utility;

WHEREAS, the Governing Body has heretofore by Resolution No. 14-304 of the City (the "Prior Resolution"), found and determined that it is necessary and advisable to construct, reconstruct, alter, repair, improve, extend and enlarge the Utility in the following manner:

Water Tower Rehabilitation (W-21)

(the "Project") at an estimated cost, including related design and engineering expenses of \$3,500,000; and

WHEREAS, the Prior Resolution also determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed \$3,780,000 in order to pay all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs (the "Bonds") to be payable from the revenues of the Utility; and

WHEREAS, the scope and cost of the project has expanded and it therefore necessary to amend the Prior Resolution.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Amendment. *Section 1* of the Prior Resolution is hereby amended to read as follows:

Section 1. Amendment. *Section 1 and Section 3* of Resolution No. 10-283 of the City of Wichita are hereby amended to read as follows:

Section 1. Project Authorization. It is hereby determined that it is necessary and advisable to construct, reconstruct, alter, repair, improve, extend and enlarge the Utility in the following manner:

Water Tower Rehabilitation (W-21)

(the "Amended Project") at an estimated cost, including related design and engineering expenses of \$4,830,000. It is hereby further authorized, ordered and directed that the Amended Project be acquired, constructed and/or installed in accordance with plans and specifications therefor prepared under the direction of the City Engineer or designate and approved by the Governing Body; said plans and specifications to be placed on file in the offices of the Utility. The Amended Project will not cause duplication of any existing water or sewer utility service furnished by a private utility in the City.

Section 3. Project Financing. In order to pay all or a portion of the costs of the Amended Project and related reserves, interest on financing and administrative and financing costs, it is hereby found and determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed \$5,216,400 (the "Bonds"). The Bonds shall not be general obligations of the City payable from taxation, but shall be payable from the revenues derived from the operations of the Utility. Costs of the Amended Project in excess of the proceeds of the Bonds, if any, shall be paid from unencumbered moneys of the Utility which will be available for that purpose. The Bonds may be issued to reimburse expenditures authorized by Resolution No. 10-283 made on or after the date which was 60 days before the adoption of said resolution, and expenditures authorized by the Prior Resolution made on or after the date which was 60 days before the date of adoption of the Prior Resolution and to reimburse additional expenditures authorized by this Resolution, which were made 60 days before the date of adoption of this Resolution, all pursuant to Treasury Regulation §1.150-2.

Section 2. Notice. Before issuing the Bonds authorized herein, there shall be published one (1) time in the official newspaper of the City, a notice of the intention of the Governing Body to undertake the Amended Project and to issue the Bonds (the "Notice"); and if within fifteen (15) days after the publication of such Notice, there shall be filed with the City Clerk, a written protest against the Amended Project or the issuance of the Bonds, signed by not less than twenty per cent (20%) of the qualified electors of the City, the Governing Body shall thereupon submit such proposed Amended Project and the Bonds to the electors of the City at a special election to be called for that purpose as provided by the Act. If no sufficient protest is filed with the City Clerk within the period of time hereinbefore stated, then the Governing Body shall have the authority to proceed with the Amended Project and issuance of the Bonds.

Section 3. Repealer; Ratification. In the event no sufficient protest petition is filed in accordance with the Act against the Amended Project and the Bonds as set forth in *Section 2* hereof, *Section 1* of the Prior Resolution is hereby repealed and replaced with the amended versions set forth above; and the rest and remainder thereof is hereby ratified and confirmed. If a protest petition is filed and/or if a required referendum does not approve the Amended Project and the Bonds, the Prior Resolution remains in full force and effect with respect to the Project and the Bonds authorized therein.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

ADOPTED by the City Council of the City of Wichita, Kansas, by not less than two-thirds of the members voting in favor thereof, on _____, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana

for Jennifer Magana, Director of Law

NOTICE

TO: THE RESIDENTS OF THE CITY OF WICHITA, KANSAS

You are hereby notified that the City Council (the "Governing Body") of the City of Wichita, Kansas (the "City"), adopted Resolution No. ___ - ___, on _____, 2016 (the "Resolution"). The Resolution amended Resolution No. 14-304 (the "Prior Resolution") which found and determined it to be necessary and declared its intention to construct, reconstruct, alter, repair, improve, extend and enlarge the City of Wichita, Kansas Water and Sewer Utility (the "Project"), which is owned and operated by the City (the "Utility"), and authorized the issuance of revenue bonds in amount not to exceed \$3,780,000 in order to finance all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs. The Resolution modified the scope of the Project to include a second water tower and the bids have exceeded funding and the scope and cost of the project has expanded and it therefore necessary to amend the Prior Resolution

Water Tower Rehabilitation (W-21)

(the "Amended Project") at an estimated cost, including related design and engineering expenses of \$4,830,000, and declared the intention to issue revenue bonds an aggregate principal amount not to exceed \$5,216,400 under the authority of K.S.A. 10-1201 *et seq.*, as amended and supplemented by Charter Ordinance No. 211 of the City (the "Bonds") in order to finance all or a portion of the costs of the Amended Project and related reserves, interest on financing and administrative and financing costs.

The Bonds shall not be general obligation bonds of the City payable from taxation, but shall be payable only from the revenues derived from the operations of the Utility. Costs of the Project in excess of the proceeds of the Bonds shall be paid from unencumbered moneys of the Utility which will be available for that purpose.

This Notice shall be published one time in the official newspaper of the City; and if, within fifteen (15) days from and after the publication date hereof, there shall be filed in the Office of the City Clerk a written protest against the Amended Project and the issuance of the Bonds, which protest is signed by not less than twenty percent (20%) of the qualified electors of the City, then the question of the Project and the issuance of the Bonds shall be submitted to the electors of the City at a special election which shall be called for that purpose as provided by law. If no sufficient protest to the Amended Project and the issuance of the Bonds is filed within said period, then the Governing Body shall have the authority to proceed with the Amended Project and issuance of the Bonds.

BY ORDER of the Governing Body of the City of Wichita, Kansas, on _____.

/s/ JEFF LONGWELL, Mayor

ATTEST:

/s/ Karen Sublett, City Clerk

RESOLUTION NO. 16-064

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 14-304 OF THE CITY OF WICHITA, KANSAS WHICH DECLARED IT NECESSARY TO CONSTRUCT, RECONSTRUCT, ALTER, REPAIR, IMPROVE, EXTEND AND ENLARGE THE WATER AND SEWER UTILITY OWNED AND OPERATED BY THE CITY, TO ISSUE REVENUE BONDS FOR THE PURPOSE OF PAYING CERTAIN COSTS THEREOF, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH INTENTION IN THE MANNER REQUIRED BY LAW.

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

WHEREAS, the City Council of the City (the “Governing Body”), has heretofore by Ordinance No. 39-888, passed May 26, 1987 and published in the official newspaper of the City on May 29, 1987, as required by law, authorized the combining of the City-owned and operated municipal water utility and municipal sewer utility thereby creating the City of Wichita, Kansas Water and Sewer Utility (the “Utility”); and

WHEREAS, the City is authorized under the Constitution and laws of the State of Kansas, including K.S.A. 10-1201 *et seq.*, as amended and supplemented by Charter Ordinance No. 211 of the City (collectively, the “Act”), to issue revenue bonds to construct, reconstruct, alter, repair, improve, extend and enlarge the Utility;

WHEREAS, the Governing Body has heretofore by Resolution No. 14-304 of the City (the “Prior Resolution), found and determined that it is necessary and advisable to construct, reconstruct, alter, repair, improve, extend and enlarge the Utility in the following manner:

Water Tower Rehabilitation (W-21)

(the “Project”) at an estimated cost, including related design and engineering expenses of **\$3,500,000**; and

WHEREAS, the Prior Resolution also determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed **\$3,780,000** in order to pay all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs (the “Bonds”) to be payable from the revenues of the Utility; and

WHEREAS, the scope and cost of the project has expanded and it therefore necessary to amend the Prior Resolution.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, AS FOLLOWS:

Section 1. Amendment. *Section 1* of the Prior Resolution is hereby amended to read as follows:

Section 1. Amendment. *Section 1 and Section 3* of Resolution No. 10-283 of the City of Wichita are hereby amended to read as follows:

Section 1. Project Authorization. It is hereby determined that it is necessary and advisable to construct, reconstruct, alter, repair, improve, extend and enlarge the Utility in the following manner:

Water Tower Rehabilitation (W-21)

(the “Amended Project”) at an estimated cost, including related design and engineering expenses of \$4,830,000. It is hereby further authorized, ordered and directed that the Amended Project be acquired, constructed and/or installed in accordance with plans and specifications therefor prepared under the direction of the City Engineer or designate and approved by the Governing Body; said plans and specifications to be placed on file in the offices of the Utility. The Amended Project will not cause duplication of any existing water or sewer utility service furnished by a private utility in the City.

Section 3. Project Financing. In order to pay all or a portion of the costs of the Amended Project and related reserves, interest on financing and administrative and financing costs, it is hereby found and determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed \$5,216, 400 (the “Bonds”). The Bonds shall not be general obligations of the City payable from taxation, but shall be payable from the revenues derived from the operations of the Utility. Costs of the Amended Project in excess of the proceeds of the Bonds, if any, shall be paid from unencumbered moneys of the Utility which will be available for that purpose. The Bonds may be issued to reimburse expenditures authorized by Resolution No. 10-283 made on or after the date which was 60 days before the adoption of said resolution, and expenditures authorized by the Prior Resolution made on or after the date which was 60 days before the date of adoption of the Prior Resolution and to reimburse additional expenditures authorized by this Resolution, which were made 60 days before the date of adoption of this Resolution, all pursuant to Treasury Regulation §1.150-2.

Section 2. Notice. Before issuing the Bonds authorized herein, there shall be published one (1) time in the official newspaper of the City, a notice of the intention of the Governing Body to undertake the Amended Project and to issue the Bonds (the “Notice”); and if within fifteen (15) days after the publication of such Notice, there shall be filed with the City Clerk, a written protest against the Amended Project or the issuance of the Bonds, signed by not less than twenty per cent (20%) of the qualified electors of the City, the Governing Body shall thereupon submit such proposed Amended Project and the Bonds to the electors of the City at a special election to be called for that purpose as provided by the Act. If no sufficient protest is filed with the City Clerk within the period of time hereinbefore stated, then the Governing Body shall have the authority to proceed with the Amended Project and issuance of the Bonds.

Section 3. Repealer; Ratification. In the event no sufficient protest petition is filed in accordance with the Act against the Amended Project and the Bonds as set forth in *Section 2* hereof, *Section 1* of the Prior Resolution is hereby repealed and replaced with the amended versions set forth above; and the rest and remainder thereof is hereby ratified and confirmed. If a protest petition is filed and/or if a required referendum does not approve the Amended Project and the Bonds, the Prior Resolution remains in full force and effect with respect to the Project and the Bonds authorized therein.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

ADOPTED by the City Council of the City of Wichita, Kansas, by not less than two-thirds of the members voting in favor thereof, on _____, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, Director of Law

(Published in *The Wichita Eagle*, on March 25, 2016.)

NOTICE

TO: THE RESIDENTS OF THE CITY OF WICHITA, KANSAS

You are hereby notified that the City Council (the “Governing Body”) of the City of Wichita, Kansas (the “City”), adopted Resolution No. 16-064, on March 22, 2016 (the “Resolution”). The Resolution amended Resolution No. 14-304 (the “Prior Resolution”) which found and determined it to be necessary and declared its intention to construct, reconstruct, alter, repair, improve, extend and enlarge the City of Wichita, Kansas Water and Sewer Utility (the “Project”), which is owned and operated by the City (the “Utility”), and authorized the issuance of revenue bonds in amount not to exceed \$3,780,000 in order to finance all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs. **The Resolution modified the scope of the Project to include a second water tower and the bids have exceeded funding and the scope and cost of the project has expanded and it therefore necessary to amend the Prior Resolution**

Water Tower Rehabilitation (W-21)

(the “Amended Project”) at an estimated cost, including related design and engineering expenses of \$4,830,000, and declared the intention to issue revenue bonds an aggregate principal amount not to exceed \$5,216,400 under the authority of K.S.A. 10-1201 *et seq.*, as amended and supplemented by Charter Ordinance No. 211 of the City (the “Bonds”) in order to finance all or a portion of the costs of the Amended Project and related reserves, interest on financing and administrative and financing costs.

The Bonds shall not be general obligation bonds of the City payable from taxation, but shall be payable only from the revenues derived from the operations of the Utility. Costs of the Project in excess of the proceeds of the Bonds shall be paid from unencumbered moneys of the Utility which will be available for that purpose.

This Notice shall be published one time in the official newspaper of the City; and if, within fifteen (15) days from and after the publication date hereof, there shall be filed in the Office of the City Clerk a written protest against the Amended Project and the issuance of the Bonds, which protest is signed by not less than twenty percent (20%) of the qualified electors of the City, then the question of the Project and the issuance of the Bonds shall be submitted to the electors of the City at a special election which shall be called for that purpose as provided by law. If no sufficient protest to the Amended Project and the issuance of the Bonds is filed within said period, then the Governing Body shall have the authority to proceed with the Amended Project and issuance of the Bonds.

BY ORDER of the Governing Body of the City of Wichita, Kansas, on March 22, 2016.

/s/ JEFF LONGWELL, Mayor

ATTEST:

/s/ Karen Sublett, City Clerk

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council

SUBJECT: Release of Property (Bombardier Learjet) (District IV)

INITIATED BY: Office of Urban Development

AGENDA: Consent

Recommendation: Adopt the Resolution and authorize the necessary signatures.

Background: Since 1961, the City Council has approved the issuance of Industrial Revenue Bonds (IRBs) for Bombardier Learjet (Learjet) to finance the expansion and modernization of its aircraft manufacturing plant located at, or near, Wichita Dwight D. Eisenhower Airport.

Learjet is currently working on consolidating functions on its Wichita campus and has identified excess capacity that it wishes to sell. The company is asking to have certain bond-financed property released from the Trust Indenture and Lease to allow for a sale.

Learjet is in the Advanced Manufacturing cluster of the Blueprint for Regional Economic Growth (BREG) and is a main supplier to another BREG cluster, Aerospace.

Analysis: Learjet is a wholly-owned subsidiary of Bombardier, Inc. (Bombardier), a Canadian corporation headquartered in Montreal, Quebec. Bombardier is engaged in the design, development, manufacturing and marketing of transportation equipment, aerospace and defense products.

Learjet has identified a building located at 8219 W. Irving on the north side of the Learjet campus as excess space. This building is not on land owned by the airport authority. The company currently occupies only a small portion of the building and would like to sell the building and lease back the portion that it occupies. A small portion of the improvements to the building were financed with IRBs in 2009 and 2010. Companies are responsible for the placement of IRBs and in this case the bonds are owned by the company. Heating, ventilation and air conditioning systems as well as noise reduction baffles with a total original cost of \$311,630.97 need to be released from the Trust Indenture and Lease to allow for clear title to be transferred to a new owner. This does not affect any other property financed with the 2009 and 2010 bonds. All other property financed with the 2009 and 2010 bond issues will remain in place. In addition, two easements need to be released that were granted to the City in 1996.

Financial Considerations: Bombardier Learjet is the owner of 100% of all outstanding bonds and has consented to the release of the aforementioned property.

Legal Considerations: Documents required for the release were prepared by the City's bond counsel, Gilmore & Bell, P.C. The form of bond documents have been approved as to form by the Law Department.

Recommendations/Actions: It is recommended that the City adopt the Resolution and authorize the necessary signatures.

Attachment: Resolution, Twenty-Ninth Supplemental Indenture, Twenty-Ninth Supplemental Lease, Release of Easement, Partial Release of Easement, Notice of Partial Release of Lease

RESOLUTION NO. 16-066

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WICHITA,
KANSAS AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY TO
LEARJET INC.**

WHEREAS, the City of Wichita, Kansas (the "Issuer") is authorized by K.S.A. 12-1740 to 12-1749d, inclusive, as amended (the "Act"), to acquire, purchase, construct, install and equip certain improvements and additions (as defined in the Act) for commercial, industrial and manufacturing purposes, and to enter into leases and lease-purchase agreements with any persons, firm or corporation for said facilities, and to issue revenue bonds for the purpose of paying the cost of any such facilities and to refund such revenue bonds previously issued; and

WHEREAS, pursuant to the Act, the Issuer's Governing Body has heretofore: (1) expressed its intent to issue Taxable Industrial Revenue Bonds (Learjet Inc.), in the original aggregate principal amount not to exceed \$86,000,000, pursuant to a Letter of Intent dated September 10, 1996; (2) expressed its intent to issue Taxable Industrial Revenue Bonds (Learjet Inc.), in the original aggregate principal amount not to exceed an additional \$79,188,000, pursuant to a Letter of Intent dated November 16, 2007; and (3) expressed its intent to issue Taxable Industrial Revenue Bonds (Learjet Inc.) in the original aggregate principal amount not to exceed \$52,700,000 dated June 3, 2014 (collectively, the "Letter of Intent"); all for the purpose of paying the cost of constructing, installing and equipping an expansion and improvements to existing aviation manufacturing and flight testing facilities (the "Project"); and

WHEREAS, pursuant to various ordinances of the Issuer, the Issuer has heretofore authorized the issuance of twenty-eight series of such taxable industrial revenue bonds, in the original aggregate principal amount of \$151,097,987.78 (the "Bonds"), for the purpose of constructing, equipping and installing portions of the Project; and

WHEREAS, in connection with the issuance of the Bonds, the Issuer has heretofore authorized (i) the execution and delivery of a Trust Indenture dated as of December 1, 1996, as supplemented and amended from time to time in accordance with the provisions thereof (collectively, the "Indenture") with The Bank of New York Mellon Trust Company, N.A., St. Louis, Missouri (as successor to INTRUST Bank, N.A., Wichita, Kansas), as trustee (the "Trustee"), for the purpose of issuing and securing the Bonds, and (ii) the execution and delivery of a Lease Agreement dated as of December 1, 1996, as supplemented and amended from time to time in accordance with the provisions (collectively, the "Lease"), by and between the Issuer, as lessor, and Learjet Inc., a Kansas corporation (the "Tenant"), as lessee, under which the proceeds of the Bonds were used to pay a portion of the costs of the Project; and

WHEREAS, the Tenant has notified the Issuer of its intent to sell a portion of its Wichita facilities and to dispose of any machinery and equipment located therein which constitute a portion of the Project; and

WHEREAS, the owners of 100% of the outstanding Bonds has consented to such sale and disposal; and

WHEREAS, in connection with such sale and disposal, the governing body of the Issuer hereby finds it necessary and desirable to authorize the execution and delivery of the following documents to

remove such property from the Trust Estate securing the Bonds under the Indenture and provide for the conveyance of such property to the Tenant in accordance with the provisions of the Lease and Indenture (collectively, the "Release Documents"):

(a) Twenty-Ninth Supplemental Indenture between the Issuer and The Bank of New York Mellon Trust Company, N.A., as Trustee, further supplementing and amending the Indenture to amend Schedule I and release certain property from the lien of the Trust Estate;

(b) Twenty-Ninth Supplemental Lease between the Issuer and the Tenant, further supplementing and amending the Lease to permit the disposal of certain Bond-financed property and amend Schedule I;

(c) Bill of Sale from the Issuer to the Tenant;

(d) Notice of Partial Release of Lease between the Issuer and the Trustee;

(e) Partial Release of Easement releasing certain real property from the Easement Agreement dated as of December 1, 1996 from the Tenant, as Grantor, to the City; and

(f) Release of Easement releasing the Easement Agreement dated as of December 1, 1996 from Associated Grocers' Company of St. Louis, Missouri, as Grantor, to the City.

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

Section 1. The Mayor and Clerk are authorized and directed to execute and deliver to the Tenant the Bond Documents in substantially the form present to the governing body this date.

Section 2. The Mayor and Clerk are hereby further authorized and directed to sign such other instruments and certificates as shall be necessary and desirable in connection with this Resolution, and are hereby further authorized to take such further actions as may be necessary to accomplish the purposes of this Resolution.

[BALANCE OF THIS PAGE LEFT BLANK INTENTIONALLY]

ADOPTED by the governing body of the City of Wichita, Kansas, on March 22, 2016.

CITY OF WICHITA, KANSAS

(Seal)

By _____
Jeff Longwell, Mayor

Attest:

By _____
Karen Sublett, City Clerk

Approved as to form:

By _____
Jennifer Magaña
Director of Law and City Attorney

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS
HELD ON MARCH 22, 2016**

The governing body met in regular session at the usual meeting place in the Council Chambers at City Hall on March 22, 2016, at 9:30 a.m., the following members being present and participating, to wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

(Other Proceedings)

Thereupon, there was presented on the Consent Agenda a Resolution entitled:

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WICHITA,
KANSAS AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY TO
LEARJET INC.**

Thereupon, Councilmember _____ moved that the Consent Agenda, including adoption of said Resolution, be passed. The motion was seconded by Councilmember _____. The motion was carried by the vote of the governing body, the vote being as follows:

Aye: _____.

Nay: _____.

Thereupon, the Mayor declared the Consent Agenda passed. The Resolution was then duly numbered Resolution No. _____ and was signed by the Mayor and attested by the Clerk.

(Other Proceedings)

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

On motion duly made, seconded and carried, the meeting hereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Wichita, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

[SEAL]

Karen Sublett, Clerk

CITY OF WICHITA, KANSAS

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.
AS TRUSTEE

TWENTY-NINTH SUPPLEMENTAL TRUST INDENTURE DATED AS
OF _____, 2016

TAXABLE INDUSTRIAL REVENUE BONDS
(LEARJET INC.)

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TWENTY-NINTH SUPPLEMENTAL TRUST INDENTURE

THIS TWENTY-NINTH SUPPLEMENTAL TRUST INDENTURE, dated as of _____, 2016 (the "Twenty-Ninth Supplemental Indenture"), between the City of Wichita, Kansas, a municipal corporation duly organized and existing under the laws of the State of Kansas (the "Issuer" or "City"), and, **THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.**, a national banking association duly organized and existing and authorized to accept and execute trusts of the character herein set forth under the laws of the United States, with an office located in the City of St. Louis, Missouri (the "Trustee");

WITNESSETH:

WHEREAS, the City of Wichita, Kansas (the "Issuer") is authorized by K.S.A. 12-1740 to 12-1749d, inclusive, as amended (the "Act"), to construct, install and equip certain improvements and additions (as defined in the Act) for commercial, industrial and manufacturing purposes, and to enter into leases and lease-purchase agreements with any persons, firm or corporation for said facilities, and to issue revenue bonds for the purpose of paying the cost of any such facilities and to refund such revenue bonds previously issued; and

WHEREAS, pursuant to the Act, the Issuer's Governing Body has heretofore: (1) expressed its intent to issue Taxable Industrial Revenue Bonds (Learjet Inc.), in the original aggregate principal amount not to exceed \$86,000,000, pursuant to a Letter of Intent dated September 10, 1996; (2) expressed its intent to issue Taxable Industrial Revenue Bonds (Learjet Inc.), in the original aggregate principal amount not to exceed an additional \$79,188,000, pursuant to a Letter of Intent dated November 16, 2007; and (3) expressed its intent to issue Taxable Industrial Revenue Bonds (Learjet Inc.) in the original aggregate principal amount not to exceed \$52,700,000 dated June 3, 2014 (collectively, the "Letter of Intent"); all for the purpose of paying the cost of constructing, installing and equipping an expansion and improvements to existing aviation manufacturing and flight testing facilities (the "Project"); and

WHEREAS, pursuant to various ordinances of the Issuer, the Issuer has heretofore authorized the issuance of twenty-eight series of such taxable industrial revenue bonds, in the original aggregate principal amount of \$151,097,987.78 (the "Bonds"), for the purpose of constructing, equipping and installing portions of the Project; and

WHEREAS, in connection with the issuance of the Bonds, the Issuer has heretofore authorized (i) the execution and delivery of a Trust Indenture dated as of December 1, 1996 (the "1996 Indenture"), as supplemented and amended from time to time in accordance with the provisions thereof (collectively, the "Indenture") with The Bank of New York Mellon Trust Company, N.A., St. Louis, Missouri (as successor to INTRUST Bank, N.A., Wichita, Kansas), as trustee (the "Trustee"), for the purpose of issuing and securing the Bonds, and (ii) the execution and delivery of a Lease Agreement dated as of December 1, 1996 (the "1996 Lease"), as supplemented and amended from time to time in accordance with the provisions thereof (collectively, the "Lease"), by and between the Issuer, as lessor, and Learjet Inc., a Kansas corporation (the "Tenant"), as lessee, under which the proceeds of the Bonds were used to pay a portion of the costs of the Project; and

WHEREAS, the Tenant has notified the Issuer that it intends to sell the portion of the Land and related improvements located at 8219 West Irving and commonly known as "Building 9," and to dispose of any machinery and equipment located therein which constitute a portion of the Project; and

WHEREAS, in connection with such sale, the governing body of the Issuer has authorized the execution and delivery of this Twenty-Ninth Supplemental Indenture for the purpose of amending Schedule I to the Indenture to remove the referenced property.

NOW, THEREFORE, THIS TWENTY-NINTH SUPPLEMENTAL INDENTURE WITNESSETH:

ARTICLE I
DEFINITIONS

Section 101. Definitions of Words and Terms. In addition to the words and terms defined in the Indenture and the Lease, the following words and term as used in this Twenty-Ninth Supplemental Indenture shall have the following meanings, unless some other meaning is plainly intended:

"Twenty-Ninth Supplemental Indenture" means the Twenty-Ninth Supplemental Indenture dated as of [Dated Date], by and between the Issuer and the Trustee, further supplementing and amending the 1996 Indenture.

"Twenty-Ninth Supplemental Lease" means the Twenty-Ninth Supplemental Lease dated as of [Dated Date], by and between the Issuer and the Tenant, supplementing and amending the 1996 Lease.

Section 102. Rules of Interpretation.

(a) Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Unless the context shall otherwise indicate, the words importing the singular number shall include the plural and vice versa, and words importing persons shall include firms, associations and corporations, including public bodies, as well as natural persons.

(b) Wherever in the Indenture it is provided that either party shall or will make any payment or perform or refrain from performing any act or obligation, each such provision shall, even though not so expressed, be construed as an express covenant to make such payment or to perform, or not to perform, as the case may be, such act or obligation, according to its terms.

(c) All references in this instrument to designated "Articles," "Sections" and other subdivisions are, unless otherwise specified, to the designated Articles, Sections and subdivisions of this instrument as originally executed. The words "herein," "hereof," "hereunder" and other words of similar import refer to this Twenty-Ninth Supplemental Indenture as a whole and not to any particular Article, Section or subdivision.

(d) The Table of Contents and the Article and Section headings of this Twenty-Ninth Supplemental Indenture shall not be treated as a part of this Twenty-Ninth Supplemental Indenture or as affecting the true meaning of the provisions hereof.

ARTICLE II
AMENDMENT TO PROJECT DESCRIPTION

Section 201. Amendment to Schedule I.

(a) The Series VII, 2009 Project described on *Exhibit B to Schedule I* to the Sixteenth Supplemental Indenture is hereby amended to remove the following property:

CAAR No.	Asset No.	Description	Original Cost
A08-WI-0344	B30958-00	HVAC – Replace Hasting makeup air unit	\$38,507.50
A08-WI-0344	B30959-00	HVAC – Roam Room AC, including controls	\$49,716.50

(b) The Series VI, 2010 Project described on *Exhibit B to Schedule I* to the Eighteenth Supplemental Indenture is hereby amended to remove the following property:

CAAR No.	Asset No.	Description	Original Cost
A08-WI-0122	L20544-00	Noise Reduction – Baffles, Weld and Noise Curtains	\$223,706.97

(c) The description of the Land on *Exhibit A to Schedule I* to the 1996 Indenture and each subsequent Supplemental Indenture still in effect is hereby amended to remove the Issuer’s interest in the following real property:

LEARJET PROPERTY:

An easement over the following:

Parcel No. 1:

Lot 1, Block A, Santa Fe Midland Industries Addition to Wichita, Sedgwick County, Kansas.

Parcel No. 2:

Lot 1, Block A, Santa Fe Midland Industries 2nd Addition to Wichita, Sedgwick County, Kansas.

Parcel No. 3:

Lot 1 and the west 50 feet of Lot 2, Block A, Santa Fe Midland Industries Third Addition, Wichita, Sedgwick County, Kansas.

ASSOCIATED GROCERS' PROPERTY:

An easement over the following:

TRACT II

Lot 2, except the West 50 feet, Block A, Santa F Midland Industries Third Addition, except all minerals underlying the surface of said land and all right and easements in favor of the estate of said minerals.

TRACT III

Part of the Southwest Quarter of Section 28, Township 27 South, Range 1 West of the 6th P.M., described as follows:

Beginning at a point in the South line of Irving Avenue at the intersection with the East line of said Southwest Quarter of Section 28; thence West on the South line of Irving Avenue, a distance of 270.28 feet to the East line of Santa Fe Midland Industries Third Addition; thence South along said East line of said Addition, 610.95 feet to the North line of the A.T.& S.F. Railroad right-of-way; thence Northeasterly along the Northerly line of said right-of way to the East line of said Southwest Quarter of Section 28; thence North along said East line 584.24 feet more or less to the point of beginning, except all minerals underlying the surface of said land and all rights and easements in favor of the estate of said minerals.

Section 202. Partial Release of Trust Estate. The parties acknowledge the right of the Tenant pursuant to *Section 902* of the 1996 Lease to dispose of machinery and equipment no longer used by the Tenant and the right of the parties pursuant to *Section 1102* of the 1996 Indenture to amend the Indenture with the consent of the Owners of 50% of the aggregate principal amount of the Bonds Outstanding. The parties further acknowledge that the Owners of 100% of the Bonds Outstanding have consented to this Twenty-Ninth Supplemental Indenture and the Issuer has agreed to release its interest in the portion of the Land described in *Section 201(c)* above. The property described in *Section 201* hereof is therefore released from the Trust Estate.

ARTICLE III

GENERAL COVENANTS AND PROVISIONS

Section 301. Authority to Execute Twenty-Ninth Supplemental Indenture. The Issuer covenants that, to the best of its knowledge and belief: it is duly authorized under the Constitution and laws of the State of Kansas to execute this Twenty-Ninth Supplemental Indenture and all action on its part for the execution and delivery of this Twenty-Ninth Supplemental Indenture has been duly and effectively taken

Section 302. Supplemental Indentures. This Twenty-Ninth Supplemental Indenture further supplements and amends the 1996 Indenture, as previously supplemented and amended, only to the extent and for the purposes set forth herein.

Section 303. Execution in Counterparts; Electronic Transactions. This Twenty-Ninth Supplemental Indenture may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. The transaction described herein may be conducted and related documents may be stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original executed documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

Section 304. Governing Law. This Twenty-Ninth Supplemental Indenture shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the Issuer has caused this Twenty-Ninth Supplemental Trust Indenture to be signed by an authorized official, such signature to be attested by an authorized official, and its official seal to be applied, as of the date first above written, and to evidence its acceptance of the trusts hereby created, the Trustee has caused this Twenty-Ninth Supplemental Trust Indenture to be executed in its corporate name and with its corporate seal hereunto affixed and attested by its duly authorized officers, as of the date first above written.

CITY OF WICHITA, KANSAS

By _____
Mayor

[SEAL]

ATTEST:

City Clerk

**THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.,**
as Trustee

By: _____
Name:
Title:

[SEAL]

ATTEST:

Name:
Title:

CONSENT OF BONDOWNER

The undersigned, Tonya Sudduth, Director of Finance, Cost Accounting of Learjet Inc., hereby certifies that Learjet Inc. is the Registered Owner of all Bonds Outstanding under the Trust Indenture dated as of December 1, 1996, by and between the City of Wichita, Kansas, as Issuer, and The Bank of New York Mellon Trust Company, N.A., as Trustee, as from time to time amended and supplemented by Supplemental Indentures in accordance with the provisions thereof. As such Registered Owner, Learjet Inc. hereby consents to the execution and delivery of the foregoing Twenty-Ninth Supplemental Indenture.

Dated: _____, 2016

LEARJET INC.

By: _____
Name: Tonya Sudduth
Title: Treasurer

ATTEST:

By: _____
Name: Brenda Mesker
Title: Secretary

TWENTY-NINTH SUPPLEMENTAL LEASE BY AND BETWEEN

CITY OF WICHITA, KANSAS AND

LEARJET INC.

DATED AS OF _____, 2016

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TWENTY-NINTH SUPPLEMENTAL LEASE

THIS TWENTY-NINTH SUPPLEMENTAL LEASE, dated as of _____, 2016 (the "Twenty-Ninth Supplemental Lease"), amending and supplementing the Lease Agreement dated as of December 1, 1996 (the "1996 Lease"), all by and between the City of Wichita, Kansas, a municipal corporation of the State of Kansas (the "Issuer" or "City"), and Learjet Inc., a corporation organized under the laws of the State of Kansas (the "Tenant").

WITNESSETH:

WHEREAS, Issuer, to the best of its knowledge and belief, is a municipal corporation duly organized and existing under the laws of the State of Kansas (the "State"), with full, lawful power and authority to enter into this Twenty-Ninth Supplemental Lease by and through its governing body; and

WHEREAS, Issuer previously issued its revenue bonds pursuant to K.S.A. 12-1740 *et seq.*, as amended (the "Act"), for the purpose of financing the development and improvement of certain industrial and commercial facilities (the "Project"), which have been leased by Issuer to the Tenant pursuant to the 1996 Lease, as supplemented and amended from time to time in accordance with the provisions thereof (as supplemented and amended, the "Lease"); and

WHEREAS, the Tenant has notified the Issuer that it intends to sell the portion of the Land and related improvements located at 8219 West Irving and commonly known as "Building 9," and to dispose of any machinery and equipment located therein which constitute a portion of the Project ; and

WHEREAS, in connection with such sale, the governing body of the Issuer has authorized the execution and delivery of this Twenty-Ninth Supplemental Lease for the purpose of amending Schedule I to the Lease to remove the referenced property.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements herein set forth, Issuer and Tenant do hereby covenant and agree as follows:

ARTICLE I

Section 1.1. Definitions. Capitalized words and terms no otherwise defined herein, shall have the meanings set forth elsewhere in the Lease and Indenture, unless the context or use indicates another or different meaning or intent:

ARTICLE II

Section 2.1. Removal, Disposition and Substitution of Machinery and Equipment. The parties hereto acknowledge that the Tenant is selling the property described above as Building 9 and shall no longer have any use for the machinery and equipment located in Building 9 which constitutes a portion of the Project. The parties agree that such machinery and equipment cost less than 10% of the principal amount of Bonds Outstanding and may be disposed of in accordance with the provisions *Section 9.2(2)* of the 1996 Lease. The remaining requirements of *Section 9.2* hereby waived with the consent of the Owners of 100% of the Outstanding Bonds.

Section 2.2. Amendment to Schedule I.

(a) The Series VII, 2009 Project described on Exhibit B to Schedule I to the Sixteenth Supplemental Lease is hereby amended to remove the following property:

No.	CAAR	Asset No.	Description	Original Cost
0344	A08-WI-	B30 958-00	HVAC – Replace Hasting makeup air unit	\$38,507.5 0
0344	A08-WI-	B30 959-00	HVAC – Roam Room AC, including controls	\$49,716.5 0

(b) The Series VI, 2010 Project described on Exhibit B to Schedule I to the Eighteenth Supplemental Lease is hereby amended to remove the following property:

No.	CAAR	Asset No.	Description	Original Cost
0122	A08-WI-	L205 44-00	Noise Reduction – Baffles, Weld and Noise Curtains	\$223,706. 97

(c) The description of the Land on Exhibit A to Schedule I to the 1996 Lease and each subsequent Supplemental Lease still in effect is hereby amended to remove the Issuer’s interest in the following real property:

LEARJET PROPERTY:

An easement over the following:

Parcel No. 1:

Lot 1, Block A, Santa Fe Midland Industries Addition to Wichita, Sedgwick County, Kansas.

Parcel No. 2:

Lot 1, Block A, Santa Fe Midland Industries 2nd Addition to Wichita, Sedgwick County, Kansas.

Parcel No. 3:

Lot 1 and the west 50 feet of Lot 2, Block A, Santa Fe Midland Industries Third Addition, Wichita, Sedgwick County, Kansas.

ASSOCIATED GROCERS' PROPERTY:

An easement over the following:

TRACT II

Lot 2, except the West 50 feet, Block A, Santa F Midland Industries Third Addition, except all minerals underlying the surface of said land and all right and easements in favor of the estate of said minerals.

TRACT III

Part of the Southwest Quarter of Section 28, Township 27 South, Range 1 West of the 6th P.M., described as follows:

Beginning at a point in the South line of Irving Avenue at the intersection with the East line of said

Southwest Quarter of Section 28; thence West on the South line of Irving Avenue, a distance of 270.28 feet to the East line of Santa Fe Midland Industries Third Addition; thence South along said East line of said Addition, 610.95 feet to the North line of the A.T.& S.F. Railroad right-of-way; thence Northeasterly along the Northerly line of said right-of way to the East line of said Southwest Quarter of Section 28; thence North along said East line 584.24 feet more or less to the point of beginning, except all minerals underlying the surface of said land and all rights and easements in favor of the estate of said minerals.

ARTICLE III

Section 3.1. Ad Valorem Taxes. The parties acknowledge and agree that any abatement of ad valorem taxes already in effect in connection with the machinery and equipment described in Section 2.2 (a) and (b) shall cease upon the removal of such property from the Project and transfer of title to the Tenant.

ARTICLE IV

Section 4.1. Ratification and Confirmation of 1996 Lease. Except as may be specifically amended, supplemented or modified by the terms of this Twenty-Ninth Supplemental Lease, the 1996 Lease, as previously supplemented and amended, is hereby ratified and confirmed by the parties.

Section 4.2. Section Headings. The Section headings hereof are for the convenience of reference only and shall not be treated as a part of this Twenty-Ninth Supplemental Lease or as affecting the true meaning of the provisions hereof. The reference to Section numbers herein or in the Indenture shall be deemed to refer to the numbers preceding each section.

Section 4.3. Execution of Counterparts; Electronic Transactions. This Twenty-Ninth Supplemental Lease may be executed simultaneously in multiple counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument. The transaction described herein may be conducted and related documents may be stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original executed documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the Issuer has caused this Twenty-Ninth Supplemental Lease to be signed by an authorized official, such signature to be attested by an authorized officer and its official seal to be applied, as of the date first above written.

CITY OF WICHITA, KANSAS,
as Issuer

By: _____
Jeff Longwell, Mayor

[SEAL]

ATTEST:

By: _____
Karen Sublett, City Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
)ss.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, that on this _____, 2016, before me, the undersigned, a Notary Public in and for said County and State, came Jeff Longwell, Mayor of the City of Wichita, Kansas, a municipal corporation of the State of Kansas and Karen Sublett, City Clerk of said City, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

[NOTARY SEAL]

Notary Public

My Commission Expires:

IN WITNESS WHEREOF, the Tenant has caused this Twenty-Ninth Supplemental Lease to be signed by an authorized official, such signature to be attested by an authorized officer, as of the date first above written.

LEARJET INC.

By: _____
Name: Tonya Sudduth
Title: Treasurer

ATTEST:

By: _____
Name: Brenda Mesker
Title: Secretary

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, that on this _____ 2016, before me, the undersigned, a Notary Public in and for said City and State, came Tonya Sudduth, Treasurer and Brenda Mesker, Secretary of Learjet Inc., a Kansas corporation, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

[NOTARY SEAL]

Notary Public

My Commission Expires:

CONSENT OF BONDOWNER

The undersigned, Tonya Sudduth, Director of Finance, Cost Accounting of Learjet Inc., hereby certifies that Learjet Inc. is the Registered Owner of all Bonds Outstanding under the Trust Indenture dated as of December 1, 1996, by and between the City of Wichita, Kansas, as Issuer, and The Bank of New York Mellon Trust Company, N.A., as Trustee, as from time to time amended and supplemented by Supplemental Indentures in accordance with the provisions thereof. As such Registered Owner, Learjet Inc. hereby consents to the execution and delivery of the foregoing Twenty-Ninth Supplemental Lease.

Dated: _____, 2016

LEARJET INC.

By: _____
Name: Tonya Sudduth
Title: Treasurer

ATTEST:

By: _____
Name: Brenda Mesker
Title: Secretary

RELEASE OF EASEMENT

THIS PARTIAL RELEASE OF EASEMENT is made and entered into as of _____, 2016 by and between Learjet Inc., a Kansas corporation (the "Grantor") and the City of Wichita, Kansas, a municipal corporation (the "City").

WITNESSETH THAT:

WHEREAS, Grantor is the owner of the real property and the improvements situated thereon described in *Exhibit A* which is attached hereto and made a part hereof (the "Tract"); and

WHEREAS, the City is the record owner of certain machinery and equipment located on the Tract and financed with the proceeds of the City's industrial revenue bonds (the "Project"); and

WHEREAS, pursuant to an Easement Agreement dated as of December 1, 1996 between Associated Grocers' Company of St. Louis, Missouri and the City, filed with the Sedgwick County Register of Deeds at Film 1661 Page 1753 (the "Easement Agreement"), Grantor, as current owner of the Tract, has granted the City an easement over and across the Tract for the purpose of providing City access to the Project; and

WHEREAS, the parties hereto find it necessary to release such grant of easement;

NOW, THEREFORE, the parties hereto agree that real property on *Exhibit A* hereto is hereby released from any claim of the City or its agents under the Easement Agreement.

[balance of this page intentionally left blank]

IN WITNESS WHEREOF, the City has caused this Release of Easement to be signed by an authorized official, such signature to be attested by an authorized officer and its official seal to be applied, as of the date first above written.

CITY OF WICHITA, KANSAS,

By: _____
Jeff Longwell, Mayor

[SEAL]

ATTEST:

By: _____
Karen Sublett, City Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
)ss.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, that on this _____, 2016, before me, the undersigned, a Notary Public in and for said County and State, came Jeff Longwell, Mayor of the City of Wichita, Kansas, a municipal corporation of the State of Kansas and Karen Sublett, City Clerk of said City, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

[NOTARY SEAL]

Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Grantor has caused this Release of Easement to be signed by an authorized official, such signature to be attested by an authorized officer, as of the date first above written.

LEARJET INC.

By: _____
Name: Tonya Sudduth
Title: Treasurer

ATTEST:

By: _____
Name: Brenda Mesker
Title: Secretary

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, that on this _____ 2016, before me, the undersigned, a Notary Public in and for said City and State, came Tonya Sudduth, Treasurer and Brenda Mesker, Secretary of Learjet Inc., a Kansas corporation, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

[NOTARY SEAL]

Notary Public

My Commission Expires:

EXHIBIT A

An easement over the following described property in Sedgwick County, Kansas:

TRACT II

Lot 2, except the West 50 feet, Block A, Santa Fe Midland Industries Third Addition, except all minerals underlying the surface of said land and all right and easements in favor of the estate of said minerals.

TRACT III

Part of the Southwest Quarter of Section 28, Township 27 South, Range 1 West of the 6th P.M., described as follows:

Beginning at a point in the South line of Irving Avenue at the intersection with the East line of said Southwest Quarter of Section 28; thence West on the South line of Irving Avenue, a distance of 270.28 feet to the East line of Santa Fe Midland Industries Third Addition; thence South along said East line of said Addition, 610.95 feet to the North line of the A.T. & S.F. Railroad right-of-way; thence Northeasterly along the Northerly line of said right-of way to the East line of said Southwest Quarter of Section 28; thence North along said East line 584.24 feet more or less to the point of beginning, except all minerals underlying the surface of said land and all rights and easements in favor of the estate of said minerals.

PARTIAL RELEASE OF EASEMENT

THIS PARTIAL RELEASE OF EASEMENT is made and entered into as of _____, 2016 by and between Learjet Inc., a Kansas corporation (the “Grantor”) and the City of Wichita, Kansas, a municipal corporation (the “City”).

WITNESSETH THAT:

WHEREAS, Grantor is the owner of the real property and the improvements situated thereon described in *Exhibit A* which is attached hereto and made a part hereof (the “Tract”); and

WHEREAS, the City is the record owner of certain machinery and equipment located on the Tract and financed with the proceeds of the City’s industrial revenue bonds (the “Project”); and

WHEREAS, pursuant to an Easement Agreement dated as of December 1, 1996, filed with the Sedgwick County Register of Deeds at Film 1661 Page 1739 (the “Easement Agreement”), Grantor has granted the City an easement over and across the Tract for the purpose of providing City access to the Project; and

WHEREAS, the parties hereto find it necessary to release a portion of the Tract from such grant of easement;

NOW, THEREFORE, the parties hereto agree that real property identified as **Parcel 1, Parcel 2** and **Parcel 3** on *Exhibit A* hereto is hereby released from any claim of the City or its agents under the Easement Agreement. The real property identified as Parcel 4 shall remain subject to the Easement Agreement, and such Easement Agreement is hereby ratified and confirmed.

[balance of this page intentionally left blank]

IN WITNESS WHEREOF, the City has caused this Partial Release of Easement to be signed by an authorized official, such signature to be attested by an authorized officer and its official seal to be applied, as of the date first above written.

CITY OF WICHITA, KANSAS,

By: _____
Jeff Longwell, Mayor

[SEAL]

ATTEST:

By: _____
Karen Sublett, City Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
)ss.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, that on this _____, 2016, before me, the undersigned, a Notary Public in and for said County and State, came Jeff Longwell, Mayor of the City of Wichita, Kansas, a municipal corporation of the State of Kansas and Karen Sublett, City Clerk of said City, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

[NOTARY SEAL]

Notary Public

My Commission Expires:

IN WITNESS WHEREOF, Grantor has caused this Partial Release of Easement to be signed by an authorized official, such signature to be attested by an authorized officer, as of the date first above written.

LEARJET INC.

By: _____
Name: Tonya Sudduth
Title: Treasurer

ATTEST:

By: _____
Name: Brenda Mesker
Title: Secretary

ACKNOWLEDGMENT

STATE OF KANSAS)
) ss.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, that on this _____ 2016, before me, the undersigned, a Notary Public in and for said City and State, came Tonya Sudduth, Treasurer and Brenda Mesker, Secretary of Learjet Inc., a Kansas corporation, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said corporation, and such persons duly acknowledged the execution of the same to be the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

[NOTARY SEAL]

Notary Public

My Commission Expires:

EXHIBIT A

An easement over the following:

Parcel No. 1:

Lot 1, Block A, Santa Fe Midland Industries Addition to Wichita, Sedgwick County, Kansas.

Parcel No. 2:

Lot 1, Block A, Santa Fe Midland Industries 2nd Addition to Wichita, Sedgwick County, Kansas.

Parcel No. 3:

Lot 1 and the west 50 feet of Lot 2, Block A, Santa Fe Midland Industries Third Addition, Wichita, Sedgwick County, Kansas.

Parcel No. 4:

Lot 1, and Reserve A, in Block A, Gates Learjet Addition to Wichita, Sedgwick County, Kansas.

EXCEPT that portion of Lot 1 described as: Beginning at the western-most Northwest corner of Lot 1, being 680.70 feet north and 50 feet east of the Southwest corner of the Southwest Quarter of Section 28, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas; thence south along the West line of said Lot 1, 120 feet; thence east parallel with the South line of said Lot 1, 846.50 feet; thence north parallel with the West line of said Lot 1, 533.53 feet, more or less, to the point of intersection with the North line of said Lot 1; thence southwesterly along the North line of said Lot 1, 236.35 feet to a corner of said Lot 1; thence south along a lot line of said Lot 1, 388.03 feet to a corner of said Lot 1; thence west 611.50 feet to the point of beginning.

NOTICE OF PARTIAL RELEASE OF LEASE

WHEREAS, the City of Wichita, Kansas (the "Issuer") has heretofore entered into a Lease dated as of December 1, 1996 (as supplemented and amended in accordance with the provisions thereof, the "Lease") between the Issuer Learjet Inc., a Kansas corporation (the "Tenant"), notice of which is recorded on Film 1661, Page 1717 in the office of the Sedgwick County Register of Deeds; and

WHEREAS, the Issuer assigned its interest in the Lease to The Bank of New York Mellon Trust Company, N.A., St. Louis, Missouri (the "Trustee"), as successor trustee to Boatmen's National Bank, Wichita, Kansas, for purpose of enforcement of the Tenant's covenants under the Lease for the benefit of the owners of multiple series of the Issuer's Taxable Industrial Revenue Bonds (Learjet Inc.) (the "Bonds"), such assignment recorded on Film 1661, Page 1727 in the office of the Sedgwick County Register of Deeds; and

WHEREAS, pursuant to a Supplemental Lease Agreement, the Issuer and Tenant have released the real property described on *Schedule I* hereto from the property subject to the Lease; and

WHEREAS, the owner of the Bonds has consented to such release;

THEREFORE, notice is hereby given that the property described in the attached *Schedule I* is released from any claim of the Issuer and the Trustee under the Lease as of _____, 2016.

[balance of this page intentionally left blank]

IN WITNESS WHEREOF, the Issuer has caused this Notice of Partial Release Lease to be signed by an authorized official, such signature to be attested by an authorized officer and its official seal to be applied, as of the date above written.

CITY OF WICHITA, KANSAS,

By: _____
Jeff Longwell, Mayor

[SEAL]

ATTEST:

By: _____
Karen Sublett, City Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
)ss.
COUNTY OF SEDGWICK)

BE IT REMEMBERED, that on this _____, 2016, before me, the undersigned, a Notary Public in and for said County and State, came Jeff Longwell, Mayor of the City of Wichita, Kansas, a municipal corporation of the State of Kansas and Karen Sublett, City Clerk of said City, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

[NOTARY SEAL]

Notary Public

My Commission Expires:

SCHEDULE I

LEARJET PROPERTY:

An easement over the following:

Parcel No. 1:

Lot 1, Block A, Santa Fe Midland Industries Addition to Wichita, Sedgwick County, Kansas.

Parcel No. 2:

Lot 1, Block A, Santa Fe Midland Industries 2nd Addition to Wichita, Sedgwick County, Kansas.

Parcel No. 3:

Lot 1 and the west 50 feet of Lot 2, Block A, Santa Fe Midland Industries Third Addition, Wichita, Sedgwick County, Kansas.

ASSOCIATED GROCERS' PROPERTY:

An easement over the following:

TRACT II

Lot 2, except the West 50 feet, Block A, Santa F Midland Industries Third Addition, except all minerals underlying the surface of said land and all right and easements in favor of the estate of said minerals.

TRACT III

Part of the Southwest Quarter of Section 28, Township 27 South, Range 1 West of the 6th P.M., described as follows:

Beginning at a point in the South line of Irving Avenue at the intersection with the East line of said Southwest Quarter of Section 28; thence West on the South line of Irving Avenue, a distance of 270.28 feet to the East line of Santa Fe Midland Industries Third Addition; thence South along said East line of said Addition, 610.95 feet to the North line of the A.T.& S.F. Railroad right-of-way; thence Northeasterly along the Northerly line of said right-of way to the East line of said Southwest Quarter of Section 28; thence North along said East line 584.24 feet more or less to the point of beginning, except all minerals underlying the surface of said land and all rights and easements in favor of the estate of said minerals.

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council
SUBJECT: SAFER Grant Program (All Districts)
INITIATED BY: Wichita Fire Department
AGENDA: Consent

Recommendation: Authorize submission for 2015 Staffing for Adequate Fire and Emergency Response (SAFER) grant for six fire department positions.

Background: The fiscal year 2015 SAFER grant is issued by the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), and Grant Programs Directorate. The goal of the SAFER grant program is to assist local fire departments with staffing and deployment capabilities in order to respond to emergencies and assure that communities have adequate protection from fire and fire-related hazards. The SAFER grant program is comprised of two categories: (1) hiring firefighters; and (2) recruitment and retention of volunteer firefighters. The City of Wichita is eligible to competitively apply for SAFER funding under the first category related to hiring firefighters, which includes subcategories for rehiring, retention, attrition and hiring new firefighters.

The City was awarded a 2013 SAFER grant in 2014 in the amount of \$833,358 to fund six firefighter positions that were eliminated due to economic circumstances in 2013. The 2013 SAFER grant funding expires June 7, 2016.

The Fire Department is requesting authorization to submit a federal SAFER grant application for the six firefighter positions that will be vacated through attrition due to economic circumstances. The submission deadline for the 2015 SAFER grant is March 25, 2016.

Analysis: The City of Wichita has been particularly impacted by the economic downturn in national and global economies over the last several years. Assessed valuation has been relatively flat since the downturn and General Fund revenue growth has slowed. As a result of these challenges, the 2016 Adopted Budget does not include funding to fill the six vacated positions resulting from the expiration of 2013 SAFER grant.

Financial Considerations: The 2015 SAFER grant does not require a local grant match requirement. Applications approved for 2015 SAFER grant funding will receive full federal funding for salary and benefits during a two year performance period. There is no retention requirement after the two year performance period. Federal funding to maintain the six positions totals \$894,699 over the two year performance period.

Legal Considerations: The Law Department has reviewed and approved the 2015 SAFER Grant submission as to form.

Recommendations/Actions: It is recommended that the City Council authorize submission for the 2015 Staffing for Adequate Fire and Emergency Response (SAFER) grant for six firefighter positions.

Second Reading Ordinances for March 22, 2016 (first read on March 15, 2016)

- A. ZON2015-00009 – CON2015-00008 City Zone Change from Single-Family Residential to Two-Family Residential and a Conditional Use to Allow Multi-Family Residential Density on Property Generally Located West of North Arkansas Avenue and Northeast of the West 31st Street North – Mascot Avenue Intersection. (District VI)**

ORDINANCE NO. 50-163

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.

- B. ZON2015-00053 – Zone Change from SF-5 Single-family Residential to TF-3 Two family Residential, Generally Located North of West 9th Street North and east of North Hoover Road, 5402 West 9th Street North. (District VI)**

ORDINANCE NO. 50-164

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.

- C. A16-01 Request by Sherwood Construction Company to Annex Lans Generally Located One-Quarter Mile South of West U.S> 54 Highway on the East Side of South 135th Street West. (District IV)**

ORDINANCE NO. 50-165

AN ORDINANCE INCLUDING AND INCORPORATING CERTAIN BLOCKS, PARCELS, PIECES AND TRACTS OF LAND WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF WICHITA, KANSAS. (A16-01)

Financial Considerations: The petition includes \$20,000 for the sanitary sewer improvements. The funding source for the project is special assessments.

Legal Considerations: The Law Department has reviewed and approved the Certificate of Petition, Restrictive Covenants, Avigational Easement and Resolution as to form and the documents will be recorded with the Register of Deeds.

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

Recommendations/Actions: It is recommended that the City Council approve the documents and plat, authorize the necessary signatures, adopt the Resolutions and place the Ordinance on first reading. Publication of the Ordinance should be withheld until the plat is recorded with the Register of Deeds.

Attachments: Certificate of Petition
Restrictive Covenants
Avigational Easement
Ordinance
Resolution

CERTIFICATE OF PETITION

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

We, Builders, Inc., a Kansas corporation, owners of Silver Springs 2nd Addition, Wichita, Sedgwick County, Kansas, do hereby certify that petition(s) for the following improvements have been submitted to the City Council of the City of Wichita, Kansas:

- 1. Sanitary Sewer Improvements

As a result of the above-mentioned petition(s) for improvements, all lots or portions thereof within Silver Springs 2nd Addition, may be subject to special assessments assessed thereto for the cost of constructing the above-described improvements.

Signed this 25th day of FEBRUARY, 2016.

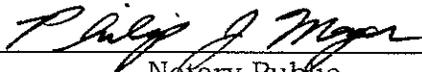
Builders Inc.

By: Michael H. Garvey
Michael H. Garvey, President

STATE OF KANSAS)
SEDGWICK COUNTY) SS:

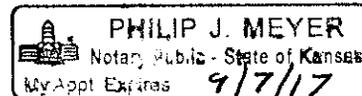
BE IT REMEMBERED, that on this 25th day of FEBRUARY, 2016, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Michael H. Garvey as President of Builders, Inc., a Kansas corporation, personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same, for and on behalf and as the act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

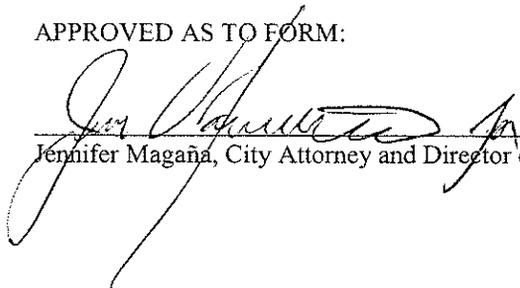


Notary Public

(My Appointment Expires: 9/7/17)



APPROVED AS TO FORM:



Jennifer Magaña, City Attorney and Director of Law

RESTRICTIVE COVENANT

THIS DECLARATION made this 25th day of FEBRUARY, 2016, by Builders, Inc., a Kansas corporation, hereinafter called "Declarant".

WITNESSETH

WHEREAS, Declarant is the owner of the following described property:

SILVER SPRINGS 2ND ADDITION

Lot 1, Block A

WHEREAS, Declarant is desirous in connection therewith that various provisions for the maintenance and responsibility for the maintenance be placed of record for Reserves "A" and "B", Silver Springs 2nd Addition, Wichita, Sedgwick County, Kansas.

NOW, THEREFORE, Declarant hereby declares and covenants:

1. That Reserve "A" is hereby reserved for open space, landscaping, lakes, drainage purposes, floodway, and utilities as confined to easements.
2. That Reserve "B" is hereby reserved for open space, landscaping, lakes, drainage purposes, floodway, a bike path, and utilities as confined to easements. No buildings shall be constructed or placed on or within said floodway, nor shall any fill, change of grade, creation of channel, or any other work be carried on without the permission of the Engineer for the City of Wichita, Kansas or the Engineer for the appropriate governing body. FEMA floodplain and regulatory floodway boundaries are subject to periodic change and such change may affect the intended land use within the subdivision.
3. Reserve "A" shall be owned and maintained by the owner of Lot 1, Block A.
4. Reserve "B" shall be owned and maintained by the owner of Lot 1, Block A, until such time as the City of Wichita, Kansas or the appropriate governing body elects to construct a bike path. At such time, Reserve "B" shall be dedicated to and for the use of the public for bike path purposes and all construction and maintenance within said

x

Reserve "B" shall be the responsibility of the City of Wichita, Kansas or the appropriate governing body.

5. That the owners hereby grant an irrevocable easement to whichever appropriate governing body or authority has jurisdiction, to enter upon the Reserves, as defined, for the purposes of maintaining such Reserves. This easement is conditioned upon the following event or events happening:

A. That the Declarant or the Lot Owner, as may be appropriate, has failed to maintain the reserves in a reasonable and prudent manner.

and,

B. That the appropriate governing body has given written notice to the Declarant or the Lot Owner and neither entity has responded in initiating corrective action within thirty (30) days of such notice. If the governing body has taken action to maintain the reserve under this covenant, the Declarant or Lot Owner shall pay promptly the costs expended. If the costs are not paid within thirty (30) days of the rendering of an account, the costs shall be considered an assessment against Lot 1, Block A, in Silver Springs 2nd Addition, and shall be considered a lien thereon and be treated in the same manner as a special assessment.

and

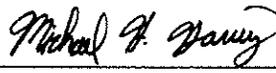
C. That this easement shall apply to Reserve "B" as long as it is in the ownership of Lot 1, Block A. Upon the dedication of Reserve "B" to the City of Wichita or the appropriate governing body, this easement shall become null and void.

This covenant shall be binding on the owner, their heirs, or successors or assigns and is a covenant running with the land and is binding on all successors in Lots in Silver Springs 2nd Addition, Wichita, Sedgwick County, Kansas.

The covenants, conditions, and restrictions on the property created and established in this instrument may be waived, terminated, or modified only upon written consent of the City of Wichita. No such waiver, termination or modification shall be effective until such written consent is recorded in the office of the Register of Deeds for Sedgwick County, Kansas.

EXECUTED the day and year first above written.

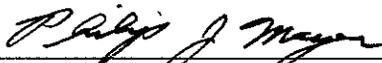
Builders Inc.

By: 
Michael H. Garvey, President

STATE OF KANSAS)
SEDGWICK COUNTY) SS:

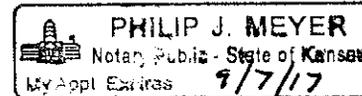
BE IT REMEMBERED, that on this 25TH day of FEBRUARY, 2016, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Michael H. Garvey as President of Builders, Inc., a Kansas corporation, personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same, for and on behalf and as the act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

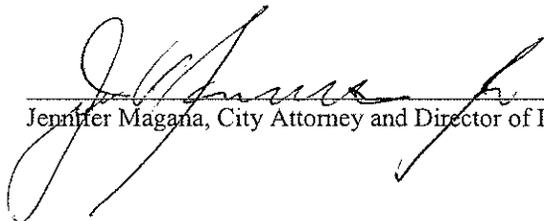


Notary Public

(My Appointment Expires: 9/7/17)



Approved as to form:



Jennifer Magana, City Attorney and Director of Law

RESTRICTIVE COVENANT

THIS DECLARATION made this 25th day of FEBRUARY, 2016, by Builders, Inc., a Kansas corporation, the "Declarants",

WITNESSETH

WHEREAS, Declarants are the owners of the following described property:

SILVER SPRINGS 2ND ADDITION

Lot 1, Block A

WHEREAS, the Declarants' property is located near Wichita Dwight D. Eisenhower National Airport and is accordingly subject to considerable noise from the operation of aircraft which may infringe upon the enjoyment of said property and may affect the health and/or well-being of the property's users, and

WHEREAS, the City of Wichita, in connection with approval of the plat of said addition, shall require that proper consideration be given to abate outside noise pollution within buildings constructed on said property.

NOW, THEREFORE, Declarants hereby declare that Silver Springs 2nd Addition, Wichita, Sedgwick County, Kansas, shall be and the same is subjected to the following restrictive covenant, to wit:

That any structure constructed on the premises shall be so designed and constructed as to minimize outside noise pollution in compliance with applicable City of Wichita and/or Sedgwick County codes and with due consideration given to the intended use of the structure. This covenant is for the benefit of said property and shall run with the land and shall inure to the benefit of and pass with said property and shall be binding upon the successors and assigns, jointly and severally, by these presents.

The covenants, conditions, and restrictions on the property created and established in this instrument may be waived, terminated, or modified only upon written consent of the City of Wichita. No such waiver, termination or modification shall be effective until such written consent is recorded in the office of the Register of Deeds for Sedgwick County, Kansas.

Executed the date and year first above written.

Builders Inc.

By: Michael H. Garvey
Michael H. Garvey, President

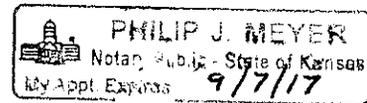
STATE OF KANSAS)
SEDGWICK COUNTY) SS:

BE IT REMEMBERED, that on this 25th day of FEBRUARY, 2016, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Michael H. Garvey as President of Builders, Inc., a Kansas corporation, personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same, for and on behalf and as the act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Philip J. Meyer
Notary Public

(My Appointment Expires: 9/7/17)



APPROVED AS TO FORM:

Jennifer Magaña
Jennifer Magaña, City Attorney and Director of Law

AVIGATIONAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, this 25TH day of FEBRUARY 2016, by Builders, Inc., a Kansas corporation, Grantors hereof, do hereby grant a permanent Avigational Easement to the public authority authorized by Law to own and operate public-owned airports in Sedgwick County, Kansas, for the use of "Navigable Airspace" as defined by the Federal Aviation Act of 1958, over all the following-described real estate, to-wit:

SILVER SPRINGS 2ND ADDITION

Lot 1, Block A

By virtue of this easement, the grantor, for and on behalf of the Grantor and all successors in interest to any and all of the real property above-described, waives as to the public authority only any and all claims for damage of any kind whatsoever incurred as a result of aircraft using the "Navigable Airspace" granted herein. This easement does not grant or convey any surface use rights nor is it to be construed to grant any right to private persons or corporations.

"Navigable Airspace" means air space above the minimum altitudes of flight prescribed by regulations issued under the Federal Aviation Act of 1958, Section 101 (24) 49 U.S. Code 1301, and shall include air space needed to insure aircraft safety during take-off and landing.

To have and to hold said easement forever.

EXECUTED the day and year first above written.

Builders Inc.

By: 
Michael H. Garvey, President

STATE OF KANSAS)
SEDGWICK COUNTY) SS:

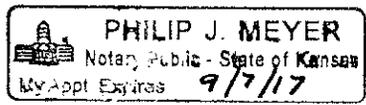
BE IT REMEMBERED, that on this 25TH day of FEBRUARY, 2016, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Michael H. Garvey as President of Builders, Inc., a Kansas corporation, personally known to me to be the same person(s) who executed the within instrument of writing and such person(s) duly acknowledged the execution of the same, for and on behalf and as the act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

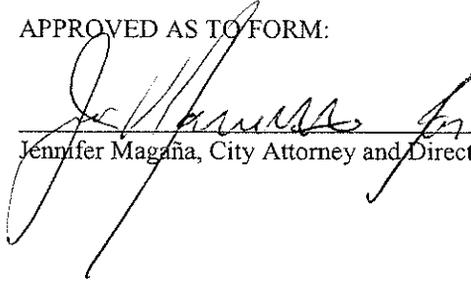


Notary Public

(My Appointment Expires: 9/7/17)



APPROVED AS TO FORM:



Jennifer Magaña, City Attorney and Director of Law

(OCA150004)

Published in The Wichita Eagle on April 8, 2016

ORDINANCE NO. 50-166

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.

**BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.**

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2008-00033

Zone change request from Single-Family Residential (SF-5) to Multi-Family Residential (MF-29) on property described as:

Silver Springs 2nd Addition, with the exception of the north 110 feet, Wichita, Sedgwick County, Kansas.

Generally located on the North Side of West Central Avenue, East of North Ridge Road.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 5th day of April, 2016.

ATTEST:

Karen Sublett, City Clerk

Jeff Longwell, Mayor

(SEAL)

APPROVED AS TO FORM:

Jennifer L. Magana, City Attorney and Director of Law

(Published in the *Wichita Eagle*, on March 25, 2016)

RESOLUTION NO. 16-065

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (LATERAL 552, SOUTHWEST INTERCEPTOR SEWER – SILVER SPRINGS 2ND ADDITION/EAST OF RIDGE, NORTH OF CENTRAL) (468-85106).

WHEREAS, a petition (the “Petition”) was filed with the City Clerk of the City of Wichita, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.*, (the "Act"); and

WHEREAS, K.S.A. 12-6a19 provides that whenever the construction of any water, stormwater, sanitary sewer or arterial street improvement is initiated by petition pursuant to the Act, the City may require the imposition of a benefit fee on property which is benefitted by such improvements but was not included within the original improvement district established for the levy of special assessments for such improvements; and

WHEREAS, the Petition contains a request that the City create an area for which benefit fees will be imposed pursuant to K.S.A. 12-6a19; and

WHEREAS, the City Council (the “Governing Body”) of the City hereby finds and determines that said Petition was signed by the **owners of record of more than one-half of the area** liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The Governing Body hereby finds and determines that:

- (a) It is advisable to make the following improvements:

Construction of a lateral sanitary sewer, including necessary sewer mains and appurtenances to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **Twenty Thousand Dollars (\$20,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

SILVER SPRINGS 2ND ADDITION

Lot 1, Block A

(d) The method of assessment is: **equally per lot (1 lot).**

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: **100%** to be assessed against the Improvement District and **0%** to be paid by the City-at-large.

(f) The payment of assessments to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

(g) The undersigned acknowledge that property within the proposed Improvement District is subject to benefit fees to be imposed as a result of previously constructed **sewer main** improvements that benefit the property within the proposed Improvement District. Such benefit fee shall be imposed pursuant to K.S.A. 12-6a19, in the following manner: **\$30,451 assessed equally** among all property within the proposed Improvement District **equally per lot (1 Lot).**

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in **Section 1** of this Resolution.

Section 3. Plans and Specifications. The City Engineer shall prepare plans and specifications for said Improvements and a preliminary estimate of cost therefore, which plans, specifications and estimate shall be presented to the Governing Body for its approval.

Section 4. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

(OCA 132019)

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

ADOPTED by the City Council of the City of Wichita, Kansas, on March 22, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, City Attorney and Director of Law

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council

SUBJECT: ZON2016-00001 – Zone Change from SF-5 Single-Family Residential and LC Limited Commercial to LI Limited Industrial with a Protective Overlay on Property Generally Located West of North Hoover Road, between 21st Street North and 23rd Street North (2241 and 2249 N. Hoover Road.) (District VI)

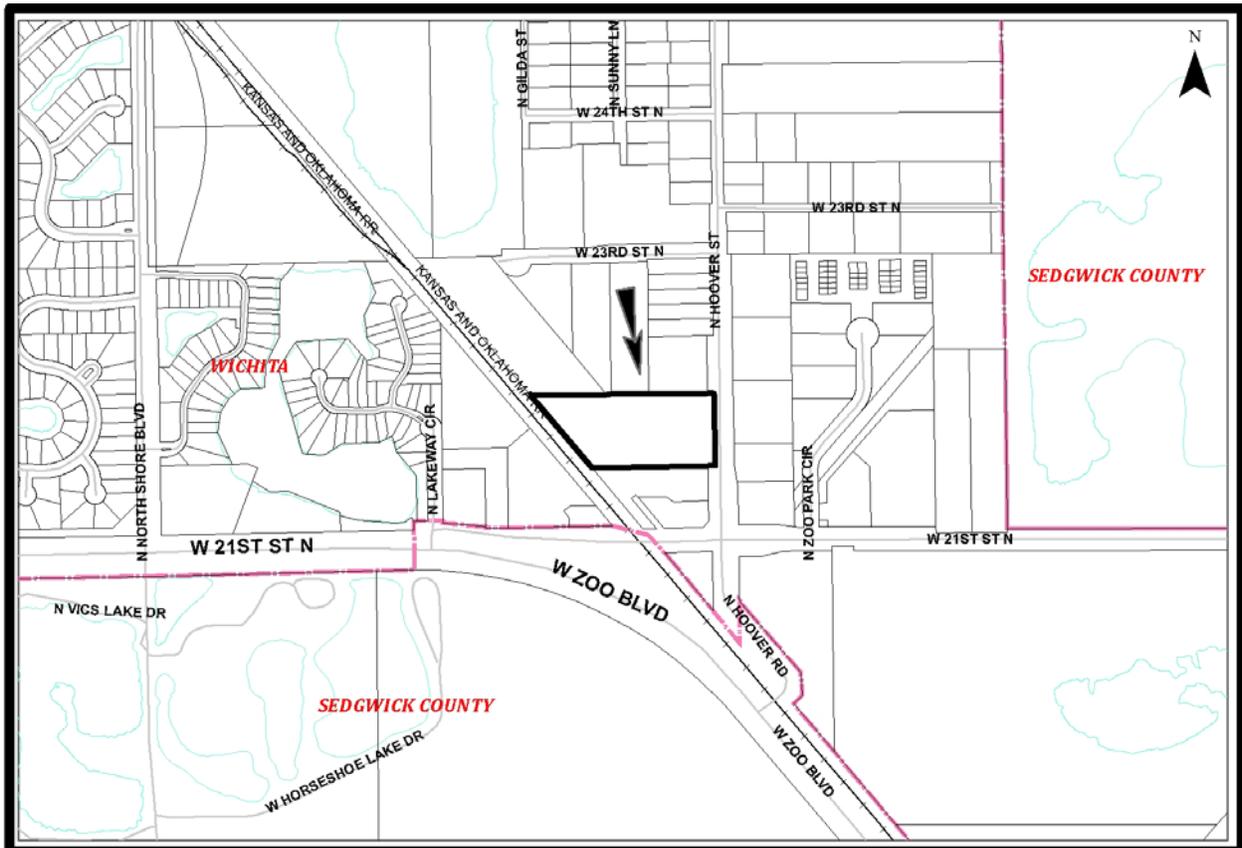
INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval of the request 11-0.

DAB Recommendation: District Advisory Board VI recommended approval of the request 7-0.

MAPD Staff Recommendation: Metropolitan Area Planning Department staff recommends approval of the request subject to Protective Overlay #304.



Background: The applicant requests a zone change from LC Limited Commercial (“LC”) and SF-5 Single-family Residential (“SF-5”) to LI Limited Industrial (“LI”) on a 5.5 acre unplatted tract located north of 21st Street North, along the west side of North Hoover Road (2241 and 2249 N. Hoover Road.) The subject site is currently developed with residential structures and various accessory structures. The applicant proposes to redevelop the property with wholesale and warehousing uses.

The surrounding area is characterized by mixed-use suburban-density residential and commercial/industrial development. Properties to the north are currently zoned LI and is developed with warehouse uses and a church. The property developed with the church was rezoned to LI in 2002 (ZON2002-00065). Property south of the subject site is zoned LC and is developed with an office. Directly west of the subject site is railroad right-of-way and on the other side of the railroad, the property is zoned GC General Commercial (“GC”), which is developed with a strip office center. To the east of the subject site, across Hoover Road, the property is zoned LI (rezoned in 2000 ZON2000-00012) and is developed with warehouse-office combination and a vehicle repair service.

The developed industrial properties surrounding the subject site that required a rezone were approved with Protective Overlays that limit the uses and increased setbacks and screening standards. To maintain consistency with those other approvals, planning staff recommends that the subject property be developed under the same Protective Overlay provisions.

Analysis: On February 18, 2016, the Metropolitan Area Planning Commission (MAPC) recommended approval (11-0) of the application subject to platting and the following provisions of Protective Overlay #304:

1. The following uses permitted in the LI Limited Industrial (“LI”) zone district shall not be permitted on the subject property: funeral home, hotel or motel, kennel (boarding/breeding/training), marine facility (recreational), microbrewery, night club, parking area (commercial), pawnshop, recreation and entertainment (outdoor), tavern and drinking establishment, vehicle and equipment sales (outdoor), asphalt and concrete plant (general), gas and fuel storage and sales, landfill, mining or quarrying, oil or gas drilling, rock crushing, solid waste incinerator, transfer station, vehicle storage yard, agricultural processing, rodeos and sexually oriented business.
2. The subject property shall have an increased front building setback of 35 feet.
3. All outdoor storage uses on the subject property shall be screened on all sides by a solid screening wall or fence constructed of standard building materials customarily used for wall and fence construction such as brick, stone, concrete masonry, stucco, concrete, or wood.

On February 17, 2016, District Advisory Board (DAB) VI reviewed the application and recommended approval 7-0.

No protest petitions have been received. The request can be approved with a simple majority vote.

Financial Considerations: Approval of this request will not create any financial obligations for the City.

Legal Considerations: The Law Department has reviewed and approved the ordinance as to form.

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC and approve the Zone Change with Protective Overlay #304, subject to platting within one year, (simple majority vote), and instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council.

Attachments: Ordinance, DAB Memo, MAPC minutes

ORDINANCE NO. 50-167

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.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2016-00001

Zone change from SF-5 Single-family Residential ("SF-5") and LC Limited Commercial ("LC") to LI Limited Industrial ("LI") with Protective Overlay #304:

1. The following uses permitted in the LI Limited Industrial ("LI") zone district shall not be permitted on the subject property: funeral home, hotel or motel, kennel (boarding/breeding/training), marine facility (recreational), microbrewery, night club, parking area (commercial), pawnshop, recreation and entertainment (outdoor), tavern and drinking establishment, vehicle and equipment sales (outdoor), asphalt and concrete plant (general), gas and fuel storage and sales, landfill, mining or quarrying, oil or gas drilling, rock crushing, solid waste incinerator, transfer station, vehicle storage yard, agricultural processing, rodeos and sexually oriented business.
2. The subject property shall have an increased front building setback of 35 feet.
3. All outdoor storage uses on the subject property shall be screened on all sides by a solid screening wall or fence constructed of standard building materials customarily used for wall and fence construction such as brick, stone, concrete masonry, stucco, concrete, or wood.

On property located east of South Seneca Avenue and one block north of West 31st Street South (3122 S. Seneca); described as:

The North 337 Feet of the South 677 Feet of the Southeast Quarter of Section 3, Township 27 South, Range 1 West of the Sixth Principal Meridian, lying East of the Missouri Pacific Railroad, Sedgwick County, Kansas, except the East 60 feet thereof.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 5th day of April, 2016.

Jeff Longwell - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Jennifer Magana, City Attorney and Director of Law



**INTEROFFICE
MEMORANDUM**

TO: City Council
FROM: Janet Johnson, Office of Community Services
SUBJECT: ZON2016-00001: zone change from LC Limited Commercial ("LC") and SF-5 Single-family Residential ("SF-5") to LI Limited Industrial ("LI")
DATE: February 18, 2016

On Wednesday, February 17, 2016, the District VI Advisory Board considered a request for a: Zone change from LC Limited Commercial ("LC") and SF-5 Single-family Residential ("SF-5") to LI Limited Industrial ("LI") at 2241 and 2249 N. Hoover Rd.

Staff recommended approval of the request with three provision of Protective Overlay #304.

A motion was made and seconded to recommend approval as presented. Motion passed 7-0.

EXCERPT MINUTES OF THE FEBRUARY 18, 2016 WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION HEARING

Case No.: ZON2016-00001 - Lighthouse Development, LLC, c/o: Nathan Robertson (Owner/Applicant) and Savoy Company, P.A., c/o: Mark Savoy (Agent) request a City zone change from SF-5 Single-family Residential and LC Limited Commercial to LI Limited Industrial on property described as:

The North 337 feet of the South 677 feet of the Southeast Quarter of Section 3, Township 27 South, Range 1 West of the Sixth Principal Meridian, lying East of the Missouri Pacific Railroad, Sedgwick County, Kansas, except the East 60 feet thereof.

BACKGROUND: The applicant requests a zone change from LC Limited Commercial (“LC”) and SF-5 Single-family Residential (“SF-5”) to LI Limited Industrial (“LI”) on a 5.5 acre unplatted tract located north of 21st Street North, along the west side of North Hoover Road (2241 and 2249 N. Hoover Rd.) The subject site is currently developed with residential structures and various accessory structures. The applicant proposes to redevelop the property with wholesale and warehousing uses.

The surrounding area is characterized by mixed-use suburban-density residential and commercial/industrial development. Properties to the north is currently zoned LI and is developed with warehouse uses and a church. The property developed with the church was rezoned to LI in 2002 (ZON2002-00065). Property south of the subject site is zoned LC and is developed with an office. Directly west of the subject site is railroad right-of-way and on the other side of the railroad, the property is zoned GC General Commercial (“GC”) which is developed with a strip office center. To the east of the subject site, across Hoover Road, the property is zoned LI (rezoned in 2000 ZON2000-00012) and developed with warehouse-office combination and a vehicle repair service.

The developed industrial properties surrounding the subject site that required a rezone were approved with Protective Overlays that limit the uses and increased setbacks and screening standards. To maintain consistency with those other approvals, planning staff recommends that the subject property be developed under the same Protective Overlay provisions.

CASE HISTORY: There is no history of any past land use cases on this site and the site is currently unplatted. Property directly north of the site was rezoned to LI with a PO in 2002 (ZON2002-00065) and property east of the subject site, across N. Hoover, was also rezoned to LI with a PO in 2000 (ZON2000-00012.) The site is currently in the process of being platted (Lighthouse Addition) and was approved by the MAPC on February 4th, 2016.

ADJACENT ZONING AND LAND USE:

NORTH:	LI	Warehouse/Church
SOUTH:	LC	Office
EAST:	LI	Warehouse/Vehicle Repair
WEST:	GC	Strip Office Center

PUBLIC SERVICES: North Hoover Road is a paved, 2-lane, arterial with a (currently) 80-foot right of way. The proposed plat of Lighthouse Addition shows additional right-of-way dedication. All other public utilities are available.

CONFORMANCE TO PLANS/POLICIES: The 2035 Wichita Future Growth Concept Map of the Community Investments Plan identifies this site as appropriate for residential, commercial and industrial types of uses. According to the map, this site is an island of residential surrounded by commercial and industrial. The residential identification encompasses areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The commercial identification encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality, and the industrial identification encompasses areas that reflect the full diversity of industrial development intensities and types typically found in a large urban municipality.

The Locational Guidelines of the Community Investment Plan indicates that industrial and major commercial land uses that generate pollution, odor, noise, light, safety hazards, and high levels of traffic should be located away from residential areas and developed with screening, buffering, and site design features sufficient to mitigate adverse impacts.

The location abides by the Future Land Policies for Design (1d&e) with the site being surrounded by industrial and commercial zoned properties providing an appropriate buffer to the nearest low-density residential uses (the nearest being 300 feet north of the subject site) and the remaining uses surrounding the site already commercial or industrial in nature.

RECOMMENDATION: Based upon information available prior to the public hearing, planning staff recommends that the request be APPROVED, subject to platting within one year and subject to the following provisions of Protect Overlay #304:

1. The following uses permitted in the LI Limited Industrial (“LI”) zone district shall not be permitted on the subject property: funeral home, hotel or motel, kennel (boarding/breeding/training), marine facility (recreational), microbrewery, night club, parking area (commercial), pawnshop, recreation and entertainment (outdoor), tavern and drinking establishment, vehicle and equipment sales (outdoor), asphalt and concrete plant (general), gas and fuel storage and sales, landfill, mining or quarrying, oil or gas drilling, rock crushing, solid waste incinerator, transfer station, vehicle storage yard and agricultural processing.
2. The subject property shall have an increased front building setback of 35 feet.
3. All outdoor storage uses on the subject property shall be screened on all sides by a solid screening wall or fence constructed of standard building materials customarily used for wall and fence construction such as brick, stone, concrete masonry, stucco, concrete, or wood.

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** Property to the north is currently zoned LI and is developed with warehouse uses and a church. Property south of the subject site is zoned LC and is developed with an office. Directly west of the subject site is railroad right-of-way and on the other side of the railroad, the property is zoned GC General Commercial (“GC”) which is developed with a strip office center. To the east of the subject site, across Hoover Road, the property is zoned LI and developed with warehouse-office combination and a vehicle repair service.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned SF-5 and LC and is currently developed with single-family residences. However, property surrounding the site has developed with commercial and industrial uses, thus reducing the site’s desirability for future single-family residential development.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Residential neighbors further north of the site could be impacted with increased noise, light, trash, traffic and activity from development under LI zoning. However, these impacts would not be new to the area as significant commercial and industrial zoning and development already exists in the area. Proposed provisions of the Protective Overlay will mitigate any possible negative impacts. The compatibility standards of the UZC should mitigate these impacts on nearby residences.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The 2035 Wichita Future Growth Concept Map of the Community Investments Plan identifies this site as appropriate for residential, commercial and industrial types of uses. According to the map, this site is an island of residential surrounded by commercial and industrial. The residential identification encompasses areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The commercial identification encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality, and the industrial identification encompasses areas that reflect the full diversity of industrial development intensities and types typically found in a large urban municipality. The Locational Guidelines of the Community Investment Plan indicates that industrial and major commercial land uses that generate pollution, odor, noise, light, safety hazards, and high levels of traffic should be located away from residential areas and developed with screening, buffering, and site design features sufficient to mitigate adverse impacts. The location abides by the Future Land Policies for Design (1d&e) with the site being surrounded by industrial and commercial zoned properties providing an appropriate buffer to the nearest low-density residential uses (the nearest being 300 feet north of the subject site) and the remaining uses surrounding the site already commercial or industrial in nature.
- (5) **Impact of the proposed development on community facilities:** The proposed zone change could bring increased commercial and industrial traffic; however, that traffic already exists at this location. All other services are in place, any increased demand on community facilities can be handled by existing infrastructure.

BILL LONGNECKER presented the Staff Report. He reported that DAB VI approved the request 6-0.

RICHARDSON asked staff to help him understand uses that are prohibited and those that are not. He said for example the PO excludes kennels but allows rodeos and Sexually Oriented Businesses (SOB's). He said those types of uses don't seem appropriate for an industrial area. He also mentioned that elimination of vehicle and equipment sales but it allows construction sales and service. He also asked staff to define what marine facility recreational meant.

LONGNECKER explained that "marine facility recreational" would be for the sale of boats, jet skis, etc. He said he was not sure how SOB's did not get put on the prohibited list and reiterated that he borrowed language from previous PO's.

RICHARDSON mentioned elimination of "parking area commercial" and asked how many spaces are needed to be considered commercial. He asked about a business with a fleet of trucks.

LONGNECKER said a good example of parking commercial would be the bus staging area for USD 259. He said that was added to prohibit those uses because there isn't any similar in the area and because of the amount of traffic generated during particular periods of the day. He said there is no specific number of spaces required to be considered commercial parking, it is based on the nature of the use. He said as far as a business with a fleet of trucks, the trucks would be considered accessory to the business.

RICHARDSON asked for an explanation of construction sales and services? He also asked about eliminating rodeos and sob's as possible uses.

LONGNECKER explained that construction sales and services would be a business not engaged in retail sales. He further noted that all the terms Commissioner Richardson was asking about were defined in the UZC. He said the Commission could add elimination of SOB's and rodeos to the conditions of approval.

KNEBEL explained that the use of Sexually Oriented Business (SOB) was added to the UZC in 2002 which was after the protective overlays used to fashion this applicant's request was created.

MARK SAVOY, AGENT FOR THE APPLICANT said they are in agreement with staff comments.

RICHARDSON asked if the applicant was in agreement with elimination of two uses; namely, Sexually Oriented Businesses (SOB's) and rodeos.

SAVOY said yes they agreed.

MOTION: To approve subject to staff recommendation and the addition of Sexually Oriented Businesses and Rodoes as prohibited uses.

RICHARDSON moved, **GOOLSBY** seconded the motion, and it carried (11-0).

City of Wichita
City Council Meeting
March 22, 2016

TO: Mayor and City Council

SUBJECT: A16-02 - Request by Robert J. and Jessica C. Morris to Annex Lands Generally Located One-Quarter Mile North of East 21st Street North on the West Side of North 159th Street East (District II)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

Recommendation: Approve the annexation request.

Background: The City has received a request to annex approximately 5.45 acres of land generally located one-quarter mile north of East 21st Street North on the west side of North 159th Street East. The annexation area is bordered by property located within the City of Wichita’s incorporated area to the west and south.

Analysis:

Land Use and Zoning: The annexation area consists of approximately 5.45 acres zoned “RR” Rural Residential and is undeveloped. On March 3, 2016, the Wichita-Sedgwick County Metropolitan Area Planning Commission approved the Morris Addition (SUB2016-00005) for the subject property. The Morris Addition creates three lots for the development of single-family residences. The adjacent property to the north is zoned “RR” Rural Residential and is developed with a single-family residence. The adjacent property to the east is located in the City of Andover and is developed with an elementary school. The adjacent properties to the south and west are zoned “SF-5” Single-Family and are developed with single-family residences.

Public Services: The conditions of the Morris Addition require a petition to extend water service and payment of in-lieu-of-assessment fees for sanitary sewer service for the site.

Street System: The annexation area abuts 159th Street East, a three-lane arterial street. The Morris Addition permits one access drive to 159th Street East.

Public Safety: Fire protection is currently provided to the area on the basis of a first-responder agreement between the City and County, and that service will continue following annexation. The nearest City station is Fire Station No. 18 at 2808 N. Webb Road. Upon annexation, police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 S. Edgemoor.

Parks: The nearest park is Stryker Soccer Complex at 2999 N. Greenwich, located approximately three miles northwest of the subject property. The Parks, Recreation and Open Space Plan identifies a Proposed Park Target Area in the immediate vicinity of the subject property.

School District: The annexation property is part of Unified School District 385 (Andover School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with the Wichita-Sedgwick County Comprehensive Plan. The annexation property falls within the Wichita 2035 Urban Growth Area as shown in the Plan.

Financial Considerations: The current approximate appraised value of the proposed annexation lands, according to County records, is \$3,100 with a total assessed value of \$372. Using the current City levy (\$32.686/\$1000 x assessed valuation), this property would yield approximately \$12 in City annual property tax revenues upon annexation. The future assessed value of this property will depend on the type and timing of any other developments on the proposed annexation property and the current mill levy. At this time, the property owner is anticipating to construct three single-family residences at an estimated appraised value after completion of \$2.4 million. Assuming the current City levy remains about the same, this would yield approximately \$9,021 in City annual tax revenues.

Legal Considerations: The property is eligible for annexation under K.S.A. 12-517, *et seq.* The annexation ordinance has been reviewed by the Law Department and approved as to form.

Recommendations/Actions: It is recommended that the City Council approve the annexation request, place the ordinance on first reading, authorize the necessary signatures and instruct the City Clerk to publish the ordinance after approval on second reading.

Attachments: Map Sheet
Ordinance

Planning Agenda

Item: _____

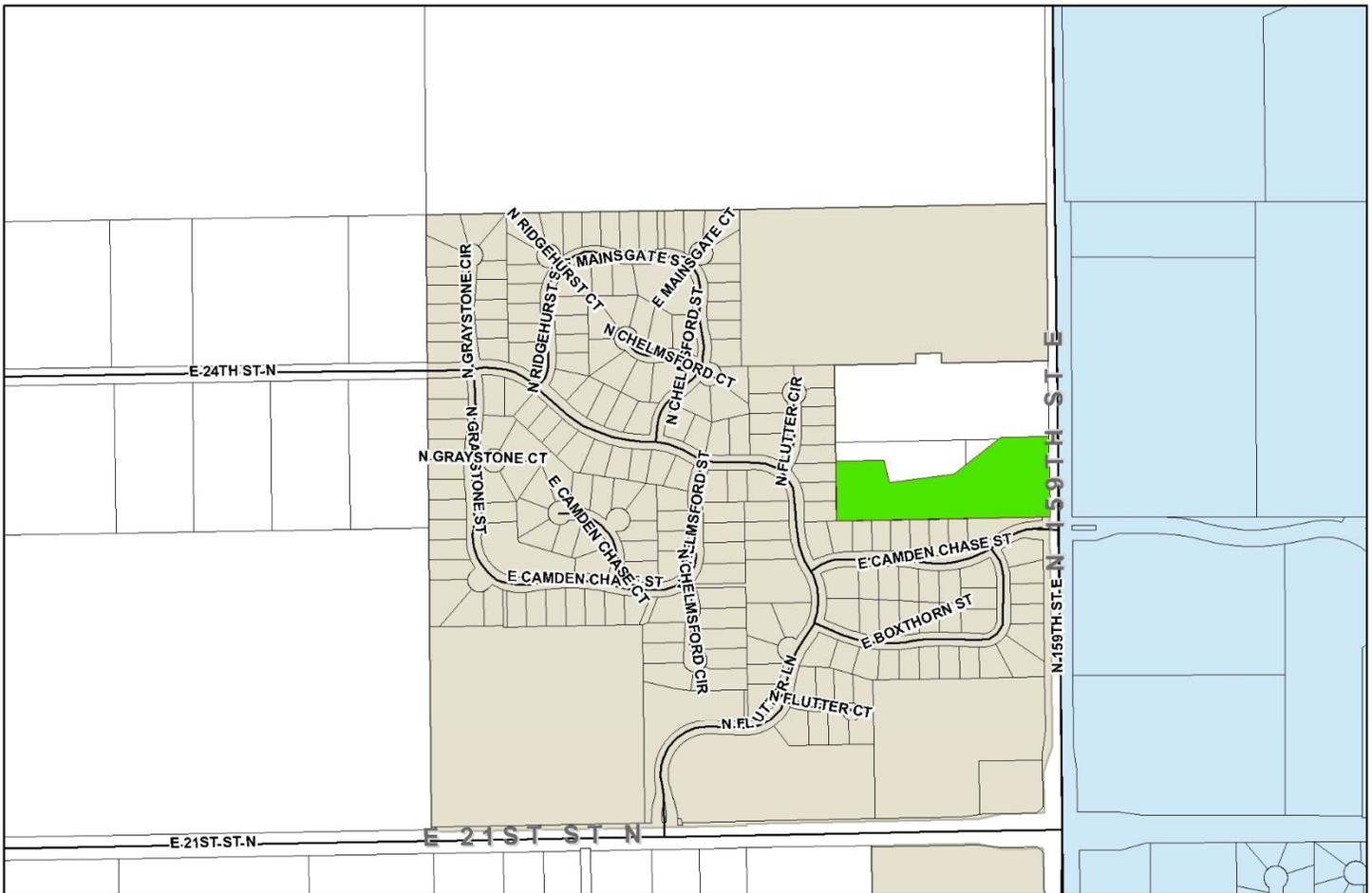
A16-02

Attachment No. 1

An ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto.

General Location: _____ Generally located one-quarter mile north of 21st Street North on the west side of 159th Street East

Address: _____	n/a	Reason(s) for Annexation:
5.45	Area in Acres	<u> X </u> Request
0	Existing population (est.)	_____ Unilateral
0	Existing dwelling units	_____ Island
0	Existing industrial/commercial units	_____ Other:
Existing zoning: RR Rural Residential		



- ANNEXATION AREA
- WICHITA
- ANDOVER
- UNINCORPORATED SEDGWICK COUNTY



Software: ArcGIS
 Map Data Sources: City of Wichita, Sedgwick County
 Prepared: 2/9/09
 It is understood that while the City of Wichita Data Center Geographical Information Systems Department have no indication and reason to believe that there are inaccuracies in information incorporated in the base map, the Data Center-GIS personnel make no warranty or representation, either expressed or implied, with respect to the information or data displayed.
 Note: Public property represented on this map is not intended to be inclusive.

(15004) PUBLISHED IN THE WICHITA EAGLE ON April 8, 2016

ORDINANCE NO. 50-168

AN ORDINANCE INCLUDING AND INCORPORATING CERTAIN BLOCKS, PARCELS, PIECES AND TRACTS OF LAND WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF WICHITA, KANSAS. (A16-02)

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

SECTION 1. The governing body, under the authority of K.S.A. 12-517, et seq, hereby annexes the following blocks, parcels, pieces and tracts of land and they are hereby included and brought within the corporate limits of the City of Wichita, Kansas and designated as being part of City Council District II:

A tract of land lying in the Southeast Quarter of Section 1, Township 27 South, Range 2 East, of the 6th Principal Meridian, Wichita, Sedgwick County, Kansas, said tract being more particularly described as follows:

COMMENCING at the northeast corner of said Southeast Quarter; thence along the east line of said Southeast Quarter on a Kansas coordinate system of 1983 south zone bearing of S00°38'46"E, 987.08 feet to the POINT OF BEGINNING; thence continuing along said east line on the same bearing of S00°38'46"E, 340.21 feet; thence along an extended north line of Block 3, Monarch Landing Third Addition, an Addition to Wichita, Sedgwick County, Kansas, S88°56'59"W, 933.12 feet to the southeast corner of Lot 3, Block 5, Monarch Landing Addition, an addition to Wichita, Sedgwick County, Kansas; thence along the east lines of Monarch Landing Second Addition, an addition to Wichita, Sedgwick County, Kansas, and said Monarch Landing addition, N00°34'25"W, 255.00 feet; thence N88°56'35"E, 200.00 feet; thence S13°03'25"E, 100.00 feet; thence N81°56'35"E, 276.12 feet; thence N51°56'35"E, 250.87 feet to a point on the north line of an Urban Easement Grant recorded on Film 1320, Page 1984; thence along said north line N89°21'14"E, 238.20 feet to the POINT OF BEGINNING, EXCEPT that part designated as 159th Street road right-of-way.

SECTION 2. That if any part or portion of this ordinance shall be held or determined to be illegal, ultra vires or void the same shall not be held or construed to alter, change or annul any terms or provisions hereof which may be legal or lawful. And in the event this ordinance in its entirety shall be held to be ultra vires, illegal or void, then in such event the boundaries and limits of said City shall be held to be those heretofore established by law.

SECTION 3. That the City Attorney is hereby instructed at the proper time to draw a resolution redefining the boundaries and limits of the City of Wichita, Kansas, under and pursuant to K.S.A. 12-517, et seq.

SECTION 4. This ordinance shall become effective and be in force from and after its adoption and publication once in the official city paper.

ADOPTED at Wichita, Kansas, this April 5, 2016.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to form:

Jennifer Magana, City Attorney &
Director of Law