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FINAL
CITY COUNCIL

CITY OF WICHITA
KANSAS

City Council Meeting
09:00 a.m. May 17, 2016

City Council Chambers
455 North Main

OPENING OF REGULAR MEETING

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of regular meeting on May 10, 2016

AWARDS AND PROCLAMATIONS

- Proclamations:
 - Public Works Week
 - Riverfest Week
 - Law Enforcement Memorial Day

I. PUBLIC AGENDA

NOTICE: No action will be taken relative to items on this agenda other than referral for information. Requests to appear will be placed on a “first-come, first-served” basis. This portion of the meeting is limited to thirty minutes and shall be subject to a limitation of five minutes for each presentation with no extension of time permitted. No speaker shall be allowed to appear more frequently than once every fourth meeting. Members of the public desiring to present matters to the Council on the public agenda must submit a request in writing to the office of the city clerk prior to twelve noon on the Tuesday preceding the council meeting. Matter pertaining to personnel, litigation and violations of laws and ordinances are excluded from the agenda. Rules of decorum as provided in this code will be observed.

1. Thomas Vitkus - Bathroom Ordinance (sex vs gender).
2. Sybil Strum - Victim's rights.

II. CONSENT AGENDA ITEMS 1 THROUGH 13

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

III. UNFINISHED COUNCIL BUSINESS

1. Design Concept and Funding for Improvements to Douglas and Hydraulic Intersection. (District I)
(Deferred March 15, 2016)

RECOMMENDED ACTION: Approve the design concept and budget, and adopt the resolution.

IV. NEW COUNCIL BUSINESS

1. Public Hearing and Issuance of Industrial Revenue Bonds, Hijos, LLC/JR Custom Metal Products, Inc.
(District IV)

RECOMMENDED ACTION: Close the public hearing and place on first reading the Bond Ordinance authorizing the execution and delivery of documents for the issuance of tax-exempt Industrial Revenue Bonds in an amount not to exceed \$5,300,000 and authorize the necessary signatures.

2. Community Events 2016 Wichita River Festival. (Districts I, III, IV and VI)

RECOMMENDED ACTION: Approve the licensing report, street closures and request for permit for the 2016 Wichita River Festival per the Memorandum of Understanding (MOU) between the City of Wichita (City) and Wichita Festivals, Inc. (WFI).

3. 2016 Wichita River Festival Resolution – Gating A. Price Woodard Park and the Lawn Adjacent to the Hyatt Regency Wichita.

RECOMMENDED ACTION: Adopt the resolution to allow Wichita Festivals, Inc., to gate A. Price Woodard Park and the lawn adjacent to the Hyatt Regency Wichita for the 2016 Wichita River Festival.

4. 2016 Wichita River Festival Resolution - Community Event with Alcohol Consumption.

RECOMMENDED ACTION: Adopt the Resolution to allow alcohol consumption upon sidewalks and public streets during the 2016 Wichita River Festival, June 3 through June 11, 2016.

5. Request for Resolution of Support for Application for Housing Tax Credits - Vintage Court Duplexes.
(District IV)

RECOMMENDED ACTION: Adopt the resolution of support for the application for Housing Tax Credits, subject to all local building and zoning codes, ordinances and any additional design review requirements, with waiver of the 20% market-rate unit requirement, subject to installation of a sidewalk along the east frontage of the site, and other infrastructure and plan requirements.

6. Request for Resolution of Support for Application for Housing Tax Credits - Keystone Apartments. (District IV)

RECOMMENDED ACTION: Adopt the resolution of support for the application for Housing Tax Credits, subject to all local building and zoning codes, ordinances and any additional design review requirements, with waiver of the 20% market-rate unit requirement, subject to installation of a sidewalk along the east frontage of the site, access to Brummett Street limited to the WFD, and other infrastructure and plan review requirements.

7. Quarterly Financial Report for the Period Ended March 31, 2016.

RECOMMENDED ACTION: Receive and file the Quarterly Financial Report for the period ended March 31, 2016.

(9:30 a.m. or soon thereafter)

8. Public Hearing: Repair or Removal of Dangerous and Unsafe Structures. (District I)

Property Address

a. 1652 N. Volutsia Ave.

Council District

I

RECOMMENDED ACTION: Close the public hearing, adopt the resolutions declaring the building a dangerous and unsafe structure, and accept the BCSA recommended action to proceed with condemnation, allowing 10 days to start demolition and 10 days to complete removal of the structure. Any extensions of time granted to repair the structure would be contingent on the following: (1) All taxes have been paid to date, as of May 17, 2016; (2) the structure has been secured as of May 17, 2016 and will continue to be kept secured; and (3) the premises are mowed and free of debris as of May 17, 2016, as will be so maintained during renovation.

COUNCIL BUSINESS SUBMITTED BY CITY AUTHORITIES

PLANNING AGENDA

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.

V. NON-CONSENT PLANNING AGENDA

None

HOUSING AGENDA

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.

VI. NON-CONSENT HOUSING AGENDA

None

AIRPORT AGENDA

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.

VII. NON-CONSENT AIRPORT AGENDA

None

COUNCIL AGENDA

VIII. COUNCIL MEMBER AGENDA

1. Approval of travel expenditures for Mayor Longwell and Council Member Bryan Frye to attend the Community Leaders of America National Conference, June 1 – 3, 2016, Jacksonville, Florida. (Expenses paid for by Community Leaders of America)

RECOMMENDED ACTION: Approve the travel.

2. Approval of travel for Council Member Lavonta Williams to attend the Kansas and Missouri Mayoral Summit, June 3-4, 2016, Kansas City, Missouri.

RECOMMENDED ACTION: Approve the travel expenditure.

IX. COUNCIL MEMBER APPOINTMENTS AND COMMENTS

1. Board Appointments.

RECOMMENDED ACTION: Approve the appointments.

Adjournment

(ATTACHMENT 1 – CONSENT AGENDA ITEMS 1 THROUGH 13)

II. CITY COUNCIL CONSENT AGENDA ITEMS

1. Report of Board of Bids and Contracts dated May 16, 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> Lawrence E Damm	<u>2016</u> Family Homes Association**	<u>(Consumption on Premises)</u> 3202 West 13th North
<u>Renew</u> Scott F Duggan Kevin Hess Mizanur Sorker	<u>2016</u> The Fresh Market*** Kwik Shop #790*** Express Mart***	<u>(Consumption off Premises)</u> 1800 North Rock Road, Suite 120 3750 North Maize Road 565 South Market

**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. Change Orders:
a. Change Order No. 3 for Improvements to the Wichita-Valley Center Flood Control Project, Diversion Structure Repairs. (District VI)

RECOMMENDED ACTION: Approve the change orders and authorize the necessary signatures.

5. Resolutions Authorizing Sections 5307 and 5339 Urbanized Area Formula Annual Grant from the Federal Transit Administration.

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

6. 2016 Technology Innovation for Public Safety (TIPS) Addressing Precipitous Increases in Crime Grant Application.

RECOMMENDED ACTION: Ratify the grant application for the 2016 Technology Innovation for Public Safety (TIPS) grant.

7. 2016 Police-Prosecution Partnership Initiative Grant Application.

RECOMMENDED ACTION: Ratify the grant application for the 2016 Police-Prosecution Partnership Initiative Grant.

8. Wichita Art Museum Landscape Maintenance. (District VI)

RECOMMENDED ACTION: Approve the contract and Memorandum of Understanding and authorize the necessary signatures.

9. Second Reading Ordinances: (First Read May 10, 2016)

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.

10. *VAC2016-00003 - Request to Vacate a Portion of a Platted Drainage Easement on Property Generally Located South of West 13th Street North, East of North Hoover Road and Southwest of West 11th Street North and North Curtis Street. (District VI)

RECOMMENDED ACTION: Approve the Vacation Order (simple majority of four votes required) and authorize the necessary signatures.

11. *VAC2016-00009 - Request to Vacate Multiple Platted Easements, Portions of Platted Reserves and the Platter's Text on Properties Generally Located Northeast of North Ridge Road and West 37th Street North, West and East of North Solano Street, Off of West Mirabella Street, West Solano Court and West Collina Street. (District V)

RECOMMENDED ACTION: Approve the Vacation Order (simple majority of four votes required) and authorize the necessary signatures.

12. *VAC2016-00012 - Request to Vacate Portions of a Platted Drainage Easement and a Platted Drainage - Utility Easement on Property Generally Located Southeast of West 29th Street North and North Tyler Road on the south side of the Meadow Park and Fossil Rim Streets. (District V)

RECOMMENDED ACTION: Approve the Vacation Order (simple majority of four votes required) and authorize the necessary signatures.

13. *VAC2016-00013 - Request to Vacate a Portion of a Public Street Right-of-Way Generally Located East of North Hillside Avenue, North of East Murdock Avenue, Between North Holyoke and North Vassar Avenues. (District I)

RECOMMENDED ACTION: Approve the Vacation Order (simple majority of four votes required) and authorize the necessary signatures.

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.

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

**City of Wichita
City Council Meeting
May 17, 2016**

TO: Mayor and City Council

SUBJECT: Design Concept and Funding for Improvements to Douglas and Hydraulic Intersection (District I)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Unfinished Business

Recommendation: Approve the design concept and initial budget.

Background: On August 20, 2013, the City Council approved an agreement with Baughman Company to provide a design concept for improvements to Douglas, from Washington to Oliver. On December 2, 2014, the City Council approved the preliminary design concept. On August 11, 2015, the City Council approved a supplemental agreement with Baughman Company to remove the intersection of Douglas and Hydraulic from the overall plan and produce final plans for the intersection as a separate project. The separate project became necessary upon award of safety funding from the Kansas Department of Transportation (KDOT) for intersection improvements, due to safety concerns based on accident data. On February 1, 2016, the District I Advisory Board voted unanimously in favor of the design concept for the intersection.

On March 15, 2016, the City Council deferred consideration of the project due to several concerns voiced by area property owners. These concerns included: the potential loss of parking on Douglas, east of Hydraulic; the ability to make eastbound right turns at Hydraulic with proposed curb relocation; and the proposed concept for the widened sidewalk area adjacent to the property at the southwest corner of the intersection. Meetings were held with area property owners on March 25 and May 12, 2016 to discuss project warrants and to address property owner concerns. The design has been revised east of the intersection to maintain existing parking on the south side of Douglas, and truck turning movement analysis has ensured that turns can still be made with the proposed improvements. The expanded sidewalk area has been identified in the overall Douglas improvement plan as a location for aesthetic improvements that is not available elsewhere along the corridor.

Analysis: The intersection of Douglas and Hydraulic is currently signalized without dedicated left turn lanes. In 2015, nine accidents were recorded, with three so far in 2016. Parallel parking exists on both sides of Douglas. An unwarranted eastbound right turn lane exists to fill a gap caused by a large shift in Douglas right-of-way width. Currently Hydraulic is posted as No Parking. The proposed concept includes:

- Intersection reconstruction
- New traffic signals
- Brick crosswalks
- Left turn lanes on all approaches
- Removal of on-street parking from the north side of Douglas
- Elimination of the underutilized eastbound right turn lane in favor of open public space and public art opportunity

The intersection will be open to through traffic during construction, while left turns at the intersection will be prohibited. Construction is planned to begin in fall 2016 and be completed in spring 2017.

Financial Considerations: The design for the intersection is being completed with funding from the Douglas, Washington to Oliver project.

The Adopted 2015-2024 Capital Improvement Program includes \$1,200,000 in 2016 for the intersection project. Of the \$1,200,000, \$400,000 is funded by the Highway Safety Improvement Program (HSIP), with the remaining \$800,000 funded by general obligation (GO) bonds. The project budget will allow for right-of-way acquisition, utility relocation, construction, and City staff administration and oversight costs.

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

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

Attachments: Resolution and budget sheet.

Project Request

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

NEIGHBORHOOD IMPROVEMENT

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

ENGINEERING REFERENCE #: 472-85254

FUND: 400 Street Improvements SUBFUND: 405 Arterial Paving

COUNCIL DISTRICT: 01 Council District 1 DATE COUNCIL APPROVED: 03-15-16 REQUEST DATE: _____

PROJECT #: 211553 PROJECT TITLE: Douglas & Hydraulic Intersection

PROJECT DETAIL #: 01 PROJECT DETAIL DESCRIPTION: Douglas & Hydraulic Intersection

OCA #: 707098 OCA TITLE: Douglas & Hydraulic Intersection

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

PROJECT MANAGER: Julianne Kallman PHONE #: 268-4236

NEW BUDGET REVISED BUDGET

REVENUE

EXPENSE

Object Level 3	Budget	Object Level 3	Budget
<u>9720 G.O. Bonds</u>	\$800,000.00	<u>2999 Contractuals</u>	\$800,000.00
<u>8062 Federal pass thru State</u>	\$400,000.00	<u>2999 Contractuals</u>	\$400,000.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00
_____	\$0.00	_____	\$0.00

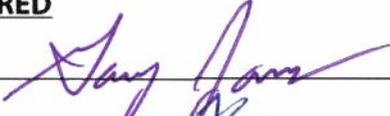
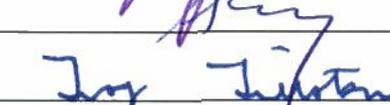
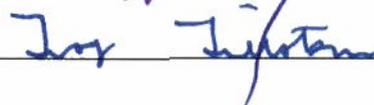
REVENUE TOTAL: \$1,200,000.00

EXPENSE TOTAL: \$1,200,000.00

NOTES: \$400,000 from the Highway Safety Improvement Program

Print Form

SIGNATURES REQUIRED

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

DATE: 02/26/16
 DATE: 3/1/16
 DATE: 2/26/16
 DATE: _____

RESOLUTION NO. ____ - _____

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS 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 hereby finds and determines that it is necessary and advisable to make certain public improvements described as follows:

Right-of-way acquisition, utility relocation, City staff administration and oversight cost and construction of improvements to Douglas and Hydraulic Intersection (472-85254).

(the "Project") and to provide 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. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired and/or constructed at an estimated cost of **\$1,200,000** in accordance with plans and specifications therefor prepared under the direction of the City Engineer and approved by the Governing Body; said plans and specifications to be placed on file in the office of the City Engineer.

Section 2. 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 general 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 this Resolution to Treasury Regulation §1.150-2.

Section 3. 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 _____.

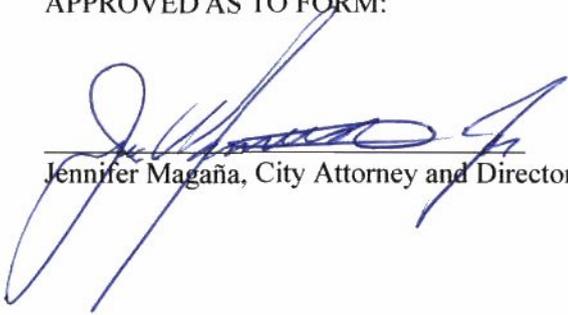
(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:



Jennifer Magaña, City Attorney and Director of Law

RESOLUTION NO. 16-106

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS 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 hereby finds and determines that it is necessary and advisable to make certain public improvements described as follows:

Right-of-way acquisition, utility relocation, City staff administration and oversight cost and construction of improvements to Douglas and Hydraulic Intersection (472-85254).

(the “Project”) and to provide 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. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired and/or constructed at an estimated cost of **\$1,200,000** in accordance with plans and specifications therefor prepared under the direction of the City Engineer and approved by the Governing Body; said plans and specifications to be placed on file in the office of the City Engineer.

Section 2. 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 general 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 this Resolution to Treasury Regulation §1.150-2.

Section 3. 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 May 17, 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
May 17, 2016**

TO: Mayor and City Council

SUBJECT: Public Hearing and Issuance of Industrial Revenue Bonds (Hijos, LLC/JR Custom Metal Products, Inc.) (District IV)

INITIATED BY: Office of Urban Development

AGENDA: New Business

Recommendation: Close the public hearing and place the ordinance on first reading.

Background: On April 5, 2016, the City Council approved a Letter of Intent (LOI) to issue Industrial Revenue Bonds (IRBs) for the benefit of Hijos, LLC/JR Custom Metal Products, Inc. in the amount not-to-exceed \$5,300,000, and a 72.6% five-plus-five-year property tax exemption. Hijos, LLC (Hijos) intends to construct a 24,000 square foot addition to the manufacturing facility located at 2237 S. West Court and sublease the addition to JR Custom Metal Products, Inc. (JR Custom), a related business. Hijos, LLC is requesting the issuance of IRBs in an amount not to exceed \$5,300,000.

JR Custom is in the Advanced Manufacturing cluster of the Blueprint for Regional Economic Growth (BREG) and is a supplier to several BREG clusters, including aerospace, agriculture and oil and gas.

Analysis: JR Custom, established in Wichita in 1974, is a manufacturer of a diverse line of metal fabricated products and equipment. The company specializes in the unique designing and engineering of metal products from aluminum, stainless steel, titanium and hot roll steel materials. JR Custom has a diversified customer base that includes manufacturers of agricultural and construction equipment, meat processing and trucking companies, oil and gas industry and others. The company estimates that 80% of its production is exported outside of Kansas. Bond proceeds will be used to build and equip a 24,000 square foot expansion for a new paint facility.

<u>Use of Funds:</u>	
Expansion of Building.....	\$2,614,000
Capital Equipment.....	\$2,686,000
Total Uses:	\$5,300,000

The base employment from which its job creation will be reviewed is 175. The 2016 expansion will add 13 new jobs over the next five (5) years at an average wage of \$41,995. By the end of 2021, the company will be required to employ 188.

Financial Considerations: UMB Bank will purchase the bonds. Hijos agrees to pay all costs of the City relative to the issuance of the bonds. The company also agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds.

Based on the Economic Development Incentive Policy, the Company qualifies for a 72.6% five-plus-five-year tax exemption on real property constructed with bond proceeds. Based on the latest available mill levy, and assuming that the real property improvements are valued at 80% of the actual capital investment, the estimated tax value of exempted property for the first full year is approximately \$44,900.

The value of a 72.6% real property tax exemption as applicable to taxing jurisdictions is:

City	\$ 12,250	State	\$ 560
County	\$ 11,010	USD 259	\$ 21,080

The project will also qualify for a sales tax exemption on bond-financed purchases.

JR Custom currently pays approximately \$80,000 in annual property taxes for this site. The value of the 27.4% of the new project that is not tax abated is approximately \$17,000 annually.

The cost/benefit analysis conducted by Wichita State University's Center for Economic Development and Business Research reports cost/benefit ratios as follows:

City of Wichita	1.62 to 1
City General Fund	1.52 to 1
City Debt Service	1.88 to 1
Sedgwick County	1.51 to 1
USD 259	1.38 to 1
State of Kansas	6.73 to 1

Legal Considerations: Bond documents needed for the issuance of the bonds have been prepared by the City's contract bond counsel, Gilmore & Bell PC. The City's Law Department will review and approve the final form of bond documents prior to the issuance of any bonds.

Recommendations/Actions: It is recommended that the City Council close the public hearing and place on first reading the Bond Ordinance authorizing the execution and delivery of documents for the issuance of tax-exempt Industrial Revenue Bonds in an amount not to exceed \$5,300,000 and authorize the necessary signatures.

Attachments: Bond Ordinance

ORDINANCE NO. 50-254

**OF THE
CITY OF WICHITA, KANSAS**

AUTHORIZING THE ISSUANCE OF

**NOT TO EXCEED \$2,614,000
INDUSTRIAL REVENUE BONDS
SERIES III-A, 2016
(J.R. CUSTOM METAL PRODUCTS, INC.
PROJECT)**

**NOT TO EXCEED \$2,686,000
INDUSTRIAL REVENUE BONDS
SERIES III-B, 2016
(J.R. CUSTOM METAL PRODUCTS, INC.
PROJECT)**

ORDINANCE NO. 50-254

AN ORDINANCE AUTHORIZING THE CITY OF WICHITA, KANSAS TO ISSUE ITS INDUSTRIAL REVENUE BONDS, SERIES III-A, 2016 AND SERIES III-B, 2016 (J.R. CUSTOM METAL PRODUCTS, INC. PROJECT) FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF AN ADDITION TO AN EXISTING MANUFACTURING FACILITY; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS HAS FOUND AND DETERMINED:

A. The City of Wichita, Kansas (the "Issuer") is authorized by K.S.A. 12-1740 *et seq.*, and K.S.A. 10-116a (the "Act"), to acquire, construct, improve and equip certain facilities (as defined in the Act) for commercial, industrial and manufacturing purposes, and to enter into leases and lease-purchase agreements with any person, firm or corporation for said facilities, to issue revenue bonds for the purpose of paying the cost of any such facilities, and to issue refunding bonds to refund such revenue bonds issued for such purposes.

B. Pursuant to the Act and Ordinance No. 44-112 of the Issuer, the Issuer has previously issued its Industrial Revenue Bonds, Series XVIII, 1998 (J.R. Custom Metal Products, Inc. Project) in the original principal amount of \$3,500,000 (the "Series 1998 Bonds") for the purpose of paying the costs of acquiring, constructing and equipping a certain manufacturing facility (the "Original Project") located in the City of Wichita, Kansas.

C. Pursuant to the Act and the Ordinance No. 49-390, the Issuer has previously issued its Industrial Refunding and Improvement Revenue Bonds, Series V, 2012 (J.R. Custom Metal Products, Inc. Project) in the original principal amount of \$4,400,000 (the "Series 2012 Bonds") for the purpose of refunding the Series 1998 Bonds and paying the costs of acquiring, constructing and equipping an expansion to the Original Project (the "2012 Project").

D. The Issuer has leased the Original Project and the 2012 Project to Hijos, LLC, a Kansas limited liability company (the "Tenant") pursuant to a Lease dated as of December 1, 2012 (the "Original Lease").

E. The Issuer's governing body hereby finds and determines it necessary and advisable to issue its Industrial Revenue Bonds, Series III-A, 2016 and Series III-B, 2016 (J.R. Custom Metal Products, Inc. Project), in the aggregate principal amount of not to exceed \$5,300,000 (collectively, the "Series 2016 Bonds"), for the purpose of providing funds for the acquisition, construction and equipping of a second expansion to the Original Project (the "2016 Project").

F. The Issuer's governing body finds that it is necessary and desirable in connection with the issuance of the Series 2016 Bonds to execute and deliver the following documents (collectively, the "Bond Documents"):

- (i) a First Supplemental Trust Indenture (the "First Supplemental Indenture"), amending and supplementing the Trust Indenture dated as of December 1, 2012 (as supplemented and amended, the "Indenture"), with UMB Bank, n.a., as Trustee (the "Trustee"), prescribing the terms and conditions of issuing and securing the Series 2016 Bonds;

(ii) a First Supplemental Lease (the "First Supplemental Lease") amending and supplementing the Original Lease (as supplemented and amended, the "Lease"), with the Tenant, under which the Issuer will acquire, construct and equip the 2016 Project and lease it to the Tenant in consideration of Basic Rent and other payments; and

(iii) a Bond Purchase Agreement (the "Bond Purchase Agreement") providing for the sale of the Series 2016 Bonds by the Issuer to Kansas City Financial Corporation, Overland Park, Kansas (the "Purchaser"), and

(iv) a Tax Compliance Agreement among the Issuer, the Tenant and the Trustee.

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

Section 1. **Definition of Terms.** All terms and phrases not otherwise defined in this Ordinance will have the meanings set forth in the Indenture and the Lease.

Section 2. **Authority to Cause the 2016 Project to Be Purchased and Constructed.** The Issuer is authorized to cause the 2016 Project to be acquired, constructed and equipped in the manner described in the Indenture and the Lease.

Section 3. **Authorization of and Security for the Bonds.** The Issuer is authorized and directed to issue the Series 2016 Bonds, to be designated "City of Wichita, Kansas Industrial Revenue Bonds, Series III-A, 2016 (J.R. Custom Metal Products, Inc. Products)" in the aggregate principal amount of not to exceed \$2,614,000 and "City of Wichita, Kansas Industrial Revenue Bonds, Series III-B, 2016 (J.R. Custom Metal Products, Inc. Products)" in the aggregate principal amount of not to exceed \$2,686,000, for the purpose of providing funds to pay the costs of the acquisition, construction and equipping of the 2016 Project. The Series 2016 Bonds will be in such principal amounts, will be dated and bear interest, will mature and be payable at such times, will be in such forms, will be subject to redemption and payment prior to maturity, and will be issued according to the provisions, covenants and agreements in the Indenture. The Series 2016 Bonds will be special limited obligations of the Issuer payable solely from the Trust Estate under the Indenture, including revenues derived from the Lease of the Project. The Series 2016 Bonds will not be general obligations of the Issuer, nor constitute a pledge of the faith and credit of the Issuer, and will not be payable in any manner by taxation.

Section 4. **Authorization of First Supplemental Indenture.** The Issuer is authorized to enter into the First Supplemental Indenture with the Trustee in the form approved in this Ordinance. The Issuer will pledge the Trust Estate described in the Indenture to the Trustee for the benefit of the owners of the Series 2016 Bonds on the terms and conditions in the Indenture.

Section 5. **Lease of the Project.** The Issuer will extend, improve and further equip the Original Project with the 2016 Project, and continue to lease it to the Tenant according to the provisions of the Original Lease, as amended and supplemented by the First Supplemental Lease in the form approved in this Ordinance. The continued sublease of the Project to J.R. Custom Metal Products, Inc., a Kansas corporation (the "Subtenant") is approved by the Issuer.

Section 6. **Approval of the Guaranty Agreement.** The form of the Guaranty Agreement among the Tenant, the Subtenant and the individual guarantors named therein, and the Trustee, for the benefit of the owners of the Series 2016 Bonds is approved.

Section 7. **Authorization of Bond Purchase Agreement.** The Issuer is authorized to sell the Series 2016 Bonds to the Purchaser, according to the terms and provisions of the Bond Purchase Agreement, in the form approved in this Ordinance.

Section 8. **Execution of Bonds and Bond Documents.** The Mayor of the Issuer is authorized and directed to execute the Series 2016 Bonds and deliver them to the Trustee for authentication on behalf of the Issuer in the manner provided by the Act and in the Indenture. The Mayor or member of the Issuer's governing body authorized by law to exercise the powers and duties of the Mayor in the Mayor's absence is further authorized and directed to execute and deliver the Bond Documents on behalf of the Issuer in substantially the forms presented for review prior to final passage of this Ordinance, with such corrections or amendments as the Mayor or other person lawfully acting in the absence of the Mayor may approve, which approval shall be evidenced by his or her signature. The authorized signatory may sign and deliver all other documents, certificates or instruments as may be necessary or desirable to carry out the purposes and intent of this Ordinance and the Bond Documents. The City Clerk or the Deputy City Clerk of the Issuer is hereby authorized and directed to attest the execution of the Series 2016 Bonds, the Bond Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out the intent of this Ordinance under the Issuer's corporate seal.

Section 9. **Pledge of the Project and Net Lease Rentals.** The Issuer hereby pledges the Project, including the 2016 Project, and the net rentals generated under the Lease to the payment of the Series 2016 Bonds in accordance with K.S.A. 12-1744. The lien created by the pledge will be discharged when all of the Series 2016 Bonds are paid or deemed to have been paid under the Indenture.

Section 10. **Authority To Correct Errors, Etc.** The Mayor or member of the Issuer's governing body authorized to exercise the powers and duties of the Mayor in the Mayor's absence, the City Clerk and any Deputy City Clerk are hereby authorized and directed to make any alterations, changes or additions in the instruments herein approved, authorized and confirmed which may be necessary to correct errors or omissions therein or to conform the same to the other provisions of said instruments or to the provisions of this Ordinance.

Section 11. **Further Authority.** The officials, officers, agents and employees of the Issuer are authorized and directed to take whatever action and execute whatever other documents or certificates as may be necessary or desirable to carry out the provisions of this Ordinance and to carry out and perform the duties of the Issuer with respect to the Series 2016 Bonds and the Bond Documents.

Section 12. **Effective Date.** This Ordinance shall take effect after its final passage by the governing body of the Issuer and publication once in the Issuer's official newspaper.

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PASSED by the governing body of the Issuer on May 24, 2016 and **SIGNED** by the Mayor.

(SEAL)

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM ONLY.

Jennifer Magaña, Director of Law and
City Attorney

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CERTIFICATE

I hereby certify that the attached copy is a true and correct copy of Ordinance No. ____ of the City of Wichita, Kansas duly passed by the governing body, signed by the Mayor and published in the official City newspaper on the respective dates stated in this ordinance, and that the signed original of such Ordinance is on file in my office.

[SEAL]

City Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS
HELD ON MAY 17, 2016**

The governing body of the City of Wichita, Kansas met in regular session at the usual meeting place in the City, at 9:00 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)

Among other business, in accordance with notice published on May 9, 2016, in the *Wichita Eagle*, a public hearing was held by the governing body relating to the proposed issuance of not to exceed \$5,300,000 principal amount of Industrial Revenue Bonds, Series III-A, 2016 and Series III-B, 2016 (J.R. Custom Metal Products, Inc., Project). All interested persons were afforded an opportunity to present their views on the issuance of the Bonds and the location and nature of the Project to be financed with the proceeds of the Bonds. Thereupon, the public hearing was closed.

Thereupon, there was presented for first reading an Ordinance entitled:

AN ORDINANCE AUTHORIZING THE CITY OF WICHITA, KANSAS TO ISSUE ITS INDUSTRIAL REVENUE BONDS, SERIES III-A, 2016 AND SERIES III-B, 2016 (J.R. CUSTOM METAL PRODUCTS, INC. PROJECT) FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF AN ADDITION TO AN EXISTING MANUFACTURING FACILITY; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

Thereupon, Councilmember _____ moved that said Ordinance be passed. The motion was seconded by Councilmember _____. Said Ordinance was duly read and considered, and upon being put, the motion for the passage upon first reading of said Ordinance was carried by the vote of the governing body, the vote being as follows:

Aye:

Nay:

(Other Proceedings)

CERTIFICATE

I 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, City Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS
HELD ON MAY 24, 2016**

The governing body of the City of Wichita, Kansas met in regular session at the usual meeting place in the City, 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 for second reading on the governing body's consent agenda an Ordinance entitled:

AN ORDINANCE AUTHORIZING THE CITY OF WICHITA, KANSAS TO ISSUE ITS INDUSTRIAL REVENUE BONDS, SERIES III-A, 2016 AND SERIES III-B, 2016 (J.R. CUSTOM METAL PRODUCTS, INC. PROJECT) FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF AN ADDITION TO AN EXISTING MANUFACTURING FACILITY; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

Thereupon, Councilmember _____ moved that the consent agenda be passed. The motion was seconded by Councilmember _____. The motion that the consent agenda be passed, including final passage of said Ordinance, was carried by the vote of the governing body, the vote being as follows:

Aye:

Nay:

Thereupon, the Ordinance was then duly numbered Ordinance No. 50-[____], was signed by the Mayor and attested by the Clerk, and the Ordinance was directed to be published one time in the official newspaper of the City.

(Other Proceedings)

CERTIFICATE

I 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, City Clerk

City of Wichita
City Council Meeting
May 17, 2016

TO: Mayor and City Council

SUBJECT: Community Events - 2016 Wichita River Festival (Districts I, III, IV and VI)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: New Business

Recommendation: Approve the licensing report, street closures and request for permit for the 2016 Wichita River Festival per the Memorandum of Understanding (MOU) between the City of Wichita (City) and Wichita Festivals, Inc. (WFI).

Background: Since 1972, WFI has coordinated and produced a multi-day community celebration that attracts local residents and tourists from the State of Kansas and surrounding states. The City entered into a MOU with WFI on February 20, 2014 that is valid for the 2016 River Festival and which outlines the expectations for the sponsorship of the festival by the City. In-kind services, permits, licenses, street closures and security provided by the Wichita Police Department are clearly outlined in the MOU to ensure the requirements and conditions of the Special Event Ordinance are followed.

Analysis: WFI is coordinating with City departments for licensing and street closure requests. Approval of such permit will be in lieu of the issuance of individual permits and authorizations identified as necessary.

Financial Consideration: City sponsorship of \$40,000 will be taken from the Convention and Tourism Fund. The City also agrees to meet the commitment of \$50,000 for in-kind services to WFI, which is at a level similar to the previous year.

Legal Consideration: The Law Department has reviewed and approved the certificate of insurance as to form.

Recommendation/Actions: It is recommended that the City Council approve the licensing report, street closures and request for permit for the 2016 Wichita River Festival, per the MOU between the City and WFI.

Attachments: River Festival Licensing and Street Closure Requests.

Event Name	Location	Location Specifics	Street Closings	Street Closure Signage & Barricades
2016: 9-day Food Court	Cil Drive		<p>**5/14 at 9:00 am - 6/13 at 11:00 pm**</p> <p>1. Century II Dr. between Douglas & S. Main St.</p>	<p>**Type 3 Barricades**: 4 on Cil Dr. at Douglas, 4 on Cil Dr. at S. Main St.</p> <p>**No Left Turn**: 1 westbound on Douglas at Cil Drive.</p> <p>**Navigators**: 20 closing off leftand center westbound on Douglas.</p>
2016: Bike Parade	Douglas		<p>**June 11, 11:00am – 2:30pm**</p> <p>1. Douglas between Waco & Sycamore</p>	<p>Temporary street closing with WPD.</p>
2016: Kennedy Plaza Event Space	Kennedy Plaza		<p>**5/31 at 9:00 am - 10:00 pm** **6/1 at 9:00 am - 10:00 pm** **6/2 at 9:00 am - 10:00 pm** **6/3 at 9:00 am - 6/6 at 1:00 am** **6/6 - 6/10 at 2:00 pm - 1:00 am** **6/10 at 2:00 pm - 6/13 at 12:00 pm**</p> <p>1. Douglas between Waco & Water St. 2. N. Civic Center Place at Douglas. 3. Willis Coroon Dr. at Douglas.</p>	<p>**Road Closed Ahead**: 1 - east bound on Douglas at Sycamore, 1 - east bound Douglas at McClean, 1 - West bound Douglas at Market, 1 - West bound Douglas at Main.</p> <p>**Left Turn Only**: 1 - East bound on Douglas at Waco.</p> <p>**Right Turn Only**: 1 - West bound on Douglas at Water.</p> <p>**Type 3 Barricades**: 6 - Douglas & Waco, 6 - Douglas & Water, 2 - Douglas & N. Civic Center Pl., 2 - Douglas & Willis Coroon Dr., 2 - Waco Extension (Douglas & Waco).</p>
2016: WaterWalk Event Area	WaterWalk		<p>**5/16 at 9:00 am - 6/14 at 11:00 pm**</p> <p>1. S Wichita St between Lewis St & the Hyatt Driveway 2. S Water St between W Waterman St & W Dewey St 3. Waterwalk Plc/W Lewis St. between S Wichita St & S Water St ----- **6/9 at 12:00 pm - 6/9 12:00 am** and **6/4 at 1:00 am - 6/4 at 1:00 pm**</p> <p>1. Lewis St (including Lewis St Bridge) between S McLean Blvd & S Wichita 2. S Wichita St between Lewis St & W. Dewey St.</p>	<p>**Road Closed Ahead**: 1 - east bound on W Maple St west of S McLean Blvd, 1 - west bound on E Waterman St west of S Main St, 1 - on E Dewey St east of S Main St, 1 - on S Water St south of W Kellogg Ave, 1 - on S Wichita St south of W Kellogg Ave</p> <p>**Road Closed**: 1 - east bound on W Lewis St just east of S McLean Blvd, 1 - west bound on W Waterman St just west of S Main St, 1 - on S Water St just south of W Dewey St, 1 - on S Wichita St just north of W Dewey St</p> <p>**Type 3 Barricades**: 1 - east bound on W Lewis St just east of S McLean Blvd, 1 - west bound on W Waterman St just west of S Main St, 1 - on S Water St just north of W Dewey St, 1 - on S Wichita St just north of W Dewey St</p> <p>**No Right Turn**: 1 - southbound on S Main St just north of W Waterman St, 1 - westbound on W Dewey St at S Wichita St.</p> <p>**No Left Turn**: 1 - northbound on S Main St at W Waterman St</p> <p>**Cones**: 20 - closing off center lane eastbound on W Maple St at S McLean Blvd, 20 - closing off center lane westbound on W Waterman St at S Main St, 10 - closing off left turn lane on S Main St at W Waterman St,</p>
2016: Aviation Day	Kennedy Plaza		<p>**6/5 at 10:00 pm - 6/6 at 3:00 am**</p> <p>1. Douglas between Water & Main St. 2. Main between Douglas & English St.</p>	<p>**Road Closed Ahead**: 1 - east bound on Douglas at Sycamore, 1 - east bound Douglas at McClean, 1 - West bound Douglas at Market, 1 - West bound Douglas at Main.</p> <p>**Left Turn Only**: 1 - East bound on Douglas at Waco.</p> <p>**Cones**: 20 - closing off right hand lane on eastbound Douglas at Waco</p> <p>**Type 3 Barricades**: 6 - Douglas & Waco, 6 - Douglas & Main St., 2 - Douglas & N. Civic Center Pl., 2 Douglas & Willis Coroon Dr., 2 - Waco Extension (Douglas & Waco), 2 Main St & Douglas Ave, 2 - Mainst. & William St., 2 - Main St. & English St.</p>

2016: Marketplace	<p>**6/4 at 5:00 am - 6/6 at 12:00 am**</p> <ol style="list-style-type: none"> Douglas between Water & Main St. Water between Douglas & 1st St. 	<p>**Road Closed Ahead**: 1 - West bound on Douglas at Broadway, 1 - west bound Douglas at Market</p> <p>**Left Turn Only**: 1 - West bound on Douglas at Main.</p> <p>**Cones**: 20 - closing off right hand lane on westbound Douglas at Main</p> <p>**Type 3 Barricades**: 6 - Douglas & Waco, 6 - Douglas & Main St., 2 - Douglas & N. Civic Center Pl., 2 Douglas & Willis Coroon Dr., 2 - Waco Extension (Douglas & Waco).</p>
2016: Blacktop Nationals	<p>**6/6 at 5:00 am - 6/13 at 12:00 pm**</p> <ol style="list-style-type: none"> Main St. Main St. between Douglas & Waterman (leaving William, Tananapantla St., & English open). 	<p>**Road Closed Ahead**: 1 - South bound on Main at 1st Street, 1 - North bound Main at Kellogg</p> <p>**Type 3 Barricades**: 6 - Douglas & Main, 6 - Main St. & William, 6 - Main St. & English, 6 - Main St. & Waterman,</p>
2016: Helicopter Rides	<p>**6/3 - 5pm - 10pm** **6/4 - 6/5 - 9am - 10pm** **6/6 - 6/10 - 5pm - 10pm** **6/11 - 9am - 10pm**</p> <ol style="list-style-type: none"> McClean between Maple & East LDS entrance, southbound only. 	<p>**Road Closed Ahead: 1 - southbound McClean at 1st/2nd, 1 northbound McClean at Taft</p> <p>**3 - Type III Barricades at LDS east driveway and McClean.</p>
2016: UTV World Record Attempt	<p>**6/11 at 12am - 6/13 at 12am</p> <ol style="list-style-type: none"> McClean between Maple and Douglas 	<p>**Road Closed Ahead: 1 - southbound McClean at 1st/2nd, 1 northbound McClean at Taft</p> <p>**Type III Barricades: 6 at McClean & Douglas, 6 at McClean & Maple.</p>
2016: Fireworks - Opening & Closing Night	<p>Fireworks Locations Location: Viewing along the Arkansas River from Lewis to 1st St</p> <p>**6/3 & 6/10 - 6/11 from 9:00 AM - 11:00 PM**</p> <ol style="list-style-type: none"> Douglas from Water to Sycamore (12:00 PM - 11:00 PM) 2nd/1st from McClean to Waco (5:30 PM - 11:00 PM) McClean from 1st to Maple (5:30 PM - 11:00 PM) N. Civic Center Place at Douglas. (12:00 PM - 11:00 PM) Willis Coroon Dr. at Douglas. (12:00 PM - 11:00 PM) Waco from Douglas to 1st (5:30 PM - 11:00 PM) Sycamore from McClean to Douglas (12:00 PM - 11:00 PM) 	<p>**Road Closed Ahead**: 1 - east bound on Douglas at Osage St., 1 - east bound Douglas at Oak, 1 - West bound Douglas at Market, 1 - West bound Douglas at Broadway.</p> <p>**Left Turn Only**: 1 - North bound on McClean at Maple, 1 - East bound on 1st/2nd at McClean</p> <p>**Right Turn Only**: 1 - West bound on Douglas at Water.</p> <p>**Cones**: 20 - closing off right hand lane on eastbound Douglas at Waco, 20 - closing off left lane westbound Douglas at Water</p> <p>**Type 3 Barricades**: 6 - Douglas & Sycamore, 6 - Douglas & Water, 2 - Douglas & N. Civic Center Pl., 2 Douglas & Willis Coroon Dr., 2 - Waco Extension (Douglas & Waco), 6 - 2nd/1st & McClean. 2 - 1st & Waco</p>
2016: River Run	<p>WaterWalk</p> <p>Kansas Health Foundation River Run Street Closings</p> <p>Saturday, June 4, 2016 from 2:00 am - 12:00 pm</p> <ol style="list-style-type: none"> McClean between Harry & Meridian/Amidon 	<p>See attacehd barricade location document.</p>

2016: Sundown Parade	Downtown	Parade Route: Start: Central and Main; south on Main to Douglas; west on Douglas to Waco; north on Waco to 3rd St N. Staging on Main, north of Central to 11th St N between Water & Market. See street closure/ barricade map for specifics.	Sundown Parade June 3, 2016 Parade Staging: 5:30 p.m. - 9:00 p.m. 1. Main from Central to 11th 2. Elm from Water to Market 3. Pine from Wichita to Market 4. Wichita from Murdock to Central 5. Wichita from Murdock to 8th St. (both ends) 6. Water from Murdock to Elm 7. 8th from Water to Market 8. 9th from Water to Market 9. 10th from Water to Market Central stays open for cross traffic for as long as practical. Parade: 6:00 p.m. - 9:00 p.m. 1. Main from Central to English 2. 2nd from Market to Waco 3. 1st from McLean to Main 4. Waco from Douglas to Central 5. 3rd from Riverview to Market 6. Central from Market to Nims 7. Greenway from Central to Waco 8. Douglas from McLean to Market 9. William from Market to Main 10. Murdock from Waco to Market 11. Water from Douglas to 3rd Note: Any traffic exiting the Core Area or to/from the Broadview Hotel, CII personnel and Hyatt Service will access via Doguals from McLean. Note: Northwest portion of 1st and McLean intersection remains open for traffic. WPD ultimately controls the actual times of street closings and openings.	See attached barricade location document.
2016: Touch a Truck WW			** 6/9 at 3:00 pm - 12:00 am ** 1. Waterman (including Lewis St. Bridge) between McClean & Hyatt Driveway 2. Wichita between Waterman & Dewey 3. Water between Waterman & Dewey 4. Lewis St. between Wichita & Water	**Road Closed Ahead**: 1 - east bound Maple at Oak, 1 - east bound Maple at Sycamore, 1 - west bound Waterman at Market, 1 - west bound Waterman at Broadway, **Type 3 Barricades**: 6 - Maple & Mclean, 6 - Waterman & Main, 2 - Dewey & Wichita, 2 - Dewey & Water. **No Right Turn**: 1 - southbound on Main at Waterman, 1 - westbound Dewey at Wichita. **No Left Turn**: 1 - northbound on Main at Waterman. **Cones**: 20 - closing off center lane eastbound on Maple at McClean, 20 - closing off center lane westbound on Waterman at Main, 10 - closing off left turn lane on Main at Waterman.

City Licensing Report
2015 Wichita Riverfest

Location	Date - start	Date - end	Approvals
CII Drive	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use site. 2. Permission to hang banners/signage. 3. Permission to use electric box on Douglas & Water. 4. Permission to use waste water (sewer) connection. 5. Permission to use water supply. 6. Permission to use parking lot behind food court.
SG CO Historical Mues.	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use site & hang banners/signs.
Abode Venue	2016-05-16 0:00	2016-06-14 0:00	NA
WaterWalk (Hyatt Lawn, WaterWalk Fountains Area, Lot D, Lot C)	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use site. 2. Permission to hang banners/signage. 3. Permission Chris Cakes. 4. Permission to set electrical panels at N.E. and S.W. corner of lawn from ground source. 5. Permission to have fountains on and active during event. 6. Permission to Park RV in dirt space between Boathouse and Gander Mtn. 7. Permission to use Lot C June 8th - June 12th for Black Top Nationals.
Kennedy Plaza & Lot A & B	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use site. 2. Permission to hang banners/signage. 3. Permission to use Lot B for parking on some nights. 4. Permission to park RV in Lot A.
A. Price Woodard Park	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use site. 2. Permission to hang banners/signage. 3. Permission to hang string lights from trees. 4. Permission to set electrical panels for floating stage 5. Permission to use electric drops throughout APW 6. Permission to have fountains on and active during the event. 7. Permission to install Zipline poles on east and west side of river.
Tripodal Grass Area at Century II	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use site & hang banners/signs.
Wichita Public Library West side	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use site. 2. Permission to hang banners/signs.
Big Arkansas River/Under Douglas St. Bridge (East Bank)	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use waterway from Kansas Wildlife & Parks Department. 2. Permission to hang banners/signage. 3. Permission to use waterway from City of Wichita Park Department.
Big Arkansas River/Under Lewis St. Bridge (East Bank)	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use waterway from Kansas Wildlife & Parks Department. 2. Permission to hang banners/signage. 3. Permission to use waterway from City of Wichita Park Department.
Big Arkansas River	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use waterway from Kansas Wildlife & Parks Department. 2. Permission to hang banners/signage. 3. Permission to use waterway from City of Wichita Park Department.
E. Riverbank, Between Gander Mt. & 1st St	2016-05-16 0:00	2016-06-14 0:00	<ol style="list-style-type: none"> 1. Permission to use site. 2. Permission to hang banners/signage. 3. Permission to use waterway from Kansas Wildlife and Park Department. 4. Permission from City of Wichita Park and Recreation Department to use river banks, bike paths, waterway, and boat ramp. 5. Permission to use 4 wheeler for set up and tear down. 6. Permission to park 4 wheeler and loaded trailer inside the Hyatt lawn venue. 7. Permission to use Gander Mountains south parking lot. 8. Permission to move deer stands and other objects in Gander Mountain parking lot to clear adequate space for event staging in Ganders south lot.

City Licensing Report
2015 Wichita Riverfest

Veterans Memorial Park	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site & hang banners/signs.
Drury Park; East Bank of River, North of Douglas	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use waterway from KS Wildlife and Parks Department 2. Permissions to hang banners/signage. 3. Permission to use waterway from City of Wichita Park Department 4. Permission to set 10x10 tents. 5. Permission to set storage unit under bridge.
Botanica	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site. 2. Permission to hang banners/signage.
South Lakes Sport Complex	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site. 2. Permission to hang banners/signage.
Downtown	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site for Sundown Parade. 2. Permission to hang banners/signage. 3. Permission to set up and operate Riverfest as needed to make the event as successful as can be.
Lot on SW corner of Sycamore & 2nd Street	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site & hang banners/signs.
Lot between Sycamore & McLean, just south of 2nd street, just north of Douglas.	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site & hang banners/signs.
WaterWalk, Wichita Boathouse & Boathouse North Lawn	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site & hang banners/signs.
1st & Waco Lot	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site & hang banners/signs.
Lawrence Dumont Stadium	2016-05-16 0:00	2016-06-14 0:00	1. Permission to hang banners/signage.
Ralph Wulz Riverside Tennis Center	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site. 2. Permission to hang banners/signage.
West Side Athletic Fields	2016-06-11 0:00	2016-06-11 0:00	1. Permission to use site. 2. Permission to hang banners/signage.
Lynwood Park	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site. 2. Permission to hang banners/signage.
The Ambassador	2016-05-16 0:00	2016-06-14 0:00	1. Permission to use site. 2. Permission to hang banners/signage.

City of Wichita
City Council Meeting
May 17, 2016

TO: Mayor and City Council

SUBJECT: 2016 Wichita River Festival Resolution – Gating A. Price Woodard Park and the Lawn Adjacent to the Hyatt Regency Wichita (All Districts)

INITIATED BY: Department of Park and Recreation

AGENDA: New Business

Recommendation: Adopt the resolution to allow Wichita Festivals, Inc., to gate A. Price Woodard Park and the lawn adjacent to the Hyatt Regency Wichita for the 2016 Wichita River Festival.

Background: Wichita Festivals, Inc. has requested permission to fence and charge admission to A. Price Woodard Park and the lawn adjacent to the Hyatt Regency Wichita as part of the Wichita River Festival, June 3 to June 11, 2016. Fence installation would begin on May 18, 2016 and would be removed by June 15, 2016, at 5:00 p.m.

Analysis: Section 9.03.170 of the Code of the City of Wichita provides that when a request has been made for an activity that will cause a major impact on the use of a City park, the City Council may approve the activity, including the closure of the park and the charging of admission for such activity. In granting such approval, the City Council is to consider the factors set forth in Section 9.03.080 of the City Code. These factors require that the application for a permit to use the park be signed by a person who is responsible for compliance with the terms of the permit, that the application is timely filed, and that none of the reasons listed for denial of such a permit are present. Such reasons include that the park requested is not available, the applicant has refused to agree in writing to the terms of the permit, the applicant has failed to pay the required fees, the applicant cannot provide the required security for the event, usage of the park for the requested activity may damage, destroy or detract from city and/or part property or that the applicant has a history of not complying with terms and conditions or permits previously issued to such applicant. Staff has reviewed the application from Wichita Festivals, Inc. for this use of park property for the 2016 River Festival and has determined that there is no reason to deny the request. The Resolution would allow A. Price Woodard Park and the lawn adjacent to the Hyatt Regency Wichita to be fenced and allow Wichita Festivals, Inc., to charge admission for events associated with the 2016 Wichita River Festival.

Financial Considerations: There are no financial considerations.

Legal Considerations: The Law Department has prepared the proposed Resolution and approved as to form.

Recommendations/Actions: It is recommended that the City Council adopt the Resolution to allow Wichita Festivals, Inc., to gate A. Price Woodard Park and the lawn adjacent to the Hyatt Regency Wichita for the 2016 Wichita River Festival.

Attachment: Resolution

(First Published in the Wichita Eagle on May 20, 2016)

RESOLUTION NO. 16-107

A RESOLUTION BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS APPROVING CLOSURE OF A. PRICE WOODARD PARK AND THE LAWN ADJACENT TO THE HYATT REGENCY WICHITA FOR WICHITA RIVER FESTIVAL EVENT.

WHEREAS, the City recognizes that substantial community benefits may result from community events. They can provide cultural enrichment, promote economic vitality and enhance community identity. Further, such events along the Arkansas River will serve to promote downtown and community development.

WHEREAS, Wichita River Festival events, operated by Wichita Festivals, Inc., to be held June 3 through June 11, 2016, will not obstruct the operation of emergency vehicles or equipment in or through the area;

WHEREAS, the proposed event does not present a safety, noise, or traffic hazard;

WHEREAS, the proposed events and activities to be held in A. Price Woodard Park and on the lawn adjacent to the Hyatt Regency Wichita will be subject to approval by the Community Event Committee pursuant to Chapter 3.11 of the Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS AS FOLLOWS;

1. A. Price Woodard Park and the lawn adjacent to the Hyatt Regency Wichita shall be closed to the public for the duration of the 2016 Wichita River Festival held from June 3 to June 11 2016. Wichita Festivals, Inc. will be allowed to fence and charge admission for entry into both the park and the lawn adjacent to the Hyatt Regency Wichita. Additionally, vendors will be allowed to sell merchandise within both areas during the event.

2. All events to be held at both sites will be subject to approval by the Community Event Committee pursuant to Chapter 3.11 of the Code of the City of Wichita.

3. This resolution shall be effective upon adoption by City Council.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS,

this 17th day of May, 2016.

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
May 17, 2016

TO: Mayor and City Council

SUBJECT: 2016 Wichita River Festival Resolution - Community Event with Alcohol Consumption (All Districts)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: New Business

Recommendation: Adopt the Resolution to allow alcohol consumption during the 2016 Wichita River Festival June 3 through June 11, 2016.

Background: A Community Event Application that would establish a Temporary Entertainment District (TED) and allow alcohol consumption has been submitted for the Wichita River Festival, scheduled for June 3 through June 11, 2016. In accordance with Section 3.11.065(d) of the Code of the City of Wichita and the Community Events Procedure, a resolution is required to authorize consumption of alcoholic liquor on sidewalks and on public streets that have been closed to motor vehicle traffic during such licensed community event. The City Council has approved the request for street closures involved in this event and which are depicted on the attached map. The TED is bounded by Douglas Avenue on the North and includes the plaza area surrounding Century II and A. Price Woodard Park, extending along the river bank to the south where it expands to include the WaterWalk and WaterWalk Pavilion area, including a portion of West Waterman Street and extends to the north curb line of Dewey Street. The location for alcohol consumption will vary depending upon the time of day. Additionally, the TED includes the Lewis Street Bridge on Thursday, June 10th, in the afternoon and evening hours. Upon review of the application for this community event and upon consideration of the factors set forth in the Code of the City of Wichita, the City Council shall determine if such approval should be given.

Analysis: Section 3.11.080 of the Code of the City of Wichita sets forth the criteria which must be considered for approval of a proposed community event. Those factors include findings that the event will not obstruct the operation of emergency vehicles or equipment, the event does not present a safety, noise, or traffic hazard; the event conforms to regulations regarding the use and/or the allowable number of participants for the proposed location, the proposed event does not violate any laws or the City of Wichita, State of Kansas or the United States, if held in a park, the event conforms to the regulations of the Board of Park Commissioners, if the event requires closures or public streets, such closures have been approved by the City Council, if the event requests closure of park property the request has been approved by the City Council and any proposed parade or motor vehicle event complies with the City Code. Applying this criteria, staff has reviewed the application of Wichita Festivals, Inc. for a community event with consumption of alcoholic liquor allowed, finds that such criteria has been met and recommends approval of the event permit.

Financial Consideration: There are no financial considerations.

Legal Consideration: The Law Department has prepared the proposed Resolution and approved as to form.

Recommendation/Actions: It is recommended that the City Council adopt the Resolution to allow alcohol consumption upon sidewalks and public streets during the 2016 Wichita River Festival, June 3 through June 11, 2016.

Attachments: Resolution and map of proposed sites for consumption of alcoholic liquor for the Wichita River Festival.

RESOLUTION NO. 16-108

A RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC LIQUOR ON PUBLIC STREETS WHICH HAVE BEEN CLOSED TO VEHICULAR TRAFFIC DURING THE 2016 WICHITA RIVER FESTIVAL

WHEREAS, the City Council has approved as a community event , the 2016 Wichita River Festival, to occur from June 3 through June 11, 2016.

WHEREAS, the City Council has approved the following public streets to be closed to vehicular traffic for such event with the consumption of alcoholic liquor allowed upon the dates and during the time periods set out as follows:

1. South Century II Drive from Main Street to Douglas Avenue; South Cancun Street; and Century II Drive from South Cancun Street to the north curb line of West Tlalnepantla Drive will be closed with the consumption of alcoholic liquor allowed from 10:00 a.m. through 11:00 p.m., Friday, June 3 through Saturday, June 11, 2016.
2. Douglas Avenue from the east curb line of Waco Avenue to the west curb line of Water Street; the south 50 feet of Civic Center Place; and the south 50 feet of Wichita Street will be closed with the consumption of alcoholic liquor allowed:
 - 3:00 p.m. to 11:00 p.m. on Friday, June 3; and
 - 3:00 p.m. to 11:00 p.m. on Monday, June 6 through Friday, June 10; and
 - 10:00 a.m. to 11:00 p.m. on Saturday, June 4, Sunday, June 5, and Saturday, June 11, 2016.
3. Waterman/Lewis Street from approximately 20 feet west of the Hyatt driveway to the east curb line of Wichita Street will be closed with consumption of alcoholic liquor allowed from 10:00 a.m. through 11:00 p.m., Friday, June 3 through Saturday, June 11, 2016.
4. Waterman /Lewis Street from the east curb line of Wichita Street to the west end of the Lewis Street bridge and South Wichita Street from the south curb line of Waterman Street to the north edge of the north entrance into the Wichita Boathouse parking lot will be closed with the consumption of alcoholic liquor allowed from 3:00 p.m. to 11:00 p.m. on Thursday, June 9.

WHEREAS, a temporary permit for the consumption of alcoholic liquor at the 2016 Wichita River Festival has been applied for and will be issued by the State of Kansas and the City of Wichita upon the presentation of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council, pursuant to Section 3.11.065(d) of the Code of the City of Wichita, and in consideration of the factors set forth in Section 3.11.080 of the

Code of the City of Wichita, grants its approval for the consumption of alcoholic liquor on the city streets, sidewalks and public right of ways which are located within the designated event area of the 2016 Wichita River Festival as set forth above and to occur upon the dates and during the times above stated.

ADOPTED by the governing body of the City of Wichita, Kansas, this 17th day of May, 2016.

CITY OF WICHITA, KANSAS

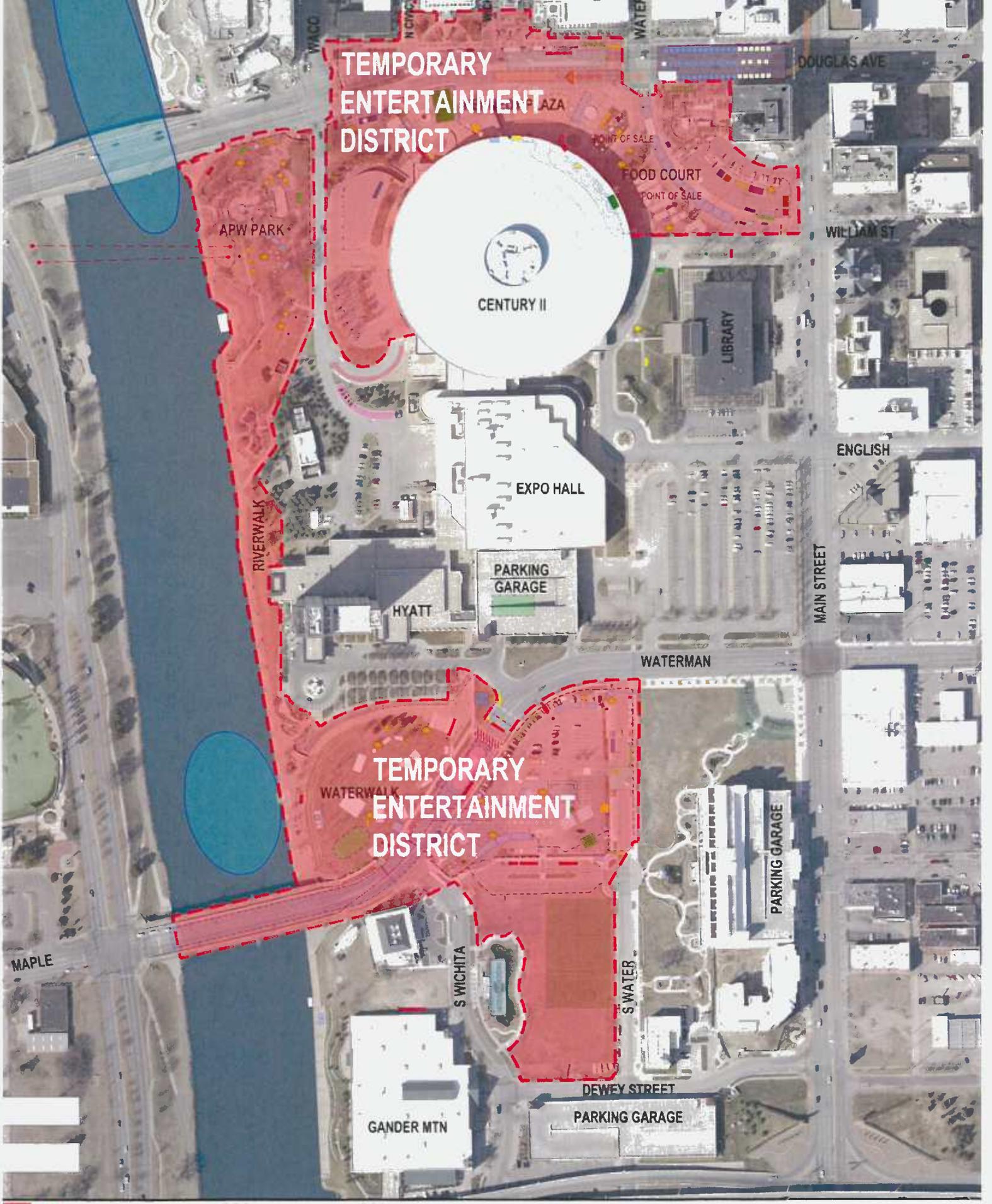
By _____
Jeff Longwell, Mayor

ATTEST:

Karen Sublett
City Clerk

Approved as to Form:

Jennifer Magaña, City Attorney and
Director of Law

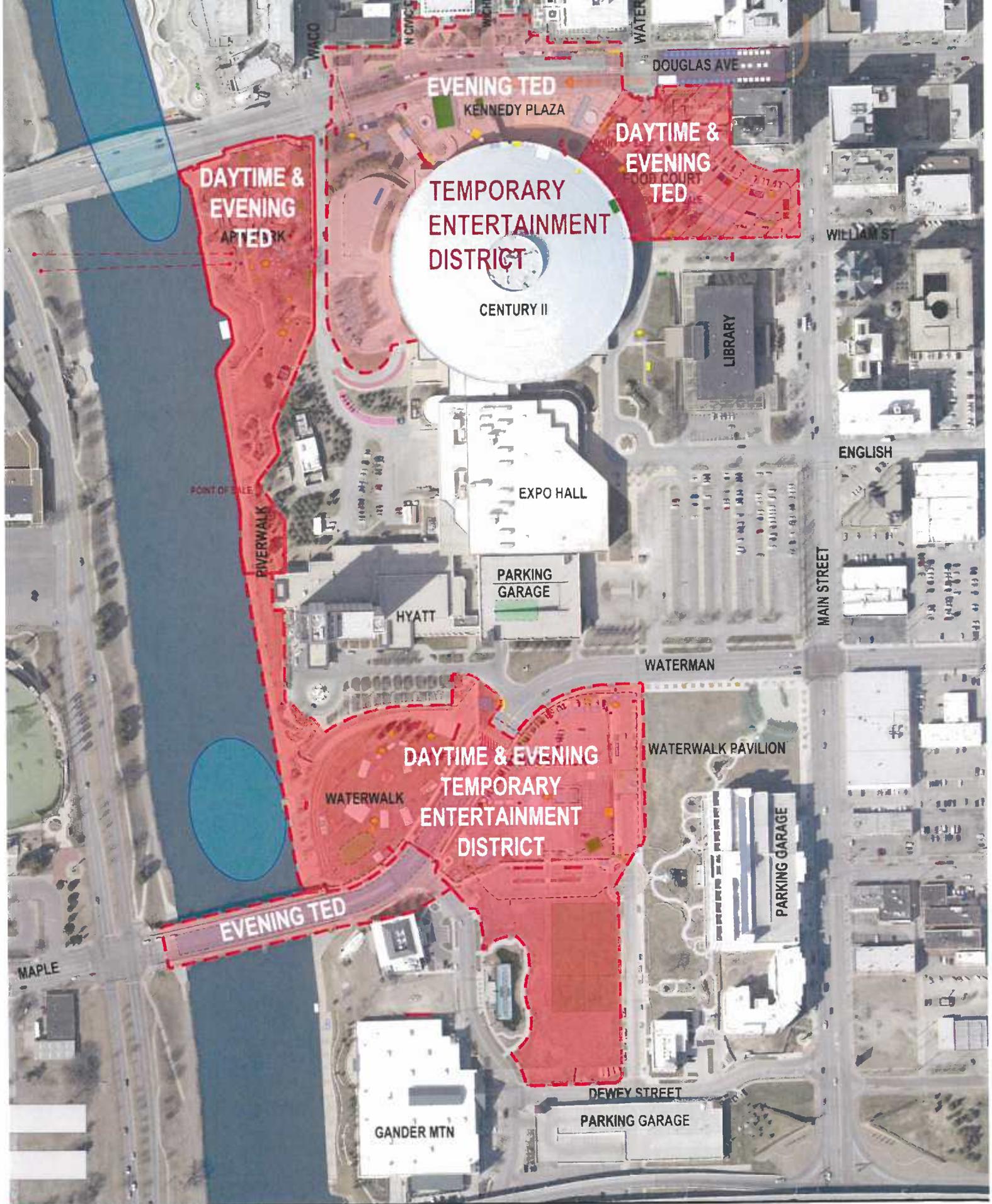


**TEMPORARY
ENTERTAINMENT
DISTRICT**

**TEMPORARY
ENTERTAINMENT
DISTRICT**



2016 RiverFestival TED MAP - COMP



DAYTIME & EVENING TED

EVENING TED
KENNEDY PLAZA

TEMPORARY ENTERTAINMENT DISTRICT

CENTURY II

DAYTIME & EVENING TED

POINT OF SALE

RIVERWALK

EXPO HALL

PARKING GARAGE

HYATT

WATERMAN

DAYTIME & EVENING
TEMPORARY ENTERTAINMENT DISTRICT

WATERWALK

WATERWALK PAVILION

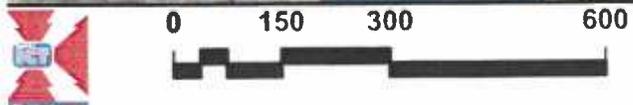
PARKING GARAGE

EVENING TED

DEWEY STREET

GANDER MTN

PARKING GARAGE



2016 RiverFestival TED Mon-Friday

City of Wichita
City Council Meeting
May 17, 2016

TO: Mayor and City Council

SUBJECT: Request for Resolution of Support for Application for Housing Tax Credits: Vintage Court Duplexes (District IV)

INITIATED BY: Housing and Community Services Department

AGENDA: New Business

Recommendation: Adopt the resolution for the application for Housing Tax Credits, subject to all local building and zoning codes, ordinances and any additional design review requirements, with waiver of the 20% market-rate unit requirement, subject to installation of a sidewalk along the east frontage of the site, and other infrastructure requirements.

Background: The Housing Tax Credit Program is administered by the Kansas Housing Resources Corporation. Enacted in the Tax Reform Act of 1986, the Housing Tax Credit Program is designed to secure private equity capital for the development of affordable rental housing. The program can provide a substantial portion of the total development cost, which reduces the amount of debt financing in affordable rental housing developments. This allows lower rents and greater affordability. The State receives a tax credit allocation from the Federal government, and requires developers/owners to obtain a resolution of support from the local government when submitting applications for financing through the program.

The City has received a request from Mark Cox of Vintage Construction, LLC, for a City Council resolution of support for an application for 9% Housing Tax Credits in connection with site acquisition, development, and construction of the Vintage Court Duplexes.

Under the City's adopted Housing Tax Credit (HTC) Policy, developers/owners must present proposed Housing Tax Credit projects to the applicable District Advisory Board (DAB). The policy also requires review by the City's Development Coordinating Committee (DCC). The Planning Department and the Metropolitan Area Building and Construction Department (MABCD) also review the project for zoning and design appropriateness and provide comments regarding consistency with neighborhood plans, if applicable. Once the project is reviewed by the DAB, DCC, Planning and MABCD, it is forwarded to the City Council for a public hearing, with a staff recommendation regarding the resolution of support for the Housing Tax Credit application.

Analysis: The proposed Vintage Court Duplexes project is to be developed on the north half of a tract of land located at the northwest corner of West Taft Street and Julia Street. According to the applicant, the proposed project will include 18 three-bedroom housing units, within nine duplex structures constructed on slab foundations. All units will be 1,500 square feet in size, with single-car garages.

Preliminary tax credit rent amounts are estimated to be \$665 for 11 of the units, and \$710 for seven of the units. The City's HTC Policy requires a set-aside of 20% of the units for market-rate tenants, but includes a provision for reduction or waiver of the requirement if extenuating circumstances exist, or if market conditions support a deviation from the guideline, or if the project will exclusively serve tenants with disabilities. The applicant is requesting waiver of the requirement, citing extenuating circumstances related to market conditions. The applicant believes that market conditions support a deviation from the guideline, because the market rents that could be achieved would be comparable to the HTC rents, and

would not support additional debt service. This is based on information that is a part of the market study obtained for the proposed project and projected cash flow statements provided by the applicant.

The Planning Department reviewed the proposed project and recommends adoption of the resolution of support for the application for HTCs, stating that the project is consistent with the Wichita-Sedgwick County Community Investments Plan's goal to encourage and support residential infill development within the established central area of Wichita. The Planning Department considers the project to be an urban infill development project, that would be compatible with the developed residential area immediately to the west, and the proposed Keystone Apartments project to be located immediately to the south. The proposed project would also utilize available capacity in the City's existing public infrastructure system. Planning Department staff recommends installation of a sidewalk along the east frontage of the property, adjacent to South Julia Street. This improvement is considered to be necessary in order to allow residents of the project safe and convenient pedestrian access to the large commercial/retail center situated within walking distance to the south.

Planning Department staff also advised that there is a protective overlay in place for the site, which would require construction of a six-foot high masonry wall on the west property line. In addition, a 15-foot deep landscaped buffer is to be provided along the entire length of the west property line, on the west side of the masonry wall. The landscaped buffer is to be planted with one shade tree or two ornamental trees per 30 lineal feet of frontage along Brummett Street. Light poles installed on the developed site can be no higher than 14 feet, and building exteriors are to share uniform architectural character and shall be predominantly earth-tone in color.

The Planning Department also recommended review by the Public Works and Utilities Department to determine any infrastructure upgrades/improvements that would be required, as a result of the proposed development activity. Public Works and Utilities staff indicated that paving of Brummett and University Streets would not be necessary, but improvement of University Street for drainage and to allow for vehicular travel would be required. In addition, sanitary sewer and water extension would be required, at an approximate cost of \$200,000, in addition to the cost of installing water meters. Storm water drainage work would also be required at the site.

MABCD reviewed the project proposal and the preliminary site plan. A one-hour demising wall will be required between the apartment units, and compliance with the 2012 International Residential Code, as amended, is recommended. Width of the access drive between Brummett and Julia would be verified during plan review, in order to determine adequate Wichita Fire Department (WFD) access. General parking would not be allowed within this WFD access drive. Duplex structures are exempt from accessibility requirements.

The DCC voted to recommend adoption of the resolution of support with waiver of the 20% market rate unit requirement, and DAB IV voted (7-1) to recommend adoption of the resolution of support, with the waiver.

Housing and Community Services (HCS) staff believes that the proposed project will provide safe, clean, affordable rental housing, and recommends adoption of a resolution of support by the City Council with waiver of the 20% market rate unit requirement. The HCS recommendation is subject to installation of the sidewalk along the east frontage of the site adjacent to Julia Street, and other infrastructure requirements noted by Public Works and Utilities.

The resolution of support will not constitute final plan or design approval. If the project is awarded Housing Tax Credits, the project developer must comply with all requirements associated with appropriate plan reviews required for issuance of a City building permit. These reviews will include compliance with the City of Wichita's Housing Tax Credit Policy design guidelines. Further, the developer must comply with any additional reviews that may be requested by the City Council member in whose district the proposed project is planned.

Vetting of the developer was conducted by Office of Economic Development staff. There were no outstanding issues noted.

Financial Considerations: The total project cost is estimated to be \$3,411,229, including \$2,439,508 in construction costs. The project will be financed with HTCs, a private bank loan, and a general partner contribution. The City will not be involved in the financing of the project.

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

Recommendations/Actions: It is recommended that the City Council adopt the resolution of support for the application for Housing Tax Credits, subject to all local building and zoning codes, ordinances and any additional design review requirements, with waiver of the 20% market-rate unit requirement, subject to installation of a sidewalk along the east frontage of the site, and other infrastructure and plan review requirements.

Attachment: Resolution.

RESOLUTION NO. 16-109

A RESOLUTION ESTABLISHING SUPPORT OF THE DEVELOPMENT OF AFFORDABLE HOUSING IN THE CITY OF WICHITA, KANSAS.

WHEREAS, the City of Wichita, Kansas has been informed by Vintage Development, LLC, that a housing tax credit application will be filed with the Kansas Housing Resources Corporation for the development of affordable rental housing to be located on a site legally described as follows:

Lot 1, Ernest Jordan Addition, Wichita, Sedgwick County, Kansas

WHEREAS, this housing development will contain up to 18 three-bedroom apartment units, with all apartment units subject to the restrictions imposed by the Kansas Housing Resources Corporation, for purposes of enforcing the requirements of the Low-Income Housing Tax Credit Program.

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

That the Governing Body of the City of Wichita, Kansas supports and approves the development of the aforesaid housing in our community, subject to city ordinances and the building permit process. This Resolution is effective until May 17, 2018. In the event that any of the characteristics mentioned above should change prior to the issuance of a building permit, this resolution is null and void.

This resolution does not constitute design or plan approval by the City of Wichita. The project design must comply with the City of Wichita's Housing Tax Credit Policy design guidelines, which will be determined by the Metropolitan Area Planning Department and the Metropolitan Area Building and Construction Department, after the project is approved for tax credits. During that review, complete building plans may be submitted to the Council Member, at the Council Member's request, prior to issuance of a building permit. All projects must comply with all applicable building codes, zoning codes, ordinances, and requirements. Further, this resolution of support is subject to installation of a public sidewalk, running the full length of the east side of the site, between University Street and West Taft Street.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, this 17th day of May, 2016.

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
May 17, 2016

TO: Mayor and City Council

SUBJECT: Request for Resolution of Support for Application for Housing Tax Credits:
Keystone Apartments (District IV)

INITIATED BY: Housing and Community Services Department

AGENDA: New Business

Recommendation: Adopt the resolution for the application for Housing Tax Credits, subject to all local building and zoning codes, ordinances and any additional design review requirements, with waiver of the 20% market-rate unit requirement, subject to installation of a sidewalk along the east frontage of the site, and other infrastructure requirements.

Background: The Housing Tax Credit Program is administered by the Kansas Housing Resources Corporation. Enacted in the Tax Reform Act of 1986, the Housing Tax Credit Program is designed to secure private equity capital for the development of affordable rental housing. The program can provide a substantial portion of the total development cost, which reduces the amount of debt financing in affordable rental housing developments. This allows lower rents and greater affordability. The State receives a tax credit allocation from the Federal government, and requires developers/owners to obtain a resolution of support from the local government when submitting applications for financing through the program.

The City has received a request from Starkey, Inc. (Starkey), for a City Council resolution of support for an application for 9% Housing Tax Credits in connection with site acquisition and construction of the Keystone Apartments project.

Under the City's adopted Housing Tax Credit (HTC) Policy, developers/owners must present proposed Housing Tax Credit projects to the applicable District Advisory Board (DAB). The policy also requires review by the City's Development Coordinating Committee (DCC). The Planning Department and the Metropolitan Area Building and Construction Department (MABCD) also review the project for zoning and design appropriateness and provide comments regarding consistency with neighborhood plans, if applicable. Once the project is reviewed by the DAB, DCC, Planning and MABCD, it is forwarded to the City Council for a public hearing, with a staff recommendation regarding the resolution of support for the Housing Tax Credit application.

Analysis: The proposed Keystone Apartments project is to be developed on the south half of a vacant tract of land located at the northwest corner of West Taft Street and Julia Street. Starkey is the applicant and Mark Cox, of Vintage Construction, LLC, will serve as the developer. According to the applicant, the proposed project will offer 32 studio apartment units within four buildings designed for individuals with disabilities. Each unit will be wired for telephone, cable television and internet access, and will have a bathroom and small kitchen area. The building design includes common dining and sitting areas.

Starkey will have staff available on site Monday through Friday, from 7:00 to 8:30 A.M., and in the evenings from 3:30 to 9:00 P.M. One community living trainer will also be assigned to work throughout the weekend. Residents will have the opportunity to take part in numerous activities organized by the trainers, should they require the service or desire to participate.

Preliminary tax credit rent amounts are estimated to be \$365 per month. The City's HTC Policy requires a set-aside of 20% of the units for market-rate tenants, but includes a provision for reduction or waiver of the requirement if extenuating circumstances exist, or if market conditions support a deviation from the guideline, or if the project will exclusively serve tenants with disabilities. As allowed under the policy, the applicant is requesting waiver of this requirement, as the project individuals with disabilities, a special needs population.

The Planning Department reviewed the proposed project and recommends adoption of the resolution of support for the application for HTCs, stating that the project is consistent with the Wichita-Sedgwick County Community Investments Plan's goal to encourage and support residential infill development within the established central area of Wichita. The Planning Department considers the project to be an urban infill development project, that would be compatible with the developed residential area immediately to the west, and the proposed Vintage Court apartment project to be located immediately to the north. The proposed project would also utilize available capacity in the City's existing public infrastructure system. Planning Department staff recommends installation of a sidewalk along the east frontage of the property, adjacent to South Julia Street. This improvement is considered to be necessary in order to allow residents of the project safe and convenient pedestrian access to the large commercial/retail center situated within walking distance to the south.

Planning Department staff also advised that there is a protective overlay in place for the site, which would require construction of a six-foot high masonry wall on the west property line. In addition, a 15-foot deep landscaped buffer is to be provided along the entire length of the west property line, on the west side of the masonry wall. The landscaped buffer is to be planted with one shade tree or two ornamental trees per 30 lineal feet of frontage along Brummett Street. Light poles installed on the developed site can be no higher than 14 feet, and building exteriors are to share uniform architectural character and shall be predominantly earth-tone in color.

The Planning Department also recommended review by the Public Works and Utilities Department to determine any infrastructure upgrades/improvements that would be required, as a result of the proposed development activity. Public Works and Utilities staff indicated that paving of Brummett and University Streets would not be necessary, but improvement of University Street for drainage and to allow for vehicular travel would be required. In addition, sanitary sewer and water extension would be required, at an approximate cost of \$150,000, in addition to the cost of installing water meters. Storm water drainage work would also be required at the site.

MABCD reviewed the project proposal and the preliminary site plan. A one-hour demising wall will be required between the units. Fair Housing Act (FHA) provisions with respect to accessibility do not apply, as the buildings will be treated as duplexes, as was the case of another previously developed Starkey project. Zoning and building sections have confirmed using the same approach for this proposal. Verification of driveway widths (20 foot minimum) for Wichita Fire Department (WFD) access would be required during the plan review process. General parking would not be allowed within the WFD access drive. MABCD will require compliance with the 2012 International Residential Code, as amended.

The DCC voted to recommend adoption of the resolution of support with waiver of the 20% market rate unit requirement. DAB IV voted (8-0) to recommend adoption of the resolution of support, with the waiver, subject to elimination of access to Brummett Street. WFD staff reviewed the preliminary site plan and advised that access to Brummett Street would be required because the access drive exceeds 150 feet in length. However, WFD staff noted that the requirement could be addressed with a locked gate so that access to Brummett Street would be limited to the WFD.

Housing and Community Services (HCS) staff believes that the proposed project will provide safe, clean, affordable rental housing, and recommends adoption of a resolution of support by the City Council with waiver of the 20% market rate unit requirement. The HCS recommendation is subject to installation of the sidewalk along the east frontage of the site adjacent to Julia Street, other infrastructure requirements, and with access to Brummett Street restricted to the WFD.

The resolution of support will not constitute final plan or design approval. If the project is awarded Housing Tax Credits, the project developer must comply with all requirements associated with appropriate plan reviews required for issuance of a City building permit. These reviews will include compliance with the City of Wichita's Housing Tax Credit Policy design guidelines. Further, the developer must comply with any additional reviews that may be requested by the City Council member in whose district the proposed project is planned.

Vetting of the applicant and developer was conducted by Office of Economic Development staff. There were no outstanding issues noted.

Financial Considerations: The total project cost is estimated to be \$5,393,305, including \$3,812,264 in construction costs. The project will be financed with HTCs, a private bank loan, and a general partner contribution. The City will not be involved in the financing of the project.

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

Recommendations/Actions: It is recommended that the City Council adopt the resolution of support for the application for Housing Tax Credits, subject to all local building and zoning codes, ordinances and any additional design review requirements, with waiver of the 20% market-rate unit requirement, subject to installation of a sidewalk along the east frontage of the site, access to Brummett Street limited to the WFD, and other infrastructure and plan review requirements.

Attachment: Resolution.

RESOLUTION NO. 16-110

A RESOLUTION ESTABLISHING SUPPORT OF THE DEVELOPMENT OF AFFORDABLE HOUSING IN THE CITY OF WICHITA, KANSAS.

WHEREAS, the City of Wichita, Kansas has been informed by Starkey, Inc., and Vintage Development, LLC that a housing tax credit application will be filed with the Kansas Housing Resources Corporation for the development of affordable rental housing to be located on a site legally described as follows:

Lot 1, Ernest Jordan Addition, Wichita, Sedgwick County, Kansas

WHEREAS, this housing development will contain up to 32 apartment units, with all apartment units subject to the restrictions imposed by the Kansas Housing Resources Corporation, for purposes of enforcing the requirements of the Low-Income Housing Tax Credit Program.

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

That the Governing Body of the City of Wichita, Kansas supports and approves the development of the aforesaid housing in our community, subject to city ordinances and the building permit process. This Resolution is effective until May 17, 2018. In the event that any of the characteristics mentioned above should change prior to the issuance of a building permit, this resolution is null and void.

This resolution does not constitute design or plan approval by the City of Wichita. The project design must comply with the City of Wichita's Housing Tax Credit Policy design guidelines, which will be determined by the Metropolitan Area Planning Department and the Metropolitan Area Building and Construction Department, after the project is approved for tax credits. During that review, complete building plans may be submitted to the Council Member, at the Council Member's request, prior to issuance of a building permit. All projects must comply with all applicable building codes, zoning codes, ordinances, and requirements. Further, this resolution of support is subject to installation of a public sidewalk, running the full length of the east side of the site, between University Street and West Taft Street and with access to Brummett Street limited to the Wichita Fire Department.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, this
17th day of __May__, 2016.

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
May 17, 2016**

TO: Mayor and City Council

SUBJECT: Quarterly Financial Report for the Period Ended March 31, 2016

INITIATED BY: Department of Finance

AGENDA: New Business

Recommendation: Receive and file the Quarterly Financial Report.

Background: The Finance Department prepares quarterly unaudited financial reports to monitor and review the financial activities of the operating and capital funds. The report is presented to provide the City Council and citizens with information that will assist in making informed decisions. The report is available on the City's website. Citizens may obtain a printed copy by contacting the Department of Finance at 268-4651.

Analysis: Comparisons of budgeted amounts to actual revenue and expenditures are provided for each operating fund. In addition, financial statements prepared on an accrual basis are presented for enterprise, internal service and pension trust funds, consistent with generally accepted accounting principles. The Quarterly Financial Report may not reflect all the transactions that relate to activities through March 31, 2016.

Financial highlights are summarized beginning on page iii, with financial statements beginning on page 1. Supplementary information, including information on the performance of invested funds, capital projects currently underway, and a quarterly summary of disadvantaged and emerging business activity is presented in the final section of this report.

Financial Considerations: The Director of Finance will provide a financial overview at the City Council meeting.

Legal Considerations: There are no legal considerations.

Recommendations/Actions: It is recommended that the City Council receive and file the Quarterly Financial Report for the period ended March 31, 2016.

Attachment: Quarterly Financial Report

City of Wichita
City Council Meeting
May 17, 2016

TO: Mayor and City Council

SUBJECT: Repair or Removal of Dangerous and Unsafe Structure
(District I)

INITIATED BY: Metropolitan Area Building and Construction Department

AGENDA: New Business

Recommendations: Close the public hearing, adopt the resolution declaring the building to be a dangerous and unsafe structure, and accept the Board of Building Code Standards and Appeals (BBCSA) recommended actions to proceed with condemnation, allowing 10 days to start demolition and 10 days to complete removal of the structure.

Background: On April 5, 2016, a report was submitted with respect to the dangerous and unsafe conditions on the property listed below. The City Council adopted resolutions providing for a public hearing to be held on the condemnation actions at 9:30 a.m. or soon thereafter, on May 17, 2016.

Analysis: On March 7, 2016, the BBCSA conducted a hearing on the property listed below.

Property Address
a. 1652 N. Volutsia Ave

Council District
I

Detailed information/analyses concerning the property are included in the attachments.

Financial Considerations: Structures condemned as dangerous buildings are demolished with funds from the Metropolitan Area Building and Construction Department (MABCD) Special Revenue Fund contractual services budget, as approved annually by the City Council. This budget is supplemented by an annual allocation of Federal Community Development Block Grant funds for demolition of structures located within the designated Neighborhood Reinvestment Area. Expenditures for dangerous building condemnation and demolition activities are tracked to ensure that City Council Resolution No. R-95-560, which limits MABCD expenditures for non-revenue producing condemnation and housing code enforcement activities to twenty percent (20%) of MABCD's total annual budgeted Special Revenue Fund expenditures, is followed. Owners of condemned structures demolished by the City are billed for the contractual costs of demolition, plus an additional five hundred dollar (\$500) charge to cover associated costs of the condemnation, including title search, publishing, copying and mailing costs. If the property owner fails to pay, these charges are recorded as a special property tax assessment against the property, which may be collected upon subsequent sale or transfer of the property.

Legal Considerations: The resolution and notice of hearing were reviewed and approved as to form by the Law Department.

Recommendations/Actions: It is recommended that the City Council close the public hearing, adopt the resolution declaring the building to be a dangerous and unsafe structure, and accept the BBCSA recommended actions to proceed with condemnation, allowing 10 days to start demolition and 10 days to complete removal of the structure. Any extensions of time granted to repair any structure would be contingent on the following: (1) All taxes have been paid to date as of May 17, 2016; (2) the structure has been secured as of May 17, 2016, and will continue to be kept secured; and (3) the premises are mowed and free of debris as of May 17, 2016, and will be so maintained during renovation.

If any of the above conditions are not met, the MABCD will proceed with demolition action and also instruct the City Clerk to have the resolutions published once in the official city paper and advise the owner of these findings.

Attachments: Case summary, CDM summary and follow-up history

May 17, 2016
City Council
Removal of Dangerous Structure Case Summary

Address	Cncl. Dist.	Hsng. Case Age	Cndm. Init. Date	BCSA Hearing Date & Recommendation	Owner/ Rep. At BCSA ?	Open or Secure	Premise Cond. Status	Property Tax Status	Special Assessments
1652 N. Volutsia Ave	I	16 yrs. 2 mos.	09/24/15	01/11//16 - deferred 03/07/16 - 10/10	Yes No	Front door unsecure.	Some scattered trash and tall grass and weeds.	Current	None

DATE: April 22, 2016

CDM SUMMARY

COUNCIL DISTRICT # I

ADDRESS: 1652 N VOLUTSIA AVE

LEGAL DESCRIPTION: LOTS 42 AND 44, ON VOLUTSIA AVENUE, WOODRIDGE PLACE ADDITION TO WICHITA, KANSAS, SEDGWICK COUNTY, KANSAS

DESCRIPTION OF STRUCTURE: A two story frame dwelling about 37 x 50 feet in size. Vacant and open, this structure has a cracking and shifting block foundation; damaged and missing vinyl siding; and rotted wood trim.

Description of dangerous or unsafe condition(s): The property is found to be dangerous and unsafe because of the following conditions:

- A. Those, which have been damaged by fire, wind, want of repair, or other causes so as to have become dangerous to life, safety, morals or the general health and welfare of the occupants or the people of the city.**
- B. The structure fails to provide the necessities to decent living, which makes it, unfit for human habitation.**
- C. Those open to unauthorized persons or those permitted to be attractive to loiterers, vagrants, or children.**
- D. Those whose use, equipment or want of good housekeeping constitutes a decided fire or safety hazard to the property itself or its occupants or which presents a decided fire or safety hazards to surrounding property or a menace to the public safety and general welfare.**

City Ordinance states that any one of the above categories is just cause to declare the building a public nuisance and shall be repaired or demolished.

Director of Metropolitan Area Building and Construction Department
Enforcing Officer

Date

DATE: April 22, 2016

BCSA GROUP # 4

ADDRESS: 1652 N VOLUTSIA AVE

ACTIVE FIELD FILE STARTED: March 3, 2000

NOTICE(S) ISSUED: Since March 3, 2000, several notice of improvements and numerous violation notices have been issued. A Uniform criminal complaint has been issued and it has been the subject of neighborhood court. It should be noted that on several occasions the Wichita Police Department has requested MABCD assistance with this property.

PRE-CONDEMNATION LETTER: October 10, 2014

TAX INFORMATION: Current

MABCD COST ASSESSMENTS/DATES: None

PREMISE CONDITIONS: Some scattered trash and tall grass and weeds.

VACANT NEGLECTED BUILDING REPORT: None

MABCD NUISANCE & ABATEMENT REPORT: In November 2008, Jun 2009 and August 2012, neighborhood nuisance enforcement cases were initiated resulting in owner compliance. In June 2013 and September 2014, tall grass and weeds cases were initiated resulting in owner compliance.

POLICE REPORT: In the past five years there has been one reported police incident of burglary residence.

FORMAL CONDEMNATION ACTION INITIATED: September 24, 2015

RECENT DEVELOPMENTS: No repairs have been made and the front door is unsecure.

HISTORIC PRESERVATION REPORT: No impact

OWNER'S PAST CDM HISTORY: None

BOARD OF B. C.S. & A. RECOMMENDATION: At the January 11, 2016 BCSA hearing Anh Thi Lam, owner, was present at the meeting.

This two-story frame dwelling is about 37 x 50 feet in size. Vacant and open, this structure has a cracking and shifting block foundation; damaged and missing vinyl siding; and rotted wood trim.

Richard Meier, Chief Building Inspector, explained that there are serious issues with the attempted foundation repair done by a previous owner, as well issues with structural columns and bracing. Board Member Coonrod made a motion that the owner reappear at the March 7, 2016, meeting to present a plan of action to the Board, meanwhile maintaining the site in a clean and secure condition in the interim. Board Member Doeden seconded the motion. The motion carried (8 – 0).

At the March 7, 2016 BCSA hearing there was no one attending on behalf of this property.

A two-story frame dwelling about 37 x 50 feet in size, this building is vacant and open. This structure has a cracking and shifting block foundation; damaged and missing vinyl siding; and rotted wood trim.

Deb Legge advised the Board that staff had received notice that morning that the owner was unable to attend the meeting. Legge said there was very little change, if any, in the property condition, and the taxes are still delinquent. The building is not secure.

As recommended by staff, Board Member Redford made a motion to submit the property to the City Council with a recommendation of condemnation, with ten days to begin wrecking the structure and ten days to complete the demolition. Board Member Doeden seconded the motion. The motion carried (6 – 0). (Vice Chairman Wilhite was not present for this vote.)

STAFF RECOMMENDATION/REMARKS: Adopt the recommendation of the Board of Building Code Standards and Appeals. However, any extensions to repairs would be providing that all provisions of City Council Policy 33 are complied with. If any of these conditions are not met, staff is directed to proceed to let for bids to demolish the structure.

Wichita, Kansas
May 16, 2016
10:00 a.m., Monday
Conference Room, 12th Floor

MINUTES - BOARD OF BIDS AND CONTRACTS*

The Board of Bids and Contracts met with Marty Strayer, Administrative Assistant, Public Works, Fanny Chan, Accountant, Finance, representing the Director of Finance, John Page, Budget Analyst, Budget Office, Clarence Rose, Senior Buyer, representing Purchasing, John Emerson, Fellow, representing the City Manager's Office and Janis Edwards, Deputy City Clerk, present.

Minutes of the regular meeting date May 9, 2016, were read and on motion approved.

Bids were opened May 13, 2016, pursuant to advertisements published on:

Bridge Rehabilitaion, Pawnee Avenue, Arkansas River (Pawnee, east of McLean) 472-84922 (715726)

Wildcat Construction Co. Inc.* - \$2,442,437.00

*Award 6/7/2016 subject to City Council approval of New Engineer's Estimate and Budget authorization.

127th Street East from the south line of Pawnee to the south line of USD 259 4th Addition, including a turn lane from 127th Street East into USD 259 4th Addition to serve USD 259 4th Addition (south of Pawnee, west of 127th Street East) (472-84941/766316/490337) See Special Provisions. (District II)

Flint Hills Materials - \$296,875.74

Sheridan Avenue from the end of existing pavement, north to and including the cul-de-sac to serve Southwest Industrial Addition (north of Pawnee, east of West Street) (472-85220/766341/490363) Traffic to be maintained during construction using flagpersons and barricades. Water Extension for Sheridan Avenue to serve Southwest Industrial Addition (north of Pawnee, east of West Street) (448-90691/735537/470210) Traffic to be maintained during construction using flagpersons and barricades. Lateral 278, Sanitary Sewer No. 22 for Sheridan Avenue to serve Southwest Industrial Addition (north of Pawnee, east of West Street) (468-85066/744401/480093) Traffic to be maintained during construction using flagpersons and barricades. (District IV)

Mies Construction - \$238,161.30 Group 1
\$56,865.79 Group 2
\$41,672.00 Group 3
\$336,699.09 Bid Total

Purchasing Manager recommended that the contracts be awarded outlined above, subject to check, same being the lowest and best bids *within the Engineer's* construction estimate.

On motion the Board recommended that the contracts be awarded as outlined above, subject to check, same being the lowest and best bids within the Engineer's construction estimate.

PUBLIC WORKS AND UTILITIES DEPARTMENT/FLEET AND FACILITIES DIVISION: Shops 5 & 6 Repair and Paving.

Bauer and Son Construction Co. Inc. - \$259,000.00 Base Bid
\$6.75 Option 1-Unit Price No. 1 (per sq foot)
\$28.70 Option 2-Unit Price No. 2 (per sq foot)
\$0.21 Option 3-Unit Price No. 3 (per sq foot)

WICHITA TRANSIT: Security Services Downtown Transit Center.

Vend-Tech Enterprise LLC* - \$48,100.00
*Estimate – Contract approved on unit cost basis; refer to attachments.

PUBLIC WORKS AND UTILITIES DEPARTMENT/ENVIRONMENTAL HEALTH DIVISION: Clean Pipe Network for Gilbert and Mosley.

Mayer Specialty Services LLC - \$69,765.00 Base Bid
\$1,261.00 Group 2 Alternate 1
\$2,915.25 Group 2 Alternate 2
\$360.75 Group 2 Alternate 3

PUBLIC WORKS AND UTILITIES DEPARTMENT/WATER DISTRIBUTION DIVISION: Custom Set, Monitor Cover and Meter Boxes.

Wichita Winwater Works Co. *- \$61,440.00 Group 1
Wichita Winwater Works Co. *- \$17,400.00 Group 2
HD Supply Waterworks LTD. *- \$67,800.00 Group 3
*Estimate – Contract approved on unit cost basis; refer to attachments.

PUBLIC WORKS AND UTILITIES DEPARTMENT/FLEET AND FACILITIES DIVISION: Tricycle Type Street Sweepers.

Sellers Equipment Inc. - \$385,388.00 Base Bid
(\$59,000.00) Option 1 - Deduct
No Charge Option 2 - Each
\$5,670.00 Option 3- Each
Standard Option 4- Each
\$36,250.00 Option 6 - Each
Standard Option 7 - Each

PUBLIC WORKS AND UTILITIES DEPARTMENT/FLEET AND FACILITIES DIVISION: Re-roof Museum of World Treasures.

Rhoden Roofing LLC - \$113,868.00

The Purchasing Division recommended that the contracts be awarded as outlined above, same being the lowest and best bid.

On motion the Board recommended that the contracts be awarded as outlined above, same being the lowest and best bid.

On motion the Board of Bids adjourned.

Marty Strayer, Administrative Assistant
Department of Public Works

Janis Edwards, CMC
Deputy City Clerk

FORMAL BID REPORT

TO: Robert Layton, City Manager
 DATE: May 16, 2016

ENGINEERING BIDS – GARY JANZEN, CITY ENGINEER**May 6, 2016**

Bridge Rehabilitation, Pawnee Avenue, Arkansas River (Pawnee, east of McLean) – Public Works & Utilities
 Department/Engineering Division

**Wildcat Construction Company, Inc. (Award 6/7/16 Subject to City Council \$2,442,437.00
 Approval of New Engineer's Estimate and Budget Authorization)**

May 13, 2016

Paving 127th Street East, south of Pawnee (south of Pawnee, west of 127th Street East) – Public Works &
 Utilities Department/Engineering Division

Flint Hills Materials \$296,875.74

Sheridan Avenue to serve Southwest Industrial Addition – Public Works & Utilities Dept./Engineering Division

Mies Construction Group 1 – Paving Sheridan Avenue \$238,161.30

Group 2 – Water Extension for Sheridan Avenue 56,865.79

Group 3 – Lateral 278, SS No. 22 for Sheridan Avenue 41,672.00

Aggregate Bid Total \$336,699.09

PURCHASING BIDS – MELINDA A. WALKER, PURCHASING MANAGER**May 13, 2016**

Shops 5 & 6 Repair and Paving at Central Maintenance Facility – Public Works & Utilities Department/Fleet &
 Facilities Division

Bauer & Son Construction Company, Inc. Base Bid \$259,000.00

Option 1 – Unit Price No. 1 (Per Sq. Ft.) \$6.75

Option 2 – Unit Price No. 2 (Per Sq. Ft.) \$28.70

Option 3 – Unit Price No. 3 (Per Sq. Ft.) \$0.21

Security Services - Downtown Transit Center – Wichita Transit Department

Vend-Tech Enterprise, LLC (Per Hour) \$13.00

Cleaning of Piping Network for the Gilbert & Mosley Remediation System – Public Works & Utilities

Department/Environmental Health Division

Mayer Specialty Services, LLC Group 1 – Base Bid \$69,765.00

Group 2 – Alternate 1 (Add) \$1,261.00

Group 2 – Alternate 2 (Add) \$2,915.25

Group 2 – Alternate 3 (Add) \$360.75

2" Custom Setters, 20" Monitor Covers and 21" and 30" Meter Boxes – Public Works & Utilities

Department/Water Distribution Division (See Exhibit B for Itemized Pricing in the Formal Bid Report)

Wichita Winwater Works Company Group 1 \$61,440.00

Group 2 \$17,400.00

HD Supply Waterworks, Ltd Group 3 \$67,800.00

Tricycle Type Street Sweepers – Public Works & Utilities Department/Fleet & Facilities Division

Sellers Equipment, Inc. (Deferred from May 9, 2016) Base Bid \$385,388.00

Option 1 (Deduct) <\$59,000.00>

Option 2 No Charge

Option 3 (Add) (Per Each) \$5,670.00

Option 4 Standard

Option 6 (Add) (Per Each) \$36,250.00

Option 7 Standard

Re-Roof Museum of World Treasures – Public Works & Utilities Department/Fleet & Facilities Division
Rhoden Roofing, LLC (Deferred from May 9, 2016) \$113,868.00

ITEMS TO BE PURCHASED AS ADVERTISED IN THE OFFICIAL CITY NEWSPAPER.


for Melinda A. Walker
Purchasing Manager

PAVING BID TABULATION SUMMARY

BOARD OF BIDS - May 6, 2016

RQ640561

FB640090		Engineer's Construction Estimate	Wildcat Construction Co. Inc.	Barkley Construction	Cornejo & Sons, LLC
Bridge Rehabilitation, Pawnee Ave., Arkansas River			\$2,442,437.00		
	BID BOND		X		
(Pawnee, east of McLean)	ADDENDA	2			
472-84922 (715726)					
		Engineer's Construction Estimate	Dondlinger & Sons	Kansas Paving Company	
Bridge Rehabilitation, Pawnee Ave., Arkansas River					
	BID BOND				
(Pawnee, east of McLean)	ADDENDA	2			
472-84922 (715726)					
		Engineer's Construction Estimate			
Bridge Rehabilitation, Pawnee Ave., Arkansas River					
	BID BOND				
(Pawnee, east of McLean)	ADDENDA	2			
472-84922 (715726)					
		Engineer's Construction Estimate			
Bridge Rehabilitation, Pawnee Ave., Arkansas River					
	BID BOND				
(Pawnee, east of McLean)	ADDENDA	2			
472-84922 (715726)					
Award 6-7-16 subject to City Council approval of New Engineer's Estimate and budget authorization.					

CHECKED BY: *LP*
 REVIEWED BY: *pk*

PAVING BID TABULATION SUMMARY

BOARD OF BIDS - May 13, 2016

RQ640577

FB640095		Engineer's Construction Estimate	APAC - Kansas Inc	Cornejo & Sons, LLC	Kansas Paving Company
127th Street East, south of Pawnee		\$486,500.00	\$367,939.25	\$418,415.00	\$345,892.40
(south of Pawnee, west of 127th Street East)	BID BOND				
	ADDENDA	0			
472-84941 (766316)					
		Engineer's Construction Estimate	Flint Hills Materials		
127th Street East, south of Pawnee		\$486,500.00	\$296,875.74		
(south of Pawnee, west of 127th Street East)	BID BOND		X		
	ADDENDA	0			
472-84941 (766316)					
		Engineer's Construction Estimate			
127th Street East, south of Pawnee		\$486,500.00			
(south of Pawnee, west of 127th Street East)	BID BOND				
	ADDENDA	0			
472-84941 (766316)					
		Engineer's Construction Estimate			
127th Street East, south of Pawnee		\$486,500.00			
(south of Pawnee, west of 127th Street East)	BID BOND				
	ADDENDA	0			
472-84941 (766316)					

CHECKED BY: KD
 REVIEWED BY: PS

PAVING BID TABULATION SUMMARY

BOARD OF BIDS - May 13, 2016

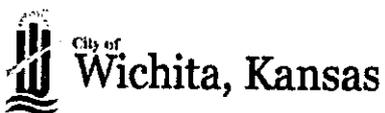
RQ640578

FB640097		Engineer's Construction Estimate	Dondlinger & Sons	Kansas Paving Company	Mies Construction
Sheridan Avenue 472-85220 (766341)	Group 1	\$521,000.00	\$258,618.99	\$263,642.20	\$238,161.30
Water Extension for Sheridan Avenue 448-90691 (735537)	Group 2	\$81,100.00	\$69,817.00	\$69,791.29	\$56,865.79
Lateral 278, Sanitary Sewer No. 22 for Sheridan Avenue 468-85066 (744401)	Group 3	\$59,780.00	\$41,555.00	\$43,268.00	\$41,672.00
	BID BOND				
Southwest Industrial Addition	ADDENDA	3			
BID TOTAL		\$661,880.00	\$369,990.99	\$376,701.49	\$336,899.09
		Engineer's Construction Estimate	Flint Hills Materials		
Sheridan Avenue 472-85220 (766341)	Group 1	\$521,000.00	\$247,714.95		
Water Extension for Sheridan Avenue 448-90691 (735537)	Group 2	\$81,100.00	\$61,736.00		
Lateral 278, Sanitary Sewer No. 22 for Sheridan Avenue 468-85066 (744401)	Group 3	\$59,780.00	\$43,118.00		
	BID BOND		X		
Southwest Industrial Addition	ADDENDA	3			
BID TOTAL		\$661,880.00	\$352,568.95		
		Engineer's Construction Estimate			
Sheridan Avenue 472-85220 (766341)	Group 1	\$521,000.00			
Water Extension for Sheridan Avenue 448-90691 (735537)	Group 2	\$81,100.00			
Lateral 278, Sanitary Sewer No. 22 for Sheridan Avenue 468-85066 (744401)	Group 3	\$59,780.00			
	BID BOND				
Southwest Industrial Addition	ADDENDA	3			
BID TOTAL		\$661,880.00			
		Engineer's Construction Estimate			
Sheridan Avenue 472-85220 (766341)	Group 1	\$521,000.00			
Water Extension for Sheridan Avenue 448-90691 (735537)	Group 2	\$81,100.00			
Lateral 278, Sanitary Sewer No. 22 for Sheridan Avenue 468-85066 (744401)	Group 3	\$59,780.00			
	BID BOND				
Southwest Industrial Addition	ADDENDA	3			
BID TOTAL		\$661,880.00			

CHECKED BY:

REVIEWED BY:

KP
PO



BID RESULTS

[Registration](#) [Solicitations](#) [Document Inquiry](#) [Login](#) [Help](#)

This page summarizes vendor responses by the bid total. Awarded vendors will be notified of their respective purchase orders/contracts.

Vendor Group Line
Solicitation: FB640089 **Shops 5 & 6 Repair & Paving** **Close Date/Time:** 5/13/2016 10:00 AM CST
Solicitation Type: Formal Bid **Return to the Bid List**
Award Method: Aggregate Cost
Department: Public Works Fleet & Facilities **Responses:** 5

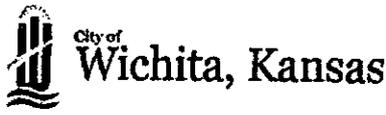
Vendors	Complete	Bid Total	City Comments
BAUER & SON CONSTRUCTION CO INC	Complete	\$259,035.66	Award 5-17-16 Base Bid & Unit Price 1-3 Public Works & Utilities Dept/Fleet & Facilities Division
VOGTS-PARGA CONSTRUCTION LLC	Complete	\$290,843.33	
COMMERCE CONSTRUCTION SERVICES INC	Complete	\$311,014.20	
COMPTON CONSTRUCTION CORP	Complete	\$338,522.57	
PPJ CONSTRUCTION INC	Complete	\$360,024.60	

BIDS WITHIN ARCHITECTS ESTIMATE

[Top of the Page](#)

Architect's Estimate: \$376,000.00





BID RESULTS

Registration Solicitations Document Inquiry Login Help

This page summarizes vendor bids by the extended cost for each commodity line on the solicitation.

Vendor Group Line
Solicitation: FB640089 **Shops 5 & 6 Repair & Paving** **Close Date/Time:** 5/13/2016 10:00 AM CST
Solicitation Type: Formal Bid **Return to the Bid List**
Award Method: Aggregate Cost
Department: Public Works Fleet & Facilities **Responses:** 5
Go to:

Line 001 | Base Bid: Labor, Material, and Equipment for Shops 5 & 6 Repair and Paving at the Central Maintenance Facility, 1801 S. McLean Blvd. as per Drawings and Specifications.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
BAUER & SON CONSTRUCTION CO INC	1	Lump Sum	\$259,000.0000	\$259,000.00	Complete	
VOGTS-PARGA CONSTRUCTION LLC	1	Lump Sum	\$290,800.0000	\$290,800.00	Complete	
COMMERCE CONSTRUCTION SERVICES INC	1	Lump Sum	\$311,000.0000	\$311,000.00	Complete	
COMPTON CONSTRUCTION CORP	1	Lump Sum	\$338,500.0000	\$338,500.00	Complete	
PPJ CONSTRUCTION INC	1	Lump Sum	\$360,000.0000	\$360,000.00	Complete	

Line 002 | Option 1- Unit Price No. 1: The cost to remove existing paving and base outside of the Base Bid area and replace it with a paving section (including stripping) per detail 1/C3.0 (8" CONCRETE PAVEMENT section and without the Tensor Geogrid) per the drawings and specifications. Extent of the area to be replaced will be determined by the owner. Cost per Square Foot.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
COMMERCE CONSTRUCTION SERVICES INC	1	Square Feet	\$6.0000	\$6.00	Complete	
VOGTS-PARGA CONSTRUCTION LLC	1	Square Feet	\$6.1300	\$6.13	Complete	
BAUER & SON CONSTRUCTION CO INC	1	Square Feet	\$6.7500	\$6.75	Complete	
PPJ CONSTRUCTION INC	1	Square Feet	\$8.0000	\$8.00	Complete	
COMPTON CONSTRUCTION CORP	1	Square Feet	\$13.0400	\$13.04	Complete	

Line 003 | Option 2- Unit Price No. 2: The cost to remove and replace, per Wall Section 2/A1.0, any EIFS and gypsum sheathing which is outside the limits of the Base Bid shown on 1/A1.0. Cost per Square Foot.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
	1		\$8.0000	\$8.00	Complete	

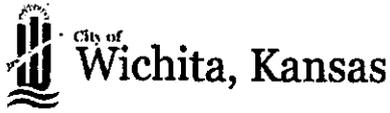
COMMERCE CONSTRUCTION SERVICES INC		Square Feet				
COMPTON CONSTRUCTION CORP	1	Square Feet	\$9.3300	\$9.33	Complete	
PPJ CONSTRUCTION INC	1	Square Feet	\$16.0000	\$16.00	Complete	
BAUER & SON CONSTRUCTION CO INC	1	Square Feet	\$28.7000	\$28.70	Complete	
VOGTS-PARGA CONSTRUCTION LLC	1	Square Feet	\$37.0000	\$37.00	Complete	

Line 004 | Option 3- Unit Price No. 3: The cost to add the Tensor Geogrid to detail 1/C3.0 (8" CONCRETE PAVEMENT section). Cost per Square Foot.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
VOGTS-PARGA CONSTRUCTION LLC	1	Square Feet	\$0.2000	\$0.20	Complete	
COMPTON CONSTRUCTION CORP	1	Square Feet	\$0.2000	\$0.20	Complete	
COMMERCE CONSTRUCTION SERVICES INC	1	Square Feet	\$0.2000	\$0.20	Complete	
BAUER & SON CONSTRUCTION CO INC	1	Square Feet	\$0.2100	\$0.21	Complete	
PPJ CONSTRUCTION INC	1	Square Feet	\$0.6000	\$0.60	Complete	

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Vendor Group Line

Solicitation: Security Services Downtown Transit Cntr
FB640093

Close Date/Time: 5/13/2016 10:00 AM CST

Solicitation Type: Formal Bid

[Return to the Bid List](#)

Award Method: Aggregate Cost

Department: Wichita Transit

Responses: 4

Vendors	Complete	Bid Total	City Comments
VEND-TECH ENTERPRISE LLC	Complete	\$48,100.00	Award 5/17/16 Wichita Transit
SECURITAS SECURITY SERVICES USA	Complete	\$52,762.00	
TOTAL SECURITY SOLUTIONS LLC	Complete	\$60,125.00	
U S SECURITY ASSOCIATES	Complete	\$64,750.00	

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This page summarizes vendor bids by the extended cost for each commodity line on the solicitation.

Vendor Group Line

Solicitation: Security Services Downtown Transit Cntr
FB640093

Close Date/Time: 5/13/2016 10:00 AM CST

Solicitation Type: Formal Bid

[Return to the Bid List](#)

Award Method: Aggregate Cost

Department: Wichita Transit

Responses: 4

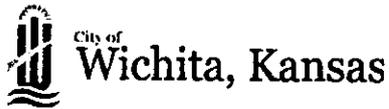
Go to:

Line 001 | Furnish Security Service for the Downtown Transit Center Facility as per specifications.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
VEND-TECH ENTERPRISE LLC	3700	Hour	\$13.0000	\$48,100.00	Complete	
SECURITAS SECURITY SERVICES USA	3700	Hour	\$14.2600	\$52,762.00	Complete	
TOTAL SECURITY SOLUTIONS LLC	3700	Hour	\$16.2500	\$60,125.00	Complete	Bid includes patrol areas mentioned in addendum.
U S SECURITY ASSOCIATES	3700	Hour	\$17.5000	\$64,750.00	Complete	Bidding and payment terms are negotiable

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This page summarizes vendor responses by the bid total. Awarded vendors will be notified of their respective purchase orders/contracts.

Vendor Group Line

Solicitation: FB640096 **Clean Pipe Network for Gilbert & Mosley**

Close Date/Time: 5/13/2016 10:00 AM CST

Solicitation Type: Formal Bid

[Return to the Bid List](#)

Award Method: Aggregate Cost

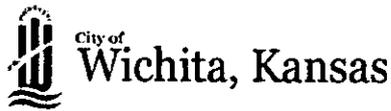
Department: Environmental Health

Responses: 2

Vendors	Complete	Bid Total	City Comments
MAYER SPECIALTY SERVICES LLC	Complete	\$74,302.00	Award 5/17/16 Base Bid w/Alternates 1,2,& 3 Public Works & Utilities Depart/Environmental Health Div
UTILITY MAINTENANCE CONTRACTORS LLC	Complete	\$107,810.00	

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This page summarizes bids by the totals for each group listed on the solicitation.

Vendor Group Line
Solicitation: FB640096 **Clean Pipe Network for Gilbert & Mosley** **Close Date/Time:** 5/13/2016 10:00 AM CST
Solicitation Type: Formal Bid **Return to the Bid List**
Award Method: Aggregate Cost
Department: Environmental Health **Responses:** 2
Go to:

Group 1

Vendors	Complete	Group Total Net Bid
MAYER SPECIALTY SERVICES LLC	Complete	\$69,765.00
UTILITY MAINTENANCE CONTRACTORS LLC	Complete	\$84,580.00

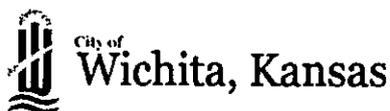
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Group 2

Vendors	Complete	Group Total Net Bid
Group 2: Alternate 1		
MAYER SPECIALTY SERVICES LLC	Complete	\$1,261.00
UTILITY MAINTENANCE CONTRACTORS LLC	Complete	\$7,650.00
Group 2: Alternate 2		
MAYER SPECIALTY SERVICES LLC	Complete	\$2,915.25
UTILITY MAINTENANCE CONTRACTORS LLC	Complete	\$8,800.00
Group 2: Alternate 3		
MAYER SPECIALTY SERVICES LLC	Complete	\$360.75
UTILITY MAINTENANCE CONTRACTORS LLC	Complete	\$6,780.00

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This page summarizes vendor bids by the extended cost for each commodity line on the solicitation.

Vendor Group Line

Solicitation: FB640096 **Clean Pipe Network for Gilbert & Mosley** **Close Date/Time:** 5/13/2016 10:00 AM CST

Solicitation Type: Formal Bid **Return to the Bid List**

Award Method: Aggregate Cost

Department: Environmental Health **Responses:** 2

Go to:

Line 001 | Base Bid: Furnish All Materials, Equipment, Labor, and Services for Installation, Oversight Project Management to Address the three to four inch diameter extraction well services per specifications (approximately 9,191 lineal feet).

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
MAYER SPECIALTY SERVICES LLC	1	Lump Sum	\$22,977.5000	\$22,977.50	Complete	
UTILITY MAINTENANCE CONTRACTORS LLC	1	Lump Sum	\$40,770.0000	\$40,770.00	Complete	

Line 002 | Base Bid: Furnish All Materials, Equipment, Labor, and Services for Installation, Oversight Project Management to Address the four inch diameter trunk line associated with extraction well per specifications (approximately 2,457 lineal feet).

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
UTILITY MAINTENANCE CONTRACTORS LLC	1	Lump Sum	\$5,940.0000	\$5,940.00	Complete	
MAYER SPECIALTY SERVICES LLC	1	Lump Sum	\$6,142.5000	\$6,142.50	Complete	

Line 003 | Base Bid: Furnish All Materials, Equipment, Labor, and Services for Installation, Oversight Project Management to Address the six inch diameter portion of the main trunk line per specifications (approximately 6,730 lineal feet).

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
UTILITY MAINTENANCE CONTRACTORS LLC	1	Lump Sum	\$15,110.0000	\$15,110.00	Complete	
MAYER SPECIALTY SERVICES LLC	1	Lump Sum	\$16,825.0000	\$16,825.00	Complete	

Line 004 | Base Bid: Furnish All Materials, Equipment, Labor, and Services for Installation, Oversight Project Management to Address the eight inch diameter of the main trunk line per specifications (approximately 9,528 lineal feet).

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
UTILITY MAINTENANCE CONTRACTORS LLC	1	Lump Sum	\$22,760.0000	\$22,760.00	Complete	
MAYER SPECIALTY SERVICES LLC	1	Lump Sum	\$23,820.0000	\$23,820.00	Complete	

Line 005 | Add Alternate # 1: Furnish All Materials, Equipment, Labor, and Services for Installation, Oversight, Project Management to Address the three diameter extraction well services line A-1 (approximately 388 feet)

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
MAYER SPECIALTY SERVICES LLC	1	Lump Sum	\$1,261.0000	\$1,261.00	Complete	
UTILITY MAINTENANCE CONTRACTORS LLC	1	Lump Sum	\$7,650.0000	\$7,650.00	Complete	

Line 006 | Add Alternate # 2: Furnish All Materials, Equipment, Labor, and Services for Installation, Oversight, Project Management to Address the three diameter extraction well services line A-2 (approximately 897 feet)

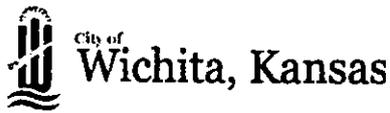
Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
MAYER SPECIALTY SERVICES LLC	1	Lump Sum	\$2,915.2500	\$2,915.25	Complete	
UTILITY MAINTENANCE CONTRACTORS LLC	1	Lump Sum	\$8,800.0000	\$8,800.00	Complete	

Line 007 | Add Alternate # 3: Furnish All Materials, Equipment, Labor, and Services for Installation, Oversight, Project Management to Address the three diameter extraction well services line A-3 (approximately 111

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
MAYER SPECIALTY SERVICES LLC	1	Lump Sum	\$360.7500	\$360.75	Complete	
UTILITY MAINTENANCE CONTRACTORS LLC	1	Lump Sum	\$6,780.0000	\$6,780.00	Complete	

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This page summarizes vendor responses by the bid total. Awarded vendors will be notified of their respective purchase orders/contracts.

Vendor Group Line

Solicitation: Custom Set, Monitor Cover & Meter Boxes
 FB640098

Close Date/Time: 5/13/2016 10:00 AM CST

Solicitation Type: Formal Bid

[Return to the Bid List](#)

Award Method: Group

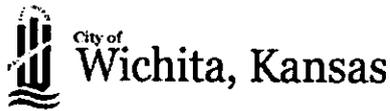
Department: Water Distribution

Responses: 4

Vendors	Complete	Bid Total	City Comments
HD SUPPLY WATERWORKS LTD	Complete	\$151,200.00	Award Group 3, 5/17/16 Public Works & Utilities/Water Distribution Division
WICHITA WINWATER WORKS CO	Complete	\$152,640.00	Award Groups 1 & 2, 5/17/16 Public Works & Utilities/Water Distribution Division
FERGUSON WATERWORKS	Complete	\$176,170.80	
SCHULTE SUPPLY INC	Partial	\$81,744.60	

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This page summarizes bids by the totals for each group listed on the solicitation.

Vendor Group Line
Solicitation: FB640098 **Custom Set, Monitor Cover & Meter Boxes** **Close Date/Time:** 5/13/2016 10:00 AM CST
Solicitation Type: Formal Bid **Return to the Bid List**
Award Method: Group
Department: Water Distribution **Responses:** 4
Go to:

Group 1

Vendors	Complete	Group Total Net Bid
WICHITA WINWATER WORKS CO	Complete	\$61,440.00
SCHULTE SUPPLY INC	Complete	\$63,156.00
FERGUSON WATERWORKS	Complete	\$63,800.40
HD SUPPLY WATERWORKS LTD	Complete	\$64,500.00

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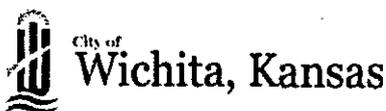
Group 2

Vendors	Complete	Group Total Net Bid
WICHITA WINWATER WORKS CO	Complete	\$17,400.00
SCHULTE SUPPLY INC	Complete	\$18,588.60
FERGUSON WATERWORKS	Complete	\$18,778.20
HD SUPPLY WATERWORKS LTD	Complete	\$18,900.00

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Group 3

Vendors	Complete	Group Total Net Bid
HD SUPPLY WATERWORKS LTD	Complete	\$67,800.00
WICHITA WINWATER WORKS CO	Complete	\$73,800.00
FERGUSON WATERWORKS	Complete	\$93,592.20
SCHULTE SUPPLY INC	In-Complete	\$0.00



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This page summarizes vendor bids by the extended cost for each commodity line on the solicitation.

Vendor Group Line

Solicitation: FB640098 **Custom Set, Monitor Cover & Meter Boxes** **Close Date/Time:** 5/13/2016 10:00 AM CST

Solicitation Type: Formal Bid [Return to the Bid List](#)

Award Method: Group

Department: Water Distribution

Responses: 4

Go to:

Line 001 | 2" custom setter 24" height with high bypass with 2 ball valves teflon coated as per specifications. Ford VBB7724HB or AY McDonald 20-R724WWFF775 MANUFACTURER/MODEL: _____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
WICHITA WINWATER WORKS CO	60	Each	\$1,024.0000	\$61,440.00	Complete	AYM
SCHULTE SUPPLY INC	60	Each	\$1,052.6000	\$63,156.00	Complete	
FERGUSON WATERWORKS	60	Each	\$1,063.3400	\$63,800.40	Complete	ford meter box vbb7724hb1177nl
HD SUPPLY WATERWORKS LTD	60	Each	\$1,075.0000	\$64,500.00	Complete	Ford

Line 002 | 20" monitor cover 7 1/2" depth for id meter tile with lid as per specifications. Ford MC 30 LL or AY 74 M30 NL MANUFACTURER/MODEL: _____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
WICHITA WINWATER WORKS CO	60	Each	\$290.0000	\$17,400.00	Complete	AYM
SCHULTE SUPPLY INC	60	Each	\$309.8100	\$18,588.60	Complete	
FERGUSON WATERWORKS	60	Each	\$312.9700	\$18,778.20	Complete	ford meter box mc30llt
HD SUPPLY WATERWORKS LTD	60	Each	\$315.0000	\$18,900.00	Complete	Ford

Line 003 | 21" Polyvinyl Chloride Meter Boxes as per specifications. MANUFACTURER/MODEL: _____

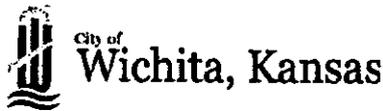
Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
HD SUPPLY WATERWORKS LTD	1500	Each	\$43.0000	\$64,500.00	Complete	
WICHITA WINWATER WORKS CO	1500	Each	\$45.0000	\$67,500.00	Complete	
FERGUSON WATERWORKS	1500	Each	\$59.7600	\$89,640.00	Complete	old castle formerly midstates
SCHULTE SUPPLY INC					No Bid.	

Line 004 | 30" Meter Box 24" height white inside, no metal types as per specifications. Contech 2000 or Midstates Poly MANUFACTURER/MODEL: _____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
HD SUPPLY WATERWORKS LTD	60	Each	\$55.0000	\$3,300.00	Complete	
FERGUSON WATERWORKS	60	Each	\$65.8700	\$3,952.20	Complete	old castle formerly midstates
WICHITA WINWATER WORKS CO	60	Each	\$105.0000	\$6,300.00	Complete	
SCHULTE SUPPLY INC					No Bid.	

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This page summarizes vendor bids by the extended cost for each commodity line on the solicitation.

Vendor Group Line
Solicitation: FB640055 **Tricycle Type Street Sweepers** **Close Date/Time:** 5/6/2016 10:00 AM CST
Solicitation Type: Formal Bid **Return to the Bid List**
Award Method: Aggregate Cost
Department: Public Works Fleet & Facilities **Responses:** 4
Go to:

Line 001 | Base Bid: New Unused Current Model Self-Propelled Tricycle Front/Rear Wheel Steer Type Street Sweeper with Single/Dual Controls. Manufacturer: _____ Model: _____ Year: _____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
THE LARSON GROUP INC	2	Each	\$191,500.0000	\$383,000.00	Complete	Dulevo 5000 2015
SELLERS EQUIPMENT INC	2	Each	\$192,694.0000	\$385,388.00	Complete	Global M3 2016
KEY EQUIPMENT & SUPPLY CO	2	Each	\$222,000.0000	\$444,000.00	Complete	Elgin T Pelican NP 2016 Tier 4F Engine. Alt Bid Elgin Pelican NP 2016 Tier 4I Engine 207,125 each
VICTOR L PHILLIPS COMPANY					No Bid.	

Line 002 | OPTION 1: Trade-In Allowance for Two (2) Sweepers (1) 002085, Street Sweeper, 2009, Elgin Pelican NP1252D 7,291 HRS (1) 002086, Street Sweeper, 2009, Elgin Pelican NP1253D 7,414 HRS Lump Sum Deduct from Total for Two (2) Sweepers.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
KEY EQUIPMENT & SUPPLY CO	1	Lump Sum	(\$84,000.0000)	(\$84,000.00)	Complete	
THE LARSON GROUP INC	1	Lump Sum	(\$80,000.0000)	(\$80,000.00)	Complete	
SELLERS EQUIPMENT INC	1	Lump Sum	(\$59,000.0000)	(\$59,000.00)	Complete	
VICTOR L PHILLIPS COMPANY					No Bid.	

Line 003 | OPTION 2: Complete Three (3) Years Hydraulic System, Drive Train, Hydrostatic Drive, and Engine. Include Parts and Labor Warranty (to include electrical components). Cost per Sweeper

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
SELLERS EQUIPMENT INC	1	Each	\$0.0000	\$0.00	Complete	No Charge
KEY EQUIPMENT & SUPPLY CO	1	Each	\$0.0000	\$0.00	Complete	Included
	1	Each	\$6,400.0000	\$6,400.00	Complete	

THE LARSON GROUP
INC

VICTOR L PHILLIPS
COMPANY

No Bid.

Line 004 | OPTION 3: Fully Floating Rubber Spring and Torque Rod Suspension System for Global Street Sweepers. Cost per Sweeper

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
THE LARSON GROUP INC	1	Each	\$0.0000	\$0.00	Complete	
SELLERS EQUIPMENT INC	1	Each	\$5,670.0000	\$5,670.00	Complete	

KEY EQUIPMENT &
SUPPLY CO

No Bid.

VICTOR L PHILLIPS
COMPANY

No Bid.

Line 005 | OPTION 4: Limb Guards on Both Sides of the Cabs. Cost per Sweeper.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
SELLERS EQUIPMENT INC	1	Each	\$0.0000	\$0.00	Complete	Standard

KEY EQUIPMENT &
SUPPLY CO

1

Each

\$0.0000

\$0.00

Complete

Standard

THE LARSON GROUP
INC

1

Each

\$0.0000

\$0.00

Complete

VICTOR L PHILLIPS
COMPANY

No Bid.

Line 006 | OPTION 5: One Set of Carbide Type Drag Shoes per Machine. Cost per Sweeper. THIS ITEM HAS BEEN DELETED, NO BID THIS ITEM

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
---------	-----	-----	-------	---------------	----------	----------

THE LARSON GROUP INC

No Bid.

KEY EQUIPMENT & SUPPLY
CO

No Bid.

VICTOR L PHILLIPS
COMPANY

No Bid.

SELLERS EQUIPMENT INC

No Bid.

Line 007 | OPTION 6: Maintenance of Sweepers per Specifications. Cost per Sweeper.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
THE LARSON GROUP INC	1	Each	\$16,500.0000	\$16,500.00	Complete	
SELLERS EQUIPMENT INC	1	Each	\$36,250.0000	\$36,250.00	Complete	

KEY EQUIPMENT &
SUPPLY CO

1

Each

\$40,000.0000

\$40,000.00

Complete

VICTOR L PHILLIPS
COMPANY

No Bid.

Line 008 | OPTION 7: Cab Doors Shall Have Slider Windows. Cost per Sweeper.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
THE LARSON GROUP INC	1	Each	\$0.0000	\$0.00	Complete	Standard
KEY EQUIPMENT & SUPPLY CO	1	Each	\$0.0000	\$0.00	Complete	Standard
SELLERS EQUIPMENT INC	1	Each	\$0.0000	\$0.00	Complete	Standard

VICTOR L PHILLIPS
COMPANY

No Bid.

Line 009 | OPTION 8: Cab Rear Window Shall be a Slider. Cost per Sweeper.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
KEY EQUIPMENT & SUPPLY CO	1	Each	\$0.0000	\$0.00	Complete	Standard. Total Alt Bid 370,250 dollars
SELLERS EQUIPMENT INC					No Bid.	
VICTOR L PHILLIPS COMPANY					No Bid.	
THE LARSON GROUP INC					No Bid.	

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This page summarizes vendor responses by the bid total. Awarded vendors will be notified of their respective purchase orders/contracts.

Vendor Group Line

Solicitation: FB640088 **Re-Roof Museum of World Treasures** **Close Date/Time:** 5/6/2016 10:00 AM CST

Solicitation Type: Formal Bid

[Return to the Bid List](#)

Award Method: Aggregate Cost

Department: Public Works Fleet & Facilities

Responses: 5

Vendors	Complete	Bid Total	City Comments
RHODEN ROOFING LLC	Complete	\$113,868.00	Award 5-17-16 Public Works & Utilities Dept/Fleet & Facilities Division
ROOF MECHANICS INC	Complete	\$132,070.00	
AARON PARSONS PAINTING, LLC	Complete	\$133,120.00	
GWALTNEY INCORPORATED	Complete	\$134,605.00	
TR MANAGEMENT INC dba	Complete	\$147,900.00	

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**PRELIMINARY ESTIMATES
FOR CITY COUNCIL MAY 17, 2016**

- a. Water Distribution System in 127th Street north of Pawnee (north of Pawnee, west of 127th Street East) (448-90640/635829/754075) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$200,000.00

To be Bid: May 6, 2016

PRELIMINARY ESTIMATE of the cost of:
Water Distribution System in 127th Street north of Pawnee
(north of Pawnee, west of 127th Street East)

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

MEASURED QUANTITY BID ITEMS

4	Pipe, WL 16"	1,134	lf
5	Pipe, WL 16", DICL	20	lf
6	Valve Assembly, 16", Anchored, Special	2	ea
7	Valve Assembly, 16"	2	ea
8	Fire Hydrant Assembly	2	ea
9	BMP, Erosion Control Blanket	36	sy
10	Pipe, WL 16", RJ	120	lf

Construction Subtotal

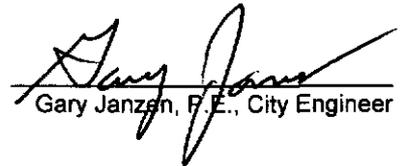
- Design Fee
- Engineering & Inspection
- Administration
- Publication
- Contingency
- Water Department Materials

Total Estimated Cost

\$200,000.00

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
May 17, 2016**

TO: Mayor and City Council

SUBJECT: Change Order No. 3 for Improvements to the Wichita-Valley Center Flood Control Project, Diversion Structure Repairs (District VI)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendations: Approve Change Order No. 3.

Background: On October 27, 2015, the City Council approved a contract with UCI Contractors for improvements to the Wichita-Valley Center Flood Control Project, Diversion Structure Repairs. The following change orders have been processed for this project to date:

Change Order	Date Processed or Approved	Provided	Cost
Original	October 27, 2015	Original construction contract.	\$1,629,398
No. 1	December 21, 2015	Remove sediment downstream of Diversion Structure No. 5.	\$8,280
No. 2	February 11, 2016	The sludge line from the City's water treatment plant was found in the flood control ditch. Due to this the sludge line was lowered.	\$3,617
Total of all previously approved change orders			\$11,897
Total contract cost to date			\$1,641,295

Analysis: The proposed change order allows for payment of additional costs and credits for project quantities not used and is detailed on the attachment.

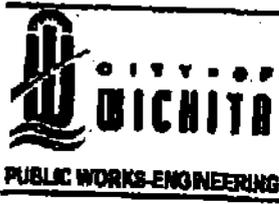
Financial Considerations: The cost of the proposed change order is \$144,517, which brings the total contract amount to \$1,785,812. Funding is available within the existing budget of \$2,000,000 approved by the City Council on October 13, 2015.

Legal Considerations: Change Order No. 3 has been reviewed and approved as to form by the Law Department.

Recommendation/Actions: It is recommended that the City Council approve Change Order No. 3, and authorize the necessary signatures.

Attachment: Change Order No. 3.

4290



April 05, 2016
CHANGE ORDER

To: UCI

Project: Wichita-Valley Center Local Flood
Protection Project, Diversion Structure Repairs

Change Order No.: 3
Purchase Order No.: PO541031
CHARGE TO OCA No.: 660817

Project No.: 468-84766
OCA No.: 660816/660817
PPN: 869005

Please perform the following extra work at a cost not to exceed **\$144,517.20**
Work for this Change Order cannot be completed until approved by all. Contractor should expect approximately 6 weeks for approval.

Additional Work: Adjust measured quantity bid items for repairs at structures II, IV, and V. Reconstruct the eroded floor at Structure IV.

Reason for Additional Work: The condition of the flood control structures were unknown for design until contractors constructed the coffer dams and by-pass flow systems. Structure VI at 25th St. N. and West Street needed extensive repairs to the floors and epoxy crack repair. Adjust measured quantity bid items based on final field measurements.

Line #	Item	Negotiated/		Unit Price	Extension
		Bid	Qty		
27	Sawcut Existing Nosewall	Bid	36 lf.	\$110.00	\$3,960.00
28	Replace Existing Nosewall	Bid	24 lf.	\$120.00	\$2,880.00
29	Repair Eroded Box Culvert Floor	Bid	(375 sf.)	\$25.00	(\$9,375.00)
30	Grout base of culvert floor	Bid	(10 cy.)	\$800.00	(\$8,000.00)
31	Energy Dissapators	Bid	(1.5 cy.)	\$3,000.00	(\$4,500.00)
33	Repair cracks in walls outside	Bid	135 lf.	\$156.00	\$21,060.00
34	Repair cracks in walls inside	Bid	(10 lf.)	\$144.00	(\$1,440.00)
36	Erosion Control BMP (Silt Barrier)	Bid	(178 lf.)	\$1.10	(\$195.80)
38	Erosion Control Blanket	Bid	(5180 sy.)	\$1.00	(\$5,180.00)
47	Sawcut Existing Nosewall	Bid	521 lf.	110.00	\$57,310.00
48	Replace Existing Nosewall	Bid	25 lf.	120.00	\$3,000.00
49	Repair Eroded Box Culvert Floor	Bid	(110 sf.)	25.00	(2,750.00)
50	Grout base of culvert floor	Bid	(15 cy.)	800.00	(12,000.00)
51	Energy Dissapators	Bid	(2 cy.)	3,000.00	(6,000.00)
53	Repair cracks in walls outside	Bid	648 lf.	156.00	101,088.00
54	Repair cracks in walls inside	Bid	32 lf.	144.00	4,608.00
55	Repair deteriorated nosewall	Bid	7 cy.	\$420.00	\$2,940.00
56	Erosion Control BMP (Silt Barrier)	Bid	(350 lf.)	1.10	(385.00)
58	Erosion Control Blanket	Bid	(4,520 sy.)	1.00	(4,520.00)
67	Repair Eroded Box Culvert Floor	Bid	(95 sf.)	25.00	(2,375.00)
68	Grout base of culvert floor	Bid	(1 cy.)	900.00	(900.00)
70	Repair cracks in walls outside	Bid	77 lf.	156.00	12,012.00
71	Repair cracks in walls inside	Bid	(20 lf.)	144.00	(2,880.00)
72	Erosion Control BMP (Silt Barrier)	Bid	(40 lf.)	1.10	(44.00)
74	Erosion Control Blanket	Bid	(3,796 sy.)	1.00	(3,796.00)

CIP Budget Amount: \$1,700,000.00 (660816)	Original Contract Amt.: \$1,629,397.50
Consultant: AMEC	
Total Exp. & Encum. To Date: \$0.00	
CO Amount: \$144,517.20	Current CO Amt.: \$144,517.20
Unencum. Bal. After CO: \$155,482.80	Amt. of Previous CO's: \$11,897.00
	Total of All CO's: \$156,414.20
	Adjusted Contract Amt.: \$1,785,811.70

Recommended By:

Steve Degenhardt 04/07/16
 Steve Degenhardt, P.E. Date
 Construction Division Manager

Approved:

Gary Janzen _____
 Gary Janzen, P.E. Date
 City Engineer

Approved:

Todd M. Needer-UCL 4/15/16
 Contractor Date

Approved

Alan King 5/4/16
 Alan King Date
 Director of Public Works & Utilities

Approved as to Form:

Jennifer Magaña 4-18-16
 Jennifer Magaña Date
 City Attorney and Director of Law

By Order of the City Council:

 Jeff Longwell Date
 Mayor

Attest:

 City Clerk

City of Wichita
City Council Meeting
May 17, 2016

TO: Mayor and City Council

SUBJECT: Resolutions Authorizing Sections 5307 and 5339 Urbanized Area Formula Annual Grant from the Federal Transit Administration (All Districts)

INITIATED BY: Wichita Transit

AGENDA: Consent

Recommendation: Adopt the resolutions authorizing the filing of grant applications and bonds.

Background: The Federal Transit Administration (FTA) grant application process requires a resolution by the governing body authorizing staff to file grant applications to receive funds and administer the grant's program. The purpose of the resolution is to authorize staff to file for eligible Federal funds for the support of the City's transit services for Fiscal Year 2016 (pursuant to Sections 5307 and 5339 Urbanized Area Formula Annual Apportionment). Transit staff held a public hearing on March 14, 2016 and there were no comments.

Analysis: The resolutions authorize the filing of applications for the following Federal funding: planning and project administration for administrative salaries and activities, training for all transit employees, ADA for paratransit van driver wages and IT costs, preventive maintenance for vehicle and building maintenance, other capital items for equipment replacements and facility repairs, and a farebox system replacement. Operating assistance is the only activity requiring a 50% local match and covers activities such as: bus or van operator wages, purchased rides, and diesel and gasoline fuel. The Federal funding for buses is eligible for an 85% Federal share of the cost of vehicles. Wichita Transit was allocated its 2016 apportionment in February. The grant application will be filed for the following activities. Amounts could be modified slightly during the application process:

80% Federal Portion and 20% Local Match:

- Planning - \$100,000
- Project Administration - \$625,000
- Project Administration - \$4,000 (Passed through to Derby)
- Training - \$15,000
- ADA - \$625,000
- Preventive Maintenance - \$2,097,541
- Preventive Maintenance - \$1,250 (Passed through to Derby)
- Other Capital – \$500,000
- Fareboxes - \$750,000 (match bonded)

50% Federal Portion and 50% Local Match:

- Operating - \$2,000,000
- Operating - \$71,600 (Passed through to Derby)
- Operating - \$40,000 (Passed through to Butler County)

85% Federal Portion and 15% Local Match:

- 5307 Buses - \$256,724 (match bonded)
- 5339 Buses - \$689,275 (match bonded)

Financial Consideration: The Federal share is \$5,048,248 from Section 5307 and \$585,884 from Section 5339. The local match is \$1,792,508 and is included in the 2016 Adopted Budget. The portion to be bonded is \$291,900 and is included in the 2015-2024 Adopted CIP. Derby is apportioned \$40,000 and will match \$36,850. Butler County is apportioned \$20,000 and will match \$20,000.

Legal Consideration: The Law Department has reviewed and approved the resolutions as to form.

Recommendation/Actions: It is recommended that the City Council adopt the resolutions and authorize the necessary signatures.

Attachments:

1. 5307 Authorizing Resolution
2. 5339 Authorizing Resolution
3. 5307 Bus Bonding Resolution
4. 5307 Farebox Bonding Resolution
5. 5339 Bus Bonding Resolution

RESOLUTION NO. 16-112

**A RESOLUTION AUTHORIZING
THE FILING OF AN APPLICATION
WITH THE FEDERAL TRANSIT ADMINISTRATION,
AN OPERATING ADMINISTRATION OF THE
UNITED STATES DEPARTMENT OF TRANSPORTATION,
FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED
BY 49 U.S.C. CHAPTER 53, TITLE 23,
AND OTHER FEDERAL STATUTES ADMINISTERED BY THE
FEDERAL TRANSIT ADMINISTRATION
TO SUPPORT FY 2016 SECTION 5339 PROJECTS**

WHEREAS, the Federal Transportation Administrator has been delegated authority to award federal financial assistance for transportation projects; and

WHEREAS, the grant or cooperative agreement for federal financial assistance will impose certain obligations upon the City of Wichita and may require the City to provide the local share of the project cost; and

WHEREAS, the City of Wichita has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project; and

WHEREAS, the City of Wichita desires financial assistance for support of the following projects: Pursuant to Section 5339 – Vehicle Purchase.

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

1. The City Manager or designee is authorized to execute and file an application on behalf of the City of Wichita, Kansas, with the Federal Transit Administration for Federal assistance under 49 U.S.C. Chapter 53, Title 23, United States Code, or other federal statutes authorizing a project administered by the Federal Transit Administration to aid in financing 49 U.S.C. §5339 projects.
2. That the City Manager or designee is authorized to execute and file with its application the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a federal assistance grant or cooperative agreement.
3. That the City Manager or designee is authorized to execute the grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Wichita.

PASSED AND APPROVED THIS 17TH DAY OF MAY, 2016.

THE CITY OF WICHITA, KANSAS

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magana, Director of Law

CERTIFICATION

The undersigned duly qualified Mayor, acting on behalf of the City of Wichita, which is the Designated Recipient of Urbanized Area Formula Program assistance under the provisions of 49 U.S.C. §5339, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally-convened meeting of the City of Wichita.

ADOPTED at Wichita, Kansas on May 17, 2016.

Jeff Longwell, Mayor

RESOLUTION NO. 16-113

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS 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 hereby finds and determines that it is necessary and advisable to make certain public improvements described as follows:

Wichita Transit Bus Purchase:

(the “Project”) and to provide 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. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired and/or constructed at an estimated cost of \$689,275 in accordance with plans and specifications therefor prepared under the direction of the Transit Director and approved by the Governing Body; said plans and specifications to be placed on file in the Transit offices.

Section 2. 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 general 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 this Resolution, pursuant to Treasury Regulation §1.150-2.

Section 3. 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 May 17, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, Director of Law

RESOLUTION NO. 16-114

**A RESOLUTION AUTHORIZING
THE FILING OF AN APPLICATION
WITH THE FEDERAL TRANSIT ADMINISTRATION,
AN OPERATING ADMINISTRATION OF THE
UNITED STATES DEPARTMENT OF TRANSPORTATION,
FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED
BY 49 U.S.C. CHAPTER 53, TITLE 23,
AND OTHER FEDERAL STATUTES ADMINISTERED BY THE
FEDERAL TRANSIT ADMINISTRATION
TO SUPPORT FY 2016 SECTION 5307 PROJECTS**

WHEREAS, the Federal Transportation Administrator has been delegated authority to award federal financial assistance for transportation projects; and

WHEREAS, the grant or cooperative agreement for federal financial assistance will impose certain obligations upon the City of Wichita and may require the City to provide the local share of the project cost; and

WHEREAS, the City of Wichita has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project; and

WHEREAS, the City of Wichita desires financial assistance for support of the following projects: Pursuant to Section 5307 – Annual Urbanized Formula Funds: Preventive Maintenance, Training, Planning, Project Administration, ADA, Other Capital, Bus Purchase and Operating.

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

1. The City Manager or designee is authorized to execute and file an application on behalf of the City of Wichita, Kansas, with the Federal Transit Administration for Federal assistance under 49 U.S.C. Chapter 53, Title 23, United States Code, or other federal statutes authorizing a project administered by the Federal Transit Administration to aid in financing 49 U.S.C. §5307 projects.
2. That the City Manager or designee is authorized to execute and file with its application the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a federal assistance grant or cooperative agreement.
3. That the City Manager or designee is authorized to execute the grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Wichita.

PASSED AND APPROVED THIS 17TH DAY OF MAY, 2016.

THE CITY OF WICHITA, KANSAS

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magana, Director of Law

CERTIFICATION

The undersigned duly qualified Mayor, acting on behalf of the City of Wichita, which is the Designated Recipient of Urbanized Area Formula Program assistance under the provisions of 49 U.S.C. §5307, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally-convened meeting of the City of Wichita.

ADOPTED at Wichita, Kansas on May 17, 2016.

Jeff Longwell, Mayor

RESOLUTION NO. 16-115

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS 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 hereby finds and determines that it is necessary and advisable to make certain public improvements described as follows:

Wichita Transit Bus Purchase:

(the “Project”) and to provide 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. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired and/or constructed at an estimated cost of \$256,724 in accordance with plans and specifications therefor prepared under the direction of the Transit Director and approved by the Governing Body; said plans and specifications to be placed on file in the Transit offices.

Section 2. 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 general 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 this Resolution, pursuant to Treasury Regulation §1.150-2.

Section 3. 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 May 17, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, Director of Law

RESOLUTION NO. 16-126

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS 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 hereby finds and determines that it is necessary and advisable to make certain public improvements described as follows:

Wichita Transit Farebox Purchase

(the “Project”) and to provide 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. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired and/or constructed at an estimated cost of \$750,000 in accordance with plans and specifications therefor prepared under the direction of the Transit Director and approved by the Governing Body; said plans and specifications to be placed on file in the Transit offices.

Section 2. 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 general 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 this Resolution, pursuant to Treasury Regulation §1.150-2.

Section 3. 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 May 17, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, Director of Law and City Attorney

City of Wichita
City Council Meeting
May 17, 2016

TO: Mayor and City Council

SUBJECT: 2016 Technology Innovation for Public Safety (TIPS): Addressing Precipitous Increases in Crime Grant Application

INITIATED BY: Police Department

AGENDA: Consent

Recommendation: Ratify the submission of the grant application and acceptance if awarded.

Background: The United States Department of Justice Technology Innovation for Public Safety (TIPS): Addressing Precipitous Increases in Crime grant is a competitive grant. The TIPS program is designed to enable strategic information sharing across crime-fighting agencies to address specific local or regional crime problems. Efforts will require a multi-disciplinary response, involving law enforcement, analysts/investigators, information technology staff, public safety/first responders, corrections, human services organizations, and other stakeholders. The Bureau of Justice Assistance estimated that \$2.163 million will be available for awards, and five awards up to \$432,600 will be made for the 18-month project period.

Due to the short time frame for submission, staff was unable to seek prior approval from the City Council. However, pursuant to Administrative Regulation 2.4, the grant application was approved for submission by the Manager.

Analysis: In order to submit this grant the Wichita Police Department (WPD) had to review its crime statistics and identify a precipitous crime increase. While Wichita is a safe city comparatively, WPD has observed a crime trend of robberies on the increase. Five-year total was 56% increase and in the last year, it had increased by 25%.

WPD has crime analysts at each Field Patrol Bureau and two at City Hall. It was structured this way in an effort to increase the intelligence led and data driven approach to crime fighting within each Bureau, within the City. Over time, the Police Department realized that keeping the analysts separated had the analysts operating independently instead of cohesively.

A majority of grant funds will be used to purchase predictive analytics software for all department members to use. In addition, the software will have a public facing component, so citizens can find out what is happening in their neighborhoods.

Finally, the grant will allow WPD to purchase office furniture to house the crime analysts into one office to form an integrated Criminal Intelligence and Crime Analysis Unit (CiCAS). This will allow CiCAS to expand its analytical and sharing capacity throughout the Department and to outside partnerships with the use of tactical and criminal intelligence led analysis.

Financial Considerations: The maximum potential grant award is \$432,600 and does not require a local match. WPD will utilize the funding to acquire predictive analytics software and office furniture to house the CiCAS unit at City Hall.

Legal Considerations: The Law Department has reviewed and approved this application.

Recommendations/Actions: It is recommended that the City Council ratify the grant application for the 2016 Technology Innovation for Public Safety (TIPS) grant.

Attachments: Copy of grant application submission.

Grant Application Package

Opportunity Title:	Technology Innovation for Public Safety (TIPS)
Offering Agency:	Bureau of Justice Assistance
CFDA Number:	16.738
CFDA Description:	Edward Byrne Memorial Justice Assistance Grant Program
Opportunity Number:	BJA-2016-8994
Competition ID:	BJA-2016-9345
Opportunity Open Date:	03/03/2016
Opportunity Close Date:	04/20/2016
Agency Contact:	For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, or via email to support@grants.gov. The Grants.gov Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

This opportunity is only open to organizations, applicants who are submitting grant applications on behalf of a company, state, local or tribal government, academia, or other type of organization.

Application Filing Name:

Select Forms to Complete

Mandatory

Application for Federal Assistance (SF-424)	Complete
Assurances for Non-Construction Programs (SF-424B)	Complete
Budget Narrative Attachment Form	Complete
Disclosure of Lobbying Activities	Complete
Other Attachments Form	Complete
Project Narrative Attachment Form	Complete

Optional

[Faith Based EEO Survey](#)

Instructions

[Show Instructions >>](#)

This electronic grants application is intended to be used to apply for the specific Federal funding opportunity referenced here. If the Federal funding opportunity listed is not the opportunity for which you want to apply, close this application package by clicking on the "Cancel" button at the top of this screen. You will then need to locate the correct Federal funding opportunity, download its application and then apply.

Application for Federal Assistance SF-424		
<p>* 1. Type of Submission:</p> <p><input type="checkbox"/> Preapplication</p> <p><input checked="" type="checkbox"/> Application</p> <p><input type="checkbox"/> Changed/Corrected Application</p>	<p>* 2. Type of Application:</p> <p><input checked="" type="checkbox"/> New</p> <p><input type="checkbox"/> Continuation</p> <p><input type="checkbox"/> Revision</p>	<p>* If Revision, select appropriate letter(s):</p> <p style="border: 1px solid black; height: 15px; width: 100%;"></p> <p>* Other (Specify):</p> <p style="border: 1px solid black; height: 15px; width: 100%;"></p>
<p>* 3. Date Received:</p> <p style="border: 1px solid black; padding: 2px;">04/20/2016</p>	<p>4. Applicant Identifier:</p> <p style="border: 1px solid black; height: 15px; width: 100%;"></p>	
<p>5a. Federal Entity Identifier:</p> <p style="border: 1px solid black; height: 15px; width: 100%;"></p>	<p>5b. Federal Award Identifier:</p> <p style="border: 1px solid black; height: 15px; width: 100%;"></p>	
State Use Only:		
<p>6. Date Received by State:</p> <p style="border: 1px solid black; height: 15px; width: 100%;"></p>	<p>7. State Application Identifier:</p> <p style="border: 1px solid black; height: 15px; width: 100%;"></p>	
8. APPLICANT INFORMATION:		
<p>* a. Legal Name: City of Wichita - Police Department</p>		
<p>* b. Employer/Taxpayer Identification Number (EIN/TIN):</p> <p style="border: 1px solid black; padding: 2px;">4860000653</p>	<p>* c. Organizational DUNS:</p> <p style="border: 1px solid black; padding: 2px;">043063460000</p>	
d. Address:		
<p>* Street1: 455 N Main - 4th Floor</p> <p>Street2: </p> <p>* City: Wichita</p> <p>County/Parish: </p> <p>* State: KS: Kansas</p> <p>Province: </p> <p>* Country: USA: UNITED STATES</p> <p>* Zip / Postal Code: 67202-1600</p>		
e. Organizational Unit:		
<p>Department Name:</p> <p style="border: 1px solid black; padding: 2px;">Police Department</p>	<p>Division Name:</p> <p style="border: 1px solid black; padding: 2px;">Support Services</p>	
f. Name and contact information of person to be contacted on matters involving this application:		
<p>Prefix: Mrs.</p> <p>Middle Name: </p> <p>* Last Name: Dickman</p> <p>Suffix: </p>	<p>* First Name: Shauna</p>	
<p>Title: Associate Accountant</p>		
<p>Organizational Affiliation:</p> <p style="border: 1px solid black; height: 15px; width: 100%;"></p>		
<p>* Telephone Number: 316-268-4107</p>	<p>Fax Number: 316-858-7841</p>	
<p>* Email: sdickman@wichita.gov</p>		

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Bureau of Justice Assistance

11. Catalog of Federal Domestic Assistance Number:

16.738

CFDA Title:

Edward Byrne Memorial Justice Assistance Grant Program

*** 12. Funding Opportunity Number:**

BJA-2016-8994

* Title:

Technology Innovation for Public Safety (TIPS)

13. Competition Identification Number:

BJA-2016-9345

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Criminal Intelligence and Crime Analysis Integration Project

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="432,600.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="432,600.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: * Date Signed:

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

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As the duly authorized representative of the applicant, I certify that the applicant:

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2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
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SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL Shauna Dickman	TITLE Deputy Chief
APPLICANT ORGANIZATION City of Wichita - Police Department	DATE SUBMITTED 04/20/2016

Standard Form 424B (Rev. 7-97) Back

Budget Narrative File(s)

* **Mandatory Budget Narrative Filename:**

To add more Budget Narrative attachments, please use the attachment buttons below.

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB
4040-0013

1. * Type of Federal Action: <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. * Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. * Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change
4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> SubAwardee * Name: <input type="text" value="City of Wichita - Police Department"/> * Street 1: <input type="text" value="455 N Main"/> Street 2: <input type="text"/> * City: <input type="text" value="Wichita"/> State: <input type="text" value="KS: Kansas"/> Zip: <input type="text" value="67202-1600"/> Congressional District, if known: <input type="text" value="4th"/>		
5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime: <div style="border: 1px solid black; height: 100px;"></div>		
6. * Federal Department/Agency: <input type="text" value="N/A"/>	7. * Federal Program Name/Description: <input type="text" value="Edward Byrne Memorial Justice Assistance Grant Program"/> CFDA Number, if applicable: <input type="text" value="16.738"/>	
8. Federal Action Number, if known: <input type="text"/>	9. Award Amount, if known: \$ <input type="text"/>	
10. a. Name and Address of Lobbying Registrant: Prefix: <input type="text"/> * First Name: <input type="text" value="N/A"/> Middle Name: <input type="text"/> * Last Name: <input type="text" value="N/A"/> Suffix: <input type="text"/> * Street 1: <input type="text"/> Street 2: <input type="text"/> * City: <input type="text"/> State: <input type="text"/> Zip: <input type="text"/>		
b. Individual Performing Services (including address if different from No. 10a) Prefix: <input type="text"/> * First Name: <input type="text" value="N/A"/> Middle Name: <input type="text"/> * Last Name: <input type="text" value="N/A"/> Suffix: <input type="text"/> * Street 1: <input type="text"/> Street 2: <input type="text"/> * City: <input type="text"/> State: <input type="text"/> Zip: <input type="text"/>		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact, upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		
* Signature: <input type="text" value="Shauna Dickman"/> * Name: Prefix: <input type="text" value="Mr."/> * First Name: <input type="text" value="Troy"/> Middle Name: <input type="text"/> * Last Name: <input type="text" value="Livingston"/> Suffix: <input type="text"/> Title: <input type="text" value="Deputy Chief"/> Telephone No.: <input type="text" value="316-268-4239"/> Date: <input type="text" value="04/20/2016"/>		
Federal Use Only:		Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

Other Attachment File(s)

* **Mandatory Other Attachment Filename:**

To add more "Other Attachment" attachments, please use the attachment buttons below.

Project Narrative File(s)

* Mandatory Project Narrative File Filename:

To add more Project Narrative File attachments, please use the attachment buttons below.

City of Wichita
City Council Meeting
May 17, 2016

TO: Mayor and City Council

SUBJECT: 2016 Police-Prosecution Partnership Initiative Grant Application

INITIATED BY: Police Department

AGENDA: Consent

Recommendation: Ratify the submission of the grant application and acceptance if awarded.

Background: The United States Department of Justice Police-Prosecution Partnership Initiative Grant is new for 2016 and is a competitive grant. It seeks to establish new and/or expand existing partnerships between police and prosecutors, while implementing smart and innovative ideas to combat precipitous increases in crime. Additionally, a supporting research partner will assess the effectiveness of these efforts under the Smart Policing and Smart Prosecution Initiatives. The Bureau of Justice Assistance Grant will award two recipients up to \$1 million each for a period of 24 months. The deadline for the grant application was April 19, 2016.

Due to the short time frame for submission, staff was unable to seek prior approval from the City Council. However, pursuant to Administrative Regulation 2.4, the grant application was approved for submission by the City Manager.

Analysis: The Wichita Police Department (WPD), in partnership with the Law Department and Wichita State University (WSU), identified target areas in the Old Town Entertainment District and the Broadway Corridor that could benefit from a Community Engagement Program (CEP).

WPD, Law Department and WSU all working together will accomplish the following:

1. Collect data to help identify potential disconnects between the established proactive policing strategies and prosecutorial practices which impact policing efforts.
2. Implement Smart Prosecution Initiatives.
3. Use prosecutorial authority to implement Smart Sentencing Initiatives to reduce low-level, first-time offenders to aide in decreasing the jail population.
4. Work with impacted communities to identify community organizations to partner with CEP to educate community members about the criminal justice processes, and develop practices which enable witnesses to support prosecutorial efforts.

Financial Considerations: The maximum potential grant award is \$1 million and does not require a local match. WPD staff requested \$881,890 to fund two new positions: an Assistant City Attorney II and a Crime Analyst. Other costs include a required grant evaluation component to be completed by Wichita State University and supporting equipment such as computer and office furniture.

There is no financial responsibility by the City of Wichita to retain the grant funded positions after the grand has ended. However, WPD and the Law Department would hope that if this program proves to be successful and can show proven benefit that discussions could occur for future funding of these positions by the City of Wichita.

Legal Considerations: The Law Department approved the grant proposal.

Recommendations/Actions: It is recommended that the City Council ratify the grant application for the 2016 Police-Prosecution Partnership Initiative Grant.

Attachments: Copy of grant application submission.



Grant Application Package

Opportunity Title:	Police-Prosecution Partnership Initiative
Offering Agency:	Bureau of Justice Assistance
CFDA Number:	16.751
CFDA Description:	Edward Byrne Memorial Competitive Grant Program
Opportunity Number:	BJA-2016-9324
Competition ID:	
Opportunity Open Date:	03/01/2016
Opportunity Close Date:	04/19/2016
Agency Contact:	For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, or via email to support@grants.gov. The Grants.gov Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

This opportunity is only open to organizations, applicants who are submitting grant applications on behalf of a company, state, local or tribal government, academia, or other type of organization.

Application Filing Name:

Select Forms to Complete

Mandatory

Application for Federal Assistance (SF-424)	Complete
Assurances for Non-Construction Programs (SF-424B)	Complete
Budget Narrative Attachment Form	Complete
Disclosure of Lobbying Activities	Complete
Other Attachments Form	Complete
Project Narrative Attachment Form	Complete

Optional

[Faith Based EEO Survey](#)

Instructions

[Show Instructions >>](#)

This electronic grants application is intended to be used to apply for the specific Federal funding opportunity referenced here. If the Federal funding opportunity listed is not the opportunity for which you want to apply, close this application package by clicking on the "Cancel" button at the top of this screen. You will then need to locate the correct Federal funding opportunity, download its application and then apply.

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/>
* 3. Date Received: <input type="text" value="04/19/2016"/>	4. Applicant Identifier: <input type="text" value="KS08703"/>	
5a. Federal Entity Identifier: <input type="text"/>	5b. Federal Award Identifier: <input type="text"/>	
State Use Only:		
6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>	
8. APPLICANT INFORMATION:		
* a. Legal Name: <input type="text" value="City of Wichita - Police Department"/>		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="486000653"/>	* c. Organizational DUNS: <input type="text" value="0430634600000"/>	
d. Address:		
* Street1: <input type="text" value="455 N. Main - 4th floor"/>	Street2: <input type="text"/>	
* City: <input type="text" value="Wichita"/>	County/Parish: <input type="text"/>	
* State: <input type="text" value="KS: Kansas"/>	Province: <input type="text"/>	
* Country: <input type="text" value="USA: UNITED STATES"/>	* Zip / Postal Code: <input type="text" value="67202-1600"/>	
e. Organizational Unit:		
Department Name: <input type="text" value="Wichita Police Department"/>	Division Name: <input type="text" value="Support Services Division"/>	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <input type="text" value="Mrs."/>	* First Name: <input type="text" value="Shauna"/>	
Middle Name: <input type="text"/>	* Last Name: <input type="text" value="Dickman"/>	
Suffix: <input type="text"/>	Title: <input type="text" value="Associate Accountant"/>	
Organizational Affiliation: <input type="text"/>		
* Telephone Number: <input type="text" value="316-268-4107"/>	Fax Number: <input type="text" value="316-858-7841"/>	
* Email: <input type="text" value="sdickman@wichita.gov"/>		

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Bureau of Justice Assistance

11. Catalog of Federal Domestic Assistance Number:

16.751

CFDA Title:

Edward Byrne Memorial Competitive Grant Program

*** 12. Funding Opportunity Number:**

BJA-2016-9324

* Title:

Police-Prosecution Partnership Initiative

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Community Engagement Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="881,890.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="881,890.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number:

Fax Number:

* Email:

* Signature of Authorized Representative:

* Date Signed:

ASSURANCES - NON-CONSTRUCTION PROGRAMS

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SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL <input type="text" value="Shauna Dickman"/>	TITLE <input type="text" value="Deputy Chief - Support Services Division"/>
APPLICANT ORGANIZATION <input type="text" value="City of Wichita - Police Department"/>	DATE SUBMITTED <input type="text" value="04/19/2016"/>

Standard Form 424B (Rev. 7-97) Back

Budget Narrative File(s)

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--	--	--

4. Name and Address of Reporting Entity:

Prime SubAwardee

* Name:

* Street 1: Street 2:

* City: State: Zip:

Congressional District, if known:

5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:

6. * Federal Department/Agency: <input type="text" value="N/A"/>	7. * Federal Program Name/Description: <input type="text" value="Edward Byrne Memorial Competitive Grant Program"/> CFDA Number, if applicable: <input type="text" value="16.751"/>
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8. Federal Action Number, if known: <input type="text" value="42 USC 3756(b) (1)"/>	9. Award Amount, if known: \$ <input type="text"/>
---	--

10. a. Name and Address of Lobbying Registrant:

Prefix * First Name Middle Name

* Last Name Suffix

* Street 1: Street 2:

* City: State: Zip:

b. Individual Performing Services (including address if different from No. 10a)

Prefix * First Name Middle Name

* Last Name Suffix

* Street 1: Street 2:

* City: State: Zip:

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* Signature:

* Name: Prefix * First Name Middle Name

* Last Name Suffix

Title: Telephone No.: Date:

Federal Use Only: Authorized for Local Reproduction
Standard Form - LLL (Rev. 7-97)

Other Attachment File(s)

* **Mandatory Other Attachment Filename:**

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Project Narrative File(s)

* **Mandatory Project Narrative File Filename:**

To add more Project Narrative File attachments, please use the attachment buttons below.

City of Wichita
City Council Meeting
May 17, 2016

TO: Mayor and City Council

SUBJECT: Wichita Art Museum Landscape Maintenance. (District VI)

INITIATED BY: Department of Park and Recreation

AGENDA: Consent

Recommendation: Approve the contract.

Background: During 2015, a premier landscape was installed at the Wichita Art Museum. The landscape is complete with fescue turf, extensively planted native perennial and shrub beds, new and mature trees, irrigation system and walkways to lead visitors through the landscape. Accent lighting and exquisite pieces of art are placed throughout. The Park and Recreation Department is working in cooperation with the Wichita Art Museum to initiate and manage outsourced maintenance of the landscape.

Analysis: A Request for Proposal (RFP) was prepared for specified services required for complete maintenance of the Wichita Art Museum landscape. On February 5, 2016, four proposals were received. On February 11, 2016, the Staff Screening and Selection Committee (SSSC) selected two firms to be interviewed: Suburban Landscape Management and Tree Top Nursery and Landscaping. The firms were interviewed on February 24, 2016. The SSSC selected Tree Top Nursery and Landscaping due to its current high detail maintenance locations similar to the Wichita Art Museum and extensive plant knowledge.

An operating agreement has been established between the City of Wichita, Department of Park and Recreation and the Wichita Art Museum detailing specific responsibilities related to the landscape and contract management, including division of financial responsibility.

Tree Top Nursery and Landscaping will provide turf maintenance, perennial and shrub bed maintenance, irrigation maintenance and repair, and snow removal services.

Financial Consideration: Under this contract, the Park and Recreation Department will be responsible for expenditures up to \$18,300 for mowing of grounds and maintenance of irrigation; expenditures beyond this amount will be paid by the WAM. The Park & Recreation Department will perform all snow removal.

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

Recommendation/Actions: It is recommended that the City Council approve the contract, Memorandum of Understanding, and authorize the necessary signatures.

Attachment: Contract between the City of Wichita and Tree Top Nursery and Landscaping; and Memorandum of Understanding between the Wichita Art Museum, Inc. and the City of Wichita.

Memorandum of Understanding

1. PARTIES

The Parties to this Memorandum of Understanding are the City of Wichita, through its Arts and Cultural Services Division and describing service to be provided by the Park and Recreation Department (City) and the Wichita Art Museum, Inc. (Museum) for calendar year 2016.

2. PURPOSE

The parties seek to address their respective landscaping maintenance obligations for the property on which Museum is located, in a consistent and efficient manner, as those obligations were created under the existing Operating Agreement between the Parties.

3. RESPONSIBILITIES

City agrees to separately contract with the selected landscape maintenance provider, an independent contractor, to accomplish the City responsibilities and the Museum responsibilities created at Section 3(c) of the Operating Agreement. The City will use its own employees for snow removal at the Museum rather than contract for those services. The City will manage contractor performance of all contracted tasks. The City will be responsible for direct payment of all sums owed under the independent contractor landscaping contract.

Museum will reimburse the City, 30 days from invoice date, for all charges resulting from spring clean-up, winter maintenance, and shrub/bed maintenance work provided at the Museum under the independent contractor landscaping contract. In addition, Museum will reimburse the City, 30 days from invoice date, for the cost for Bermuda and Fescue turf maintenance products and services to the extent those costs exceed \$18,300 in 2016.

4. OTHER PROVISIONS

The parties intend this Memorandum of Understanding as an agreed implementation of, and not a modification, of the existing Operating Agreement. All provisions of that Operating Agreement remain in full force and effect.

5. EFFECTIVE DATE

This Memorandum of Understanding shall become effective upon authorized signature by all parties. The parties acknowledge that the City may make the independent contractor contract described in this Memorandum of Understanding retroactive within 2016, to cover services being provided at the Museum by the selected landscape maintenance provider in reliance of full payment.

Wichita Art Museum, Inc.

M. Michaelis

Mike Michaelis, Board Chair

Date: 5/5/14

City of Wichita, Kansas

Jeff Longwell, Mayor

Date: _____

Attest:

Karen Sublett, City Clerk

Approved as to form:

Jennifer Magaña

Jennifer Magaña, City Attorney and
Director of Law

CONTRACT
for
LANDSCAPE MAINTENANCE for WICHITA ART MUSEUM

THIS CONTRACT entered into this ____ day of _____, 2016 by and between the **CITY OF WICHITA, KANSAS**, a municipal corporation, hereinafter called "**CITY**", **TREE TOP NURSERY & LANDSCAPING, INC .** (Vendor Code Number 807315-001), whose principal office is at 5910 E. 37th Street, Wichita, Kansas, 67220, Telephone Number (316) 686-7491, hereinafter called "**CONTRACTOR**", and the Wichita Art Museum, Inc, "**MUSEUM**".

WITNESSETH:

WHEREAS, the **CITY** has solicited proposal for **Landscape Maintenance for Wichita Art Museum** (Formal Proposal – FP640000); and

WHEREAS, **CONTRACTOR** has submitted the proposal most beneficial to the **CITY** and **MUSEUM** and is ready, willing, and able to provide the commodities and/or services required.

NOW, THEREFORE, the parties hereto agree as follows:

1. **Scope of Services.** **CONTRACTOR** shall provide to the **MUSEUM** all those commodities and/or services specified in **CONTRACTOR'S** response to Formal Proposal Number – FP640000, which is are incorporated herein by this reference the same as if it were fully set forth. The proposal package, including all specifications, plans and addenda, provided by the City of Wichita as part of the proposal letting process for Formal Proposal – FP640000, shall be considered a part of this contract and is incorporated by reference herein.

2. **Compensation.** **CITY** agrees to pay to **CONTRACTOR** for the invoiced services as incurred for Bermuda Grass Maintenance, Fescue Turf Maintenance and Irrigation System Maintenance at the unit prices shown below, to be provided at **MUSEUM**. The **CITY'S** **total payments** on this contract each calendar year shall be capped at the **not to exceed sum of \$18,300.00**. Compensation for all other services provided as per the proposal, plans, specifications, addenda and Contractor's proposal of FP640000, as well as for all payments beyond the **CITY'S** annual cap of \$18,300.00 shall be paid to **CONTRACTOR** by **MUSEUM**. The **CITY** will facilitate those payments by the **MUSEUM** through its accounting system if requested by the **MUSEUM**.

Description

Furnish all labor, equipment, licenses, and equipment to provide Landscape Maintenance at Wichita Art Museum as per specifications for Formal Proposal – FP640000

	<u>ANTICIPATED COST</u>
Spring Cleanup Fee – beginning March 2017 \$3,780 x 1	\$3,780.00
Each 7 Day Rotation of Bermuda Grass Maint. \$198.95 x 36	\$7,162.20

Each 7 Day Rotation of Fescue Turf Maintenance \$451.25 x 36	\$16,245.00
Each 7 Day Rotation of Shrub/Bed Maintenance \$981.25 x 36	\$34,263.00
Each 14 Day Rotation of Winter Maintenance \$840.21 x 7	\$5,881.47
Irrigation System Maintenance & Repair March-November	\$352.01 x 9
	\$3,168.09
Snow Removal for Each 2" Increment of Snow \$2,612.95 x 4	\$10,451.00

Total \$80,951.56

CONTRACTOR and **CITY** will complete a Work Order for fulfillment of payment to **CONTRACTOR**. For each cycle, final payment shall be due thirty (30) days after satisfactory completion of both the work for the Grounds Maintenance Cycle and the necessary documentation. The Park Inspector shall promptly inspect and shall be the sole judge of whether the work is satisfactorily completed. Payment may be delayed if submitted work orders are inaccurate or the work performed is not completed satisfactorily. The work order will be the invoice for processing payment for the work performed.

Once the Park Inspector has arrived at the site to conduct the site inspection pursuant to the **CONTRACTOR'S** notification, if for any reason the site is not ready for inspection or a subsequent inspection becomes necessary, there shall be an assessment of \$25 per each subsequent inspection. Reasons that a subsequent inspection might become necessary include, but are not limited to, the required work not being completed or the required work not being satisfactorily completed pursuant to the Work Order and must be corrected. Any assessment incurred pursuant to this paragraph will be deducted from the **CONTRACTOR'S** invoice payments not to exceed the full value of the work order

The **CITY** shall notify the **CONTRACTOR** of all claims for damages incurred to **CITY** or **MUSEUM** property as a result of the **CONTRACTOR'S** actions. This includes turf, trees and other plant material as well as structures, hardscapes and any and all amenities located on **CITY** property. At the discretion of the **CITY**, the **CONTRACTOR** may be given the opportunity to repair/replace damaged items or the cost will be deducted from the **CONTRACTOR'S** invoice payments.

The **CONTRACTOR** should recognize that the damages set forth below are the result of the **CITY**, the **MUSEUM** and the general public being damaged in various ways including but not limited to increased administrative costs, increased potential liability, unsightly presentation, and inconvenience to those members of the public using the property. Because these damages are not reasonably capable of being computed or easily quantified, the amount specifically set forth herein shall be assessed and the extent and cost of damages not specifically set forth will be assessed by the Park Inspector or other **CITY** representative. Such amount shall be assessed not as a penalty, but as liquidated damages resulting from breach of contract.

Tree damage that does not result in the death of the tree will be assessed at **One Hundred Dollars (\$100)** per square inch of surface damage. Surface damage to trunk, branches or roots that have injured or penetrated the cambium layer will have a **One Hundred Dollar (\$100) minimum** assessment. The cost will be deducted from the Contractor's invoice payments, not to exceed the full value of the work order.

Damage that results in destruction or death of a tree will be assessed by the Park Inspector and/or City of Wichita Arborist and will be based upon replacement value according to the size and species of tree. The cost will be deducted from the Contractor's invoice payments, not to exceed the full value of the work order.

Work shall be completed within the designated time from start date to end date. **CONTRACTOR** will be assessed **two hundred dollars (\$200.00)** per calendar day that the work remains uncompleted. Work orders with granted extensions will have an adjusted end date and an adjusted work order will be provided by fax or email to the **CONTRACTOR**. **CONTRACTOR** hereby agrees with the **CITY** that if the work embraced in this contract is not completed within the designated end of time as set forth in any extension or extensions granted, **CONTRACTOR** will be assessed **two hundred dollars (\$200.00)** per calendar day that the work remains uncompleted. Costs incurred by the **CONTRACTOR** as set forth in this paragraph will be deducted from the Contractor's invoice payments, not to exceed the full value of the work order.

Mowed over Trash which is not picked up and disposed of properly before the vendor leaves a will be subject to a **two hundred dollar (\$200)** assessment, per each occurrence, for breach of contract specification. The cost will be deducted from the Contractor's invoice payments not to exceed the full value of the work order.

3. **CONTRACTOR** shall keep with the **CITY** a Commercial Pesticide Applicator's License. Certification is required in Category 3-A, 3-B for turf and ornamentals and Category 6 for pavement and Right-of-Way treatments as well as a Connection Control Certification and an Irrigation License. **CONTRACTOR** must also have a Kansas Department of Agriculture Pesticide Business License for Category 3 and 6. Licenses and pesticide applications must be current, continuous and without lapse for the duration of the contract term, and in accordance with specifications for Formal Proposal Number FP640000.

4. **Term.** The term of this contract shall be for a period of one (1) calendar year through December 31, 2016 with an option to renew under the same terms and conditions for two (2) successive one-year periods by mutual agreement of **City** and **Contractor**. This contract is subject to cancellation by the **CITY**, at its discretion at any time within the original contract term or within any successive renewal, upon thirty (30) days written notice to **CONTRACTOR**.

5. **Indemnification and Insurance.**

a. **CONTRACTOR** shall save and hold the **CITY** and **MUSEUM** harmless against all suits, claims, damages and losses for injuries to persons or property or other liability loss arising from or caused by errors, omissions or negligent acts of **CONTRACTOR**, its officers, agents, servants, or employees, occurring in the performance of its services under this Contract, or arising from any defect in the materials or workmanship of any product provided in the performance of this Contract.

b. **CONTRACTOR** will carry insurance coverage during the term of this contract and any extensions thereof in the amounts and manner provided as follows:

1. Commercial General Liability covering premises—operations, xcu (explosion, collapse and underground) hazards, Product/Completed operations, Broad Form Property Damage, and Contractual Liability with minimum limits as follows:

Bodily Injury Liability	\$500,000 each occurrence \$500,000 each aggregate
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Property Damage Liability	\$500,000 each occurrence \$500,000 each aggregate
---------------------------	---

Or

Bodily Injury and Property Damage Liability (Combined Single Limit)	\$500,000 each occurrence \$500,000 each aggregate
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2. Automobile Liability - Comprehensive Form including all owned, hired and non-owned vehicles with minimum limits for:

Bodily Injury Liability	\$500,000 each accident
Property Damage Liability	\$500,000 each accident

Or

Bodily Injury and Property Damage Liability (Combined Single Limit)	\$500,000 each accident
---	-------------------------

3. Workers' Compensation/Employers Liability for minimum limits of:

Employers Liability	\$100,000 Each Accident
	\$500,000 Aggregate
	\$100,000 Occupational Disease

The Insurance Certificate must contain the following:

The City of Wichita and the Wichita Art Museum, Inc. shall be added as primary and non-contributory additional insured. The policy shall also provide coverage for contractor's/vendor's contractual obligations created in the Agreement.

6. **Independent Contractor.** The relationship of the **CONTRACTOR** to the **CITY** will be that of an independent contractor. No employee or agent of the **CONTRACTOR** shall be considered an employee of the **CITY**.

7. **Compliance with Laws.** **CONTRACTOR** shall comply with all laws, statutes and ordinances which may pertain to the providing of services under this Contract.

8. **No Assignment.** The services to be provided by the **CONTRACTOR** under this Contract are personal and cannot be assigned, sublet or transferred without the specific written consent of the **CITY**.

9. **Non-Discrimination.** CONTRACTOR shall comply with all applicable requirements of the City of Wichita Revised Non-Discrimination and Equal Employment /Affirmative Action Program Requirements Statement for Contracts or Agreements attached hereto as Exhibit A.

10. **Third Party Rights.** It is specifically agreed between the parties that it is not intended by any of the provisions of any part of this Contract to create in the public or any member thereof the rights of a third-party beneficiary hereunder, or to authorize anyone not a party to this Contract to maintain a suit for damages pursuant to the terms or provisions of this Contract.

11. **No Arbitration.** The CONTRACTOR and the CITY shall not be obligated to resolve any claim or dispute related to the Contract by arbitration. Any reference to arbitration in bid or proposal documents is deemed void.

12. **Governing Law.** This contract shall be interpreted according to the laws of the State of Kansas. The parties agree that this contract has been created in Kansas.

13. **Representative's Authority to Contract.** By signing this contract, the representative of the CONTRACTOR represents that he or she is duly authorized by the contractor to execute this contract, and that the CONTRACTOR has agreed to be bound by all its provisions.

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

ATTEST:

CITY OF WICHITA, KANSAS

Karen Sublett
City Clerk

Jeff Longwell
Mayor

APPROVED AS TO FORM:

Vendor Tree Top Nursery & Landscaping, Inc

Jennifer Magana
City Attorney & Director of Law

Budd
Signature
Buddy Shannon
Print Name
manager
Title (President or Corporate Officer)

APPROVED AS TO FORM:

WICHITA ART MUSEUM

Jeff Kennedy
Attorney, Martin, Pringle, Oliver,
Wallace and Bauer, LLP

Patricia McDonnell
Director

EXHIBIT A

REVISED NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION PROGRAM REQUIREMENTS STATEMENT FOR CONTRACTS OR AGREEMENTS

During the term of this contract, the contractor or subcontractor, Contractor or supplier of the City, by whatever term identified herein, shall comply with the following Non-Discrimination--Equal Employment Opportunity/Affirmative Action Program Requirements:

- A. During the performance of this contract, the contractor, subcontractor, Contractor or supplier of the City, or any of its agencies, shall comply with all the provisions of the Civil Rights Act of 1964, as amended: The Equal Employment Opportunity Act of 1972; Presidential Executive Orders 11246, 11375, 11131; Part 60 of Title 41 of the Code of Federal Regulations; the Age Discrimination in Employment Act of 1967; the Americans with Disabilities Act of 1990 and laws, regulations or amendments as may be promulgated thereunder.

- B. Requirements of the State of Kansas:
 - 1. The contractor shall observe the provisions of the Kansas Act against Discrimination (Kansas Statutes Annotated 44-1001, et seq.) and shall not discriminate against any person in the performance of work under the present contract because of race, religion, color, sex, disability, and age except where age is a bona fide occupational qualification, national origin or ancestry;
 - 2. In all solicitations or advertisements for employees, the contractor shall include the phrase, "Equal Opportunity Employer", or a similar phrase to be approved by the "Kansas Human Rights Commission";
 - 3. If the contractor fails to comply with the manner in which the contractor reports to the "Kansas Human Rights Commission" in accordance with the provisions of K.S.A. 1976 Supp. 44-1031, as amended, the contractor shall be deemed to have breached this contract and it may be canceled, terminated or suspended in whole or in part by the contracting agency;
 - 4. If the contractor is found guilty of a violation of the Kansas Act against Discrimination under a decision or order of the "Kansas Human Rights Commission" which has become final, the contractor shall be deemed to have breached the present contract, and it may be canceled, terminated or suspended in whole or in part by the contracting agency;

5. The contractor shall include the provisions of Paragraphs 1 through 4 inclusive, of this Subsection B, in every subcontract or purchase so that such provisions will be binding upon such subcontractor or Contractor.
- C. Requirements of the City of Wichita, Kansas, relating to Non-Discrimination -- Equal Employment Opportunity/Affirmative Action Program Requirements:
1. The Contractor, supplier, contractor or subcontractor shall practice Non-Discrimination -- Equal Employment Opportunity in all employment relations, including but not limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The contractor, supplier, contractor or subcontractor shall submit an Equal Employment Opportunity or Affirmative Action Program, when required, to the Department of Finance of the City of Wichita, Kansas, in accordance with the guidelines established for review and evaluation;
 2. The Contractor, supplier, contractor or subcontractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, supplier, contractor or subcontractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, "disability, and age except where age is a bona fide occupational qualification", national origin or ancestry. In all solicitations or advertisements for employees the Contractor, supplier, contractor or subcontractor shall include the phrase, "Equal Opportunity Employer", or a similar phrase;
 3. The Contractor, supplier, contractor or subcontractor will furnish all information and reports required by the Department of Finance of said City for the purpose of investigation to ascertain compliance with Non-Discrimination -- Equal Employment Opportunity Requirements. If the Contractor, supplier, contractor, or subcontractor fails to comply with the manner in which he/she or it reports to the City in accordance with the provisions hereof, the Contractor, supplier, contractor or subcontractor shall be deemed to have breached the present contract, purchase order or agreement and it may be canceled, terminated or suspended in whole or in part by the City or its agency; and further Civil Rights complaints, or investigations may be referred to the State;
 4. The Contractor, supplier, contractor or subcontractor shall include the provisions of Subsections 1 through 3 inclusive, of this present section in every subcontract, subpurchase order or subagreement so that such provisions will be binding upon each subcontractor, subcontractor or subsupplier.
 5. If the contractor fails to comply with the manner in which the contractor reports to the Department of Finance as stated above, the contractor shall be deemed to have breached this contract and it may be canceled, terminated or suspended in whole or in part by the contracting agency;

D. Exempted from these requirements are:

- 1. Those contractors, subcontractors, Contractors or suppliers who have less than four (4) employees, whose contracts, purchase orders or agreements cumulatively total less than five thousand dollars (\$5,000) during the fiscal year of said City are exempt from any further Equal Employment Opportunity or Affirmative Action Program submittal.**
- 2. Those Contractors, suppliers, contractors or subcontractors who have already complied with the provisions set forth in this section by reason of holding a contract with the Federal government or contract involving Federal funds; provided that such contractor, subcontractor, Contractor or supplier provides written notification of a compliance review and determination of an acceptable compliance posture within a preceding forty-five (45) day period from the Federal agency involved.**

Second Reading Ordinances for May 17, 2016 (first read on May 10, 2016)

A. Abatement of Dangerous and Unsafe Structures. (Districts I, II, III, IV and VI)

ORDINANCE NO. 50-250

AN ORDINANCE MAKING A SPECIAL ASSESSMENT TO PAY FOR THE REMOVAL OF CERTAIN STRUCTURES, BEING DANGEROUS AND UNSAFE BUILDINGS WHICH HAVE BEEN DECLARED A NUISANCE (BUILDING CONDEMNATION-DEMOLITION) UNDER THE PROVISION OF SECTIONS 18.16.010 TO 18.16.090 OF THE CODE OF THE CITY OF WICHITA, KANSAS

ORDINANCE NO. 50-251

AN ORDINANCE MAKING A SPECIAL ASSESSMENT TO PAY FOR THE BOARDING-UP AND SECURING OF CERTAIN STRUCTURES, BEING DANGEROUS AND UNSAFE BUILDINGS WHICH HAVE BEEN DECLARED A NUISANCE (BUILDING EMERGENCY BOARD-UP) UNDER THE PROVISION OF SECTIONS 18.16.010 TO 18.16.090 OF THE CODE OF THE CITY OF WICHITA, KANSAS

B. ZON2016-00009 Zone Change from LI Limited Industrial to CBD Central Business District, Generally Located North of West Douglas and East of North Oak Street. (District VI)

ORDINANCE NO. 50-253

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. ZON2016-00010 Zone Change from LI Limited Industrial to CBD Central Business District, Generally Located North of West Douglas, at the Southwest Corner of West Pearl Street and North Handley Street, 117 N. Handley.

ORDINANCE NO. 50-252

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.

Background: The applicant is requesting the vacation of a northeast portion of the 115-foot wide by 333-foot long platted drainage easement located on the west portion of Lot 2, Steve Kelly 4th Addition. The subject easement is essentially an unbuildable portion of Lot 2's back yard and occupies approximately 75 percent of Lot 2. An east-west platted 30-foot wide drainage-utility easement is located on the south side of the east portion of Lot 2 and connects the subject easement with the Curtis Street right-of-way. There is an open concrete drainage channel built within this easement from Curtis Street to the subject easement. Drainage from Curtis Street flows through the platted 30-foot wide drainage-utility easement into the subject easement, which is a natural low area that also receives drainage from the abutting north property. The Stormwater division of Public Works has approved an area located within the northeast portion of the subject easement that can be vacated and built on, based on a required survey of the site. The site is located in an area of reduced flood risk due to the nearby location of a system of levees.

There is a platted 20-foot wide by 333-foot long utility easement located between the buildable east portion of the subject lot and the subject easement. A sewer line and manholes are located in this 20-foot wide platted utility easement. The 20-foot wide platted utility easement will remain in effect. Buildings and structures are prohibited within easements. The public and franchised utility companies have no objections to the request. The Steve Kelly 4th Addition was recorded with the Sedgwick County Register of Deeds on September 2, 1994.

Analysis: The Metropolitan Area Planning Commission (MAPC) voted (13-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting.

Financial Considerations: All improvements are to City standards and at the applicant's expense.

Legal Considerations: The Law Department has reviewed and approved, as to form, the Vacation Order. The Law Department concurs that the approval of the Vacation Order is in accordance with City policy. The original Vacation Order will be recorded with the Sedgwick County Register of Deeds.

Recommendation/Actions: It is recommended that the City Council follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order (simple majority of four votes required) and authorize the necessary signatures.

Attachment:

- Vacation Order

**BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A PORTION)
OF A PLATTED DRAINAGE EASEMENT)**

**GENERALLY LOCATED SOUTH OF 13TH STREET)
NORTH, EAST OF HOOVER ROAD, & SOUTHWEST OF)
11TH AND CURTIS STREETS)**

VAC2016-00003

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 17th day of May, 2016, comes on for hearing the petition for vacation filed by Jorge Pinedo & Irma Cabrera (owners), praying for the vacation of the following described portion of a platted drainage easement, to-wit:

That part the platted drainage easement located on Lot 2, Steve Kelley 4th Addition, Wichita, Sedgwick County, Kansas described as COMMENCING at the Northwest corner thereof; THENCE N89°45'40"E along the North line of said Lot 2; THENCE S00°14'20"E, 10.00 feet for a point of BEGINNING; THECE N89°45'40"E parallel with the North line of said Lot 2; 32.00 feet; THENCE S00°14'20"E, 40.00 feet; THENCE S89°45'40"W, 32.00 feet; THENCE N00°14'20"W, 40.00 feet to the point of BEGINNING.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on February 25, 2016, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the described portion of the platted drainage easement and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of the described portion of the platted drainage easement, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of May, 2016, ordered that the above-described portion of the platted drainage easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

Agenda Item No. II-11

City of Wichita
City Council Meeting
May 17, 2016

TO: Mayor and City Council

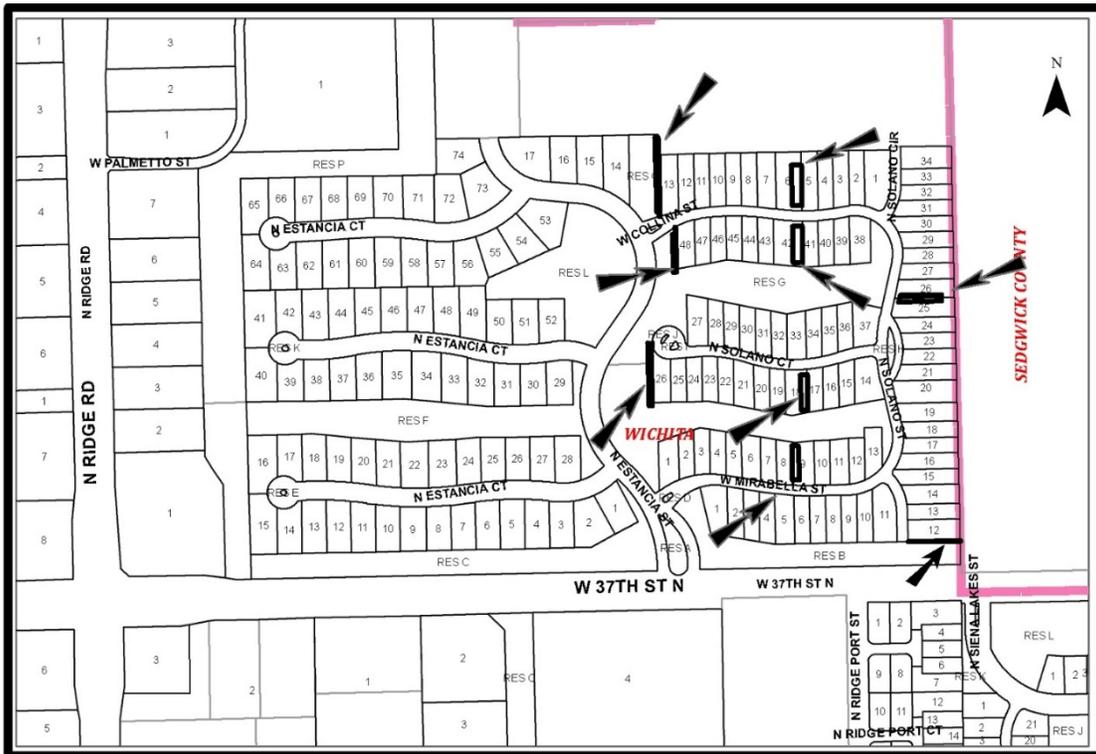
SUBJECT: VAC2016-00009 - Request to Vacate Multiple Platted Easements, Portions of Platted Reserves and the Plator's Text on Properties Generally Located Northeast of North Ridge Road and West 37th Street North, West and East of North Solano Street, Off of West Mirabella Street, West Solano Court and West Collina Street (District V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

Staff Recommendation: Staff recommends approval of the vacation request.

MAPC Recommendation: The Metropolitan Area Planning Commission recommends approval of the vacation request (12-0-1).



Background: The applicant is requesting the vacation of multiple drainage and utility easements, portions of platted Reserve B, G and O, and the vacation of the plat's text to amend the uses permitted in the described portions of the noted reserves. The plat's text for the described vacated portions of Reserves B, G and O shall be amended to allow SF-5 Single-Family Residential (SF-5) uses. The plat's text shall also be amended to state that all lots located within Block 1, all lots located within Block 2, and Lots 1-13, inclusive, Block 4, are zero lot line lots. All of the vacation activity is located in the Estancia Addition, which was recorded with the Sedgwick County Register of Deeds on September 28, 2015.

No utilities are located within the subject easements or within the described portions of the subject reserves. All reserves are platted for open space, berms, landscaping, irrigation, signs, monuments, sidewalks, fences, lighting, conveyance of cross lot drainage and utilities confined to easements. Ownership of the vacated portions of the described reserves shall be conveyed to the owners of the abutting lots. The portions of the described reserves not vacated will still be, per the plat's text, owned and maintained by the developer and/or lot owner's association and/or their successors and/or assigns.

Analysis: The Metropolitan Area Planning Commission (MAPC) voted (12-0-1) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting.

Financial Considerations: All improvements are to City standards and at the applicant's expense.

Legal Considerations: The Law Department has reviewed and approved, as to form, the Vacation Order and dedications of drainage and utility easements by separate instrument. The Law Department concurs that the approval of the Vacation Order is in accordance with City policy. The original Vacation Order and the dedications of drainage and utility easements by separate instrument will be recorded with the Sedgwick County Register of Deeds.

Recommendation/Actions: It is recommended that the City Council follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order (simple majority of four votes required) and authorize the necessary signatures.

Attachments:

- Vacation Order
- Dedications of drainage and utility easements by separate instrument

**BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF MULTIPLE)
PLATTED DRAINAGE AND UTILITY EASEMENTS,)
PORTIONS OF PLATTED RESERVES & THE)
PLATTOR'S TEXT)**

**GENERALLY LOCATED NORTHEAST OF RIDGE ROAD)
& 37TH STREET NORTH, WEST AND EAST OF SOLANO)
STREET, OFF OF MIRABELLA STREET, SOLANO)
COURT & COLLINA STREET)**

VAC2016-00009

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 17th day of May, 2016, comes on for hearing the petition for vacation filed by Tier 1 LLC & Estancia LLC, c/o Marv Schellenberg, Member (owners) & Larry E. & M. Jeanine McKee (owners), praying for the vacation of the following described portions of multiple platted drainage and utility easements, portions of platted reserves and the vacation of the plattor's text to amend the uses permitted, to-wit:

Description of the Vacation of Multiple Platted Drainage and Utility Easements

The west 20 feet of Lot 9, Block 2, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas, EXCEPT, the north 10 feet and south 15 feet, thereof.

TOGETHER WITH, The north 10 feet of Lot 25, Block 1, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas, EXCEPT, the west 15 feet and east 40 feet, thereof.

TOGETHER WITH, The south 10 feet of Lot 26, Block 1, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas, EXCEPT, the west 15 feet and east 40 feet, thereof.

TOGETHER WITH, The east 20 feet of Lot 18, Block 2, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas, EXCEPT, the north 15 feet and south 10 feet, thereof.

TOGETHER WITH, The east 30 feet of Lot 42, Block 2, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas, EXCEPT, the north 15 feet and south 10 feet, thereof.

TOGETHER WITH, The east 30 feet of Lot 6, Block 4, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas, EXCEPT, the north 40 feet and south 15 feet, thereof.

TOGETHER WITH, 10' Drainage and Utility Easement located in a portion of Reserve G, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas being described as follows: BEGINNING at the southwest corner of Lot 26, Block 2, said Addition, thence along the extended west line of said Lot 26

on a platted bearing of S01°13'40"E, 10.00 feet to a point on a southerly line of a platted 20 Foot Drainage and Utility Easement; thence along said southerly line, S88°46'20"W, 10.00 feet to a point on a west line of a platted 10 foot Drainage and Utility Easement; thence along said platted easement and also parallel with and 10.00 feet west of the west line of said Lot 26, N01°13'40"W, 192.49 feet to a point on a 15 foot Sidewalk, Street, Drainage, and Utility Easement, said point also being a point on a non-tangent curve to the left; said curve having a radius of 65.00 feet, a central angle of 32°12'16", a chord bearing of S17°19'47"E, and a chord distance of 36.06 feet, thence along said easement and said non-tangent curve to the left 36.53 feet to a point on the west line of said Lot 26; thence along said west line S01°13'40"E, 147.85 feet to the POINT OF BEGINNING.

TOGETHER WITH, 10' Drainage and Utility Easement located in a portion of Reserve G, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas being described as follows: BEGINNING at the southwest corner of Lot 48, Block 2, said Addition, thence along the extended west line of said Lot 48 on a platted bearing of S01°13'40"E, 10.00 feet to a point on a southerly line of a platted 20 foot Drainage and Utility Easement; thence along said southerly line, S80°10'48"W, 10.11 feet to a point on a west line of a platted 10 foot Drainage and Utility Easement; thence along said platted easement and also parallel with and 10.00 feet west of the west line of said Lot 48, N01°13'40"W, 114.78 feet to a point on a southerly line of a 15 foot Sidewalk, Street, Drainage, and Utility Easement, thence along said southerly line for the next two courses, N56°09'31"E, 9.26 feet to a point on a tangent curve to the right; said curve having a radius of 185.00 feet, a central angle of 0°48'17", a chord bearing of N56°33'39"E, and a chord distance of 2.60 feet, thence along said tangent curve to the right 2.60 feet to a point on the west line of said Lot 48; thence along said west line S01°13'40"E, 109.53 feet to the POINT OF BEGINNING.

TOGETHER WITH, 10' Drainage and Utility Easement located in the east 10 feet of Reserve O, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas, EXCEPT, the north 10 feet and south 15 feet, thereof.

Description of the Vacation of Portions of Platted Reserves

A portion of Reserve O, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas being described as follows: BEGINNING at the northwest corner of Lot 13, Block 4, said addition, being coincident with the east line of said Reserve O; thence along the common line to said Reserve O and said Lot 13, on a platted bearing of S01°13'40"E, 188.00 feet to the southwest corner of said Lot 13 being coincident with the southeast corner of said Reserve O being a point on a curve to the left; said curve having radius of 816.00 feet, a central angle of 0°08'43", a chord bearing of S73°43'40"W, a chord distance of 2.07 feet; thence along said south line and along said curve to the left 2.07 feet; thence parallel with and 2.00 feet west of the east line of said Reserve O, N01°13'40"W, 188.54 feet to the extended north line of said Lot 13; thence along said extended north line, N88°46'20"E, 2.00 feet to the POINT OF BEGINNING.

TOGETHER WITH, A portion of Reserve G, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas being described as follows: BEGINNING at the northwest corner of Lot 48, Block 2, said addition, being coincident with the easterly line of said Reserve G; thence along the common line to said Reserve G and said Lot 48, on a platted bearing of S01°13'40"E, 126.93 feet to the southwest corner of said Lot 48; thence on an extended south line of said Lot 48, S80°10'48"W, 2.02 feet; thence parallel with and 2.00 feet west of the west line of said Lot 48, N01°13'40"W, 126.10 feet to the north line of said Reserve G being a point on a non-tangent curve to the right; said curve to the right having a radius of 200.00 feet, said curve having a central angle of 00°39'30", a chord bearing of N59°15'50"E, a chord distance of 2.30 feet; thence along said non-tangent curve to the right a distance of 2.30 feet to the POINT OF BEGINNING.

TOGETHER WITH, A portion of Reserve G, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas being described as follows: BEGINNING at the northwest corner of Lot 26, Block 2, said addition, being coincident with an easterly line of said Reserve G; thence along the common line to said Reserve G and said Lot 26, on a platted bearing of S06°17'00"W, 41.53 feet; thence continuing along said common line S01°13'40"E, 147.85 feet to the southwest corner of said Lot 26; thence on an extended south line of

said Lot 26, S88°46'20"W, 2.00 feet; thence parallel with and 2.00 feet west of the west line of said Lot 26, N01°13'40"W, 151.25 feet; thence N09°45'39"E, 41.53 feet to a point on the west right-of-way of Solano Court platted in said Estancia Addition, said point also being a point on a non-tangent curve to the left, said curve having a radius of 50.00 feet, a central angle of 03°28'39", a chord bearing of S08°01'20"W, and a chord distance of 3.03 feet; thence along said west right-of-way and said non-tangent curve to the left, 3.03 feet to the to the POINT OF BEGINNING.

TOGETHER WITH, A portion of Reserve B, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas being described as follows: BEGINNING at the northeast most corner of said Reserve B, being coincident with the southeast corner of said Lot 12; thence along the east line of said Reserve B on a platted bearing of S01°20'41"E, 2.00 feet; thence parallel with and 2.00 feet south of the common line to said Reserve B and said Lot 12, S88°46'20"W, 160.56 feet; thence on an extended west line of said Lot 12, N01°13'40"W, 2.00 feet; thence along said common line, N88°46'20"E, 160.55 feet to the POINT OF BEGINNING.

VACATE THE PLATTORS TEXT AND REPLACE WITH THE FOLLOWING

Allow single-family residential uses in the above described vacated portions of Reserves B, G & O, Estancia Addition, Wichita, Sedgwick County, Kansas

As to all Lots within Block 1, all Lots within Block 2, and Lots 1-13, inclusive, Block 4:

Said Lots are zero lot line lots. Each Lot where abutting and adjoining another zero lot line lot within the aforesaid Lots and Blocks shall provide a minimum of a 3.5 foot maintenance and access easement for the benefit of the adjoining owner(s), their successors and assigns, and/or their agents, and emergency personnel. The maintenance access easements are hereby platted for the purpose of pedestrian access, emergency access, construction, maintenance, and the extension of the footings and a 2 foot overhang of the structure onto the adjoining lot. Opposite of the zero lot line the minimum side yard setbacks shall be 6 feet. The residences with the 6 foot side yard setbacks shall construct a fire break wall. Only roof encroachments are permitted into said 6 foot side yard setback, moreover, no building cantilevers or equipment are permitted in the side yard and sight restrictions shall be maintained on the windows.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on March 17, 2016, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the described portions of multiple platted drainage and utility easements, portions of platted reserves and the vacation of the plattor's text to amend the uses permitted and the public will suffer no loss or inconvenience thereby.
3. Multiple drainage and utility easements dedicated by separate instrument and an exhibit will be recorded with the Vacation Order at the Sedgwick County Register of Deeds.
4. Quit Claim Deeds have been recorded with the Sedgwick County Register of Deeds that convey ownership of the described vacated portions of the Reserves B, O& G, Estancia Addition, Wichita, Sedgwick County, Kansas, to the abutting lots.
5. In justice to the petitioner(s), the prayer of the petition ought to be granted.
6. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

7. The vacation of the described portions of multiple platted drainage and utility easements, portions of platted reserves and the vacation of the plattor's text to amend the uses permitted, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of May, 2016, ordered that the above-described portions of multiple platted drainage and utility easements, portions of platted reserves and the vacation of the plattor's text to amend the uses permitted are hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

DRAINAGE AND UTILITY EASEMENT

THIS EASEMENT made this 27th day of April, 2016, by, Tier 1, LLC, a Kansas limited liability company AND Estancia, LLC, a Kansas limited liability company, of the parties of the first and the City of Wichita, Kansas, of the second party.

WHEREAS, Easements were vacated per a Vacation Order, case numbered VAC2016-00009, AND WHEREAS the this easement supersedes and replaces the vacated platted easements referenced therein being recorded filed Doc.#/Flm-Pg: _____ at Sedgwick County Register of Deeds Office.

WITNESSED, That the said first parties, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the second party a perpetual right-of-way and easement, for the purpose of accessing, constructing, maintaining, and repairing stormwater drainage systems and utilities, along and over the following described real estate situated in Wichita, Sedgwick County, Kansas, to wit:

(1)

A 20.00 foot wide tract of land lying within portions of Lots 8 and 9, Block 2, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas; said 20.00 foot wide tract being described as follows:

The east 2.00 feet of said Lot 8, EXCEPT the south 15.00 feet thereof, AND EXCEPT the north 20.00 feet thereof.

TOGETHER WITH,

The west 18.00 feet of said Lot 9; EXCEPT the south 15.00 feet thereof, AND EXCEPT the north 20.00 feet thereof.

(2)

A 20.00 foot wide tract of land lying within a portion of Lot 18, Block 2, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas; said 20.00 foot wide tract being described as follows:

The west 20.00 feet of the east 22.00 feet of said Lot 18, EXCEPT the south 10.00 feet thereof, AND EXCEPT the north 15.00 feet thereof.

(3)

A tract of land varying in width lying within portions of Lot 26, Block 2, and Reserve G, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas; said tract being described as follows:

BEGINNING at the southwest corner of said Lot 26, thence on an extended west line of said Lot 26 on a platted bearing of S01°13'40"E, 10.00 feet to the south line of a platted 20 foot drainage and utility easement; thence along the extended south line of said easement, S88°46'20"W, 12.00 feet; thence parallel with and 12.00 feet west of the west line of said Lot 26, N01°13'40"W, 192.49 feet; thence N12°48'26"E, 16.25 feet to a point on the west line of a platted 15 foot sidewalk, street, drainage, and utility easement, also being a point on a curve to the left; said curve having a radius of 65.00 feet, a central angle of 42°45'41", a chord bearing of S08°34'25"E, and a chord distance of 47.39 feet, thence along said easement and said curve to the left, 48.51 feet to a point lying 2.00 feet west of the west line of said Lot 26; thence parallel with and 2.00 feet west of the west line of said Lot 26, S01°13'40"E, 141.25 feet;



thence on an extended north line of said platted 20 foot drainage and utility easement, N88°46'20"E, 2.00 feet to said west line of said Lot 26; thence along said west line, S01°13'40"E, 10.00 feet to the POINT OF BEGINNING.

(4)

A 20.00 foot wide tract of land lying within portions of Lots 25 and 26, Block 1, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas; said 20.00 foot wide tract being described as follows:

The north 8.00 feet of said Lot 25, EXCEPT, the west 15.00 feet thereof, AND EXCEPT the east 40.00 feet thereof,

TOGETHER WITH,

The south 12.00 feet of said Lot 26, EXCEPT, the west 15.00 feet thereof, AND EXCEPT the east 40.00 feet thereof.

(5)

A 30.00 foot wide tract of land lying within a portion of Lot 42, Block 2, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas; said 30.00 foot wide tract being described as follows:

The west 30.00 feet of the east 32.00 feet of said Lot 42, EXCEPT the south 10.00 feet thereof, AND EXCEPT the north 15.00 feet thereof.

(6)

A tract of land varying in width lying within portions of Lot 48, Block 2, and Reserve G, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas; said tract being described as follows:

BEGINNING at the southwest corner of said Lot 48, thence on an extended west line of said Lot 48 on a platted bearing of S01°13'40"E, 10.11 feet to the south line of a platted 20 foot drainage and utility easement; thence along the extended south line of said easement, S80°10'48"W, 12.14 feet; thence parallel with and 12.00 feet west of the west line of said Lot 48, N01°13'40"W, 113.80 feet to the south line of a platted 15 foot sidewalk, street, drainage, and utility easement; thence along said south line of said easement for the next two courses, N56°09'31"E, 11.64 feet to a point on a curve to the right; said curve having a radius of 185.00 feet, a central angle of 00°04'23", a chord bearing of N56°11'42"E, and a chord distance of 0.24 feet, thence continuing along said south line of said easement and along said curve to the right, 0.24 feet to a point lying 2.00 feet west of the west line of said Lot 48; thence parallel with and 2.00 feet west of said west line, S01°13'40"E, 98.46 feet; thence on an extended north line of said platted 20 foot drainage and utility easement, N80°10'48"E, 2.02 feet to said west line; thence along said west line, S01°13'40"E, 10.11 feet to the POINT OF BEGINNING.

(7)

A 30.00 foot wide tract of land lying within a portion of Lot 6, Block 4, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas; said 30.00 foot wide tract being described as follows:

The west 30.00 feet of the east 32.00 feet of said Lot 6, EXCEPT the south 15.00 feet thereof, AND EXCEPT the north 40.00 feet thereof.

(8)

A tract of land varying in width lying within a portion of Reserve O, Estancia Addition, an addition to Wichita, Sedgwick County, Kansas; said tract being described as follows:

BEGINNING at a point on the south line of a platted 10 foot drainage and utility easement, lying 10.00 feet south of the northeast corner of said Reserve O; thence along the east line of said Reserve O on a platted bearing of S01°13'40"E, 52.22 feet to the northwest corner of Lot 13, Block 4, said addition; thence on an extended north line of said Lot 13, S88°46'20"W, 2.00 feet; thence parallel with and 2.00 feet west of the west line of said Lot 13, S01°13'40"E, 20.00 feet; thence N88°46'20"E, 2.00 feet to said west line of said Lot 13, being coincident with a point on the north line of a platted 20 foot drainage and utility easement; thence along said west line, S01°13'40"E, 20.00 feet to a point on the south line of said easement; thence on an extended south line of said easement, S88°46'20"W, 2.00 feet; thence parallel with and 2.00 feet west of said west line, S01°13'40"E, 133.01 feet to a point on the north line of a platted 15 foot sidewalk, street, drainage, and utility easement and being a point on a non-tangent curve to the left; said curve



having a radius of 831.00 feet, a central angle of 00°31'22", a chord bearing of S73°40'26"W, and a chord distance of 7.58 feet, thence along said non-tangent curve to the left and said easement, 7.58 feet; thence continuing along said north line of said easement, S73°24'45"W, 2.78 feet; thence parallel with and 12.00 feet west of said west line, N01°13'40"W, 227.94 feet to the south line of said platted 10 foot drainage and utility easement; thence along said south line of said easement, N88°46'20"E, 12.00 feet to the POINT OF BEGINNING.

And said second party is hereby granted the right to enter upon said premises at any time for the purposes of constructing, operating, maintaining, and repairing all of their stormwater drainage systems and utilities.

IN WITNESS WHEREOF: The first party has signed these presents the day and year first written.

(as to 2, 3, 4, 5, 6, 7, and 8)

TIER 1, LLC, a Kansas limited liability company

By: Kansas Developments, LLC, a Kansas limited liability company, Member

By: 
Marvin L. Schellenberg, Sole Member

STATE OF KANSAS, SEDGWICK COUNTY, ss:

This instrument was acknowledged before me on this 27th day of April, 2016, by Marvin L. Schellenberg, Sole Member of Kansas Developments, LLC, a Kansas limited liability company, being a Member of Tier 1, LLC, a Kansas limited liability company.

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



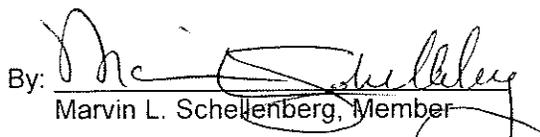

Notary Public:
My Term Expires: 3-10-2018

(as to 1 and 3)

Estancia, LLC, a Kansas limited liability company

By: Premier Realty, LLC D/B/A

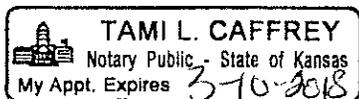
Schellenberg Development Company, its manager

By: 
Marvin L. Schellenberg, Member

STATE OF KANSAS, SEDGWICK COUNTY, ss:

This instrument was acknowledged before me on this 27th day of April, 2016, by Marvin L. Schellenberg, Member of Premier Realty, LLC D/B/A, Schellenberg Development, Manager of Estancia, LLC, a Kansas limited liability company.

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




Notary Public:
My Term Expires: 3-10-2018



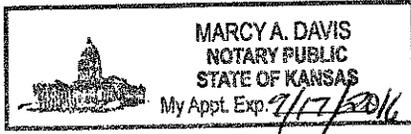
(as to 1)

By: Janice E. Cochran
Janice E. Cochran, Individual

STATE OF KANSAS, SEDGWICK COUNTY} ss:

This instrument was acknowledged before me on this 27 day of April, 2016, by Janice E. Cochran, individual.

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

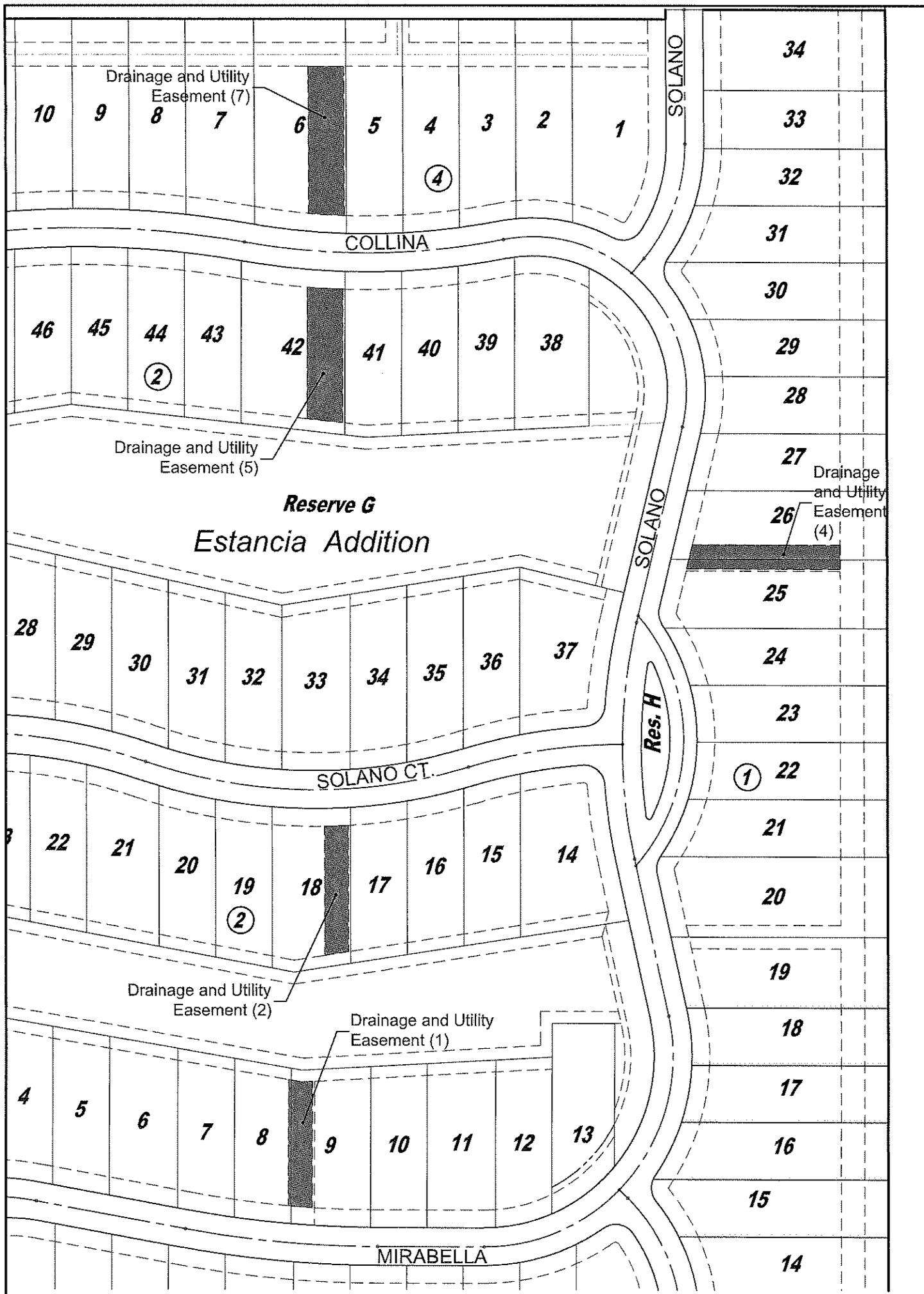


Marcy A. Davis
Notary Public:
My Term Expires: _____

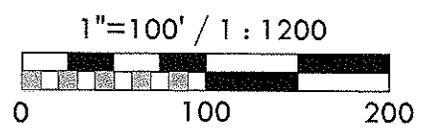
Upon Recording mail to:
MKEC Engineering, Inc.
411 N. Webb Rd.
Wichita, KS 67206

\\CTNA\S02\Vol2\Projects\2014\1401010462_Premier_Estancia\1-Project_Management\05_Civil_Docs\Land_Development\Documents\Residential_Plat\Separate_Instruments\Separate_Instruments\Utility_Easement - s61.doc





 - Drainage and Utility Easement by Separate Instrument

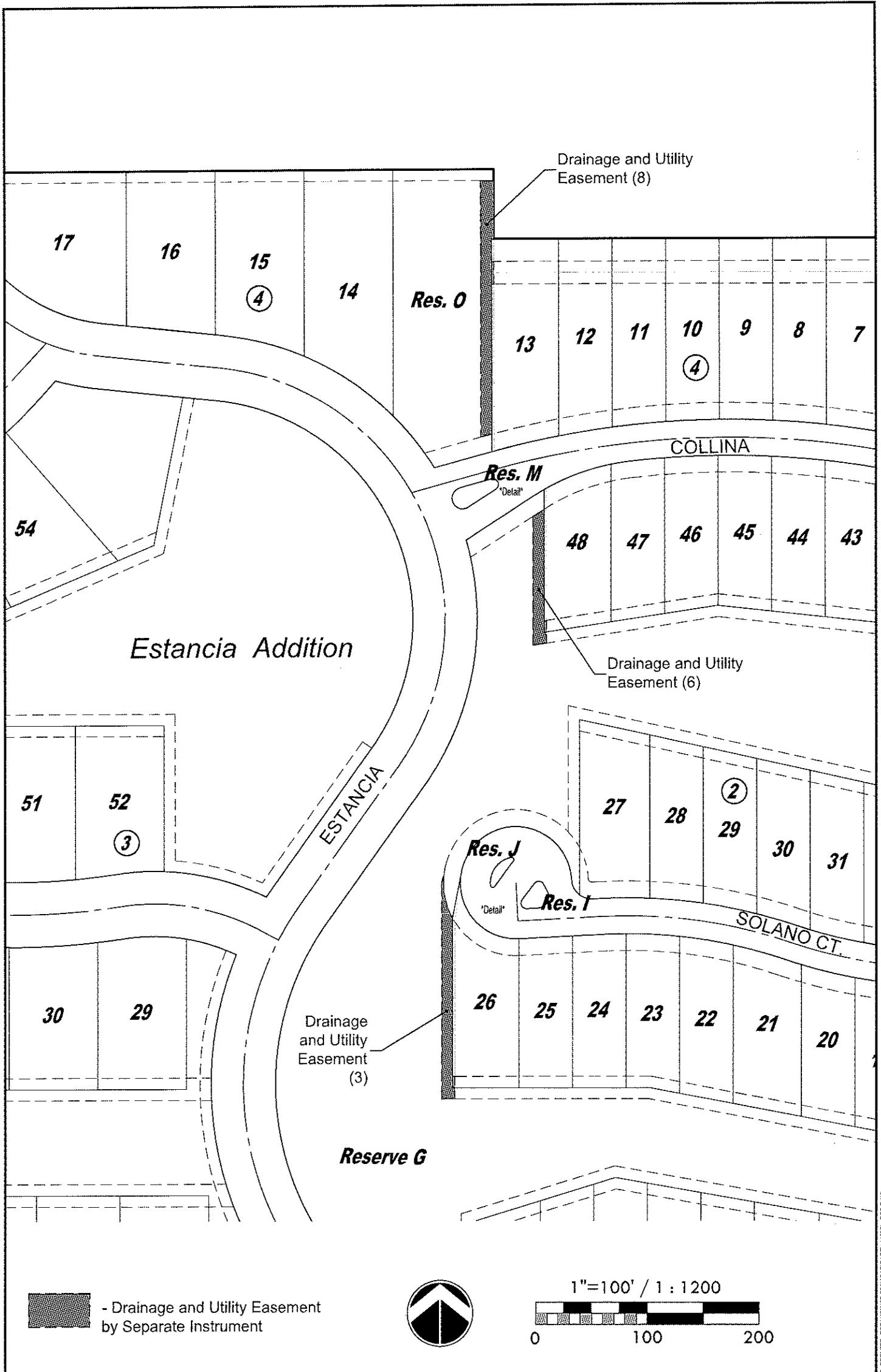


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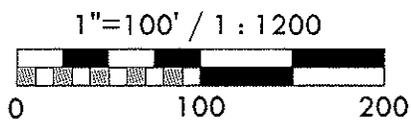


SEPARATE INSTRUMENT EXHIBIT DRAINAGE AND UTILITY EASEMENT ESTANCIA ADDITION		
PROJECT NO. 1301010762	DATE: APRIL 2016	SHEET NO.
DRAWN BY: JGD	DESIGNED BY: BDL	APPROVED BY: BDL
		1 OF 2

M:\2016\09\7\PROJECTS\091410101042_Premier_Estancia\GIS\CAD\BASE\1463PL_RES.DWG



 - Drainage and Utility Easement by Separate Instrument



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SEPARATE INSTRUMENT EXHIBIT DRAINAGE AND UTILITY EASEMENT ESTANCIA ADDITION		
PROJECT NO. 1301010762	DATE: APRIL 2016	SHEET NO.
DRAWN BY: JGD	DESIGNED BY: BDL	APPROVED BY: BDL
		2 OF 2

M:\DRAWING\PROJECT\1301010762\PREMIER_ESTANCIA\SCHEMATIC\BASE\N462PL_RES.DWG

Background: The applicant is requesting the vacation of the east 10 feet of a platted 20-foot drainage easement located on both sides of the common, north-south property line of Lot 7 (subject site) and Lot 8, Block A and the south 10-feet of a platted 50-foot drainage and utility easement located on and running parallel to the south property line of the subject site, all in the Fossil Rim Estates Addition. Another 10 feet of easement was dedicated by separate instrument (Film 2589 – Page 116-117, recorded December 12, 2002) on the west abutting property, Lot 8, Block A, Fossil Rim Estates Addition. There is stormwater equipment located in the 20 feet of easement located on the described west abutting property. Water and sewer are located in the Meadow Park street right-of-way and/or the platted drainage and utility easement running parallel to the Meadow Park street right-of-way. There are no utilities located in the subject easements. The subject site is not located in a Flood Way or a Flood Zone. The Fossil Rim Estates Add was recorded with the Sedgwick County Register of Deeds on May 31, 2002.

Analysis: The Metropolitan Area Planning Commission (MAPC) voted (10-0-1) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting.

Financial Considerations: All improvements are to City standards and at the applicant's expense.

Legal Considerations: The Law Department has reviewed and approved, as to form, the Vacation Order. The Law Department concurs that the approval of the Vacation Order is in accordance with City policy. The original Vacation Order will be recorded with the Sedgwick County Register of Deeds.

Recommendation/Actions: It is recommended that the City Council follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order (simple majority of four votes required) and authorize the necessary signatures.

Attachment:

- Vacation Order

3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

5. The vacation of the described portions of the platted drainage easement and the platted drainage and utility easement, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of May, 2016, ordered that the above-described portions of the platted drainage and the platted drainage and utility easement are hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

Agenda Item No. II-13

**City of Wichita
City Council Meeting
May 17, 2016**

TO: Mayor and City Council

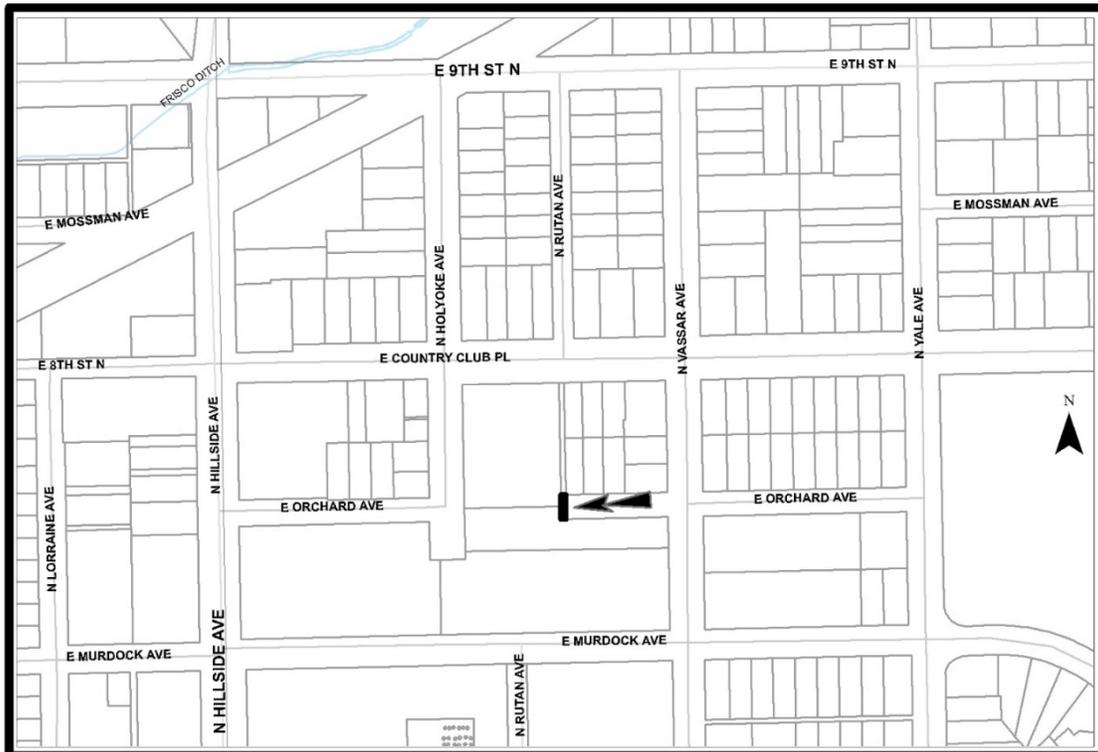
SUBJECT: VAC2016-00013 - Request to Vacate a Portion of a Public Street Right-of-Way Generally Located East of North Hillside Avenue, North of East Murdock Avenue, Between North Holyoke and North Vassar Avenues (District I)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

Staff Recommendation: Staff recommends approval of the vacation request.

MAPC Recommendation: The Metropolitan Area Planning Commission recommends approval of the vacation request (11-0).



Background: The applicant is requesting the vacation of an 11.94-foot (x) 49.95/.96-foot remnant of Orchard Avenue located between Holyoke and Vassar Avenues. This is a middle portion of Orchard Avenue that was left over from two previous vacations of Orchard Avenue. The west portion of Orchard Avenue, from Holyoke Avenue to the subject right-of-way was vacated January 8, 1963; Misc. Book 511, Pages 295 and 296. The east portion of Orchard Avenue, from Vassar Avenue to the subject right-of-way was vacated October 19, 1993; V-1827, Film 399, Pages 328 and 329. The subject right-of-way is part of a paved parking lot. The applicant owns all of the abutting properties. No utilities are located in the described right-of-way. This portion of Orchard Avenue was platted in the Sunrise Park Addition, which was recorded with the Register of Deeds on July 9, 1888.

Analysis: The Metropolitan Area Planning Commission (MAPC) voted (11-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting.

Financial Considerations: All improvements are to City standards and at the applicant's expense.

Legal Considerations: The Law Department has reviewed and approved, as to form, the Vacation Order and a restrictive covenant. The Law Department concurs that the approval of the Vacation Order is in accordance with City policy. The original Vacation Order and the restrictive covenant will be recorded with the Sedgwick County Register of Deeds.

Recommendation/Actions: It is recommended that the City Council follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order (simple majority of four votes required) and authorize the necessary signatures.

Attachments:

- Vacation Order
- A restrictive covenant

**BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A PORTION)
OF THE ORCHARD AVENUE PUBLIC STREET)
RIGHT-OF-WAY)**

**GENERALLY LOCATED NORTH OF MURDOCK)
AVENUE, EAST OF HILLSIDE AVENUE, BETWEEN)
VASSAR & HOLYOKE AVENUES)**

VAC2016-00013

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 17th day of May, 2016, comes on for hearing the petition for vacation filed by the Wichita Children’s Home, c/o Deborah Kennedy, CEO (applicant), praying for the vacation of the following described portion of the Orchard Avenue public street right-of-way, to-wit:

That part of Orchard Avenue as platted in Sunrise Park Addition, Wichita, Sedgwick County, Kansas, adjacent to and south of Reserve “A”, and adjacent to and north of Lot 35, more particularly described as beginning at the southeast corner of said Reserve “A”; thence south 50.00 feet more or less to the northeast corner of said Lot 35; thence west along the north line of said Lot 35, 11.95 feet to a point 218.75 feet east of the east line of Holyoke Avenue; thence north parallel with the east line of Holyoke Avenue, 50.00 feet to a point 218.75 feet east of the east line of Holyoke Avenue, and on the south line of said Reserve “A”; thence east along the south line of said Reserve “A”, 11.95 feet to the Point of Beginning.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle on March 28, 2016, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the described portion of the Orchard Avenue public street right-of-way and the public will suffer no loss or

inconvenience thereby.

3. A restrictive covenant biding and tying the described vacated portion of the Orchard Avenue public street right-of-way to the abutting property will be recorded with the Vacation Order at the Sedgwick County Register of Deeds and with the Sedgwick County Appraisers Office.

4. In justice to the petitioner(s), the prayer of the petition ought to be granted.

5. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

6. The vacation of the described portion of the Orchard Avenue public street right-of-way, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of May, 2016, ordered that the above-described portion of the Orchard Avenue public street right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

RESTRICTIVE COVENANT

THIS DECLARATION, made this 27 day of APRIL, 2016, by Wichita Children's Home, a Kansas not-for-profit corporation, hereinafter called "Declarant",

WITNESSETH

WHEREAS, Declarant is the owner of the following described real properties:

PARCEL 'A'

Reserve A, Sunrise Park Addition to Wichita, Sedgwick County, Kansas, together with the North Half of the West 218.75 feet of vacated Orchard Avenue adjoining on the South, and Lot 35, except the south 56.68 feet thereof, in said Sunrise Park Addition to Wichita

and,

WHEREAS, Declarant is in the process of vacating a portion of Orchard Avenue adjacent to said Parcel "A", described as Parcel "B" below, and as a condition of this vacation case, the Planning Commission of the City of Wichita has required this covenant.

PARCEL 'B'

That part of Orchard Street as platted in Sunrise Park Addition, Wichita, Sedgwick County, Kansas, adjacent to and south of Reserve "A", and adjacent to and north of Lot 35, more particularly described as beginning at the southeast corner of said Reserve "A"; thence south 50.00 feet more or less to the northeast corner of said Lot 35; thence west along the north line of said Lot 35, 11.95 feet to a point 218.75 feet east of the east line of Holyoke Avenue; thence north parallel with the east line of Holyoke Avenue, 50.00 feet to a point 218.75 feet east of the east line of Holyoke Avenue, and on the south line of said Reserve "A"; thence east along the south line of said Reserve "A", 11.95 feet to the Point of Beginning.

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NOW, THEREFORE, Declarant hereby declares that, for and in consideration of the recitals, Declarant hereby covenants and agrees as follows:

Parcel "A" and Parcel "B", described above, shall be tied together as one ownership, and under this ownership, shall be conveyed, encumbered, improved, operated and otherwise used together as one undivided parcel.

This covenant shall remain in force until said Parcel "A" and Parcel "B" of this ownership is re-platted or this Restrictive Covenant is released through a public hearing process.

This covenant shall run with said lots and 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 title for the above described tract located in Wichita, Sedgwick County, Kansas.

Wichita Children's Home

By: Debbie Kennedy
Debbie Kennedy, CEO

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

BE IT REMEMBERED, that on this 27 day of April, 2016, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Debbie Kennedy as CEO of Wichita Children's Home, a Kansas not-for-profit 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.

Fonda R Ellis
Notary Public

(My Appointment Expires: 10-29-17)

Approved as to form:

Jennifer Magaña
Jennifer Magaña, City Attorney and Director of Law



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