

Table of Contents

Agenda	3
II-1. Report of Board of Bids and Contracts dated May 23, 2016.	
Agenda Report No. II-1	7
II-3. Preliminary Estimates.	
Agenda Report No. II-3	25
II-4a. Amending Resolutions for Improvements to Serve Siena Lakes Addition. (District V)	
Agenda Report No. II-4a	30
Supporting Document.	31
Resolution No. 16-116	38
Resolution No. 16-117	41
II-4b. Revised Petitions for Improvements to Serve Vassar Addition. (District V)	
Agenda Report No. II-4b	44
Resolution No. 16-118	45
Resolution No. 16-119	48
Resolution No. 16-120	51
Supporting Document.	54
II-5a. Community Events - Bradley Fair Summer Concert. (District II)	
Agenda Report No. II-5a	76
II-6a. Partial Acquisition of 1611 South Meridian for the Meridian from Pawnee to McCormick Road Improvement Project. (District IV)	
Agenda Report No. II-6a	77
Supporting Documents	78
II-8. Payment for Settlement of Claim.	
Agenda No. II-8	81
Resolution No. 16-121	82
II-9. Payment for Settlement of Claim.	
Agenda Report No. II-9	84
Resolution No. 16-122	85
II-10. Bonding Resolution for 2016 Congestion, Mitigation, and Air Quality (CMAQ) Bus Purchase.	
Agenda Report No. II-10	87
Resolution No. 16-123	88
II-11. Request to Extend the Letter of Intent for Industrial Revenue Bonds, 518 – 520 S. Commerce Street. (District I)	
Agenda Report No. II-11	90
II-12. Wichita Transit Title VI Program and Service Standards Policy.	
Agenda Report No. II-12	91
Wichita Transit Title VI Program	93
Wichita Transit Service Standards Policy	136

II-13. Second Reading Ordinances.	
II-13 Second Reading Ordinance	140
II-14. *SUB2016-00007 -- Plat of M A A 2nd Addition Located North of East 47th Street South, on the East Side of South Broadway Avenue. (District III)	
Agenda Report No. II-14	141
Supporting Document.	143
Resolution Nos. 16-124 and 16-125	145
II-15. *ZON2016-00003 – Zone Change from SF-5 Single-family Residential to TF-3 Two-family Residential, Generally Located North of West Murdock Avenue and East of North Mount Carmel Avenue. (District VI)	
Agenda Report No. II-15	151
Ordinance No. 50-255.	153
ZON2016-00003 Background Information	154
II-16. *ZON2016-00004 – Zone Change from SF-5 Single-family Residential to TF-3 Two-family Residential, Generally Located North of West Taft Avenue and East of South All Hallows Avenue, 436 S. All Hallows Avenue. (District IV)	
Agenda Report No. II-16	159
Ordinance No. 50-256.	161
ZON2016-00004 Background Information	162
II-17. *ZON2016-00014 and CUP2016-00010 - City zone Change from LC Limited Commercial to OW Office Warehouse and Amendment of DP-83 Southwest Plaza Community Unit Plan to Allow Office Warehouse Uses, on Property Generally located on the Northeast Corner of 31st Street South and South Meridian Avenue. (District IV)	
Agenda Report No. II-17	165
Ordinance No. 50-257.	167
ZON2016-00014 and CUP2016-00010 Background Information	168

FINAL
CITY COUNCIL

CITY OF WICHITA
KANSAS

City Council Meeting
09:30 a.m. May 24, 2016

First Floor Board Room
455 North Main

OPENING OF REGULAR MEETING

- Call to Order
- Approve the minutes of the regular meeting and Enbanc Meeting on May 17, 2016

II. CONSENT AGENDA ITEMS 1 THROUGH 17

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 AGENDA

VIII. COUNCIL MEMBER AGENDA

None

IX. COUNCIL MEMBER APPOINTMENTS AND COMMENTS

1. Board Appointments.

RECOMMENDED ACTION: Approve the appointments.

Adjournment

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

(ATTACHMENT 1 – CONSENT AGENDA ITEMS 1 THROUGH 17)

II. CITY COUNCIL CONSENT AGENDA ITEMS

1. Report of Board of Bids and Contracts dated May 23, 2016.

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

2. Applications for Licenses to Retail Cereal Malt Beverages:

Renew	2016	(Consumption on Premises)
Terry Newman	Blue River Mexican Grill**	2341 North Greenwich Suite 700
Pedro Ortega Escobedo	Mariscos Cheli**	1851 North Broadway Suite D

**General/Restaurant (need 50% or more gross revenue from sale of food)

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

3. Preliminary Estimates:

- a. List of Preliminary Estimates.

RECOMMENDED ACTION: Receive and file.

4. Petitions for Public Improvements:

- a. Amending Resolutions for Improvements to Serve Siena Lakes Addition. (District V)
b. Revised Petitions for Improvements to Serve Vassar Addition. (District V)

RECOMMENDED ACTION: Approve the petitions and adopt the resolutions.

5. Consideration of Street Closures/Uses:

- a. Community Events - Bradley Fair Summer Concert. (District II)

RECOMMENDED ACTION: Approve the request subject to; (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; and (3) Securing a Certificate of Liability Insurance on file with the Community Events Coordinator.

6. Property Acquisitions:

- a. Partial Acquisition of 1611 South Meridian for the Meridian from Pawnee to McCormick Road Improvement Project. (District IV)

RECOMMENDED ACTION: Approve budgets and contracts and authorize necessary signatures.

7. Minutes of Advisory Boards/Commissions:

Joint Investment Committee, April 7, 2016
Board of Park Commissioners, April 11, 2016
Wichita Public Library, April 19, 2016
Board of Electrical Appeals, March 8, 2016

RECOMMENDED ACTION: Receive and file.

8. Payment for Settlement of Claim.

RECOMMENDED ACTION: Authorize payment of \$20,000 as full settlement of all possible claims arising out of the events which are the subject of this claim and adopt the bonding resolution.

9. Payment for Settlement of Claim.

RECOMMENDED ACTION: Authorize payment of \$31,500 as full settlement of all possible claims arising out of the events which are the subject of this claim and adopt the bonding resolution.

10. Bonding Resolution for 2016 Congestion, Mitigation, and Air Quality (CMAQ) Bus Purchase.

RECOMMENDED ACTION: Adopt the bonding resolution and authorize the necessary signatures.

11. Request to Extend the Letter of Intent for Industrial Revenue Bonds, 518 – 520 S. Commerce Street. (District I)

RECOMMENDED ACTION: Extend the letter of intent for the issuance of Industrial Revenue Bonds to Commerce Farm Club/520 Commerce, LLC through December 31, 2016.

12. Wichita Transit Title VI Program and Service Standards Policy.

RECOMMENDED ACTION: Approve the 2016 Wichita Transit Title VI Program and 2016 Wichita Transit Service Standards Policy and authorize the necessary signatures.

13. Second Reading Ordinances: (First Read May 17, 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.

14. *SUB2016-00007 -- Plat of M A A 2nd Addition Located North of East 47th Street South, on the East Side of South Broadway Avenue. (District III)

RECOMMENDED ACTION: Approve the documents and plat, authorize the necessary signatures and adopt the Resolutions.

15. *ZON2016-00003 – Zone Change from SF-5 Single-family Residential to TF-3 Two-family Residential, Generally Located North of West Murdock Avenue and East of North Mount Carmel Avenue. (District VI)

RECOMMENDED ACTION: Adopt the findings of the MAPC, approve the requested Zone Change and place the ordinance on the first reading (simple majority vote).

16. *ZON2016-00004 – Zone Change from SF-5 Single-family Residential to TF-3 Two-family Residential, Generally Located North of West Taft Avenue and East of South All Hallows Avenue, 436 S. All Hallows Avenue. (District IV)

RECOMMENDED ACTION: Adopt the findings of the MAPC, approve the requested Zone Change and place the ordinance on the first reading (simple majority vote).

17. *ZON2016-00014 and CUP2016-00010 - City zone Change from LC Limited Commercial to OW Office Warehouse and Amendment of DP-83 Southwest Plaza Community Unit Plan to Allow Office Warehouse Uses, on Property Generally located on the Northeast Corner of 31st Street South and South Meridian Avenue. (District IV)

RECOMMENDED ACTION: Adopt the findings of the MAPC and approve the requested zoning and subject to the recommended provisions of CUP DP-83 (a simple majority vote) and instruct the Planning Department to forward the ordinance for first reading.

II. CONSENT HOUSING AGENDA ITEMS

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

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

Wichita, Kansas
May 23, 2016
10:00 a.m., Monday
Conference Room, 12th Floor

REVISED MINUTES - BOARD OF BIDS AND CONTRACTS*

The Board of Bids and Contracts met with Marty Strayer, Administrative Assistant, Public Works, Amy Belcher, 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.

Minutes of the regular meeting dated May 16, 2016, were read and on motion approved.

Bids were opened May 20, 2016, pursuant to advertisements published on:

Re-use Water Pump Station (east of Hydraulic, north of 63rd Street South) (468-85112/620784/ 665009) Traffic to be maintained during construction using flagpersons and barricades. (District III)

Wildcat Construction Co. Inc. - \$1,242,000.00

2016 Sanitary Sewer Reconstruction Phase 6 (north of Harry, east of Seneca) (468-85116/620846/ 666005) Traffic to be maintained during construction using flagpersons and barricades. (District I,VI)

Wildcat Construction - \$210,728.00

Stormwater Drain #319 to serve Krug South Addition (south of 21st Street North, west of 143rd Street East) (468-84324/751545/485436) Does not affect existing traffic. (District II) Steeplechase Circle from the west line of Wooddale to a point approximately 950 feet west, serving Lots 12-28, Block 2 in Krug South Addition (south of 21st Street North, west of 143rd Street East) (472-85058/766360/490383) Does not affect existing traffic. (District II)

*Conspec Inc. DBA Kansas Paving - \$65,616.50 Group 1
*\$119,963.00 Group 2
\$185,579.50 Bid Total

*Award 6-7-16 subject to City Council approval of new Engineer's Estimate and Budget authorization.

2016 Outsourced Pavement Preservation Program Hot Spot Repairs (Various Locations) (472-85290/132726/636246/620837/133116/) Traffic to be maintained during construction using flagpersons and barricades. (District I,II,III,IV,V&VI)

*PPJ Construction Inc. - \$180,400.00

*Contract awarded for Engineer's Estimate \$180,400.00.

Purchasing Manager 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.

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: Williams St Lease Space Refurbish Skywalk**

Vogts Construction Company - \$274,916.00 Base Bid
\$150.00 Option 2-Unit Price No. 2 (per sq foot)

**PUBLIC WORKS AND UTILITIES DEPARTMENT/WATER DISTRIBUTION
DIVISION: Install Water Utility Service Lines**

Dutton Construction and Plumbing LLC *- \$332,200.00
*Estimate – Contract approved on unit cost basis; refer to attachments.

VARIOUS DEPARTMENTS, BOARDS AND AGENCIES Overhead Door Repair

Badger Door *- \$41,220.00
*Estimate – Contract approved on unit cost basis; refer to attachments.

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

Bauer and Son Construction Co. Inc. - \$259,035.66 Base Bid
*\$6.65 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)

*Award for 105,000 sq. feet (\$698,250).

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 23, 2016

ENGINEERING BIDS – GARY JANZEN, CITY ENGINEER**May 20, 2016**

Re-Use Water Pump Station (east of Hydraulic, north of 63rd Street S.) – Public Works & Utilities
 Department/Engineering Division
Wildcat Construction Company, Inc. **\$1,242,000.00**

2016 Sanitary Sewer Reconstruction Phase 6 (north of Harry, east of Seneca) – Public Works & Utilities
 Department/Engineering Division
Wildcat Construction Company, Inc. **\$210,728.00**

Storm Sewer/Paving to serve Krug South Addition – Public Works & Utilities Department/Engineering Division
Conspec, Inc. dba Kansas Paving **Group 1 – Stormwater Drain #319** **\$ 65,616.50**
Group 2 – Paving - Steeplechase Circle **119,963.00**
Aggregate Bid Total **\$185,579.50***

***Award 6/7/16 Subject to City Council Approval of New Engineer's Estimate and Budget Authorization**

2016 OP3 Hot Spot Repairs (Various Locations) – Public Works & Utilities Department/Engineering Division
PPJ Construction, Inc. **(Engineer's Estimate)** **\$180,400.00**

PURCHASING BIDS – MELINDA A. WALKER, PURCHASING MANAGER**May 20, 2016**

William Street Lease Space & Refurbish Skywalk – Public Works & Utilities Department/Fleet & Facilities Div.
Vogts Construction Company **Base Bid** **\$274,916.00**
Unit Price No. 2 (Add) (Per Sq. Ft.) **\$150.00**

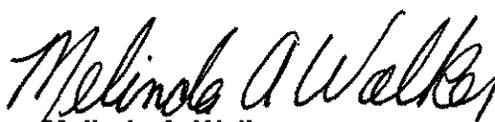
Installation of Water Utility Service Lines – Public Works & Utilities Department/Water Distribution Division
 (See Exhibit B for Itemized Pricing in the Formal Bid Report)
Dutton Construction and Plumbing, LLC **\$332,200.00**

Overhead Door Repair – Various Departments, Boards & Agencies
Badger Door **(See Exhibit C for Itemized Pricing in the Formal Bid Report)** **\$41,220.00**

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 (Add) (Per Sq. Ft.) **\$6.65****
Option 2 – Unit Price No. 2 (Add) (Per Sq. Ft.) **\$28.70**
Option 3 – Unit Price No. 3 (Add) (Per Sq. Ft.) **\$0.21**

****Award for 105,000 Sq. Ft. (\$698,250.00)**

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


 Melinda A. Walker
 Purchasing Manager

SANITARY SEWER BID TABULATION SUMMARY

BOARD OF BIDS - May 20, 2016

RQ640563

FB640092		Engineer's Construction Estimate	Dondlinger & Sons	Wildcat Construction Co. Inc.	Utility Contractors Inc.
Re-use Water Pump Station		\$1,355,708.00	\$1,468,000.00	\$1,242,000.00	\$1,377,800.00
(east of Hydraulic, north of 63rd St S)	BID BOND		X		
468-85112	ADDENDA	4			
(620784)					
		Engineer's Construction Estimate	McCullough Excavation	Nowak Construction	Utilities Plus
Re-use Water Pump Station		\$1,355,708.00			
(east of Hydraulic, north of 63rd St S)	BID BOND				
468-85112	ADDENDA	4			
(620784)					
		Engineer's Construction Estimate			
Re-use Water Pump Station		\$1,355,708.00			
(east of Hydraulic, north of 63rd St S)	BID BOND				
468-85112	ADDENDA	4			
(620784)					
		Engineer's Construction Estimate			
Re-use Water Pump Station		\$1,355,708.00			
(east of Hydraulic, north of 63rd St S)	BID BOND				
468-85112	ADDENDA	4			
(620784)					

CHECKED BY: JP

REVIEWED BY: JK

SANITARY SEWER BID TABULATION SUMMARY

BOARD OF BIDS - May 20, 2016

RQ640598

FB640102		Engineer's Construction Estimate	Duling Construction	Wildcat Construction	Stannard Construction d/b/a WB Carter
2016 Sanitary Sewer Reconstruction Phase 6		\$304,000.00	\$272,396.00	\$210,728.00	\$242,000.00
(north of Harry, east of Seneca)	BID BOND				X
468-85116	ADDENDA	0			
(620846)					
		Engineer's Construction Estimate	Dutton Construction and Plumbing	Danco Enterprises Inc.	Wilks Underground Utilities LLC
2016 Sanitary Sewer Reconstruction Phase 6		\$304,000.00	\$217,724.00	\$247,073.00	\$312,687.00
(north of Harry, east of Seneca)	BID BOND		X	X	X
468-85116	ADDENDA	0			
(620846)					
		Engineer's Construction Estimate			
2016 Sanitary Sewer Reconstruction Phase 6		\$304,000.00			
(north of Harry, east of Seneca)	BID BOND				
468-85116	ADDENDA	0			
(620846)					
		Engineer's Construction Estimate			
2016 Sanitary Sewer Reconstruction Phase 6		\$304,000.00			
(north of Harry, east of Seneca)	BID BOND				
468-85116	ADDENDA	0			
(620846)					

CHECKED BY: kp

REVIEWED BY: JK

STORM SEWER/PAVING BID TABULATION SUMMARY

BOARD OF BIDS - May 20, 2016

RQ640599

FB640103		Engineer's Construction Estimate	Conspec Inc. DBA Kansas Paving	APAC Inc. Kansas	Cornejo & Sons LLC
Stormwater Drain #319 468-84324 (751545)	Group 1		\$65,616.50	\$76,038.50	\$77,070.50
Steeplechase Circle 472-85058 (766360)	Group 2		\$119,968.00	\$130,575.75	\$133,260.61
Krug South Addition	BID BOND				
	ADDENDA				
BID TOTAL			\$185,579.50	\$206,614.25	\$210,331.11
		Engineer's Construction Estimate	Pearson Construction LLC	Nowak Construction	Utilities Plus
Stormwater Drain #319 468-84324 (751545)	Group 1		\$89,142.50		
Steeplechase Circle 472-85058 (766360)	Group 2		\$116,112.60		
Krug South Addition	BID BOND				
	ADDENDA				
BID TOTAL			\$205,255.10		
		Engineer's Construction Estimate	Wildcat Construction	Stannard Construction d/b/a WB Carter	
Stormwater Drain #319 468-84324 (751545)	Group 1				
Steeplechase Circle 472-85058 (766360)	Group 2				
Krug South Addition	BID BOND				
	ADDENDA				
BID TOTAL					
		Engineer's Construction Estimate			
Stormwater Drain #319 468-84324 (751545)	Group 1				
Steeplechase Circle 472-85058 (766360)	Group 2				
Krug South Addition	BID BOND				
	ADDENDA				
BID TOTAL					

Award 6-7-16 subject to City Council approval of new Engineer's Estimate and Budget authorization.

CHECKED BY:

REVIEWED BY:

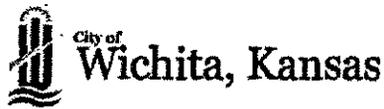
PAVING BID TABULATION SUMMARY

BOARD OF BIDS - May 20, 2016

RQ640600

FB640104		Engineer's Construction Estimate	Barkley Construction	Conspec Inc. DBA Kansas Paving	PPJ Construction Inc.
2016 OP3 Hot Spot Repairs		\$180,400.00	\$317,906.25	\$348,400.00	\$147,770.00
	BID BOND				X
(Various Locations)	ADDENDA	1			X
472-85290 (132726/620837/636246/133116)					
		Engineer's Construction Estimate	Dondlinger & Sons	Kansas Paving Company	
2016 OP3 Hot Spot Repairs		\$180,400.00			
	BID BOND				
(Various Locations)	ADDENDA	1			
472-85290 (132726/620837/636246/133116)					
		Engineer's Construction Estimate			
2016 OP3 Hot Spot Repairs		\$180,400.00			
	BID BOND				
(Various Locations)	ADDENDA	1			
472-85290 (132726/620837/636246/133116)					
		Engineer's Construction Estimate			
2016 OP3 Hot Spot Repairs		\$180,400.00			
	BID BOND				
(Various Locations)	ADDENDA	1			
472-85290 (132726/620837/636246/133116)					
CONTRACT AWARDED FOR ENGINEER'S ESTIMATE \$180,400.00					

CHECKED BY: JP
 REVIEWED BY: JK



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: **William St Lease Space Refurbish Skywalk** **Close Date/Time:** 5/20/2016 10:00 AM CST
 FB640094
Solicitation Type: Formal Bid **Return to the Bid List**
Award Method: Aggregate Cost
Department: Public Works Fleet & Facilities **Responses:** 3

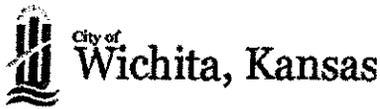
Vendors	Complete	Bid Total	City Comments
BAUER & SON CONSTRUCTION CO INC	Complete	\$495,624.00	
VOGTS CONSTRUCTION COMPANY	Partial	\$304,944.00	Award 5-24-16 Base Bid & Unit Price #2 Public Works & Utilities Dept/Fleet & Facilities Division
MARTIN K EBY CONSTRUCTION CO INC	Partial	\$353,990.00	

BIDS ARE WITHIN ARCHITECTS ESTIMATE

[Top of the Page](#)

Architect's Estimate: \$356,000.00





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: William St Lease Space Refurbish Skywalk **Close Date/Time:** 5/20/2016 10:00 AM CST
 FB640094

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

Award Method: Aggregate Cost

Department: Public Works Fleet & Facilities **Responses:** 3

Go to:

Line 001 | Base Bid: Provide labor, material, and equipment to complete sky bridge renovations and finish out William Street lease spaces located at the Market Street Parking Garage, 215 S. Market, as per drawings and specifications.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
VOGTS CONSTRUCTION COMPANY	1	Lump Sum	\$274,916.0000	\$274,916.00	Complete	
MARTIN K EBY CONSTRUCTION CO INC	1	Lump Sum	\$347,800.0000	\$347,800.00	Complete	
BAUER & SON CONSTRUCTION CO INC	1	Lump Sum	\$495,499.0000	\$495,499.00	Complete	

Line 002 | Alternate No. 1: Provide metal panel soffit per Detail 1A (noted Alternate #1) on Drawing Sheet A3. Lump Sum Amount to Add to the Base Bid.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
BAUER & SON CONSTRUCTION CO INC	1	Lump Sum	\$0.0000	\$0.00	Complete	NO BID
MARTIN K EBY CONSTRUCTION CO INC	1	Lump Sum	\$6,100.0000	\$6,100.00	Complete	
VOGTS CONSTRUCTION COMPANY	1	Lump Sum	\$29,878.0000	\$29,878.00	Complete	

Line 003 | Unit Price No. 1: This Item has Been Deleted. No Bid This Item.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
BAUER & SON CONSTRUCTION CO INC	1	Linear Foot	\$0.0000	\$0.00	Complete	NO BID
MARTIN K EBY CONSTRUCTION CO INC					No Bid.	
VOGTS CONSTRUCTION COMPANY					No Bid.	

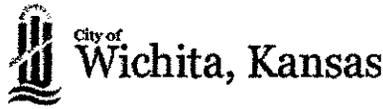
Line 004 | Unit Price No. 2: Repair of existing exterior stucco. Cost per Square Foot.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
MARTIN K EBY CONSTRUCTION CO INC	1	Square Feet	\$90.0000	\$90.00	Complete	

BAUER & SON CONSTRUCTION CO INC	1	Square Feet	\$125.0000	\$125.00	Complete
VOGTS CONSTRUCTION COMPANY	1	Square Feet	\$150.0000	\$150.00	Complete

Top of the Page





BID RESULTS

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

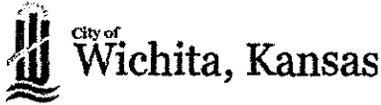
This page summarizes vendor responses by the bid total. Awarded vendors will be notified of their respective purchase orders/contracts.

Vendor Group Line
Solicitation: FB640100 **Install Water Utility Service Lines** **Close Date/Time:** 5/20/2016 10:00 AM CST
Solicitation Type: Formal Bid **Return to the Bid List**
Award Method: Aggregate Cost
Department: Water Distribution **Responses:** 7

Vendors	Complete	Bid Total	City Comments
DUTTON CONSTRUCTION AND PLUMBING LLC	Complete	\$332,200.00	Award 5-24-16 Public Works & Utilities Dept/Water Distribution Division
WILKS UNDERGROUND UTILITIES LLC	Complete	\$334,000.00	
CK CONTRACTING LLC	Complete	\$351,920.00	
MIES CONSTRUCTION INC	Complete	\$365,000.00	
NOWAK CONSTRUCTION CO INC	Complete	\$403,166.00	
DULING CONSTRUCTION CO INC	Complete	\$432,000.00	
NPL CONSTRUCTION COMPANY	Complete	\$535,000.00	

[Top of the Page](#)





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: FB640100 **Install Water Utility Service Lines** **Close Date/Time:** 5/20/2016 10:00 AM CST

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

Award Method: Aggregate Cost

Department: Water Distribution **Responses:** 7

Go to:

Line 001 | Furnish Labor, Materials, and Equipment for the Installation of LONG Water Utility Service Lines.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
DUTTON CONSTRUCTION AND PLUMBING LLC	200	Each	\$893.0000	\$178,600.00	Complete	
WILKS UNDERGROUND UTILITIES LLC	200	Each	\$900.0000	\$180,000.00	Complete	
CK CONTRACTING LLC	200	Each	\$958.6900	\$191,738.00	Complete	
MIES CONSTRUCTION INC	200	Each	\$975.0000	\$195,000.00	Complete	
NOWAK CONSTRUCTION CO INC	200	Each	\$1,132.1700	\$226,434.00	Complete	
DULING CONSTRUCTION CO INC	200	Each	\$1,200.0000	\$240,000.00	Complete	
NPL CONSTRUCTION COMPANY	200	Each	\$1,225.0000	\$245,000.00	Complete	

Line 002 | Furnish Labor, Materials, and Equipment for the Installation of SHORT Water Utility Service Lines.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
DUTTON CONSTRUCTION AND PLUMBING LLC	200	Each	\$768.0000	\$153,600.00	Complete	
WILKS UNDERGROUND UTILITIES LLC	200	Each	\$770.0000	\$154,000.00	Complete	
CK CONTRACTING LLC	200	Each	\$800.9100	\$160,182.00	Complete	
MIES CONSTRUCTION INC	200	Each	\$850.0000	\$170,000.00	Complete	
NOWAK CONSTRUCTION CO INC	200	Each	\$883.6600	\$176,732.00	Complete	
DULING CONSTRUCTION CO INC	200	Each	\$960.0000	\$192,000.00	Complete	
NPL CONSTRUCTION COMPANY	200	Each	\$1,450.0000	\$290,000.00	Complete	



BID RESULTS

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

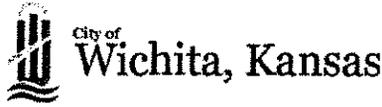
This page summarizes vendor responses by the bid total. Awarded vendors will be notified of their respective purchase orders/contracts.

Vendor Group Line
Solicitation: FB640101 **Overhead Door Repair** **Close Date/Time:** 5/20/2016 10:00 AM CST
Solicitation Type: Formal Bid **Return to the Bid List**
Award Method: Aggregate Cost
Department: Purchasing Department **Responses:** 5

Vendors	Complete	Bid Total	City Comments
BADGER DOOR	Complete	\$41,220.00	Award 5-24-16 Various Departments, Boards & Agencies
OVERHEAD DOOR COMPANY	Complete	\$43,000.00	
CHENEY DOOR COMPANY INC	Complete	\$60,300.00	
OVERHEAD DOOR COMPANY OF WICHITA	Complete	\$65,800.00	
WIESE USA	Complete	\$66,968.00	

[Top of the Page](#)





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: FB640101 **Overhead Door Repair** **Close Date/Time:** 5/20/2016 10:00 AM CST

Solicitation Type: Formal Bid

[Return to the Bid List](#)

Award Method: Aggregate Cost

Department: Purchasing Department

Responses: 5

Go to:

Line 001 | Overhead door repair for all types and brands of overhead doors in use on City Buildings. Hourly rate for labor only (8:00 a.m.-5:00 p.m. Monday-Friday)- One Person

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
BADGER DOOR	240	Hour	\$38.0000	\$9,120.00	Complete	
OVERHEAD DOOR COMPANY	240	Hour	\$40.0000	\$9,600.00	Complete	
CHENEY DOOR COMPANY INC	240	Hour	\$65.0000	\$15,600.00	Complete	
WIESE USA	240	Hour	\$75.6500	\$18,156.00	Complete	
OVERHEAD DOOR COMPANY OF WICHITA	240	Hour	\$80.0000	\$19,200.00	Complete	

Line 002 | Overhead door repair for all types and brands of overhead doors in use on City Buildings. Hourly Rate for labor only (8:00 a.m.-5:00 p.m., Monday-Friday)- Two Persons

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
BADGER DOOR	240	Hour	\$80.0000	\$19,200.00	Complete	
OVERHEAD DOOR COMPANY	240	Hour	\$85.0000	\$20,400.00	Complete	
CHENEY DOOR COMPANY INC	240	Hour	\$125.0000	\$30,000.00	Complete	
OVERHEAD DOOR COMPANY OF WICHITA	240	Hour	\$130.0000	\$31,200.00	Complete	
WIESE USA	240	Hour	\$151.3000	\$36,312.00	Complete	

Line 003 | Lift Charge per Lift per Hour

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
OVERHEAD DOOR COMPANY	240	Hour	\$0.0000	\$0.00	Complete	No charge for lift.
WIESE USA	240	Hour	\$0.0000	\$0.00	Complete	
BADGER DOOR	240	Hour	\$0.0000	\$0.00	Complete	no lift fee
	240	Hour	\$5.0000	\$1,200.00	Complete	

CHENEY DOOR
COMPANY INC

OVERHEAD DOOR 240 Hour \$10.0000 \$2,400.00 Complete
COMPANY OF WICHITA

Line 004 | Percentage (%) markup on cost for materials and parts. Material & Parts at \$10,000 x _____%
Example: \$10,000 x 25% = \$2,500 \$10,000 + \$2,500 = \$12,500 Enter \$12,500 as the Lump Sum Amount Note: If bidding online, state the percentage (%) markup in the comment box and your lump sum amount in the unit price.

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
WIESE USA	1	Lump Sum	\$12,500.0000	\$12,500.00	Complete	25 percent
BADGER DOOR	1	Lump Sum	\$12,900.0000	\$12,900.00	Complete	29 percent
OVERHEAD DOOR COMPANY OF WICHITA	1	Lump Sum	\$13,000.0000	\$13,000.00	Complete	30 percent
OVERHEAD DOOR COMPANY	1	Lump Sum	\$13,000.0000	\$13,000.00	Complete	30
CHENEY DOOR COMPANY INC	1	Lump Sum	\$13,500.0000	\$13,500.00	Complete	35 percent

Top of the Page





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

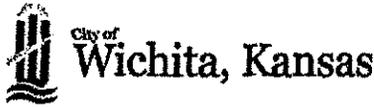
Vendors	Complete	Bid Total	City Comments
BAUER & SON CONSTRUCTION CO INC	Complete	\$259,035.66	Award 5-24-16 Base Bid & Unit Price 1-3; 105,000 sf Unit Price 1 @ \$6.65 (\$698,250) Ttl \$957,250
VOGTS-PARGA CONSTRUCTION LLC	Complete	\$290,843.33	
COMMERCE CONSTRUCTION SERVICES INC	Complete	\$311,014.20	
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 Base Bid: \$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	

Top of the Page



**PRELIMINARY ESTIMATES
FOR CITY COUNCIL MAY 24, 2016**

- a. 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) - \$584,000.00
- b. 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. (District IV) - \$615,000.00
- c. 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. (District IV) - \$105,000.00
- d. 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) - \$82,000.00

PRELIMINARY ESTIMATE of the cost of:

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)

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	Compacted Fill (90% Density)	763	cy
4	Excavation	2,123	cy
5	Regrade Gravel Surface	77	sy
6	Pavement Marking	1	LS
7	Traffic Control	1	LS
8	Seeding	1	LS

MEASURED QUANTITY BID ITEMS

9	AC Pavement 7" (5" Bit Base)	8,959	sy
10	Pipe, SWS HERCP 30x19	68	lf
11	Sawcut existing pavement	118	lf
12	AC Pavement Removed	115	sy
13	Rip-Rap, Light Stone	11	sy
14	BMP, Ditch Check	39	ea
15	BMP, Erosion Control Blanket	469	sy
16	Crushed Rock Base 6", Reinforced	10,722	sy
17	Crushed Rock Shoulder (AB-3)	1,099	sy

Construction Subtotal

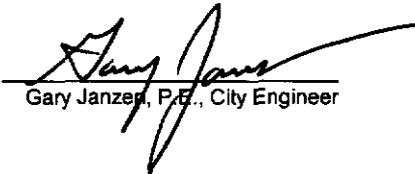
Design Fee
Engineering & Inspection
Administration
Publication
Right-of-way Acquisition

Total Estimated Cost

\$584,000.00

CITY OF WICHITA)
STATE OF KANSAS) SS

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


Gary Janzer, P.E., City Engineer

Sworn to and subscribed before me this _____
(DATE)

City Clerk

490337 (766316) 472-84941

Page _____

EXHIBIT _____

PRELIMINARY ESTIMATE of the cost of:

Sheridan Avenue from the end of existing pavement, north to and including the cul-de-sac to serve Southwest Industrial Addition

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 (766341) - Group 1

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

MEASURED QUANTITY BID ITEMS (766341) - Group 1

4	AC Pavement 7" (5" Bit Base)	4,429	sy
5	Crushed Rock Base 6", Reinforced	5,236	sy
6	Concrete C & G, Type 4 (6-5/8" & 1-1/2")	2,075	lf
7	Excavation	3,242	cy
8	Fill, Compacted (95% Density)	490	cy
9	Inlet Hookup	2	ea
10	Tree Removed, Large	9	ea
11	Tree Row Removal	331	lf
12	Rip-Rap, Light Stone	33	sy
13	Inlet Underdrain	40	lf
14	BMP, Back of Curb Protection	2,137	lf
15	Maintain Existing Construction Entrance	1	ea
16	BMP, Curb Inlet Protection	2	ea
17	BMP, Ditch Check	1	ea
18	Valve Box Adjusted	4	ea
19	Pipe, SWS 24"	305	lf
20	Pipe, SWS 30"	42	lf
21	Pipe, End Section 30"	1	ea
22	Removal of Existing Structures	2	ea
23	Fill, Sand (Flushed & Vibrated)	49	lf
24	Inlet, Curb (Type 1A) (L=10' W=4')	1	ea
25	Inlet, Curb (Type 1A) (L=10' W=5')	1	ea
26	MH, Shallow SWS (5')	1	ea
27	MH, Standard SWS (5')	1	ea
28	Concrete Driveway 8" (Reinforced)	1,000	sf

Construction Subtotal

Design Fee
 Engineering & Inspection
 Administration
 Publication

Total Estimated Cost

\$615,000.00

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

490363 (766341) 472-85220

Page _____

EXHIBIT _____

To be Bid: May 13, 2016

PRELIMINARY ESTIMATE of the cost of:

Water Extension for Sheridan Avenue to serve Southwest Industrial Addition
(north of Pawnee, east of West Street)
(north of Pawnee, east of West Street)

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

LUMP SUM BID ITEMS (735537) - Group 2

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

MEASURED QUANTITY BID ITEMS (735537) - Group 2

5	Pipe, WL 8"	1,570	lf
6	Pipe, WL 8" , DICL	2	lf
7	Pipe, CIMJ Cap 8"	1	ea
8	Fire Hydrant Assembly	3	ea
9	Valve Assembly, Blowoff 2"	1	ea
10	Valve Assembly, 8"	1	ea
11	Valve Assembly, Anchored 8", Special	1	ea
12	Concrete Driveway Removed & Replaced	129	lf
13	Maintain Existing BMPs	1	ea
14	Fill, Sand (Flushed & Vibrated)	129	lf

Construction Subtotal

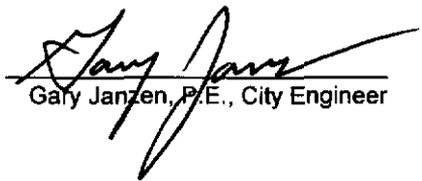
Design Fee
Engineering & Inspection
Administration
Publication
Water Dept

Total Estimated Cost

\$105,000.00

CITY OF WICHITA)
STATE OF KANSAS) SS

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


Gary Janzen, P.E., City Engineer

Sworn to and subscribed before me this _____
(DATE)

City Clerk

To be Bid:

May 13, 2016

PRELIMINARY ESTIMATE of the cost of:

Lateral 278, Sanitary Sewer No. 22 for Sheridan Avenue
Southwest Industrial Addition

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 (744401) - Group 3

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

MEASURED QUANTITY BID ITEMS (744401) - Group 3

4	Pipe, SS 8"	184	lf
5	Pipe Stub, 6"	3	ea
6	MH Adjusted, SS	2	ea
7	MH, Standard SS (4')	3	ea
8	MH, Connect to existing	2	ea
9	Fill, Flowable	36	lf
10	Fill, Sand (Flushed & Vibrated)	94	lf
11	Air Testing, SS Pipe	184	lf
12	BMP, Construction Entrance	1	ea

Construction Subtotal

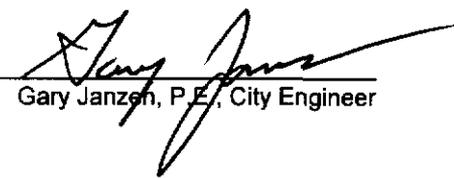
- Design Fee
- Engineering & Inspection
- Administration
- Publication
- Contingency

Total Estimated Cost

\$82,000.00

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

480093 (744401) 468-85066

Page _____

EXHIBIT

City of Wichita
City Council Meeting
May 24, 2016

TO: Mayor and City Council

SUBJECT: Amending Resolutions for Improvements to Serve Siena Lakes Addition (District V)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Adopt the amending resolutions.

Background: On August 4, 2015, the City Council adopted Resolution No. 15-228 for sanitary sewer improvements and Resolution No. 15-232 for drainage improvements to serve Siena Lakes Addition. A review of the resolutions revealed technical errors which should be corrected.

Analysis: The main benefit fee for the sanitary sewer improvements was left out of Resolution No. 15-228. An amending resolution that includes the main benefit fee has been prepared.

The City agreed to allow the original design fee of the drainage improvements to be included in the petition as an amount assessed to the district. Resolution No. 15-232 did not include the design fee in the total amount. An amending resolution has been prepared to include the design fee.

An additional review step has been added in processing to prevent errors such as this.

Financial Considerations: The project budget remains \$190,000 for the sanitary sewer improvements, as previously approved.

The existing budget for the drainage improvements is \$530,000. The additional \$74,200 for the design fee brings a total revised budget to \$604,200.

Both projects are funded by 100% special assessments.

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

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

Attachments: Amending resolutions and budget sheet.

Project Request

CIP Non-CIP

NEIGHBORHOOD IMPROVEMENT

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

FUND: 480 Sewer Improvements N.I. SUBFUND: 485 Storm Drainage N.I. ENGINEERING REFERENCE #: 468-84971

COUNCIL DISTRICT: 05 Council District 5 DATE COUNCIL APPROVED: MAY 24, 2016 REQUEST DATE: _____

PROJECT #: 485417 PROJECT TITLE: Storm Water Sewer No. 684 Siena Lakes Addition

PROJECT DETAIL #: 01 PROJECT DETAIL DESCRIPTION: Storm Water Sewer No. 684 Siena Lakes Addition

OCA #: 751526 OCA TITLE: Storm Water Sewer No. 684 Siena Lakes Addition

PERSON COMPLETING FORM: Kim Pelton PHONE #: 268-4499

PROJECT MANAGER: Julianne Kallman PHONE #: 268-4236

NEW BUDGET REVISED BUDGET

Revenue Object Level 3	Original Budget	Adjustment	New Budget
9730 S.A. Bonds	\$530,000.00	\$74,200.00	\$604,200.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
	\$530,000.00	\$74,200.00	\$604,200.00

Expense Object Level 3	Original Budget	Adjustment	New Budget
2999 Contractuals	\$530,000.00	\$74,200.00	\$604,200.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
Total Expense:	\$530,000.00	\$74,200.00	\$604,200.00

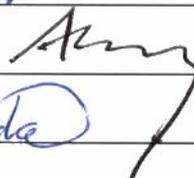
NOTES:

Print Form

SIGNATURES REQUIRED

DIVISION HEAD: 

DATE: 05/02/16

DEPARTMENT HEAD: 

DATE: 5-11-16

BUDGET OFFICER: 

DATE: 5/2/16

CITY MANAGER: _____

DATE: _____

751526

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

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORMWATER SEWER NO. 684 – SIENA LAKES ADDITION PHASE 1/SOUTH OF 37TH STREET NORTH, WEST OF HOOVER) (468-84971).

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

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 14-268** and **Resolution No. 15-232** of the City (the “Prior Resolutions”) authorized certain internal improvements; and

WHEREAS, the design fee (referenced in “Section 2 (g)”) was omitted from **Resolution No. 15-232**;

WHEREAS, it is desirable to include the design fee (“Section 2 (g)”) by the adoption of a new resolution of the City and to repeal **Resolution No. 15-232**; and

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

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

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

Section 1. Repealer. Resolution No. 15-232 is hereby repealed.

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

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

Construction of ponds, site grading and storm sewer, to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **Five Hundred Thirty Thousand Dollars (\$530,000)**, exclusive of the design fee referenced in section 29g), below, and exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions thereof.

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

SIENA LAKES ADDITION PHASE 1

Lots 1 through 75, Block 1

Lots 1 through 44, Block 2

(d) The method of assessment is: equally per lot (119 lots).

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis, or per the terms of a re-spread agreement submitted to the City of Wichita.

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

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

(g) The undersigned acknowledge that the property within the proposed Improvement District is subject to payment of a previous design fee incurred as a result of previously designed site improvements. Such fee shall be imposed in the following manner: **\$74,200.00 assessed equally per lot among all property within the proposed Improvement District.**

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

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

Section 5. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of adoption of the Resolution No. 14-268, and 60 days before the date of adoption of this Resolution, to the extent of the increased authorization contained herein, all pursuant to Treasury Regulation § 1.150-2.

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

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

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Brian K. Magaña

for Jennifer Magaña, City Attorney and Director of Law

744395

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

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (LATERAL 542, SOUTHWEST INTERCEPTOR SEWER – SIENA LAKES ADDITION PHASE 1/SOUTH OF 37TH STREET NORTH, WEST OF HOOVER) (468-84969).

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

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 14-263** and **Resolution No. 15-228** of the City (the “Prior Resolutions”) authorized certain internal improvements; and

WHEREAS, the main benefit fee (referenced in “Section 2 (g),”below) was omitted from **Resolution No. 15-228**;

WHEREAS, it is desirable to include the main benefit fee (“Section 2 (g)”) by the adoption of a new resolution of the City and to repeal the **Resolution No. 15-228**; and

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

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

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

Section 1. Repealer. Resolution No. 15-228 is hereby repealed.

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

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

Construction of a lateral sanitary sewer (Lateral 542, Southwest Interceptor Sewer), including necessary sewer mains and appurtenances to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **One Hundred Ninety Thousand Dollars (\$190,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions thereof.

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

SIENA LAKES ADDITION-PHASE 1

Lots 1 through 21, Block 1

Lots 1 through 5, Block 2

(d) The method of assessment is: equally per lot (26 lots).

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis, or per the terms of a re-spread agreement submitted to the City of Wichita.

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

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

(g) The undersigned acknowledge that the property within the proposed Improvements District is subject to benefit fees to be imposed as a result of previously constructed sewer main improvements that benefit the property within the proposed Improvement District. Such benefit fees shall be imposed pursuant to K.S.A. 12-6a19, in the following manner: **\$17,035.00 assessed equally per lot among all property within the proposed Improvement District.**

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

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

Section 5. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures authorized by **Resolution No. 14-263** made on or after the date which was 60 days before the adoption of said resolution, and additional expenditures authorized by **Resolution No. 15-228**, made on or after the date which was 60 days before the date of adoption of **Resolution No. 15-228**, and to reimburse additional expenditures authorized by this Resolution, which were made on or after the date 60 days before the date of adoption of this Resolution, all pursuant to Treasury Regulation §1.150-2.

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

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

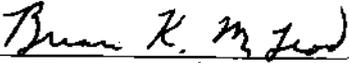
(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:



Jennifer Magaña, City Attorney and Director of Law

(Published in the *Wichita Eagle*, on May 27, 2016)

RESOLUTION NO. 16-116

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORMWATER SEWER NO. 684 – SIENA LAKES ADDITION PHASE 1/SOUTH OF 37TH STREET NORTH, WEST OF HOOVER) (468-84971).

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

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 14-268** and **Resolution No. 15-232** of the City (the “Prior Resolutions) authorized certain internal improvements; and

WHEREAS, the design fee (referenced in “Section 2 (g)”) was omitted from **Resolution No. 15-232**;

WHEREAS, it is desirable to include the design fee (“Section 2 (g)”) by the adoption of a new resolution of the City and to repeal **Resolution No. 15-232**; and

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

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

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

Section 1. Repealer. **Resolution No. 15-232** is hereby repealed.

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

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

Construction of ponds, site grading and storm sewer, to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **Five Hundred Thirty Thousand Dollars (\$530,000)**, exclusive of the design fee referenced in section 29g), below, and exclusive of interest

on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions thereof.

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

SIENA LAKES ADDITION PHASE 1

Lots 1 through 75, Block 1

Lots 1 through 44, Block 2

(d) The method of assessment is: equally per lot (119 lots).

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis, or per the terms of a re-spread agreement submitted to the City of Wichita.

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

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

(g) The undersigned acknowledge that the property within the proposed Improvement District is subject to payment of a previous design fee incurred as a result of previously designed site improvements. Such fee shall be imposed in the following manner: **\$74,200.00 assessed equally per lot among all property within the proposed Improvement District.**

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

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

Section 5. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of adoption of the Resolution No. 14-268, and 60 days before the date of adoption of this Resolution, to the extent of the increased authorization contained herein, all pursuant to Treasury Regulation § 1.150-2.

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

ADOPTED by the City Council of the City of Wichita, Kansas, on May 24, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney and Director of Law

(Published in the *Wichita Eagle*, on May 27, 2016)

RESOLUTION NO. 16-117

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (LATERAL 542, SOUTHWEST INTERCEPTOR SEWER – SIENA LAKES ADDITION PHASE 1/SOUTH OF 37TH STREET NORTH, WEST OF HOOVER) (468-84969).

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

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 14-263** and **Resolution No. 15-228** of the City (the “Prior Resolutions”) authorized certain internal improvements; and

WHEREAS, the main benefit fee (referenced in “Section 2 (g),”below) was omitted from **Resolution No. 15-228**;

WHEREAS, it is desirable to include the main benefit fee (“Section 2 (g)”) by the adoption of a new resolution of the City and to repeal the **Resolution No. 15-228**; and

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

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

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

Section 1. Repealer. Resolution No. 15-228 is hereby repealed.

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

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

Construction of a lateral sanitary sewer (Lateral 542, Southwest Interceptor Sewer), including necessary sewer mains and appurtenances to serve the Improvement District defined below (the "Improvements").

(b) The estimated or probable cost of the Improvements is **One Hundred Ninety Thousand Dollars (\$190,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses

incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions thereof.

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

SIENA LAKES ADDITION-PHASE 1

Lots 1 through 21, Block 1

Lots 1 through 5, Block 2

(d) The method of assessment is: equally per lot (26 lots).

In the event all or part of the lots or parcels in the proposed Improvement District are reconfigured before or after assessments have been levied, the assessments against the replatted area shall be recalculated on a square foot basis, or per the terms of a re-spread agreement submitted to the City of Wichita.

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

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

(g) The undersigned acknowledge that the property within the proposed Improvements District is subject to benefit fees to be imposed as a result of previously constructed sewer main improvements that benefit the property within the proposed Improvement District. Such benefit fees shall be imposed pursuant to K.S.A. 12-6a19, in the following manner: **\$17,035.00 assessed equally per lot among all property within the proposed Improvement District.**

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

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

Section 5. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures authorized by **Resolution No. 14-263** made on or after the date which was 60 days before the adoption of said resolution, and additional expenditures authorized by **Resolution No. 15-228**, made on or after the date which was 60 days before the date of adoption of **Resolution No. 15-228**, and to reimburse additional expenditures authorized by this Resolution, which were made on or after the date 60 days before the date of adoption of this Resolution, all pursuant to Treasury Regulation §1.150-2.

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

ADOPTED by the City Council of the City of Wichita, Kansas, on May 24, 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 24, 2016**

TO: Mayor and City Council

SUBJECT: Revised Petitions for Improvements to Serve Vassar Addition (District V)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve the revised petitions and adopt the resolutions.

Background: On January 12, 2016, the City Council approved paving petitions for Phases 1, 2 and 3 of paving improvements, and a drainage petition to serve Vassar Addition. To reflect the current economic climate, the developer has submitted revised paving petitions that combine Phases 1 and 2. A revised drainage petition with an increased improvement district area was also submitted. *The mass grading element originally included within the scope of the paving petitions was shifted to the drainage petition, with an increased scope to include mass grading.* The signatures on the petitions represent 100% of the improvement district and are valid per Kansas Statute 12-6a01.

Analysis: The projects will provide paving and drainage improvements for a residential development located south of 63rd Street North, west of Clifton.

Financial Considerations: The existing paving petitions total \$204,000 for Phase 1, \$189,000 for Phase 2 and \$214,000 for Phase 3. The existing drainage petition total is \$237,000. The revised paving petition, after combining Phase 1 and 2 totals \$288,000. The revised paving Phase 3 petition totals \$168,000, and the revised drainage petition is \$445,000. These projects are 100% funded by special assessments.

Improvement	Existing Petition Total	Revised Petition Total
Drainage	\$237,000	\$445,000
Paving (Combining Phases 1 and 2)	\$393,00	\$288,000
Paving (Phase 3)	\$214,000	\$168,000
Total Amount	\$844,000	\$901,000

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

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

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

(Published in the *Wichita Eagle*, on May 27, 2016)

RESOLUTION NO. 16-118

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORM WATER SEWER NO. 704 – VASSAR ADDITION/SOUTH OF 63RD STREET SOUTH, WEST OF CLIFTON) (468-85091).

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

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 16-013** of the City (the “Prior Resolution”) authorized certain internal improvements; and

WHEREAS, the scope of the improvements authorized by the Prior Resolution has increased;

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

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

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

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

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

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

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

Construction of a storm water sewer system, including necessary appurtenances to serve the Improvement District defined below (the “Improvements”).

(b) The estimated or probable cost of the Improvements is **Four Hundred Forty-Five Thousand Dollars (\$445,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction

has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

VASSAR ADDITION

Lots 1 through 6, Block A

Lots 1 through 37, Block B

Lots 1 through 12, Block C

(d) The method of assessment is: **equally per lot (55 lots)**.

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

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

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

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

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

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, on May 24, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney
and Director of Law

(Published in the *Wichita Eagle*, on May 27, 2016)

RESOLUTION NO. 16-119

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS PHASES 1 AND 2 – VASSAR ADDITION/SOUTH OF 63RD STREET SOUTH, WEST OF CLIFTON) (472-85256).

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

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 16-006** and **Resolution No. 16-007** of the City (the “Prior Resolutions”) authorized certain internal improvements; and

WHEREAS, the scope of the improvements authorized by the Prior Resolutions has changed and has been combined into one project.

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

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

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

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

Section 1. Repealer. The Prior Resolutions are hereby repealed.

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

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

Construction of pavement on Sunflower Drive from the west line of Clifton Avenue, south, west, and south to the north line of Aster Street; on Aster Street from the south line of Sunflower Drive south to the south line of Lot 8, Block C; on Aster Street from the south line of Sunflower Drive south to the south line of Lot 8, Block B; and on Vassar Avenue from the south line of Sunflower Drive, south to the south line of the plat, including a hammerhead turnaround, with drainage to be installed where necessary (the "Improvements").

That said pavement between aforesaid limits be constructed for a width of twenty-four (24) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of twenty-eight (28) feet with plans and specification to be furnished by the City Engineer of the City of Wichita, Kansas.

(b) The estimated or probable cost of the Improvements is **Two Hundred Eighty-Eight Thousand Dollars (\$288,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

VASSAR ADDITION
Lots 1 through 6, Block A
Lots 1 through 8, Block B
Lots 24 through 37, Block B
Lot 1, Block C
Lots 8 through 12, Block C

(d) The method of assessment is: **equally per lot (34 lots).**

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

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

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

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

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

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

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, on May 24, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney
and Director of Law

(Published in the *Wichita Eagle*, on May 27, 2016)

RESOLUTION NO. 16-120

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS PHASE 3 – VASSAR ADDITION/SOUTH OF 63RD STREET SOUTH, WEST OF CLIFTON) (472-85258).

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

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 16-008** of the City (the “Prior Resolution”) authorized certain internal improvements; and

WHEREAS, the scope of the improvements authorized by the Prior Resolution has decreased;

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

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

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

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

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

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

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

Construction of pavement on Aster Street from the south line of Lot 8, Block B; west and north to the south line of Lot 8, Block C, with drainage to be installed where necessary (the "Improvements").

That said pavement between aforesaid limits be constructed for a width of twenty-four (24) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of twenty-eight (28) feet with plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.

Construction of pavement for a width of twenty (20) feet from the west line of Aster Street to the east line of Jade Avenue (as platted in Clifton Cove Addition) to serve as an emergency access within Reserve "A", Vassar Addition.

(b) The estimated or probable cost of the Improvements is **One Hundred Sixty-Eight Thousand Dollars (\$168,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

VASSAR ADDITION
Lots 9 through 23, Block B
Lots 2 through 7, Block C

- (d) The method of assessment is: **equally per lot (21 lots)**.

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

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

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

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

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

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

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, on May 24, 2016.

(SEAL)

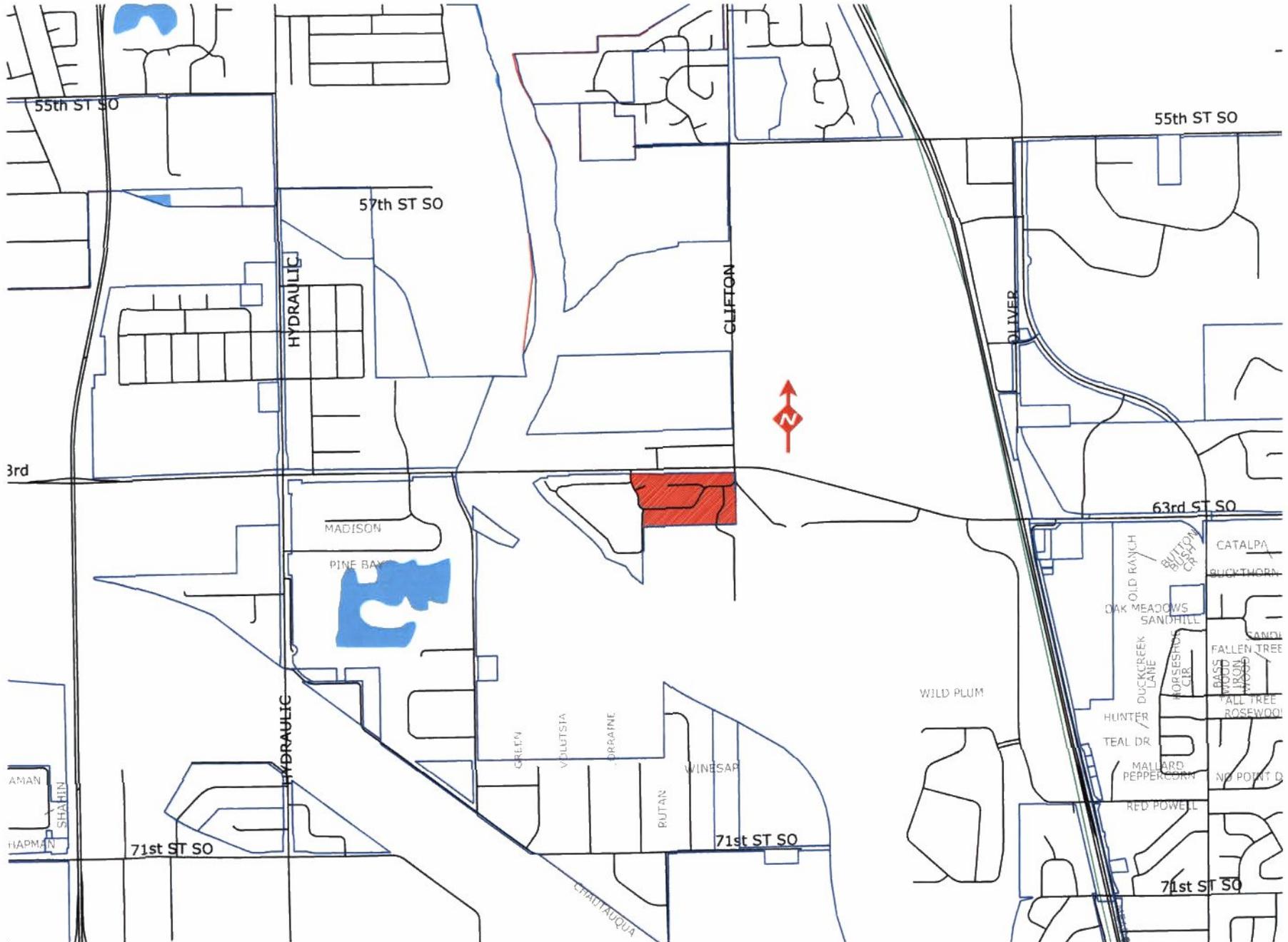
Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney
and Director of Law



Project Request

CIP Non-CIP

NEIGHBORHOOD IMPROVEMENT

ORDERED BY WCC

PETITION

PETITION PERCENTAGE: 100%

DEPARTMENT: 13 Public Works & Utilities

DIVISION: Engineering

RESOLUTION/ORDINANCE #: _____

FUND: 400 Street

SUBFUND: 410 ROWING N.I.

ENGINEERING REFERENCE #: 472-85256

COUNCIL DISTRICT: 03 Council District 3

DATE COUNCIL APPROVED: 5-24-16

REQUEST DATE: _____

PROJECT #: 490382

PROJECT TITLE: Paving Improvements Phases 1 and 2 472-85256

PROJECT DETAIL #: 01

PROJECT DETAIL DESCRIPTION: Paving Improvements Phases 1 and 2 472-85256

OCA #: 766359

OCA TITLE: Paving Improvements Phases 1 and 2 472-85256

PERSON COMPLETING FORM: Kim Pelton

PHONE #: 268-4499

PROJECT MANAGER: Julianne Kallman

PHONE #: 268-4236

NEW BUDGET

REVISED BUDGET

Revenue Object Level 3	Original Budget	Adjustment	New Budget
9730 S.A. Bonds	\$393,000.00	(\$105,000.00)	\$288,000.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
	\$393,000.00	(\$105,000.00)	\$288,000.00

Expense Object Level 3	Original Budget	Adjustment	New Budget
2999 Contractuals	\$393,000.00	(\$105,000.00)	\$288,000.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
Total Expense:	\$393,000.00	(\$105,000.00)	\$288,000.00

(phase 1 & 2 combined)

*472-85256 original budget \$204K
472-85257 budget was never setup*

NOTES:
Combining projects 472-85256 & 85257; eliminating 472-85257

SIGNATURES REQUIRED

Print Form

DIVISION HEAD: _____

DATE: 05/02/16

DEPARTMENT HEAD: _____

DATE: 5-11-16

BUDGET OFFICER: _____

DATE: 5/3/16

CITY MANAGER: _____

DATE: _____

2

PETITION
(Phases 1 and 2 – PAVING IMPROVEMENTS – VASSAR ADDITION)

REVISED

(472-85256)
(472-85257)

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

Eliminated

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

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

Construction of pavement on Sunflower Dr. from the west line of Clifton Ave., south, west, and south to the north line of Aster St.; on Aster St. from the south line of Sunflower Dr. south to the south line of Lot 8, Block C; on Aster St. from the south line of Sunflower Dr. south to the south line of Lot 8, Block B; and on Vassar Ave. from the south line of Sunflower Dr., south to the south line of the plat, including a hammerhead turnaround, with drainage to be installed where necessary.

That said pavement between aforesaid limits be constructed for a width of twenty-four (24) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of twenty-eight (28) feet with plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.

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

(b) The estimated or probable cost of the proposed Improvements is: \$288,000.00, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of this Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

VASSAR ADDITION
Lots 1 through 6, Block A
Lots 1 through 8, Block B
Lots 24 through 37, Block B
Lot 1, Block C
Lots 8 through 12, Block C

(d) The proposed method of assessment is: equally per lot (34 lots).

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway

approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

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

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

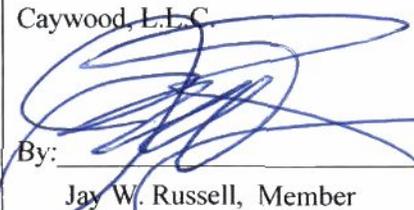
(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

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

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

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

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

Signature	Dated	Property Owned Within Proposed Improvement District
Caywood, L.L.C.  By: _____ Jay W. Russell, Member	4/12/16	Lots 1 through 6, Block A Lots 1 through 8, Block B Lots 24 through 37, Block B, Lot 1, Block C Lots 8 through 12, Block C VASSAR ADDITION

THIS PETITION was filed in my office on

April 13, 2016

Yvonne Suber

Deputy City Clerk



VASSAR ADDITION

Wichita, Sedgwick County, Kansas

PAVING - PHASES 1 & 2

Benefit District: (34 Lots)

- Lots 1-6, Block A
- Lots 1-8, Block B
- Lots 24-37, Block B
- Lot 1, Block C
- Lots 8-12, Block C

Cost Estimate:

Item	Quantity	Unit	Unit Price	Amount
5" A.C. Pvmt./5" Reinf. Rock Base	5200	sy	\$38.00	\$197,600.00
Inlet Adjustments	2	ea	\$1,000.00	\$2,000.00
6" Drive/ 5" Reinf. Rock Base	60	sy	\$45.00	\$2,700.00
Signage	1	LS	\$3,000.00	\$3,000.00
Seeding/Erosion Control	1	LS	\$6,000.00	\$6,000.00
Site Clearing and Restoration	1	LS	\$10,000.00	\$10,000.00
Subtotal				\$221,300.00
+ 30% Design, Inspection, & Administration				\$66,390.00
Total				\$287,690.00

Petition Amount	\$288,000
Average Cost per Lot	\$8,471
Average Monthly Assessment	\$63 (Based on 15 years @ 4%)

766359

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

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS PHASES 1 AND 2 – VASSAR ADDITION/SOUTH OF 63RD STREET SOUTH, WEST OF CLIFTON) (472-85256).

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

WHEREAS, the City Council of the City (the "Governing Body") has heretofore by **Resolution No. 16-006** and **Resolution No. 16-007** of the City (the "Prior Resolutions") authorized certain internal improvements; and

WHEREAS, the scope of the improvements authorized by the Prior Resolutions has changed and has been combined into one project.

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

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

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

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

Section 1. Repealer. The Prior Resolutions are hereby repealed.

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

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

Construction of pavement on Sunflower Drive from the west line of Clifton Avenue, south, west, and south to the north line of Aster Street; on Aster Street from the south line of Sunflower Drive south to the south line of Lot 8, Block C; on Aster Street from the south line of Sunflower Drive south to the south line of Lot 8, Block B; and on Vassar Avenue from the south line of Sunflower Drive, south to the south line of the plat, including a hammerhead turnaround, with drainage to be installed where necessary (the "Improvements").

That said pavement between aforesaid limits be constructed for a width of twenty-four (24) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of twenty-eight (28) feet with plans and specification to be furnished by the City Engineer of the City of Wichita, Kansas.

(b) The estimated or probable cost of the Improvements is **Two Hundred Eighty-Eight Thousand Dollars (\$288,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

VASSAR ADDITION
Lots 1 through 6, Block A
Lots 1 through 8, Block B
Lots 24 through 37, Block B
Lot 1, Block C
Lots 8 through 12, Block C

(d) The method of assessment is: **equally per lot (34 lots).**

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

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

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

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

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

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

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

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

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

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Brian K. Magaña

for Jennifer Magaña, City Attorney
and Director of Law

Project Request

CIP Non-CIP

NEIGHBORHOOD IMPROVEMENT

ORDERED BY WCC

PETITION

PETITION PERCENTAGE: 100%

DEPARTMENT: 13 Public Works & Utilities

DIVISION: Engineering

RESOLUTION/ORDINANCE #: _____

FUND: 400 Street Improvements

SUBFUND: 490 Paving N.I.

ENGINEERING REFERENCE #: 472-85258

COUNCIL DISTRICT: 03 Council District 3

DATE COUNCIL APPROVED: 5-24-16

REQUEST DATE: _____

PROJECT # : _____

PROJECT TITLE: Paving Improvements Phase 3; 472-85258

PROJECT DETAIL # : 01

PROJECT DETAIL DESCRIPTION: Paving Improvements Phase 3; 472-85258

OCA # : _____

OCA TITLE: Paving Improvements Phase 3; 472-85258

PERSON COMPLETING FORM: Kim Pelton

PHONE #: 268-4499

PROJECT MANAGER: Julianne Kallman

PHONE #: 268-4236

NEW BUDGET

REVISED BUDGET

Revenue Object Level 3

	Original Budget	Adjustment	New Budget
9730 S.A. Bonds	\$214,000.00	(\$46,000.00)	\$168,000.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
	\$214,000.00	(\$46,000.00)	\$168,000.00

Expense Object Level 3

2999 Contractuals	\$214,000.00	(\$46,000.00)	\$168,000.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00
Total Expense:	\$214,000.00	(\$46,000.00)	\$168,000.00

NOTES:

Hold for LOL

SIGNATURES REQUIRED

DIVISION HEAD: _____

[Signature]

DATE: 05/10/16

DEPARTMENT HEAD: _____

[Signature]

DATE: 5-11-16

BUDGET OFFICER: _____

[Signature]

DATE: 5/2/16

CITY MANAGER: _____

DATE: _____

Print Form

f

PETITION
(Phase 3 – PAVING IMPROVEMENTS – VASSAR ADDITION)

REVISED
(472-85258)

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

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

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

Construction of pavement on Aster St. from the south line of Lot 8, Block B; west and north to the south line of Lot 8, Block C; with drainage to be installed where necessary.

That said pavement between aforesaid limits be constructed for a width of twenty-four (24) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of twenty-eight (28) feet with plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.

Construction of pavement for a width of twenty (20) feet from the west line of Aster St. to the east line of Jade Ave. (as platted in Clifton Cove Addition) to serve as an emergency access within Reserve "A", Vassar Addition.

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

(b) The estimated or probable cost of the proposed Improvements is: \$168,000.00, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of this Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

VASSAR ADDITION
Lots 9 through 23, Block B
Lots 2 through 7, Block C

(d) The proposed method of assessment is: equally per lot (21 lots).

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

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

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

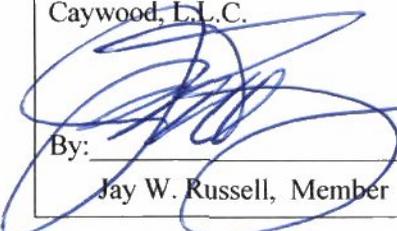
(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

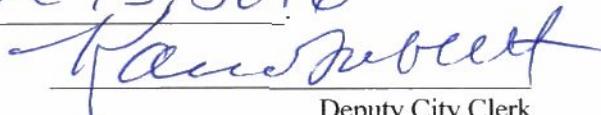
2. It is further requested that the proposed Improvements be made without notice and hearing as required by the Act.

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

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

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

Signature	Dated	Property Owned Within Proposed Improvement District
Caywood, L.L.C.  By: _____ Jay W. Russell, Member	_____ <u>4/12/16</u>	Lots 9 through 23, Block B Lots 2 through 7, Block C VASSAR ADDITION

THIS PETITION was filed in my office on April 13, 2016

 Deputy City Clerk



VASSAR ADDITION

Wichita, Sedgwick County, Kansas

PAVING - PHASE 3

Benefit District: (21 Lots)

Lots 9-23, Block B

Lots 2-7, Block C

Cost Estimate:

Item	Quantity	Unit	Unit Price	Amount
5" A.C. Pgmt./5" Reinf. Rock Base	2250	sy	\$38.00	\$85,500.00
6" Drive/ 5" Reinf. Rock Base	575	sy	\$45.00	\$25,875.00
Inlet Adjustments	2	ea	\$1,000.00	\$2,000.00
Signage	1	LS	\$2,000.00	\$2,000.00
Seeding/Erosion Control	1	LS	\$3,000.00	\$3,000.00
Site Clearing and Restoration	1	LS	\$6,000.00	\$6,000.00
Subtotal				\$124,375.00
+ 35% Design, Inspection, & Administration				\$43,531.25
Total				\$167,906.25

Petition Amount	\$168,000
Average Cost per Lot	\$8,000
Average Monthly Assessment	\$59 (Based on 15 years @ 4%)

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

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS PHASE 3 – VASSAR ADDITION/SOUTH OF 63RD STREET SOUTH, WEST OF CLIFTON) (472-85258).

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

WHEREAS, the City Council of the City (the "Governing Body") has heretofore by **Resolution No. 16-008** of the City (the "Prior Resolution") authorized certain internal improvements; and

WHEREAS, the scope of the improvements authorized by the Prior Resolution has decreased;

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

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

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

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

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

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

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

Construction of pavement on Aster Street from the south line of Lot 8, Block B; west and north to the south line of Lot 8, Block C, with drainage to be installed where necessary (the "Improvements").

That said pavement between aforesaid limits be constructed for a width of twenty-four (24) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of twenty-eight (28) feet with plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.

Construction of pavement for a width of twenty (20) feet from the west line of Aster Street to the east line of Jade Avenue (as platted in Clifton Cove Addition) to serve as an emergency access within Reserve "A", Vassar Addition.

(b) The estimated or probable cost of the Improvements is **One Hundred Sixty-Eight Thousand Dollars (\$168,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

VASSAR ADDITION
Lots 9 through 23, Block B
Lots 2 through 7, Block C

- (d) The method of assessment is: **equally per lot (21 lots).**

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

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

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

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

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

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

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

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

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

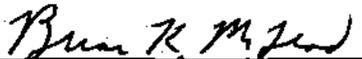
(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:



Jennifer Magaña, City Attorney
and Director of Law

Project Request

CIP Non-CIP

NEIGHBORHOOD IMPROVEMENT

ORDERED BY WCC

PETITION

PETITION PERCENTAGE: 100%

DEPARTMENT: 13 Public Works & Utilities

DIVISION: Engineering

RESOLUTION/ORDINANCE #: _____

FUND: 480 Sewer Improvements N.I.

SUBFUND: 485 Storm Drainage N.I.

ENGINEERING REFERENCE #: 468-85091

COUNCIL DISTRICT: 03 Council District 3

DATE COUNCIL APPROVED: 5-24-16

REQUEST DATE: _____

PROJECT #: 485435

PROJECT TITLE: SWS # 704 Vassar 468-85091

PROJECT DETAIL #: 01

PROJECT DETAIL DESCRIPTION: SWS # 704 Vassar 468-85091

OCA #: 751544

OCA TITLE: SWS # 704 Vassar 468-85091

PERSON COMPLETING FORM: Kim Pelton

PHONE #: 268-4499

PROJECT MANAGER: Julianne Kallman

PHONE #: 268-4236

NEW BUDGET

REVISED BUDGET

Revenue Object Level 3	Original Budget	Adjustment	New Budget
9730 S.A. Bonds	\$237,000.00	\$208,000.00	\$445,000.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
	\$237,000.00	\$208,000.00	\$445,000.00

Expense Object Level 3	Original Budget	Adjustment	New Budget
2999 Contractuals	\$237,000.00	\$208,000.00	\$445,000.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
Total Expense:	\$237,000.00	\$208,000.00	\$445,000.00

NOTES:

SIGNATURES REQUIRED

DIVISION HEAD: _____

[Signature]

DATE: _____

25/02/16

DEPARTMENT HEAD: _____

[Signature]

DATE: _____

5-11-16

BUDGET OFFICER: _____

[Signature]

DATE: _____

5/02/16

CITY MANAGER: _____

DATE: _____

Print Form

\$

**PETITION
(STORM WATER SEWER IMPROVEMENTS – VASSAR ADDITION)**

REVISED

(SWS# 704
468-85091)

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

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

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

Construction of a storm water sewer system, including necessary appurtenances to serve the Improvement District defined below.

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

(b) The estimated or probable cost of the proposed Improvements is \$445,000.00, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of this Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

**VASSAR ADDITION
Lots 1 through 6, Block A
Lots 1 through 37, Block B
Lots 1 through 12, Block C**

(d) The proposed method of assessment is: equally per lot (55 Lots):

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

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

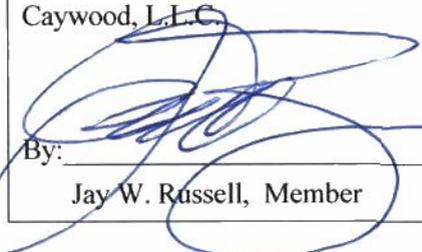
(f) The payment of assessments proposed to be imposed hereunder may be indefinitely deferred against those property owners eligible for deferral pursuant to the City's Special Assessment Deferral Program.

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

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

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

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

Signature	Dated	Property Owned Within Proposed Improvement District
Caywood, L.L.C.  By: _____ Jay W. Russell, Member	_____ <u>4/12/16</u>	Lots 1 through 6, Block A Lots 1 through 37, Block B Lots 1 through 12, Block C, VASSAR ADDITION

THIS PETITION was filed in my office on April 13, 2016




 Deputy City Clerk

VASSAR ADDITION

Wichita, Sedgwick County, Kansas

STORM WATER SEWER IMPROVEMENTS

Benefit District: (55 Lots)

Lots 1-6, Block A

Lots 1-37, Block B

Lots 1-12, Block C

Cost Estimate:

Item	Quantity	Unit	Unit Price	Amount
15" Pipe	140	lf	\$35.00	\$4,900.00
18" Pipe	510	lf	\$40.00	\$20,400.00
24" Pipe	325	lf	\$55.00	\$17,875.00
30" Pipe	350	lf	\$70.00	\$24,500.00
36" Pipe	425	lf	\$85.00	\$36,125.00
Snouts/WQ Treatment	2	ea	\$10,000.00	\$20,000.00
Curb Inlets	6	ea	\$4,200.00	\$25,200.00
Area Inlets	8	LS	\$3,000.00	\$24,000.00
Sand Backfill	100	lf	\$20.00	\$2,000.00
Manhole Adjustments	7	ea	\$1,000.00	\$7,000.00
Mass Grading	1	LS	\$50,000.00	\$50,000.00
Contractor Borrow	15,000	cy	\$5.00	\$75,000.00
Compaction Testing	1	LS	\$10,000.00	\$10,000.00
Seeding/Erosion Control	1	LS	\$10,000.00	\$10,000.00
Site Clearing and Restoration	1	LS	\$20,000.00	\$20,000.00
Subtotal				\$342,100.00
+ 30% Design, Inspection, & Administration				\$102,630.00
Total				\$444,730.00

Petition Amount	\$445,000
Average Cost per Fraction	\$8,091
Average Monthly Assessment	\$60 (Based on 15 years @ 4%)

751544

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

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORM WATER SEWER NO. 704 - VASSAR ADDITION/SOUTH OF 63RD STREET SOUTH, WEST OF CLIFTON) (468-85091).

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

WHEREAS, the City Council of the City (the "Governing Body") has heretofore by **Resolution No. 16-013** of the City (the "Prior Resolution") authorized certain internal improvements; and

WHEREAS, the scope of the improvements authorized by the Prior Resolution has increased;

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

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

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

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

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

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

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

(b) The estimated or probable cost of the Improvements is **Four Hundred Forty-Five Thousand Dollars (\$445,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

VASSAR ADDITION
Lots 1 through 6, Block A
Lots 1 through 37, Block B
Lots 1 through 12, Block C

(d) The method of assessment is: **equally per lot (55 lots).**

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

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

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

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

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

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

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

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

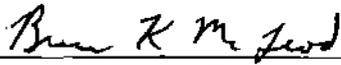
(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:



for Jennifer Magaña, City Attorney
and Director of Law

City of Wichita
City Council Meeting
May 24, 2016

TO: Mayor and City Council
SUBJECT: Community Events – Bradley Fair Summer Concert (District II)
INITIATED BY: Division of Arts & Cultural Services
AGENDA: Consent

Recommendation: Approve the request for temporary street closures.

Background: In accordance with the Community Events procedure, the event promoter Jessica Dunbar, BF Wichita LLC, is coordinating the Bradley Fair Summer Concert with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Bradley Fair Summer Concert June 30, 2016 5:00 pm – 11:00 pm

- Bradley Fair Parkway, North Rock Road to East Wilson Estates Parkway

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

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

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

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

**City of Wichita
City Council Meeting
May 24, 2016**

TO: Mayor and City Council

SUBJECT: Partial Acquisition of 1611 South Meridian for the Meridian from Pawnee to McCormick Road Improvement Project (District IV)

INITIATED BY: Office of Property Management

AGENDA: Consent

Recommendation: Approve the acquisition.

Background: On November 5, 2013, the City Council approved the design for the improvement of Meridian from Pawnee to McCormick. The project calls for widening Meridian to a five-lane roadway with a center turn lane. Other improvements include the realignment of Orient at Meridian, the storm water drainage system, installation of new sidewalks, and waterline improvements to serve surrounding residential neighborhoods. The project requires acquisitions for road right-of-way and temporary construction easements throughout the corridor. The property at 1611 S. Meridian is zoned commercial and improved as an auto sales lot. Easements had been previously obtained from this particular property in 2015, and the project is under construction. It was recently determined that additional temporary easement is required from the subject property at the southern driveway along Meridian.

Analysis: The owner agreed to accept the same per square foot value agreed to in 2015. The proposed taking is valued at ~~\$960~~ **\$900**, or \$1.50 per square foot for the 600 square foot taking. In addition, the owner agreed to accept ~~\$1,540~~ **\$1,600** for the cost to remove and reset the gate and fence structure at this driveway.

Financial Considerations: The funding source for the project is General Obligation Bonds. A budget of \$2,700 is requested. This includes \$2,500 for the acquisition and \$200 for title work, closing costs and other administrative fees.

Legal Considerations: The Law Department has approved the temporary easement as to form.

Recommendation/Action: It is recommended that the City Council 1) accept the temporary easement; 2) approve the budget; and 3) authorize any necessary signatures.

Attachments: Temporary easement and tract map.

CITY OF WICHITA, KANSAS TEMPORARY EASEMENT

THIS AGREEMENT Made and entered into this 9th day of May, 2016, by and between Khalil E. Abdallah and Gail D. Abdallah, husband and wife, ("Landowner"), and the City of Wichita, Kansas a municipal corporation.

For consideration of Twenty-Five Hundred Dollars and Zero Cents (\$2,500) and as hereinafter set forth, the landowner(s) agree(s) to grant to the City of Wichita, Kansas, a municipal corporation, his duly authorized agents, contractors and assigns the right to enter upon the following described real estate in the County of Sedgwick, State of Kansas:

That part of Lots 13 and 15, Garfield Park Addition to Wichita, Sedgwick County, Kansas described as beginning at a point on the north line of said Lot 13 that is 7.00 feet west of the west right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said right-of-way line being 10.00 feet west of the northeast corner of said Lot 13; thence south, 50.00 feet, to the intersection with the south line of said Lot 15, 17.00 feet west of said Lot 15; thence west along the south line of said Lot 15, 12.00 feet; thence north, parallel with the west right-of-way line of said Meridian Ave, (Condemnation Case A-53868) 50.00 feet to a point on the north line of Lot 13; thence east along the north line of said Lot 13, 12.00 feet to the point of beginning.

Said Tract containing 600.0 square feet, more or less.

Said right of entrance, occupation and use to continue only during the construction and through the completion of the project.

It is further agreed by and between the parties hereto that this easement is not intended to change the highway right of way line as it now exists.

It is understood and agreed that the consideration for said temporary easement is in full payment for the purchase of said easement and all damages arising from the transfer of said property interest and its use for the purpose above set out.

This easement expires twenty-four (24) months from the date of execution or ninety (90) days after completion of the road construction project for which this easement is acquired, whichever date comes first.

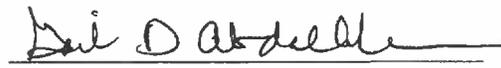
This easement will be utilized only to undertake and carry-out actual construction activity on the Landowner's remaining property or on the abutting roadways and private drives, but shall not be utilized for general project storage of vehicles, equipment or material storage except when directly associated with such work.

The City of Wichita, Contractors and Assigns agree that construction shall not occur on the access included elsewhere provided onsite simultaneously with the construction of said Easement.

Construction on the access drive in Easement shall be completed in no more than eight (8) weeks and built one half at a time. Construction method, where applicable, shall be at the choice of the Landowner. Construction on the access drives shall not exceed the time limits stated.

IN WITNESS WHEREOF the parties have signed this agreement on the day and year first above written.

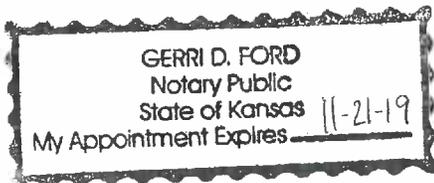

Khalil E. Abdallah


Gail D. Abdallah

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

On this day of May 9, 2016, before me, a notary public in and for said county and state, personally appeared Khalil E. Abdallah, husband to Gail D. Abdallah, to me known to be the person(s) named in and who executed the foregoing instrument, and duly acknowledge the execution thereof.

(seal)



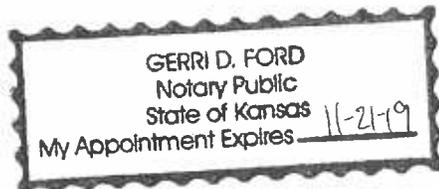

Notary Public

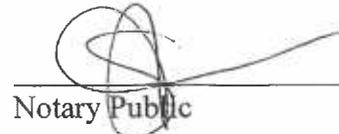
My commission expires: 11-21-19

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

On this day of May 9, 2016, before me, a notary public in and for said county and state, personally appeared Gail D. Abdallah, wife to Khalil E. Abdallah, to me known to be the person(s) named in and who executed the foregoing instrument, and duly acknowledge the execution thereof.

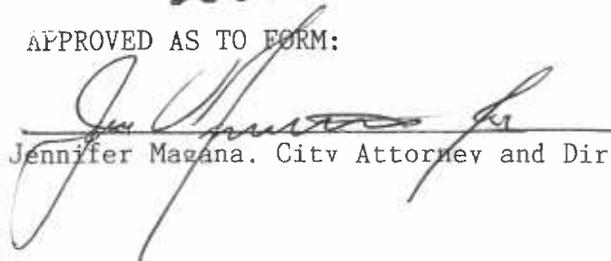
(seal)




Notary Public

My commission expires: 11-21-19

APPROVED AS TO FORM:


Jennifer Mazana, City Attorney and Director of Law

TEMPORARY CONSTRUCTION EASEMENT

Legal Description:

That part of Lots 13 and 15, Garfield Park Addition to Wichita, Sedgwick County, Kansas described as beginning at a point on the north line of said Lot 13 that is 7.00 feet west of the west right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said right-of-way line being 10.00 feet west of the northeast corner of said Lot 13; thence south, 50.00 feet, to the intersection with the south line of said Lot 15, 17.00 feet west of said Lot 15; thence west along the south line of said Lot 15, 12.00 feet; thence north, parallel with the west right-of-way line of said Meridian Ave, (Condemnation Case A-53868) 50.00 feet to a point on the north line of Lot 13; thence east along the north line of said Lot 13, 12.00 feet to the point of beginning.

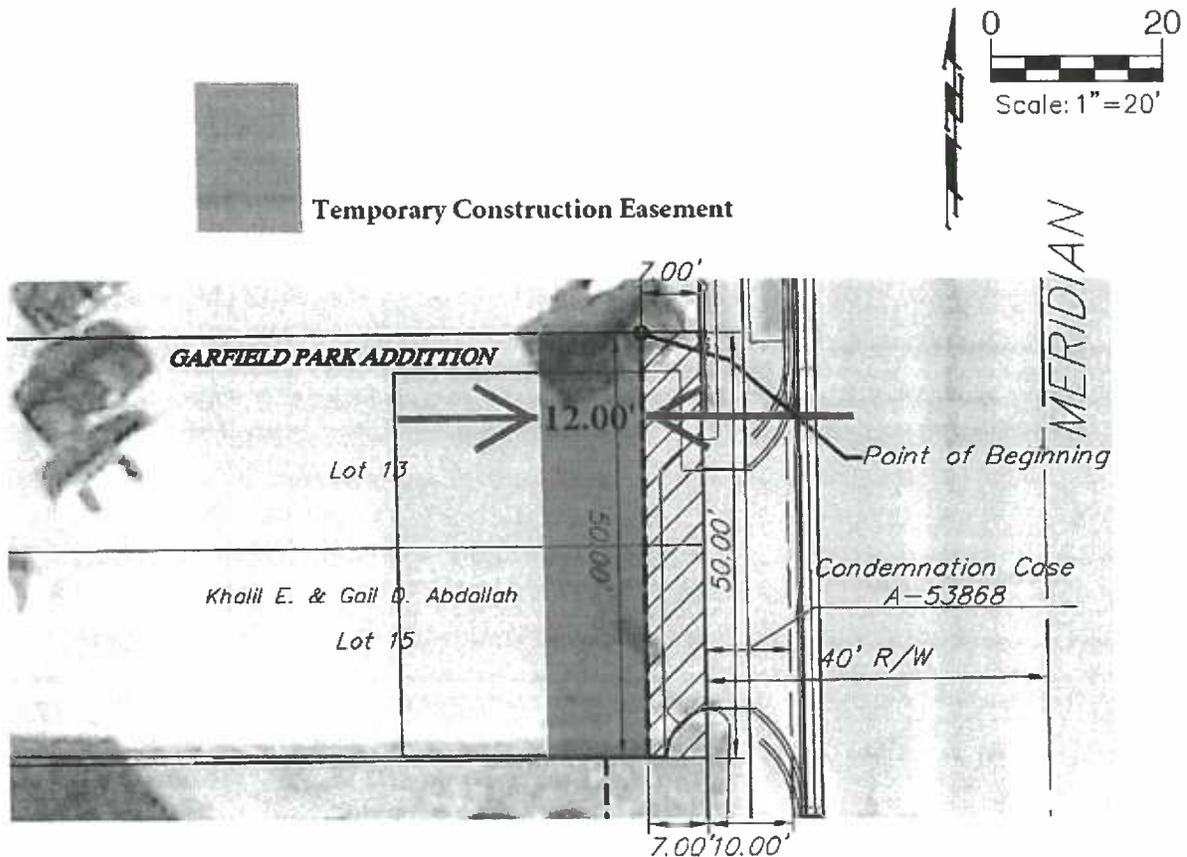
Said Tract containing 600.0 square feet, more or less.

Owner:

Khalil E. & Gail D. Abdallah

PO Box 108

Rose Hill KS 67133



City of Wichita
City Council Meeting
May 24, 2016

TO: Mayor and City Council
SUBJECT: Payment for Settlement of Claim
INITIATED BY: Law Department
AGENDA: Consent

Recommendation: Authorize payment of \$20,000 as a full settlement of the subject claim, and adopt the bonding resolution.

Background: This claim arises from a trip and fall accident on a City sidewalk.

Analysis: The claimant has offered to accept a lump sum payment of \$20,000 as full settlement of all her claims against the City of Wichita. Due to the uncertainty and risk of an adverse judgment at trial, the Law Department recommends the settlement. The settlement of this claim does not constitute an admission of liability on the part of the City; rather, it is merely a settlement to resolve a disputed claim.

Financial Considerations: Funding for this settlement payment is available from the City's Self Insurance Fund. Finance is directed to make any budget adjustments required and to issue any general obligation bonds, as necessary, to provide for payment of the approved settlement.

Legal Considerations: The Law Department recommends settlement of this claim for the amount of \$20,000. The bonding resolution has been prepared and approved as to form by the Law Department.

Recommendations/Actions: It is recommended that the City Council authorize payment of \$20,000 as full settlement of all possible claims arising out of the events which are the subject of this claim and adopt the bonding resolution.

Attachment: Bonding resolution.

RESOLUTION NO. 16-121

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS TO FUND A CIVIL LITIGATION SETTLEMENT.

WHEREAS, K.S.A. 75-6113 (the "Act") provides that payment of any judgments, compromises or settlements for which a municipality is liable pursuant to K.S.A. 75-6101 *et seq.*, and amendments thereto, may be made from any funds or moneys of the municipality which lawfully may be utilized for such purpose or if the municipality is authorized by law to levy taxes upon property such payment may be made from moneys received from the issuance of no-fund warrants, temporary notes or general obligation bonds, provided that warrants or temporary notes issued shall mature serially at such yearly dates as to be payable by not more than 10 tax levies and any bonds shall be issued in accordance with the provisions of the general bond law and shall be in addition to and not subject to any bonded debt limitation prescribed by any other law of the state of Kansas; and

WHEREAS, the City of Wichita, Kansas (the "City"), is a municipality within the meaning of the Act; and

WHEREAS, the governing body of the City has heretofore approved a certain Settlement Agreement relating to an incident occurring on December 22, 2012, involving a City of Wichita sidewalk, under which Settlement Agreement the City is liable pursuant to K.S.A. 75-6101 *et seq.* to pay a settlement in the amount of \$20,000 and related expenses (the "Settlement"); and

WHEREAS, the governing body of the City hereby finds and determines it to be necessary to authorize the issuance of general obligation bonds of the City to finance the Settlement and related costs.

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

SECTION 1. Financing. The City is hereby authorized to issue general obligation bonds (the "Bonds") pursuant to the authority of the Act in an amount necessary to pay the costs of the Settlement, plus interest on interim financing and associated financing costs. Bonds may be issued to reimburse Settlement 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 2. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the City Council of the City of Wichita, Kansas, on May 24, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law
and City Attorney

City of Wichita
City Council Meeting
May 24, 2016

TO: Mayor and City Council
SUBJECT: Payment for Settlement of Claim
INITIATED BY: Law Department
AGENDA: Consent

Recommendation: Authorize payment of \$31,500 as a full settlement of the claim and lawsuit, and adopt the bonding resolution.

Background: This lawsuit arises from a motor vehicle accident with a City paratransit vehicle occurring on April 29, 2014.

Analysis: The claimant/plaintiff has offered to accept a lump sum payment of \$31,500 as full settlement of all her claims against the City of Wichita. Due to the uncertainty and risk of an adverse judgment at trial, the Law Department recommends the settlement. The settlement of this claim does not constitute an admission of liability on the part of the City; rather, it is merely a settlement to resolve a disputed claim.

Financial Considerations: Funding for this settlement payment is available from the City's Self Insurance Fund. Finance is directed to make any budget adjustments required and to issue any general obligation bonds, as necessary, to provide for payment of the approved settlement.

Legal Considerations: The Law Department recommends settlement of this claim for the amount of \$31,500. The bonding resolution has been prepared and approved as to form by the Law Department.

Recommendations/Actions: It is recommended that the City Council authorize payment of \$31,500 as full settlement of all possible claims arising out of the events which are the subject of this claim and adopt the bonding resolution.

Attachment: Bonding resolution.

RESOLUTION NO. 16-122

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS TO FUND A CIVIL LITIGATION SETTLEMENT.

WHEREAS, K.S.A. 75-6113 (the "Act") provides that payment of any judgments, compromises or settlements for which a municipality is liable pursuant to K.S.A. 75-6101 *et seq.*, and amendments thereto, may be made from any funds or moneys of the municipality which lawfully may be utilized for such purpose or if the municipality is authorized by law to levy taxes upon property such payment may be made from moneys received from the issuance of no-fund warrants, temporary notes or general obligation bonds, provided that warrants or temporary notes issued shall mature serially at such yearly dates as to be payable by not more than 10 tax levies and any bonds shall be issued in accordance with the provisions of the general bond law and shall be in addition to and not subject to any bonded debt limitation prescribed by any other law of the state of Kansas; and

WHEREAS, the City of Wichita, Kansas (the "City"), is a municipality within the meaning of the Act; and

WHEREAS, the governing body of the City has heretofore approved a certain Settlement Agreement relating to a motor vehicle accident occurring on April 29, 2014, involving a City of Wichita employee, under which Settlement Agreement the City is liable pursuant to K.S.A. 75-6101 *et seq.* to pay a settlement in the amount of \$31,500 and related expenses (the "Settlement"); and

WHEREAS, the governing body of the City hereby finds and determines it to be necessary to authorize the issuance of general obligation bonds of the City to finance the Settlement and related costs.

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

SECTION 1. Financing. The City is hereby authorized to issue general obligation bonds (the "Bonds") pursuant to the authority of the Act in an amount necessary to pay the costs of the Settlement, plus interest on interim financing and associated financing costs. Bonds may be issued to reimburse Settlement 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 2. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the City Council of the City of Wichita, Kansas, on May 24, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law
and City Attorney

City of Wichita
City Council Meeting
May 24, 2016

TO: Mayor and City Council

SUBJECT: Bonding Resolution for 2016 Congestion, Mitigation, and Air Quality (CMAQ) Bus Purchase (All Districts)

INITIATED BY: Wichita Transit

AGENDA: Consent

Recommendation: Adopt the bonding resolution authorizing the issuance of general obligation bonds for the purchase of buses and repealing prior resolution 15-335.

Background: The filing of a grant application and the authorization of the use of general obligation bonds for a bus purchase was approved by the Wichita City Council on October 6, 2015. The bonding resolution included the intended grant number in the description of the project. The Federal Transit Administration (FTA) closed its grant system to new applications from November through mid-February in order to introduce a new grant system. Wichita Transit was not allowed to submit the grant as planned due to the 2016 Federal apportionment not being available before the closure of the grant system. A different system of assigning grant numbers was put in place under the new grant system and does not allow the use of the grant number listed in the original bonding resolution.

Analysis: The grant number is taken out of the project description in the bonding resolution. The project purpose and estimated cost remain the same. Section 2 of the bonding resolution repeals prior bonding resolution 15-335. Wichita Transit will have an automated grant number assigned upon the filing of the grant. Upon approval of the bonding resolution, the following grant will be filed.

Bus Purchase:

- Federal Portion - \$1,207,889
- General Obligation Bonds - \$301,972
- Total - \$1,509,861

Financial Considerations: The Federal share for Bus Purchase is \$1,207,889 and the local match will be financed through the issuance of general obligation bonds. The local match for the bus purchase is programmed in the Adopted 2015-2024 CIP.

Legal Considerations: The Law Department has reviewed and approved the bonding resolution authorizing the issuance of bonds and repealing prior resolution 15-335.

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

Attachment: Bonding Resolution 2016 CMAQ Bus Purchase

RESOLUTION NO. 16-123

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 \$1,509,861 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. Repealer. Prior Resolution 15-335 is hereby repealed.

Section 3. Project Financing. All or a portion of the costs of the Project, interest on financing and administrative and financing costs shall be financed with the proceeds of 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 4. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing Body.

ADOPTED by the City Council of the City of Wichita, Kansas, on May 24, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, City Attorney and Director of Law

City of Wichita
City Council Meeting
May 24, 2016

TO: Mayor and City Council Members
SUBJECT: Request to Extend the Letter of Intent for Industrial Revenue Bonds – 518 – 520 S. Commerce Street (District I)
INITIATED BY: Office of Urban Development
AGENDA: Consent

Recommendation: Approve the extension of the Letter of Intent for Industrial Revenue Bonds.

Background: On June 2, 2015, the City Council approved a Letter of Intent (LOI) to issue Industrial Revenue Bonds (IRBs) in an amount not to exceed \$3,000,000 for the acquisition and renovation of a building in the Commerce Arts District by Commerce Farm Club, now 520Commerce, LLC (520Commerce). The LOI expires June 2, 2016. 520Commerce is requesting an extension of the LOI through December 31, 2016.

Analysis: The project entails the acquisition and conversion of the buildings on Commerce street halfway between Waterman and Kellogg, in the Commerce Arts District into apartments and office/studio space. The overall project includes \$3,735,000 in total investment, including repairing the exterior walls, replacing and adding windows and doors, new plumbing lines, new electrical wiring and breaker boxes, new roofing, new heating, ventilation and air conditioning, new kitchens and new bathrooms.

Construction has taken longer than originally anticipated so the developer is requesting additional time to complete the project and have bonds issued prior to the end of the year.

Financial Considerations: Bonds will be privately placed with Intrust Bank. 520Commerce agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds.

Legal Considerations: The law firm of Gilmore & Bell P.C. will serve as bond counsel in the transaction. The form of bond documents shall be subject to review and approval by the Law Department prior to the issuance of any bonds. Commerce agrees to comply with the City's standard Letter of Intent Conditions.

Recommendation/Action: It is recommended that the City Council extend the letter of intent for the issuance of Industrial Revenue Bonds to Commerce Farm Club/520 Commerce, LLC through December 31, 2016.

Attachments: None

City of Wichita
City Council Meeting
May 24, 2016

TO: Mayor and City Council
SUBJECT: Wichita Transit Title VI Program and Service Standards Policy (All Districts)
INITIATED BY: Wichita Transit
AGENDA: Consent

Recommendation: Approve the 2016 Wichita Transit Title VI Program and Service Standards Policy.

Background: In accordance with Federal legislation, Wichita Transit is required to update and implement a Title VI program every three years. The updated Title VI Program will replace the current Title VI Program which is set to expire July 31, 2016. Title VI is a Federal statute and provides that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Service standards are a part of the Title VI program and are required to have a separate policy approval from that of the Title VI program.

Analysis: The Title VI program identifies responsibilities of Wichita Transit to meet Federal legislation in regards to implementation of Federal Transit Administration (FTA) Title VI Program requirements. The service standards to be approved as part of the Title VI program are below and in the attachment.

Vehicle Load

Standard: Fixed route vehicle capacity should not exceed 1.5 times the seated capacity.
Standard: The paratransit vehicle load should not exceed 1.0 times the seated capacity.

Vehicle Headway:

Standard: No fixed route should operate less than a 60 minute frequency. Optimally peak hour service should operate a minimum 30 minute peak hour service unless demand justifies lower.

On-Time Performance:

Standard: Buses should never arrive at a time point early or more than five minutes late. The fixed route system should meet the standard of 90% on-time.
Standard: Paratransit on-time performance is a pick-up being made within the 30 minute window. Paratransit should meet the standard of 95% on-time.

Service Availability:

Standard: 80% of the population of the City should reside within 3/4 of a mile of a bus route.
Standard: Paratransit will operate to destinations within the Wichita City limits.

Financial Considerations: None

Legal Considerations: The Law Department has reviewed and approved the Title VI Program and Service Standards Policy as to form.

Recommendations/Actions: It is recommended that the City Council approve the 2016 Wichita Transit Title VI Program and 2016 Wichita Transit Service Standards Policy and authorize the necessary signatures.

Attachments:

1. Wichita Transit Title VI Program
2. Wichita Transit Service Standards Policy

Wichita Transit Title VI **Program**

Title VI is a Federal statute and provides that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

**Wichita Transit
777 E. Waterman
Wichita, KS 67202
P: 316-267-7221**

Adopted May 24, 2016

Table of Contents

Introduction	2
Title VI Notice to the Public	3
Title VI Complaint Procedures	6
Title VI Complaint Form	7
List of Transit Related Title VI Complaints	9
Public Participation Plan	
Procedure 1.19	10
Procedure 3.1	12
Public Hearings	13
Wichita Transit Limited Proficiency Policy	15
LEP Plan	16
Wichita Transit Advisory Board Membership	23
Memo on Advisory Board Membership	24
Subrecipient Monitoring	26
City Council Approval of Plan	27
Service Policies	
Vehicle Assignment	28
Transit Amenities	28
Service Standards	
Vehicle Load	40
Vehicle Headway	40
On-time Performance	41
Service Availability	41

Introduction

Wichita Transit is the fixed route operating system for the Wichita Urbanized Area. It is a department of the City of Wichita and operates as a Federal Transit Administration direct recipient. Wichita Transit operates fixed route vehicles and demand response vehicles for ADA transportation. Wichita Transit is in a large UZA of just over 385,000 people.

Wichita Transit submits this Title VI Program as an update to the previously approved program. The previous program was approved on July 23, 2013.

As a transit provider operating less than 50 fixed route vehicles during peak, Wichita Transit is not required to submit the following requirements that had been required in the previous Title VI program:

- Demographic and service profile maps and charts
- Demographic ridership and travel patterns, collected by surveys
- Results of their monitoring program and report, including evidence that the board or other governing entity or officials considered, was aware of the results, and approved the analysis
- A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

Wichita Transit assures that no person shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Wichita Transit meets this assurance by providing the documentation on the following pages in accordance with FTA Circular 4702.1B, “Title VI Requirements and Guidelines for Federal Transit Administration Recipients”

The following Notices are posted at the Transit Center on the bulletin board and at the Transit Administration Offices at the front desk. The Notices are be posted in buses and vans.

Notifying the Public of Rights Under Title VI

THE CITY OF WICHITA, KANSAS

The City of Wichita, Kansas, operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Wichita.

For more information on the City of Wichita's civil rights program and the procedures to file a complaint, contact (316) 265-7221; or visit our administrative office at 777 E. Waterman, Wichita, KS, 67202. For more information, visit www.wichitatransit.org

A complainant may file a complaint directly with the Federal Transit Administration:

Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Avenue SE
Washington, DC 20590

- If information is needed in another language, contact (316) 265-7221

Notice in Spanish

Notificación al Público sobre los Derechos bajo el Título VI

CIUDAD DE WICHITA, KANSAS

La ciudad de Wichita, Kansas, opera sus programas y servicios, sin distinción de raza, color y origen nacional de conformidad con el Título VI de la Ley de Derechos Civiles. Cualquier persona que cree que ha sido perjudicada por cualquier práctica discriminatoria ilegal bajo el Título VI, puede presentar una queja a la ciudad de Wichita.

Para obtener más información sobre el programa de derechos civiles de la ciudad de Wichita y los procedimientos para presentar una queja, llame al (316) 265-7221, o visite nuestra oficina administrativa en 777 E. Waterman, Wichita, KS, 67202. Para obtener más información, visite www.wichitatransit.org

La persona reclamante puede presentar una queja directamente a la Administración Federal de Transporte:

Oficina de Derechos Civiles
Atención: Coordinador del Programa Título VI
East Building, 5th Floor – TCR
1200 New Jersey Avenue SE
Washington, DC 20590

- Si necesita información en otro idioma, llame al (316) 265-7221

Notice in Vietnamese

Thông báo cho Công chúng về các Quyền theo Tiêu đề VI

THÀNH PHỐ WICHITA, KANSAS

Thành phố Wichita, Kansas vận hành các chương trình và dịch vụ của thành phố không phụ thuộc vào chủng tộc, màu da và nguồn gốc quốc gia theo Tiêu đề VI của Đạo luật Quyền Công dân. Bất kỳ ai cho rằng họ đã bị làm phiền bởi bất kỳ hành vi phân biệt đối xử trái pháp luật nào theo Tiêu đề VI đều có thể nộp đơn khiếu nại cho Thành phố Wichita.

Để biết thêm thông tin về chương trình quyền công dân của Thành phố Wichita và thủ tục nộp đơn khiếu nại, vui lòng liên hệ số (316) 265-7221; hay tới Văn phòng Hành chính của chúng tôi tại 777 E. Waterman, Wichita, KS, 67202. Để biết thêm thông tin, vui lòng truy cập www.wichitatransit.org

Người khiếu nại có thể nộp khiếu nại trực tiếp cho Federal Transit Administration (Cơ quan Quản lý Giao thông Liên bang):

Office of Civil Rights (Văn phòng Quyền Công dân)
Người nhận: Title VI Program Coordinator (Điều phối viên Chương trình Tiêu đề VI)
East Building, 5th Floor – TCR
1200 New Jersey Avenue SE
Washington, DC 20590

- Nếu quý vị cần thông tin bằng một ngôn ngữ khác, vui lòng liên hệ (316) 265-7221

WICHITA TRANSIT POLICIES AND PROCEDURES

Date Adopted: May 1, 2013

Procedure No. 1.18

Subject: **Title VI Complaint Procedure**

Supersedes: NEW

PURPOSE:

In order to comply with Federal Transit Administration's requirements and guidelines, as a recipient of federal funds, Wichita Transit (WT) must develop procedures for investigating and tracking Title VI complaints filed, and make procedures for filing a complaint available to members of the public.

RESPONSIBILITIES:

Any person who believes he or she has been discriminated against on the basis of race, color, or national origin may file a Title VI complaint. WT investigates complaints received no more than 180 days after the alleged incident and will process complaints that are complete.

PROCEDURE:

Once the complaint is received, WT will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether or not the complaint will be investigated by our office.

WT has 60 business days to investigate the complaint. If more information is needed to resolve the case, WT may contact the complainant. The complainant has 15 business days from the date of the letter to send the requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, WT can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, he/she will issue one of two letters to the complainant: 1) a closure letter or 2) a letter of finding. A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. A letter of finding summarizes the allegations and the interviews regarding the alleged incident and explains whether or not any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, he/she has 30 days after the date of either letter to do so.

A complainant may also file a complaint directly with the Federal Transit Administration:

Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Avenue SE
Washington, DC 20590

Title VI Complaint Form

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				

Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No

Section V	
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, check all that apply:	
<input type="checkbox"/> Federal Agency: _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____

Please provide information about a contact person at the agency/court where the complaint was filed.
Name:
Title:
Agency:
Address:
Telephone:
Section VI
Name of agency complaint is against:
Contact person:
Title:
Telephone number:

You may attach written materials or other information you think is relevant to your complaint.

Signature (required)

Date

Please submit this form in person at the address below or mail this form to:

Wichita Transit Title VI Coordinator
 777 E. Waterman
 Wichita, KS 67202
 P: 316-267-7221
 E: wichitatransit@wichita.gov

Title VI Investigations, Lawsuits, and Complaints

Wichita Transit has not had any Title VI Complaints filed since the last update. There are currently no pending investigations or lawsuits pertaining to Title VI complaints against Wichita Transit.

	Date (xx/xx/xx)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

WICHITA TRANSIT POLICIES AND PROCEDURES

Date: July 2, 2013

Procedure No. 1.19

Subject: **Public Participation Process**
Title VI Specific

Supersedes: New

PURPOSE:

The purpose of this procedure is to prescribe those actions required to inform and invite public participation from targeted Title VI communities in pending Wichita Transit activities.

REFERENCE:

FTA Circulars and guidelines

GENERAL:

Notices of public hearing will be published 15 days in advance of the hearing, or as early as practicable and are required generally for the following actions of WT:

1. All applications for FTA operating and capital grants prior to submittal.
2. All fare changes and route changes affecting 25% or more of the total service area.
3. Implementation of other significant changes.
4. Changes affecting majority Title VI communities.

RESPONSIBILITIES:

1. Division heads are responsible for the preparation of hearing notices pertaining to their areas of responsibility.
Example: The Superintendent of Transportation will be responsible for hearing notices of a route change.
2. The Administrative Secretary is responsible for publication of notice of public hearings and distribution of all notices.
3. The Administrative Secretary will be responsible for maintaining a file of certified notices of public hearing as provided by the publisher.
4. The Administrative Secretary is responsible to reach out to low-income and minority groups through neighborhood groups and social service agencies.
5. The Administrative Secretary will be responsible for soliciting feedback from agencies that were e-mailed to make sure they received and posted the notices and to see if there is any input or questions on the notice.
6. Outreach to specific groups will be based on census data collected by the Planner determining if any low-income, minority or LEP groups are affected.
7. The Director of Transit is responsible for oversight of the overall public notification and participation program.

PROCEDURES:

1. All notices shall be publicized as follows:
 - a. Legal notices pertaining to grants, fare changes, route changes and any other significant change will be published 15 days in advance of the hearing if possible, or as early as practicable before the hearing.

- b. City's contracted vendor, currently Wichita Eagle, will be used
 - c. Publications distributed primarily in minority and LEP communities
 - d. General releases (PSAs), if necessary
 - e. Placards placed in the Transit Center and on buses and paratransit vans. English and Spanish translations will be posted.
 - f. Direct mail or e-mail transmission to social service agencies that service the disabled or low-income community if necessary.
 - g. Informal notices will be distributed to the public through various means such as: posting at the Transit Center, social service agency or neighborhood group notification by e-mail (listserv based on effected groups).
 - h. Notification on the Wichita Transit website.
2. Copies of notices pertaining to paratransit operations will be sent by e-mail to all agencies of such services.
 3. Public Hearings and Meetings will be scheduled generally in the afternoon to accommodate work schedules. Wichita Transit will provide a ride home to every individual attending the meeting if the meeting time doesn't allow proper time to get home. Wichita Transit will only provide rides home to destinations along current transit routes for fixed route riders and curb to curb service for paratransit services. All meeting locations will be Accessible.
 4. Wichita Transit staff will go to organizations affected by changes to solicit feedback or comments. Depending on the proposed change, transit staff will determine which groups to reach out to and meet with. Certain groups represent a population across the whole city while some only represent a certain neighborhood or district. Targeted outreach will be decided on a case by case basis.
 5. Wichita Transit allows in person or written comment. In person comments will be accepted at scheduled public meetings or at requested meetings.
 6. Language or sign interpretation will be provided upon request to Wichita Transit.
 7. A copy of the certification of publication of notices pertaining to operating and capital grants will be placed in the appropriate file held by the Administrative Secretary.

WICHITA TRANSIT POLICIES AND PROCEDURES

Date Adopted: April 28, 2005

Procedure No. 3.1

Subject: **Information Dissemination**

Supersedes: Procedure No. 31 Information
Dissemination
November 8, 2001

PURPOSE:

The purpose of this procedure is to ensure the widest dissemination of information regarding services, programs, and proposals. Any person who cannot communicate at a level that permits them to interact effectively with staff may receive assistance. Particular attention will be given to involve the disabled community in all matters pursuant to the Americans with Disabilities Act (ADA), including the use of Braille and audio and video presentations.

RESPONSIBILITIES:

Management and staff will develop and maintain liaisons with group home providers, organizations, social services agencies, neighborhood associations and places of employment oriented toward the disabled, low income, LEP and minority communities.

PROCEDURES:

The following checklist is the basic guideline for disseminating Wichita Transit information:

1. Proposals and service changes
 - a. Provide timely notifications in the appropriate form(s), i.e., Braille, audio cassette, etc.
 - b. Include ADA ramifications in media PSAs
 - c. Make announcements over Transit Center PA system
 - d. Post enlarged print notices: transit facilities, buses, vans, group homes and agencies a
 - e. Directly solicit involvement of the disabled, low income, LEP and minority communities by formally notifying representing groups through e-mail.
 - f. Encourage inquires, including TDD, and ensure staff responsiveness
2. Public hearings
 - a. All items listed in Item #1 above
 - b. Designate priority seating
 - c. Provide sign language presenters
 - d. Provide requested language interpreters
 - e. Provide additional accessible transportation
 - f. Provide additional after hours transportation
3. General
 - a. Publicize accessible routes and annotate schedules accordingly
 - b. Publicize availability of Transit Center TDD and other accessible features
 - c. Ensure currentness of Transit Center Braille signage
 - d. Monitor drivers' announcement of intersections, stops, etc.

Wichita Transit Public Participation 2014-2016

Wichita Transit has had two instances of holding public hearings due to proposed changes in fares or service during the 2014-2016 timeframe. Below are descriptions for each:

1. Wichita Transit improved Westside Service by eliminating the Westside Connector, reinstating the West Central route, and extending the West Maple route. Both routes improved frequency to 30 mins. A Public Hearing was held on March 1, 2014 proposing elimination of the Westside Connector and proposed new Westside Service Improvements. As a result of the public hearing, the Wichita City Council approved the proposed changes.
2. Wichita Transit held a public hearing on October 6, 2015 proposing service and fare structure changes. Several open houses and community meetings were also conducted to reach groups whose service was being effected. As a result of the Public Hearing the Wichita City Council approved the proposed changes to service and fare structure with some adjustments. Wichita Transit provided a ride home for attendees due to the system closing shortly before the end time of the meeting. Title VI Service and Equity Analyses were conducted.

Organizational Coordination for Outreach to LEP & Minority Individuals

For the Spanish Community, Wichita Transit works through our District VI Neighborhood City Hall which serves the area with the highest Spanish speaking population. Wichita Transit provides Notices to the Neighborhood City Hall. They can then translate into Spanish if needed.

For the Vietnamese Community, Wichita Transit works through our District III Neighborhood City Hall which serves the area with the highest Vietnamese speaking population. Wichita Transit provides Notices to the Neighborhood City Hall. They can then translate into Vietnamese if needed.

A Wichita Transit Advisory Board Member is also a board member for WIN (Wichita Independent Neighborhoods) which represents several minority communities. The board member is able to distribute information to WIN to distribute to the community.

Wichita Transit works with several agencies that represent the disabled community. Wichita Transit is part of the Paratransit Council and has a close working relationship with Envision and the Independent Living Resource Center. Wichita Transit also contracts with 5 paratransit agencies to which information is disseminated.

Groups such as Envision, the Independent Living Resource Center and other agencies are contacted directly for information dissemination and outreach, while information is presented to the Paratransit Council and the Wichita Transit Advisory board to carry back to social service agencies and WIN.

Wichita Transit works with District 3 and District 6 Neighborhood City Halls and District Advisory Boards to provide information or solicit feedback when changes affect that area of the City.

Wichita Transit notifies these groups along with social service agencies throughout Wichita through an e-mail list to make sure they all get every notice directly e-mailed to the agency.

Wichita Transit will continue to add to a list of agencies that represent low-income, minority, disabled and LEP populations to discuss transit service or changes. Each change will be analyzed to determine who it affects and what agencies will be contacted. The agencies will be contacted on a case by case basis as the agencies can represent portions or the whole community depending on their mission. Depending on the change, appropriate staff will conduct the meetings.

Wichita Transit Limited English Proficiency Policy (LEP)

May 2016

Wichita Transit is committed to providing equal opportunity in all programs and services to ensure full compliance with all civil rights laws, including Title VI of the 1964 Civil Rights Act which requires non-discrimination on the basis of race, color or national origin. Equal opportunity includes program access for persons with Limited English Proficiency (LEP).

This policy is based in part on Department of Transportation's (DOT)'s suggested four-factor analysis which examines the number or proportion of LEP persons served, the frequency with which those persons come into contact with services, the nature and importance of services provided and the costs to Wichita Transit. This policy is intended to ensure Wichita Transit's compliance with the Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" and was drafted upon consideration of the services offered, the community served, the resources of Wichita Transit, and the costs of various language service options.

Limited English Proficient (LEP) persons refer to: Persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

It is the policy of the City of Wichita to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits. Any individual eligible for programs/services at Wichita Transit who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively with our staff has the following rights:

- **A right to qualified interpreter services.**
- **A right not to be required to rely on their minor children, other relatives, or friends as interpreters.**
- **A right to file a grievance about the language access services provided them.**

For information, access or to file a complaint, please contact one or more of the following:

Susan Leiker is the designated Equal Opportunity/Limited English Proficiency Coordinator. Leiker may be reached at 316-268-4531.

Raven Alexander is Wichita Transit's designated Limited English Proficiency Coordinator. Alexander can be reached at 316-352-4824.

LEP Four-Factor Analysis and Language Assistance Plan:

Factor 1:

Wichita Transit provides fixed route and paratransit services within the Wichita City limits. According to data from the U.S Census Bureau, 2010-2014 American Community Survey 5-Year Estimates, 83% of households in the City of Wichita speak only English. The language most commonly spoken at home by City of Wichita citizens who are Limited English Proficient (LEP) is Spanish. According to the U.S. Census Bureau, 7% of Wichita's population (over the age of five) speaks less than very well English.

Wichita Transit will monitor the LEP population of those served or those who could be served by Wichita Transit. If it is determined that other LEP language groups are seeking benefits/services or are potentially eligible to receive benefits/services, Wichita Transit will adjust its methods and services to serve the new population accordingly. Any new LEP populations will be reflected in an updated version of the LEP plan. The following numbers reflect 2014 population and LEP estimates for Wichita.

City of Wichita Population Percentage of Total Population (2014 ACS*)

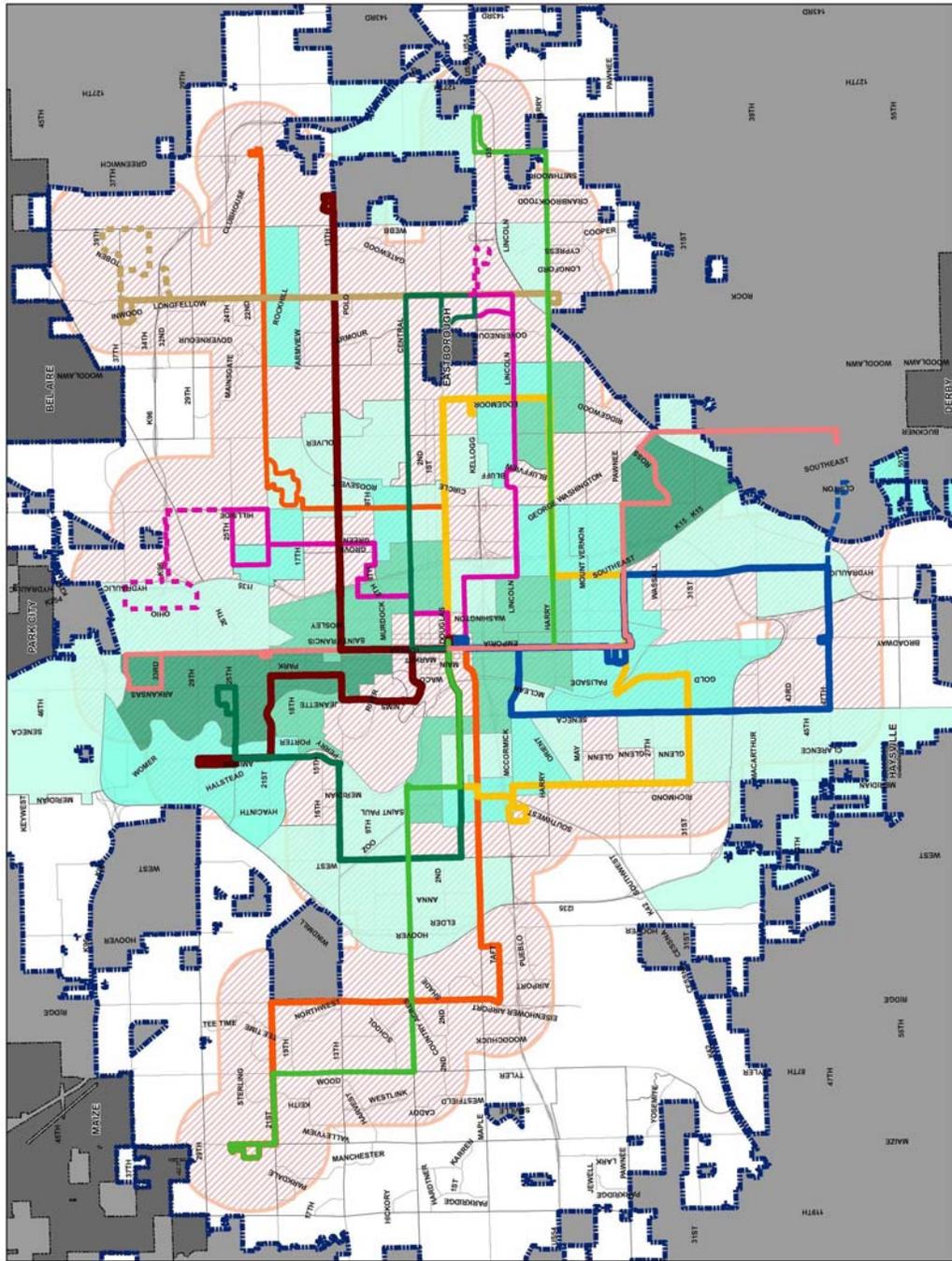
Language Spoken at Home

Speak only English	83.4%
Speak Spanish (English less than very well)	4.3%
Speak Other Indo European (English less than very well)	0.3%
Speak Asian (English less than very well)	2.1%
Speak Other (English less than very well)	0.2%
 Vietnamese (English less than very well)	1.4%
 Chinese (English less than very well)	0.2%

*Source: U.S Census Bureau, 2010-2014 American Community Survey 5-Year Estimates

Spanish represents the largest group of LEP persons at 15,235 individuals (over 5 years of age) not speaking English very well. Vietnamese and Chinese are subgroups of the Asian language group and are the only other groups that have a notable LEP population, though they are still a low percentage of the overall Wichita population. However, Vietnamese is the only population of the two that would fall within the Safe Harbor Provision for translation of written documents with an estimated population of 4,881 individuals (over 5 years of age) according to 2010-2014 American Community Survey estimates. There are just over 800 Chinese speaking individuals meeting this criteria.

The following maps shows the concentration of Spanish speaking and Vietnamese speaking LEP persons not speaking English very well or less than very well. Wichita Transit's bus routes are included in the map showing which routes are closest to concentrations of Spanish speaking and Vietnamese speaking LEP persons.



Percent of Population Speaking Spanish and Not Speaking English Very Well*

- Legend:**
- % Total 2014 Population Speaking Spanish and Not Speaking English Very Well
 - 0% - 2.8%
 - 2.9% - 5%
 - 5.1% - 10%
 - 10.1% - 20%
 - 20.1% - 25%
 - City Limits
 - Small Cities
 - Unincorporated
 - WICHITA
 - Wichita Transit Routes
 - 1
 - 2
 - 3
 - 4
 - 5
 - 6
 - 7
 - 8
 - 9
 - 10
 - 11
 - 12
 - 13
 - 14
 - 15
 - 16
 - 17
 - 18
 - 19
 - 20
 - 21
 - 22
 - 23
 - 24
 - 25
 - 26
 - 27
 - 28
 - 29
 - 30
 - 31
 - 32
 - 33
 - 34
 - 35
 - 36
 - 37
 - 38
 - 39
 - 40
 - 41
 - 42
 - 43
 - 44
 - 45
 - 46
 - 47
 - 48
 - 49
 - 50
 - 51
 - 52
 - 53
 - 54
 - 55
 - 56
 - 57
 - 58
 - 59
 - 60
 - 61
 - 62
 - 63
 - 64
 - 65
 - 66
 - 67
 - 68
 - 69
 - 70
 - 71
 - 72
 - 73
 - 74
 - 75
 - 76
 - 77
 - 78
 - 79
 - 80
 - 81
 - 82
 - 83
 - 84
 - 85
 - 86
 - 87
 - 88
 - 89
 - 90
 - 91
 - 92
 - 93
 - 94
 - 95
 - 96
 - 97
 - 98
 - 99
 - 100
 - 1/4 Mile Buffer

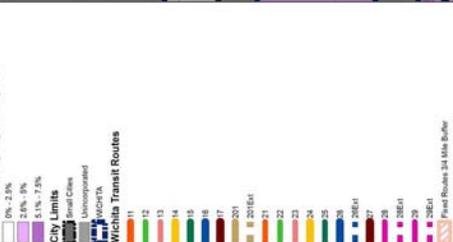
*Source: U.S. Census Bureau, 2014 American Community Survey 5-Year Estimates

WICHITA SEYMOUR COUNTY
Planning
 DEPARTMENT

1000 West 16th Street, Suite 1000
 Wichita, Kansas 67202
 Phone: 316.251.2000
 Fax: 316.251.2001
 Email: planning@cityofwichita.org
 Website: www.cityofwichita.org/planning

Percent of Population Speaking Vietnamese and Not Speaking English Very Well*

Legend:
 *Total 2014 Population Speaking Vietnamese and Not Speaking English Very Well

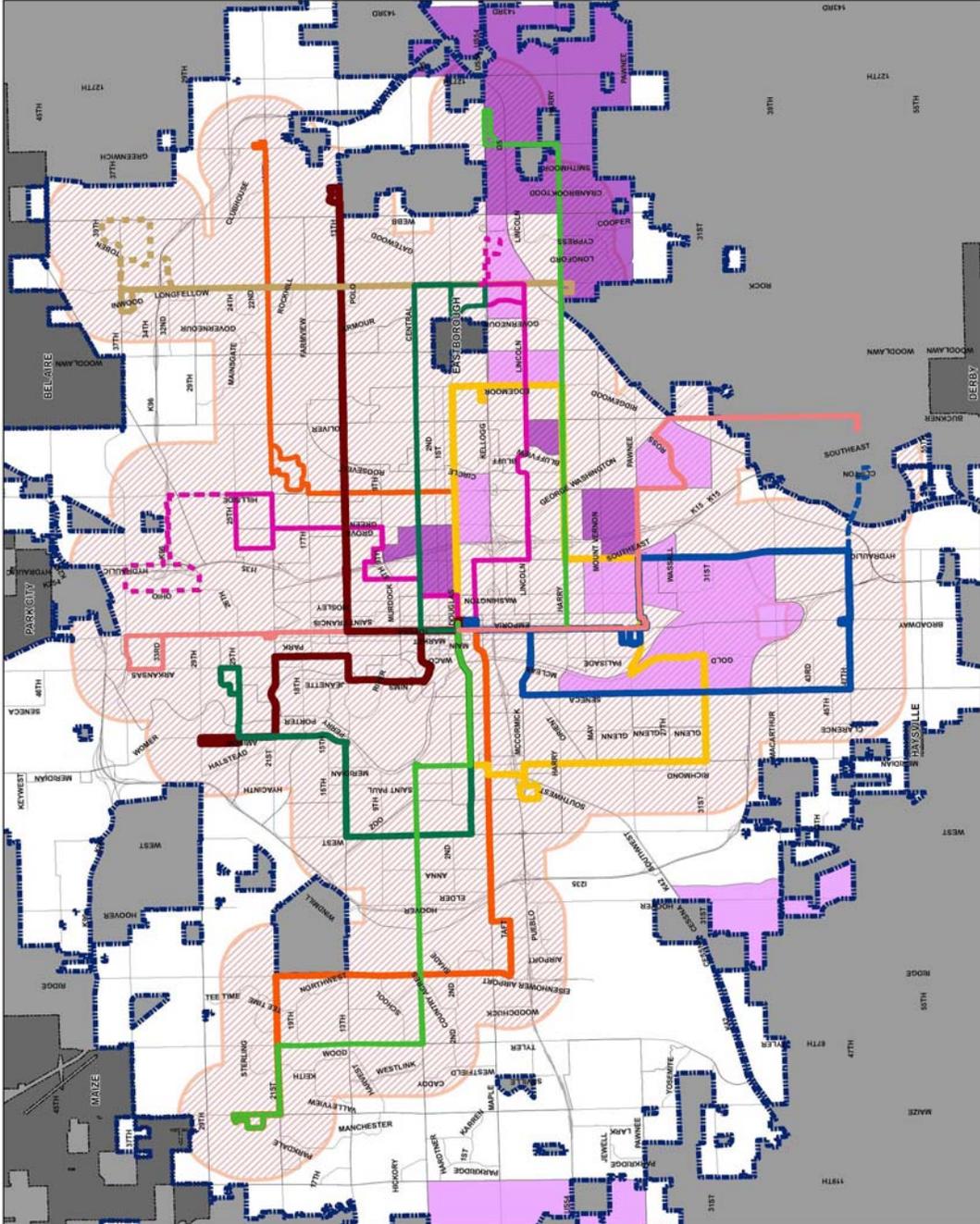


*Source: U.S. Census Bureau, 2010-2014 American Community Survey 5-year Estimates



WICHITA-SEBOWICK COUNTY METROPOLITAN AREA
Planning
 DEPARTMENT

City of Wichita, Kansas
 Planning Department
 1000 E. Douglas Ave., 3rd Floor, Wichita, KS 67202
 Phone: 316.251.2000
 Fax: 316.251.2001
 Email: info@cityofwichita.com
 Website: www.cityofwichita.com



Factor 2:

Wichita Transit has determined that the languages other than English that are most likely to be encountered by Wichita Transit employees are Spanish and Swahili. Wichita Transit keeps track of the frequency in which employees come in contact with LEP persons by driver and customer service clerk surveys. Customer service clerks come in contact with the public at two locations – The Wichita Transit Administrative offices and the Transit Center. Both locations assist customers in person and over the phone.

Wichita Transit has found through driver surveys that Spanish LEP persons are encountered over each route, with paired routes 11/21 having the highest number of encounters. Driver surveys showed that there are few encounters with Vietnamese speaking LEP persons. Route 22 had the highest number of encounters with Vietnamese speakers, with its paired route 12 having the remaining encounters. The number of Vietnamese encounters was not notable.

During the driver surveys conducted, there has been a large number of encounters with LEP persons that speak Swahili and/or French along with other native African languages. This can be contributed to the increasing number of refugees relocating to Wichita. The majority of encounters have been identified on routes 12, 21 and 22.

Route 21 serves a high population of LEP persons that speak several languages as this route services Wichita State University. Route 22 is the closest route that services the International Rescue Committee which provides resources to refugees. This also contributes to the increased encounters with LEP persons speaking various languages.

Factor 3:

Although several languages do not meet thresholds for the Safe Harbor Provision requirements, Wichita Transit is seeing a trend of African refugees speaking various languages who are riding the bus. Wichita Transit does have contact with the International Rescue Committee, which is the main point of contact for these individuals upon arrival. In conversations with the International Refugee Committee, transportation has been identified as an important need for these individuals. Having newly arrived, dependence upon public transportation is expected. There will be an ongoing process to identify languages needing to be translations.

Factor 4:**Interpreter Services:**

The City of Wichita provides interpreter services to all LEP individuals requesting interpretation services through Wichita Transit or the City of Wichita. Often, Wichita Transit is able to provide Interpreter Services upon request through bilingual Wichita Transit employees. Wichita Transit has 3 approved Spanish speaking bus operators. If an employee encounters an LEP, Spanish speaking individual, the bilingual bus operators can be called upon to interpret via phone or radio. Wichita Transit

also has an employee approved to interpret Arabic, and one to interpret Thai and Laotian. For other languages and at times when an employee is not available, Propio Language Services language line will be used for interpretation.

Wichita Transit does not require, suggest or encourage LEP individuals or families to use friends, family members or minor children as interpreters.

Community Outreach

Wichita Transit works with City of Wichita Districts III and VI Neighborhood City Halls to reach out to the Spanish and Vietnamese speaking communities. Wichita Transit reaches out through presentations in the community, translation of documents, 'How to Ride the Bus training, and answering information calls. Wichita Transit has also provided training to staff at the Wichita Public Schools Multilingual Education Services in order to better assist parents and students needing to use transit services. Wichita Transit has developed a relationship with the International Rescue Committee to help get information to recent refugees that don't speak traditional LEP languages found in the Wichita area.

Translation of Documents

Executive Order 13166 mandates that if the size of the language group exceeds more than 5% or 1,000 persons of the eligible population, all vital documents shall be translated. It was reported that 4.3% of Wichita's population speaks Spanish at home. Currently, no languages meets the 5% eligible population, but Spanish and Vietnamese both meet the 1,000 person threshold for translated documents. Wichita Transit, therefore, will make a reasonable effort to translate all vital documents into Spanish and Vietnamese. A service change took place in late March. As vital documents are refined, they will be translated into Spanish and Vietnamese and disseminated. Wichita Transit will work with the International Rescue Committee to determine if any other translations are needed.

Compensation for Bilingual Services

Administrative Regulation 3.8 provides an opportunity for an employee who speaks a language other than English to be compensated. If fluent, the employee will receive an additional \$25 per pay period for interpretation and \$50 per pay period for interpretation and translation ability. Currently the City of Wichita has more than 51 Spanish speakers, 6 Vietnamese speakers, 3 Laotian, 2 Thai, one German speaker, one Arabic and one Chinese speaker on the list.

LEP Implementation Based on the Four-Factor Analysis:

Wichita Transit's service area does not include any group that doesn't speak English very well or at all that is more than 5% of the population. Spanish speaking individuals get the closest to that at 4.3%. Because it is likely that the actual number of Spanish speakers that do not speak English very well or at all is higher than the census data and Wichita Transit has a high number of encounters with Spanish speaking individuals, vital documents are translated into Spanish. Wichita Transit also has bilingual employees to assist with interpretation. Wichita Transit can use the list of interpreters approved by the

City of Wichita organization if there are no Transit employees available at the time of need. Vietnamese speakers are the second highest group that does not speak English very well or at all in the Wichita City limits, but Wichita Transit does not have a high number of encounters with the Vietnamese speaking population. Wichita Transit does not have an employee that can interpret Vietnamese, therefore we can use the list of approved Vietnamese interpreters from the City of Wichita.

Wichita Transit will use the “I Speak” cards to meet interpretation and translation needs more quickly. Wichita Transit uses a language line to interpret over 200 languages upon request.

Wichita Transit provides notice of LEP Assistance in English, Spanish, and Vietnamese and posts at the Transit Center, on Transit vehicles, and at the reception desk of the Administrative Offices.

Wichita Transit will have all vital documents translated into Spanish and Vietnamese as documents for the new system are refined and completed. Wichita Transit will translate documents into other languages upon request using either City of Wichita employees approved to translate, the International Rescue Committee, or Propio Language Services.

Wichita Transit uses driver and customer service clerk surveys to monitor LEP activities. Census data and the American Community Survey data will be used as available to update the proportion of LEP persons in the service area. Wichita Transit will also use languages obtained from the school lunch program to analyze LEP languages.

The International Rescue Committee is a resource for distributing information in new languages that are encountered. Due to the high number of encounters with refugees, Wichita Transit feels that communication in some languages that do not meet the Safe Harbor Act is necessary. As many of the refugees are unable to read, translations of written documents will not be done unless requested. Wichita Transit will work with the International Rescue Committee to determine the best ways of communicating with the refugees.

Four Wichita Transit staff members, 1 Wichita Area Metropolitan Planning Organization staff member, and 1 City of Wichita staff member attended the NTI Title VI and Public Transit training that was hosted by Wichita Transit April 19-20, 2016. At this training, staff was provided useful tips in order to establish a training course for Wichita Transit employees. Wichita Transit will continue to provide cultural sensitivity and LEP training to operators and customer service staff during safety meetings. A review on how to use the ‘I Speak’ cards and the process for assisting an LEP person is planned for the May safety meeting.

Definition of Terms:

•**Effective Communication** – In any **City of Wichita** Department setting that provides assistance; effective communication occurs when agency staff have taken reasonable necessary steps to make sure that a person who is LEP is given adequate information in his/her language to understand the services, benefits or the requirements for services or benefits offered by any **City of Wichita** Department. These steps must allow an individual the opportunity to qualify for the benefits or services provided by the

City without unnecessary delay due to the person's LEP. Effective communication also means that a person who is LEP is able to communicate the relevant circumstances of his/her situation to City staff.

- **Interpretation** – Interpretation means the oral or spoken transfer of a message from one language into another language.

- **Limited English Proficiency** –A person with limited English proficiency or “LEP” is not able to speak, read, write or understand the English language well enough to allow him/her to interact effectively with City staff.

- **Meaningful Access** – “*Meaningful access*” to programs and services is the standard of access required of **Wichita** Transit since the City receives federal funding. Meaningful access requires compliance by **Wichita** Transit with federal LEP requirements as set out in relevant federal laws. To ensure meaningful access for people with LEP, **Wichita** Transit must make available to applicants/recipients of services language assistance that results in accurate and effective communication that does not result in undue delay or denial of benefits to which the LEP applicant/recipient is eligible.

- **Translation** – Translation means the written transfer of a message from one language into another language.

- **Vital Documents** – forms or documents designed and utilized by **Wichita Transit** that are critical for accessing federally funded services or are required by law. Vital documents can include but are not limited to; applications for programs, consent forms or letters designed for requesting eligibility documentation.

- **Outreach Documents** – City designed documents utilized to provide information to the general public but targeting individuals who are eligible or may be eligible for programs offered by the **Wichita Transit**.

Membership of Wichita Transit Advisory Board

Body	Caucasian	Latino	African American	Asian American	Native American	Vacancies
Population (2010 census)	65%	15%	11%	5%	1%	
Transit Advisory Board	67% (10)	0% (0)	13% (2)	0% (0)	0% (0)	20% (3)

Wichita Transit has a 15 member board. The Director of Wichita Transit has sent the City Manager a memo (see on next page) encouraging the appointment of more minorities and women so the Transit Advisory Board looks more like the community. If there are known minorities interested in joining the Transit Advisory Board, the Director of Wichita Transit will nominate those persons to City Council Members for appointment.



To: Robert Layton, City Manager

From: Steve Spade, Transit Director

Date: May 6, 2016

Subject: Transit Advisory Board Membership

Earlier this year Zach Daniel and I provided information regarding representation on the Transit Advisory Board in response to City Council interest in reviewing the composition of the board. The purpose of this memo is to provide an update on board membership as the Council considers board appointments in 2016.

Since October 2015 there have been three resignations from the board. The table below updates the Transit Advisory Board membership by council member and district.

Councilmember	Appointments
• Williams – District I	• Janet Wilson
• Meitzner – District II	• Moji Fanimoukun, Steve Turkle, Robert Hamilton, Richard Schodorf, Jeff Fluhr
• Clendenin – District III	• N/A
• Blubaugh – District IV	• Stan Reeser
• Frye – District V	• N/A
• Miller- District VI	• Richard Carlon, Keith Lawing, Suzie Santo, Keith Stevens
• Mayor	• N/A
• Access Advisory Board	• Sanford Alexander

The current bylaws provide for a 15 member Transit Advisory Board. The bylaws also provide that one member be nominated by the Wichita Access Advisory Board. Below is the section of the current by laws pertaining to membership:

SECTION 2. The Wichita Transit Advisory Board shall be composed of fifteen (15) members appointed and approved by the Mayor and City Council to terms as provided in Section

2.12.020(1) of the City Code. Each Board member shall hold his or her office for a term of two (2) years and until their successor is appointed and qualified. No more than four (4) consecutive terms can be served. In the event of death, resignation or other disqualification of any member, his or her successor shall be appointed to fill only the unexpired term created by such vacancy. Fourteen (14) members shall be residents of Sedgwick County and shall be appointed by the governing body of the City, provided that there shall be no more than eight members who are not resident of the City of Wichita. One member shall be nominated by the Wichita Access Advisory Board or its successor and appointed by the governing body of the City.

It is my understanding that the City Council is considering appointments in such a manner as to provide representation from each council district. In addition to geographic representation I would like to suggest the City Council consider appointment of minorities and women to the Transit Advisory Board. The Federal Transit Administration recommends that Transit boards have a breakdown of race and gender that is representative of the communities we serve. The appointment of minorities and women to the Transit Advisory Board would be consistent with guidance from the FTA.

I appreciate your consideration.

Subrecipient Monitoring

Wichita Transit currently has 2 sub-recipients.

One sub-recipient, Butler County, maintains their own program. Wichita Transit keeps the program on file. Wichita Transit has the 2013 Butler County program and will receive an updated 2016 program late this year when their program is scheduled to be updated. There have been no complaints filed since the 2013 program was submitted to Wichita Transit.

City of Derby is the other sub-recipient. City of Derby currently utilizes Wichita Transit's Title VI program but is considering creating their own program as their service grows. They currently only operate 1 demand-response van. Derby substitutes their name in the notice, complaint form and complaint log and have had no complaints filed in the last 3 years.

WICHITA TRANSIT TITLE VI PROGRAM

APPROVED on _____, 2016.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magana, Director of Law

Wichita Transit Service Policies

Vehicle Assignments:

Maintenance division and Operations division work together to assign vehicles to fixed routes. Maintenance places the vehicles into position in the garage and gives Operations Supervisors the availability for the vehicles to be dispatched. Supervisors assign out the vehicles based on each run. Any bus can be assigned to any route. Dispatchers are responsible to monitor bus rotation and system capacity. Buses with more capacity are often assigned to routes with heavier loads. Newer and older buses are spread among routes to make sure all routes and trips experience different vehicle types.

Standard: Wichita Transit buses will be rotated among routes to assure fair distribution of vehicle types to all routes and runs.

Wichita Transit has 5 paratransit vans that are one year old and 19 vans that are 2016 models. Wichita Transit works to keep the miles equal on all of these new vans.

Transit Amenities:

Wichita Transit provides nearly 1,200 designated bus stop locations throughout its service area. Bus stops are generally located about every 2 blocks. Bus stop amenities range from:

1. Single bus stop sign
2. Concrete pad with a sign
3. Concrete pad with sign and bench
4. Concrete pad with sign, bench and bike rack
5. Concrete pad with a shelter and bench

The level of amenity is determined by ridership, number and frequency of routes and land use. Usage is determined by automatic passenger counts and driver surveys. An effort is made to equally distribute bench and shelter locations among routes.

Standard: Fixed routes will have a minimum of one bus stop per 1/4 mile

The following is a list of benches and shelters for each route. The list is categorized by location. Each location describes the level of amenity as well as which route serves that location. “SM” under the “Title VI” column means the amenity is in a significant minority location.

Bench and Shelter Locations

Location	Bench	Shelter	Title VI	Bus Route(s)
SW Maple and West		X		11
SW Maple and Anna		X		11
NW Maple and Richmond		X		11, 14
NE Maple and West	X			11
NW Maple and Ann	X			11
SW Maple and Edwards	X			11
SW Maple and Tracy	X			11
NW Maple and Lawrence Dumont Stadium	X			11
NW Maple and Bebe	X			11
SW Maple and Richmond	X			11, 14
NW Ridge and Maple	X			11
SW Taft and Dugan	X			11
SW Taft and Julia		X		11
SE Maple and West	X			11
NW Julia and Taft	X			11
NE Maple and Gordon	X			11
SE Maple and Sycamore	X			11
NE Maple and McComas	X			11
SW Maple and Hiram	X			11
NW Maple and Sheridan	X			11
NE Maple and Osage	X			11
SW Maple and Osage	X			11

SE Maple and Exposition	X			11
SW Ridge and 21 st	X			11
NW Central Park St and Maize		X		11, 12
SE 21 st and Tyler	X			11
NW Ridge and Central	X			11
NW Douglas and Topeka		X		11, 14, 17, 21, 24
SE Douglas and Topeka		X		11, 14, 21, 24
NW Douglas and Market		X		12, 14, 15
SE Douglas and Market		X		12, 14, 15
NW Douglas and Meridian	X			12, 14, 15
SW Central and Sheridan	X			12
SE Douglas and Meridian	X			12, 14, 15
SW Central and Florence	X			12
NE Central and Nevada	X			12
SW Central and Young	X			12
SE Central and West	X			12
NW Central and Custer	X			12
SE Douglas and Exposition	X			12, 14, 15
SW Douglas and Millwood	X			12, 14, 15
NE Douglas and Vine	X			12, 14, 15
SW Douglas and Fern	X			12, 14, 15
NE Central and Kessler	X			12
NW Tyler and 13 th		X		12

NE Tyler and Central	X			12
SE Central and Crossroads		X		12
SW Central and Boyd	X			12
NE Central and Silver Springs Dr.	X			12
SE Central and Robin	X			12
SW 21 st and Tyler	X			12
SW Tyler and Stadium	X			12
NE Broadway and 12 th	X			13, 27
NW Broadway and 8 th	X			13, 27
NW Broadway and 11 th	X			13, 27
NW 21 st and Market		X		13
SE Broadway and Murdock	X			13, 27
SW Broadway and Murdock	X			13, 27
Kansas Newman University		X		14
NW Meridian and Jewell		X		14
SW Meridian and Douglas	X			14
NW Meridian and Pawnee	X			14
NW Meridian and Pawnee	X			14
SE Pawnee and Broadway Walmart		X	SM	14, 23, 24, 26
SE 31 st and Meridian	X			14
NE 31 st and Meridian	X			14
SW 31 st and Seneca	X			14

NE 13 th and West		X		15
SE 13 th and West	X			15
SE West and Del Seinno	X			15
SE West and Zoo Blvd	X			15
NE West and Central	X			15
SW West and Central	X			15
SW Amidon and 21 st		X		15
SW 2021(a) Amidon St	X			15
SW 2021(b) Amidon St	X		SM	15
SW Amidon and Marina Lakes Dr.	X			15
SW Salina and 26 th	X			15
NE McLean and 13 th	X			15
NW Amidon and Manhattan	X			15, 17
SW Amidon and Sweetbriar Mall Driveway	X			15, 17
NW Arkansas and 25 th (pending)	X			15
SW Arkansas and 27 th	X			15
SW Seneca and 31 st		X		16
NE Seneca and 31 st	X			16
NW Seneca and 31 st	X			16
SW Seneca and Lydia	X			16
SE Seneca and 29 th	X			16
SW Seneca and Pawnee	X			16

NW Seneca and Huntington Place Apts	X			16
NE Seneca and Lydia	X			16
47 th & Broadway Dillons Store		X		16, 26
SE 21 st and Amidon (DMV entrance)		X		17
NW Amidon and Amidon Apts	X			17
SW Central and Main		X		17
SW Nims and Franklin	X			17
SW Waco and 14 th	X			17
SE Waco and 21 st	X			17
SE Douglas and St. Francis		X		21, 24, 28
NW Douglas and St. Francis		X		21, 24, 28
SE Douglas and Rock Island		X		21, 24, 28
NW Douglas and Mead		X		21, 24, 28
NE Douglas and Washington		X		21, 24
SW Douglas and Ida		X		21, 24
SW Douglas and Hydraulic		X		21, 24
NW Douglas and Hydraulic		X		21, 24
SW Douglas and Grove		X		21, 24
SE Douglas and Green		X		21, 24
NE Douglas and Chautauqua		X		21, 24
NE Douglas and Ohio	X			21, 24
NW Douglas and Mathewson	X			21, 24

SW Douglas and Pattie	X			21, 24
SE Douglas and Lulu	X			21, 24
SE 21 st and Oliver		X	SM	21
NW 21 st and Woodlawn	X			21
NE 21 st and Edgemoor	X			21
SE 21 st and Battin	X		SM	21
NE 21 st and Battin	X		SM	21
NE 21 st and Beaumont	X		SM	21
NW 21 st and Rock	X			21
SW Harry and Old Manor		X	SM	22
NW Harry and Battin		X	SM	22, 24
NE Harry and Longfellow		X		22
NW Harry and Clifton	X			22, 24
East Kellogg Walmart		X		22
NW Harry and Hydraulic	X			22
NE Harry and Fabrique	X			22
SE Harry and Rock Rd	X			22
NW Harry and George Washington Blvd	X			22, 24
NE Harry and Gouverneur	X			22
NE Harry and Georgetown	X			22, 24
SW Harry and Grove	X			22, 24
NE Harry and Barlow	X		SM	22
SW Harry and Green	X			22, 24

NE Harry and Clifton	X			22, 24
SW Harry and Volutsia	X			22, 24
SE Harry and Fabrique	X			22
NE Harry and Parkwood		X		22, 24
SW Harry and Battin	X		SM	22,24
NE Harry and Bleckley	X			22, 24
SW Harry and Elpyco	X			22, 24
SE Harry and Georgetown	X			22, 24
NW Harry and Bluffview	X			22, 24
SW Harry and Cypress	X			22
NE Harry and Harry Ct.	X			22
NW Harry and Breckenridge		X		22
SW Harry and Longfellow	X			22
NW Pawnee & Hillside		X	SM	23
NE Ross PKWY & Roosevelt		X	SM	23
SW Ross Parkway and Leahy	X			23
4505 E 47 th at Youthville		X	SM	23
NE George Washington Blvd and Oliver		X	SM	23
SW Douglas and Hillside	X			24
SW Douglas and Circle Dr.	X			24
NE Douglas and Hillside	X			24
SE Hydraulic and Mt Vernon	X			24

NE Edgemoor and Harry	X			24
SW Central and Crestway	X			25
SW Central and Bluff	X			25
NE Central & Rock Rd	X			25
NE Central and Hillside	X			25
SE Central and Woodlawn	X			25
NE Central and Woodlawn	X			25
NW Central and Rock Rd	X			25
NW Central and St. Francis	X			25
SE Central and Rock Rd	X			25
SE Central and Oliver	X			25
NW Central and Oliver	X			25
NW Central & Old Manor	X			25
NW Central & Edgemoor	X			25
SW Rock and Douglas		X		25, 29, 201
NW Wassell and Hydraulic	X			26
SE Rose Marie & Hydraulic	X			26
NW Hydraulic & Berkley	X			26
SE 47 th St. and Hydraulic	X			26
SW Hydraulic and South City Mall	X			26
45 th and Hydraulic (at Riverside Mobile Ct)		X		26
NW 47 th and Clifton		X	SM	26

SE Hydraulic & MacArthur		X		26
SE 47 th and Victoria	X			26
NE 13 th and Woodlawn		X		27
SE 13 th and Oliver		X	SM	27
NE 13 th & Pershing		X	SM	27
SE 13 th and Grove	X		SM	27
NW 13 th St and Oliver	X			27
SE 13 th St and Roosevelt	X			27
SW 13 th and Woodlawn	X			27
NE 13 th St. and Vesta	X		SM	27
NE 13 th St. and Gouverneur	X			27
NE 13 th and Grove	X		SM	27
NW 9 th and Grove		X	SM	28
NE Grove and 9th	X		SM	28
SE 10 th St. and Hydraulic	X		SM	28
NW Grove and 10th	X		SM	28
NE 10 th and Kansas	X		SM	28
NE 9 th St. and Madison	X		SM	28
NE 21 st St. and Chautauqua		X	SM	28
NW 21 st and Erie		X	SM	28
NW 21 st and Opportunity Dr		X	SM	28
SW 25 th and Ash	X		SM	28

NE 21 st St. and Estelle	X		SM	28
SW 25 th and Grove		X	SM	28
SW Grove and 13th	X		SM	28
NE Minnesota and 9 th (pending)		X	SM	28
SW 25 th and Hillside		X		28
NE Lincoln and Hydraulic		X		29
NE Lincoln and Oliver		X		29
SW Lincoln and Gouverneur	X			29
SW Lincoln and Woodlawn	X		SM	29
NE Lincoln and Lightner	X			29
NW Lincoln and Edgemoor	X			29
NW Lincoln and Grove	X			29
SW Lincoln and Hillside	X			29
NE Lincoln and Beverly	X			29
SE Lincoln and Pinecrest	X			29
NE Lincoln and Gouverneur	X			29
SW Lincoln and E Blvd Plaza	X			29
SW Lincoln and Terrace	X			29
SE Lincoln and Woodlawn	X		SM	29
NW Waterman and Washington		X		29
NE Lincoln & Pincrest	X			29
NW Lincoln & Rock Rd	X			29
SW Lincoln & Fountain,	X			29

SW Lincoln & George Washington Blvd	X			29
NE Lincoln & Green	X			29
SW Rock Rd. and 13 th St.		X		201
SE Rock and 13 th St.	X			201
SE Rock Rd. and 30 nd St.		X		201
South side 32 nd St.		X		201
NE Rock Rd. and Central	X			201
SW Rock Rd. and 21 st St.	X			201
SE Rock Rd. and 35 th St.	X			201
NW 37 th and Rock Rd.	X			201
SE Rock Rd. and 32 nd .	X			201
NE Harry and Rock	X			201
SE Rock and Douglas	X			201
SW Rock and Rockhill	X			201
SW Rock and 29 th	X			201

SM = Significant Minority Population

Wichita Transit Service Standards

Vehicle Load:

Standard: Fixed route vehicle capacity should not exceed 1.5 times the seated capacity

Wichita Transit operates a bus fleet including the following seating capacities:

- 35 ft. bus with **37** seats: 16 buses
- 35 ft. bus with **32** seats: 20 buses
- 40 ft. bus with **43** seats: 4 buses
- 40 ft. bus with **37** seats: 4 buses
- 29 ft. bus with **27** seats: 1 bus

The vehicle load for fixed route buses is **0.54**.

Standard: The paratransit vehicle load should not exceed 1.0 times the seated capacity.

Wichita Transit operates a van fleet including the following seating capacities:

- Van with **10-14** seats and **1-3** wheelchair spaces: 24 vans

Vehicle Headway:

Standard: No fixed route should operate less than a 60 minute frequency. Optimally peak hour service should operate a minimum 30 minute peak hour service unless demand justifies lower.

Wichita Transit operates 17 fixed routes and one downtown shuttle route. Service frequencies vary among routes based on demand and usage. Below is a summary of fixed route service frequencies:

Weekdays

- Four routes operate 30 minute frequency all day
- Eight routes operate 30 minute peak frequency and 60 minute midday frequency
- Five routes operate 60 minute frequency all day

Saturday

- Seventeen routes operate 60 minute service all day

Downtown shuttle

- One downtown fixed route operates:

- 20 minute frequency Monday – Thursday and
- 20 minute frequency Saturday from noon to 6 pm;
- 10 minute frequency Friday and 6 pm to midnight on Saturday

Sunday

- Wichita Transit does not operate service on Sundays

Any route that performs 10% below the system average will be reviewed for modifications to improve performance.

On Time Performance:

Standard: Buses should never arrive at a time point early or more than 5 minutes late. The fixed route system should meet the standard of 90% on- time.

Fixed route on-time performance is **76%**.

Any route with on-time performance below the system average will be reviewed for potential improvement.

Standard: Paratransit on-time performance is a pick-up being made within the 30 minute window. Paratransit should meet the standard of 95% on-time.

Anything picked up after the 30 minute window is considered late. Wichita Transit does count early pick-ups as on time because the driver will wait until the window starts if the client is not ready for pick-up.

Paratransit on time performance is **96.8%**.

Service Availability:

Standard: 80% of the population of the city should reside within 3/4 of a mile of a bus route.

Wichita Transit covers 80% of Wichita within ¾ of a mile.

Wichita Transit operates a fixed route system within the Wichita City Limits and works on a modified hub and spoke/grid system. Sixteen routes serve downtown and one route operates crosstown connecting radial routes and not serving downtown.

Wichita Transit uses a system of designated bus stops providing nearly 1,200 boarding locations throughout the community.

Standard: Paratransit will operate to destinations within the Wichita City limits.

Paratransit service is available to anyone qualified and will serve origins and destinations anywhere within the city limits of Wichita. Wichita Transit does not limit or charge a premium to those whose pick up or drop off location is outside $\frac{3}{4}$ miles of a fixed route.

WICHITA TRANSIT POLICIES AND PROCEDURES

Date Adopted: May 24, 2016

Procedure No. 4.12

Subject: **Wichita Transit Service Standards**

Supersedes: Standards
From 2013 Title VI
Program

PURPOSE:

Wichita Transit uses service standards to measure service levels and performance. Service Standards are used as a goal making mechanism for planning activities.

RESPONSIBILITIES: It is the responsibility of the Wichita Transit planner to set service standards and plan service to meet the standards. It is the responsibility of the Superintendent of Transportation to ensure operations are meeting performance standards and to analyze data to ensure schedules are correct and operators are adhering to schedules. The transit planner and superintendent of transportation must work together to set and meet service standards. A review of service standards is expected every 3 years in coordination with the update of the Title VI program.

POLICY:

Vehicle Load:

Standard: Fixed route vehicle capacity should not exceed 1.5 times the seated capacity

Wichita Transit operates a bus fleet including the following seating capacities:

- 35 ft. bus with **37** seats: 16 buses
- 35 ft. bus with **32** seats: 20 buses
- 40 ft. bus with **43** seats: 4 buses
- 40 ft. bus with **37** seats: 4 buses
- 29 ft. bus with **27** seats: 1 bus

The vehicle load for fixed route buses is **0.54**.

Standard: The paratransit vehicle load should not exceed 1.0 times the seated capacity.

Wichita Transit operates a van fleet including the following seating capacities:

- Van with **10-14** seats and **1-3** wheelchair spaces: 24 vans

Vehicle Headway:

Standard: No fixed route should operate less than a 60 minute frequency. Optimally peak hour service should operate a minimum 30 minute peak hour service unless demand justifies lower.

Wichita Transit operates 17 fixed routes and one downtown shuttle route. Service frequencies vary among routes based on demand and usage. Below is a summary of fixed route service frequencies:

Weekdays

- Four routes operate 30 minute frequency all day
- Eight routes operate 30 minute peak frequency and 60 minute midday frequency
- Five routes operate 60 minute frequency all day

Saturday

- Seventeen routes operate 60 minute service all day

Downtown shuttle

- One downtown fixed route operates:
 - 20 minute frequency Monday – Thursday and
 - 20 minute frequency Saturday from noon to 6 pm;
 - 10 minute frequency Friday and 6 pm to midnight on Saturday

Sunday

- Wichita Transit does not operate service on Sundays

Any route that performs 10% below the system average will be reviewed for modifications to improve performance.

On Time Performance:

Standard: Buses should never arrive at a time point early or more than 5 minutes late. The fixed route system should meet the standard of 90% on- time.

Fixed route on-time performance is **76%**.

Any route with on-time performance below the system average will be reviewed for potential improvement.

Standard: Paratransit on-time performance is a pick-up being made within the 30 minute window. Paratransit should meet the standard of 95% on-time.

Anything picked up after the 30 minute window is considered late. Wichita Transit does count early pick-ups as on-time because the driver will wait until the window starts if the client is not ready for pick-up.

Paratransit on-time performance is **96.8%**.

Service Availability:

Standard: 80% of the population of the city should reside within 3/4 of a mile of a bus route.

Wichita Transit covers 80% of Wichita within ¾ of a mile.

Wichita Transit operates a fixed route system within the Wichita City Limits and works on a modified hub and spoke/grid system. Sixteen routes serve downtown and one route operates crosstown connecting radial routes and not serving downtown. Wichita Transit uses a system of designated bus stops providing nearly 1,200 boarding locations throughout the community.

Standard: Paratransit will operate to destinations within the Wichita City limits.

Paratransit service is available to anyone qualified and will serve origins and destinations anywhere within the city limits of Wichita. Wichita Transit does not limit or charge a premium to those whose pick up or drop off location is outside ¾ miles of a fixed route.

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 Magana, City Attorney and Director of Law

Second Reading Ordinances for May 24, 2016 (first read on May 17, 2016)

A. Public Hearing and Issuance of Industrial Revenue Bonds, Hijos, LLC/JR Custom Metal Products, Inc.

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.

Legal Considerations: The Law Department has reviewed and approved the Certificate of Petition and Resolutions as to form and the documents will be recorded with the Register of Deeds.

Recommendations/Actions: It is recommended that the City Council approve the documents and plat, authorize the necessary signatures and adopt the Resolutions.

Attachments: Certificate of Petition
Resolutions

CERTIFICATE OF PETITION

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

We, MAA, L.C., a Kansas limited liability company, owners of M A A 2nd Addition, Wichita, Sedgwick County, Kansas, do hereby certify that petition(s) for the following improvements have been submitted to the City Council of the City of Wichita, Kansas:

1. Water Improvements
2. Paving Improvements

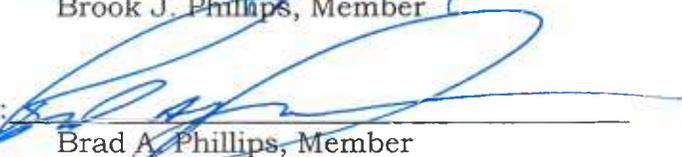
As a result of the above-mentioned petition(s) for improvements, all lots or portions thereof within M A A 2nd Addition, may be subject to special assessments assessed thereto for the cost of constructing the above-described improvements.

Signed this 3rd day of May, 2016.

MAA, L.C.

By: 

Brook J. Phillips, Member

By: 

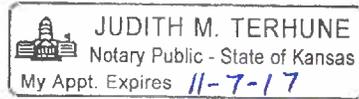
Brad A. Phillips, Member

x

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

BE IT REMEMBERED, that on this 3rd day of May, 2016, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Brook J. Phillips, Member of MAA, L.C., a Kansas limited liability company, 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 limited liability company.

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



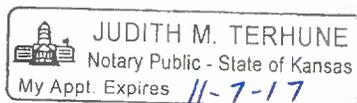
Judith M. Terhune
Notary Public

(My Appointment Expires: 11-7-17)

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

BE IT REMEMBERED, that on this 3rd day of May, 2016, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Brad A. Phillips, Member of MAA, L.C., a Kansas limited liability company, 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 limited liability company.

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



Judith M. Terhune
Notary Public

(My Appointment Expires: 11-7-17)

Approved as to form:

Jennifer Magana
Jennifer Magana, City Attorney and Director of Law

2

(Published in the *Wichita Eagle*, on May 27, 2016)

RESOLUTION NO. 16-124

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS – M A A 2ND ADDITION/EAST OF BROADWAY, NORTH OF 47TH STREET SOUTH) (472-84833).

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

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 09-319** of the City (the “Prior Resolution”) authorized certain internal improvements; and

WHEREAS, the scope of the improvements authorized by the Prior Resolution has changed;

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

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

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

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

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

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

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

Construction of pavement on Santa Fe Court from the Southeast line of the plat, northwest to and including the cul-de-sac, with drainage to be installed where necessary (the "Improvements").

That said pavement between aforesaid limits be constructed for a width of twenty-six (26) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of thirty (30) feet with plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.

(b) The estimated or probable cost of the Improvements is **One Hundred Six Thousand Dollars (\$106,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

M A A 2ND ADDITION

Lots 1 and 2, Block A

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

Lot 1, Block A, M A A 2ND ADDITION shall pay 8/10 of the total cost of the Improvements; and Lot 2, Block A, M A A 2ND ADDITION shall pay 2/10 of the total cost of the Improvements.

In the event that the driveway approaches and curb cuts are not included within the scope of the Improvements and the estimated cost thereof as set forth in subsection (b) above, the costs of such driveway approaches and curb cuts so constructed shall be directly assessed to the property benefitted thereby in addition to the assessments levied for the Improvements.

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

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

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

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

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

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, on May 24, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney
and Director of Law

(Published in the *Wichita Eagle*, on May 27, 2016)

RESOLUTION NO. 16-125

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION SYSTEM – M A A 2ND ADDITION/EAST OF BROADWAY, NORTH OF 47TH STREET SOUTH) (448-90440).

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

WHEREAS, the City Council of the City (the “Governing Body”) has heretofore by **Resolution No. 09-317** of the City (the “Prior Resolution”) authorized certain internal improvements; and

WHEREAS, the scope of the improvements authorized by the Prior Resolution has changed;

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

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

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

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

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

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

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

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

(b) The estimated or probable cost of the Improvements is **Twenty-Eight Thousand Dollars (\$28,000)**, exclusive of interest on financing and administrative and financing costs; said estimated amount to be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City. If expenses have been incurred for the Improvements and construction has not started within two years of the initial design contract, the Improvements will be deemed abandoned and expenses incurred to date will be assessed against property in the Improvement District defined below in accordance with the provisions hereof.

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

M A A 2ND ADDITION
Lots 1 and 2, Block A

(d) The proposed method of assessment is: **on a fractional basis as described below:**

Lot 1, Block A, M A A 2ND ADDITION shall pay 8/10 of the total cost of the Improvements; and Lot 2, Block A, M A A 2ND ADDITION shall pay 2/10 of the total cost of the Improvements.

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

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

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

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

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

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, on May 24, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, City Attorney
and Director of Law

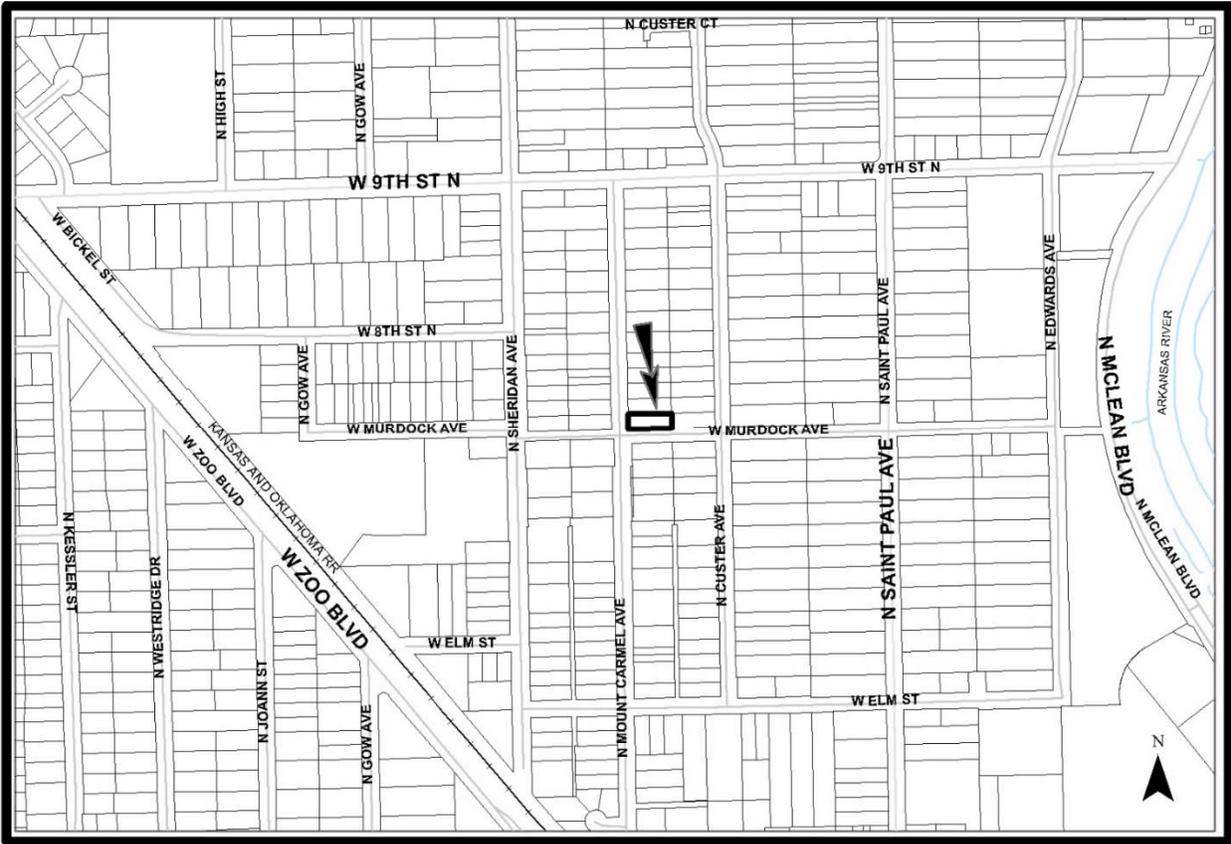
City of Wichita
City Council Meeting
May 24, 2016

TO: Mayor and City Council
SUBJECT: ZON2016-00003 – Zone Change from SF-5 Single-family Residential to TF-3 Two-family Residential, Generally Located North of West Murdock Avenue and East of North Mount Carmel Avenue (District VI)
INITIATED BY: Metropolitan Area Planning Department
AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval of the request (9-2).

DAB Recommendation: District Advisory Board VI recommended approval of the request (6-0).

MAPD Staff Recommendation: Metropolitan Area Planning Department staff recommended approval of the request.



Background: The applicant requests TF-3 Two-Family Residential (TF-3) zoning on a 0.19-acre platted lot. The vacant, corner lot has 53 feet of frontage along North Mount Carmel Avenue and 150 feet of frontage along West Murdock Avenue. The applicant intends to develop a duplex on the site. The lot meets the Unified Zoning Code (UZC) minimum lot dimensions and size for a duplex in TF-3 zoning.

The surrounding neighborhood is primarily zoned SF-5 Single-family Residential (SF-5) and developed with single-family residences. However, over a dozen pockets of TF-3 zoning exist within this neighborhood bordered by 13th Street North, Zoo Boulevard, McLean Boulevard and Central Avenue. Multi-family zoning and developments also exist within a three-block radius of the site. North of the site on North Mount Carmel Avenue are SF-5 zoned single-family residences. South of the site are SF-5 zoned single-family residences. Two TF-3 zoned duplexes are one block south of the site. East of the site are SF-5 zoned single-family residences. Three blocks further east are GO General Office (GO) zoned multi-family residences and a skilled nursing facility. West of the site are SF-5 zoned single-family residences. B Multi-family Residential (B) zoned apartments exist one block west of the site.

Analysis: On April 21, 2016, the Metropolitan Area Planning Commission (MAPC) approved the request (9-2). No members of the public spoke at the MAPC hearing.

On April 20, 2016, District Advisory Board (DAB) VI reviewed the application and approved it 6-0. No members of the public spoke at the DAB hearing.

No protest petitions have been received. The request can be approved with a simple majority vote.

Financial Considerations: Approval of this request will not create any financial obligations for the City.

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

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC, approve the requested Zone Change and place the ordinance on the first reading (simple majority vote).

Attachments: Ordinance, MAPC minutes, DAB VI report.

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2015-00003

Zone change request from SF-5 Single-family Residential (SF-5) to TF-3 Two-family Residential (TF-3) on property located north of West Murdock Avenue on the east side of North Mount Carmel described as:

Lot 10, except the East 150 feet thereof, Kauffman Gardens Addition, Sedgwick County, Kansas.

SECTION 2. That upon the taking effect of this ordinance, the above zoning change shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 7th day of June, 2016.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Jennifer Magana, City Attorney and Director of Law

**EXCERPT MINUTES OF APRIL 21, 2016 WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION MEETING**

Case No.: ZON2016-00003 - CAH LLC, Attn: Graig Harms (owner) requests a City zone change from SF-5 Single-family Residential to TF-3 Two family Residential on property described as:

Lot 10, except the East 150 feet thereof, Kauffman Gardens, Wichita, Sedgwick County, Kansas.

BACKGROUND: The applicant requests TF-3 Two-Family Residential (TF-3) zoning on a 0.19-acre platted lot. The vacant, corner lot has 53 feet of frontage along North Mount Carmel Avenue and 150 feet of frontage along West Murdock Avenue. The applicant intends to develop a duplex on the site. The lot meets the Unified Zoning Code (UZO) minimum lot dimensions and size for a duplex in TF-3 zoning.

The surrounding neighborhood is primarily zoned SF-5 Single-family Residential (SF-5) and developed with single-family residences. However, over a dozen pockets of TF-3 zoning exist within this neighborhood bordered by 13th Street North, Zoo Boulevard, McLean Boulevard and Central Avenue. Multi-family zoning and developments also exist within a three-block radius of the site. North of the site on North Mount Carmel Avenue are SF-5 zoned single-family residences. South of the site are SF-5 zoned single-family residences. Two TF-3 zoned duplexes are one block south of the site. East of the site are SF-5 zoned single-family residences. Three blocks further east are GO General Office (GO) zoned multi-family residences and a skilled nursing facility. West of the site are SF-5 zoned single-family residences. B Multi-family Residential (B) zoned apartments exist one block west of the site.

CASE HISTORY: The site was platted as a portion of Lot 10 of the Kauffman Gardens Addition in 1950. The application area was created by a lot split in 2003. The lot split included a utility easement dedication and a no-protest petition for the paving of Murdock Avenue.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residences
SOUTH:	SF-5, TF-3	Single-family residences, duplexes
EAST:	SF-5, GO	Single-family residences, multi-family residences, skilled nursing
WEST:	SF-5, B	Single-family residences, multi-family residences

PUBLIC SERVICES: North Mount Carmel Avenue is a paved, two-lane local street at this location with a 60-foot right-of-way. West Murdock Avenue is an un-paved, two-lane local street at this location with a 50-foot right-of-way. All public services are available to the site.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Plan also encourages development of a variety of lot sizes and housing types within the Established Central Area. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types, including duplexes, typically found in large urban municipality.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** The surrounding neighborhood is primarily zoned SF-5 and developed with single-family residences. However, over a dozen pockets of TF-3 zoning exist within this neighborhood bordered by 13th Street North, Zoo Boulevard, McLean Boulevard and Central Avenue. Multi-family zoning and developments also exist within a three-block radius of the site. North of the site on North Mount Carmel Avenue are SF-5 zoned single-family residences. South of the site are SF-5 zoned single-family residences. Two TF-3 zoned duplexes are one block south of the site. East of the site are SF-5 zoned single-family residences. Three blocks further east are GO zoned multi-family residences and a skilled nursing facility. West of the site are SF-5 zoned single-family residences. B zoned apartments exist one block west of the site.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The vacant site is currently zoned SF-5 and could be developed with a single-family residence.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact on surrounding property due to the requested zone change should be minimal; duplexes and TF-3 zoning are common within the surrounding blocks. A duplex on the site could be better for the neighborhood than a vacant lot.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Plan also encourages development of a variety of lot sizes and housing types within the Established Central Area. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types, including duplexes, typically found in large urban municipality.

(5) Impact of the proposed development on community facilities: All services are in place. Any increased demand on community facilities can be handled by existing infrastructure.

JESS MCNEELY, Planning Staff presented the Staff Report.

RICHARDSON commented that it appeared that item #4 (ZON2016-00003) and item #5 (ZON2016-00004) are by the same applicant.

MCNEELY explained that Graig Harms was the applicant on item #4 and the agent on Item#5.

RICHARDSON said he was concerned that there was no development sign on either one of the properties. He suggested that the items be deferred until the property signage has been posted to notify the neighbors.

MCNEELY commented if there was someone present to hear the item, the Commission could defer the item to a time certain. He said typically a deferral notice is not sent out to the entire ownership list.

DIRECTOR MILLER explained that if the Commission deferred the items to a time certain staff would not have to re-advertise or send out public hearing notices.

MOTION: To defer both cases (ZON2016-00003 and ZON2016-00004).

RICHARDSON moved, **DAILEY** seconded the motion.

DAILEY said the signs were not there last night and said other interested parties in the area may not read the paper or have received a notice.

JOHNSON asked when the signs needed to be posted.

MCNEELY said the signs should be posted 13 days prior and up to the day of the public hearing.

CHAIR NEUGENT clarified that the sign was in addition to sending out separate notifications to each of the property owners on the certified ownership list who can legally protest the cases. She said the issue is the sign didn't get placed.

MCNEELY said that is correct. He added that he has received no phone calls on either case. In addition, he said ZON2016-00003 was heard by DAB VI last night and no one was present to speak on the case.

CHAIR NEUGENT asked if there was a statutory requirement for the sign or was that a local policy.

DIRECTOR MILLER said posting the sign was a MAPC Policy,

DENNIS asked if the applicant/agent or anyone else was present to speak for or against the items.

GREG HARMS, 810 N. MAIN said they put in the applications in January and he posted the signs at that time. He admitted he should have gone back to insure the signs were still up and that was a lack of due Diligence on his part. He said there were some unexpected delays but the signs were posted signs right after they applied.

SUBSTITUTE MOTION: To approve item subject to staff recommendation.

JOHNSON moved, **MCKAY** seconded the motion, and it carried (9-2).
DAILEY and **RICHARDSON** – No.

MCNEELY reiterated that he has received no phone calls on either case. He said the applications got delayed due to non-payment of the filing fee. He said the applicant was given the signs and instructions at the time they filed the application.

TODD commented that there was dirt work at one location so he could see where the sign might have come down. He said he was going to vote for the substitute motion.

DAILEY asked that staff make sure that signs are posted 13 days prior to the public hearing. He commented that this has happened before where he has driven by a location and there hasn't been a sign. He requested that staff make it clear to the applicant that the sign needs to be posted.



**INTEROFFICE
MEMORANDUM**

TO: MAPC
FROM: Martha Sanchez, Community Service Representative, District VI
SUBJECT: ZON2016-0003
DATE: April 20, 2016

On Wednesday, April 20, 2016, the District VI Advisory Board considered a request for a zoning change to TF-3 Two-Family Residential (TF-3) from SF-5 Single-Family Residential, for the purpose to develop a duplex on the site generally located at the northeast corner of Murdock and Mount Carmel (804 N. Mount Carmel).

DAB members and attending public had the following questions:

Q: Are there any calls or protest?

A: No

Q: What is the address?

A: The address is off Mount Carmel

Action Taken: Sanders / Matney made a motion to recommend approval of zoning request.

Motion carried: (6-0)

Please review this information when **ZON2016-00003** is considered.

Background: The applicant requests TF-3 Two-Family Residential (TF-3) zoning on a 0.24-acre platted parcel. The vacant site has 100 feet of frontage along All Hallows Avenue and 140 feet of depth. The applicant intends to develop duplexes on the site. The application area meets the Unified Zoning Code (UZC) minimum dimensions and size for up to two duplexes in TF-3 zoning.

The surrounding neighborhood is primarily zoned SF-5 Single-family Residential (SF-5) and developed with single-family residences. However, over a dozen pockets of TF-3 zoning exist within this neighborhood bordered by South West Street, West Maple Street, South Meridian Avenue and West Kellogg. Multi-family zoning and developments also exist within a three-block radius of the site. North of the site on South All Hallows Avenue are SF-5 zoned single-family residences and TF-3 zoned duplexes. South of the site are SF-5 zoned single-family residences and an MF-29 Multi-family Residential (MF-29) zoned duplex. East of the site are SF-5 zoned single-family residences and TF-3 zoned duplexes. West of the site are SF-5 zoned single-family residences TF-3 zoned duplexes.

Analysis: On April 21, 2016, the Metropolitan Area Planning Commission (MAPC) approved the request (9-2). No members of the public spoke at the MAPC hearing.

On May 2, 2016, District Advisory Board (DAB) IV reviewed the application and approved it 9-0. No members of the public spoke at the DAB hearing.

No protest petitions have been received. The request can be approved with a simple majority vote.

Financial Considerations: Approval of this request will not create any financial obligations for the City.

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

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC, approve the requested Zone Change and place the ordinance on the first reading (simple majority vote).

Attachments: Ordinance, MAPC minutes, DAB IV report.

ORDINANCE NO. 50-256

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2015-00004

Zone change request from SF-5 Single-family Residential (SF-5) to TF-3 Two-family Residential (TF-3) on property located north of West Taft Avenue on the east side of South All Hallows Avenue (436 S. All Hallows Ave.) described as:

Lots 34, 36, 38 and 40, Block 5, College Green Addition, Sedgwick County, Kansas.

SECTION 2. That upon the taking effect of this ordinance, the above zoning change shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 7th day of June, 2016.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Jennifer Magana, City Attorney and Director of Law

**EXCERPT MINUTES OF APRIL 21, 2016 WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION MEETING**

Case No.: ZON2016-00004 - Jimmy Young (owner/applicant) and CAH LLC, Attn: Craig Harms (agent) request a City zone change from SF-5 Single-family Residential to TF-3 Two-family Residential on property described as:

Lots 34, 36, 38 and 40, Block 5, College Green, Sedgwick County, Kansas.

BACKGROUND: The applicant requests TF-3 Two-Family Residential (TF-3) zoning on a 0.24-acre platted parcel. The vacant site has 100 feet of frontage along All Hallows Avenue and 140 feet of depth. The applicant intends to develop duplexes on the site. The application area meets the Unified Zoning Code (UZC) minimum dimensions and size for up to two duplexes in TF-3 zoning.

The surrounding neighborhood is primarily zoned SF-5 Single-family Residential (SF-5) and developed with single-family residences. However, over a dozen pockets of TF-3 zoning exist within this neighborhood bordered by South West Street, West Maple Street, South Meridian Avenue and West Kellogg. Multi-family zoning and developments also exist within a three-block radius of the site. North of the site on South All Hallows Avenue are SF-5 zoned single-family residences and TF-3 zoned duplexes. South of the site are SF-5 zoned single-family residences and an MF-29 Multi-family Residential (MF-29) zoned duplex. East of the site are SF-5 zoned single-family residences and TF-3 zoned duplexes. West of the site are SF-5 zoned single-family residences TF-3 zoned duplexes.

CASE HISTORY: The site was platted as Lots 34, 36, 38 and 40 of the College Green Addition in 1887.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5, TF-3	Single-family residences, duplexes
SOUTH:	SF-5, MF-29	Single-family residences, duplex
EAST:	SF-5, TF-3	Single-family residences, duplexes
WEST:	SF-5, TF-3	Single-family residences, duplexes

PUBLIC SERVICES: South All Hallows Avenue is a paved, two-lane local street at this location with a 60-foot right-of-way. The site has rear access to an unpaved, dedicated 20-foot service alley. All public services are available to the site.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Plan also encourages development of a variety of lot sizes and housing types within the Established Central Area. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types, including duplexes, typically found in large urban municipality.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED.**

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** The surrounding neighborhood is primarily zoned SF-5 and developed with single-family residences. However, over a dozen pockets of TF-3 zoning exist within this neighborhood bordered by South West Street, West Maple Street, South Meridian Avenue and West Kellogg. Multi-family zoning and developments also exist within a three-block radius of the site. North of the site on South All Hallows Avenue are SF-5 zoned single-family residences and TF-3 zoned duplexes. South of the site are SF-5 zoned single-family residences and an MF-29 zoned duplex. East of the site are SF-5 zoned single-family residences and TF-3 zoned duplexes. West of the site are SF-5 zoned single-family residences TF-3 zoned duplexes.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The vacant site is currently zoned SF-5 and could be developed with up to two single-family residences.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact on surrounding property due to the requested zone change should be minimal; duplexes and TF-3 zoning are common within the surrounding blocks. Duplexes on the site could be better for the neighborhood than a vacant lot.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Plan also encourages development of a variety of lot sizes and housing types within the Established Central Area. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types, including duplexes, typically found in large urban municipality.
- (5) **Impact of the proposed development on community facilities:** All services are in place. Any increased demand on community facilities can be handled by existing infrastructure.

JESS MCNEELY, Planning Staff presented the Staff Report.

SUBSTITUTE MOTION: To approve subject to staff recommendation.

JOHNSON moved, MCKAY seconded the motion, and it carried (9-2).

DAILEY and RICHARDSON – No.



**INTEROFFICE
MEMORANDUM**

TO: MAPC Members
FROM: Rebecca Fields, Community Services Representative, District IV
SUBJECT: ZON2016-04
DATE: May 3, 2016

On Monday, May 2, 2016, the District IV Advisory Board considered a request for a: **TF-3 Two-Family Residential (TF-3) zoning**

The DAB Members were provided the MAPD staff report for review.

DAB members expressed the concern that there be adequate parking provided.

The DAB members voted 9-0 to recommend the application be approved.

Please review this information when ZON2016-04 is considered.

City of Wichita
City Council Meeting
May 24, 2016

TO: Mayor and City Council

SUBJECT: ZON2016-00014 and CUP2016-00010 – City Zone Change from LC Limited Commercial to OW Office Warehouse and Amendment of DP-83 Southwest Plaza Community Unit Plan to Allow Office Warehouse Uses, on Property Generally Located on the Northeast Corner of 31st Street South and South Meridian Avenue. (District IV)

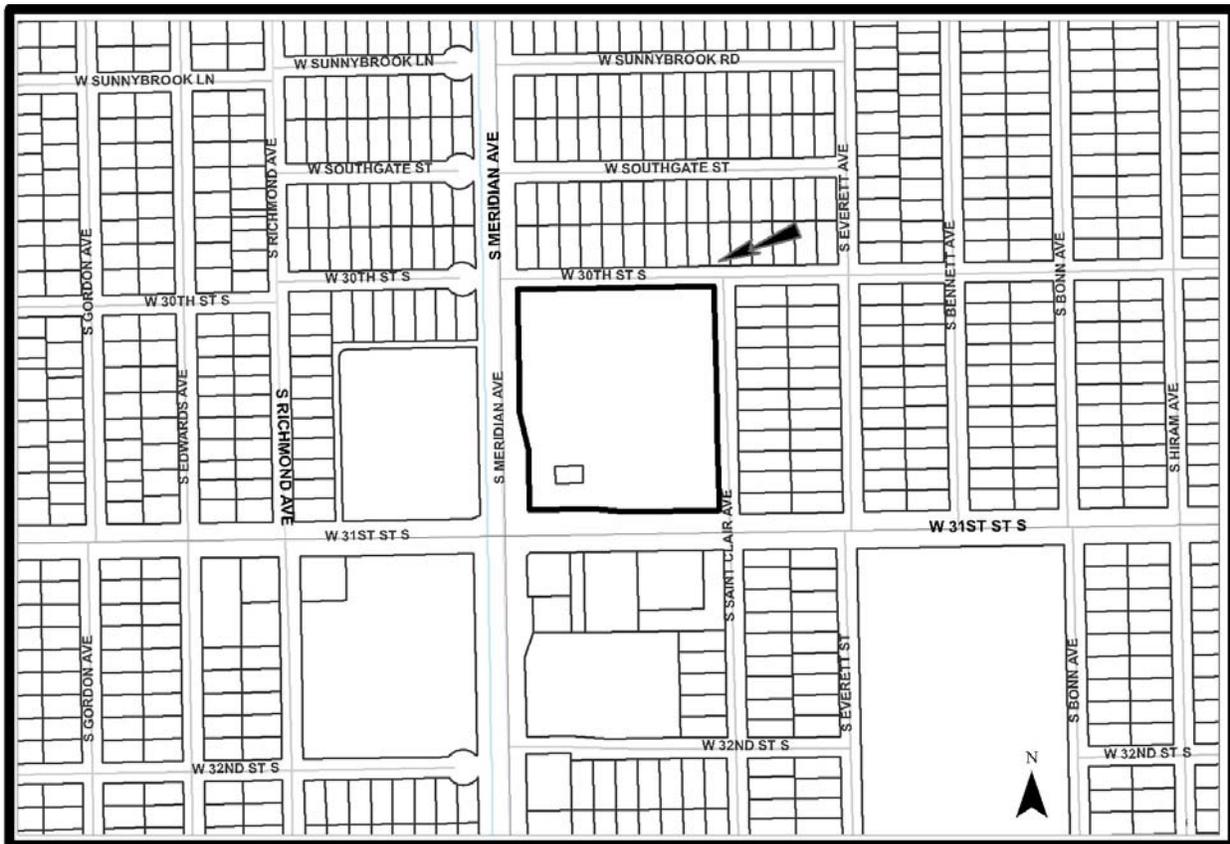
INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval (9-0), subject to the amended provisions of the CUP.

DAB IV Recommendation: The DAB recommended approval (9-0), subject to the amended provisions of the CUP.

MAPD Staff Recommendation: Staff recommended approval subject to the amended provisions of the CUP.



Background: The subject site is located at the northeast corner of West 31st Street South and South Meridian Avenue, and currently contains 9.1 acres that is zoned LC Limited Commercial (“LC”), subject to the development standards and general provisions contained in the Southwest Plaza Community Unit Plan (CUP) DP-83. Currently CUP DP-83 is a one parcel CUP that currently permits the following uses: manufacture and warehousing or animal control and apparel products, shopping center, offices, professional and personal services, comparison and convenience shopping.

In addition to a zone change to OW Office Warehouse (“OW”), the applicant is proposing the following amendments to CUP DP-83:

1) General Provision 8 is proposed to read: “Outside storage shall be limited to the same requirements of the OW zoning district.”

2) The following uses are proposed to be added to Parcel 1: “all uses permitted by right in the “OW” Office Warehouse zone district, except the following; Recycling collection Station (Public or Private), Recycling Processing Center and Asphalt/Concrete Plant.”

3) Changes to the Maximum Building Coverage and Maximum Floor Area Ratio are proposed as follows: “30% or 108,337 square feet for Limited Commercial uses, or 30% or 108,337 square feet for Office Warehouse uses, or 35% or 126,393 square feet for Limited Manufacturing uses.”

The property has a screening wall along the north and eastern property lines that screen the existing uses from abutting and adjacent residential uses. There are 40-foot building setbacks along the frontages of 31st Street South, St. Clair Avenue and 30th Street South. There is a 75-foot building setback along the South Meridian Avenue frontage.

Land to the north and east of the application area is zoned TF-3 Two-family Residential and is developed with single-family residences. Properties located to the south of the subject site (across 31st Street South) are zoned LC Limited Commercial and developed with a bank, bar and car wash. Properties located west of the subject site (across South Meridian Avenue) are zoned LC and MF-29 Multi-family Residential and are developed with an apartment complex and some single-family residences.

Analysis: At the April 21, 2016, Metropolitan Area Planning Commission (MAPC) meeting, the MAPC voted unanimously (9-0) to approve the zoning request, and subject to the amended provisions of CUP DP-83. No one was present to protest the request. At the May 2, 2016, District Advisory Board IV (DAB IV) meeting, DAB IV voted unanimously (9-0) to approve the zoning request and subject to the provisions of CUP DP-83. There have been no valid protest petitions filed with the City Clerk.

Financial Considerations: There are no financial considerations in regards to the zoning request.

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC and approve the requested zoning and subject to the recommended provisions of CUP DP-83 (a simple majority vote) and instruct the Planning Department to forward the ordinance for first reading.

Attachments:

- Ordinance
- CUP
- MAPC minutes
- DAB memo

ORDINANCE NO. 50-257

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2016-00014

Zone change from LC Limited Commercial (“LC”) to OW Office Warehouse (“OW”) subject to the provisions of Community Unit Plan CUP DP-83 on an approximately 9.1 -acres property described as:

Lot 1, Southwest Plaza Addition, Wichita, Kansas, Sedgwick County, Kansas.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

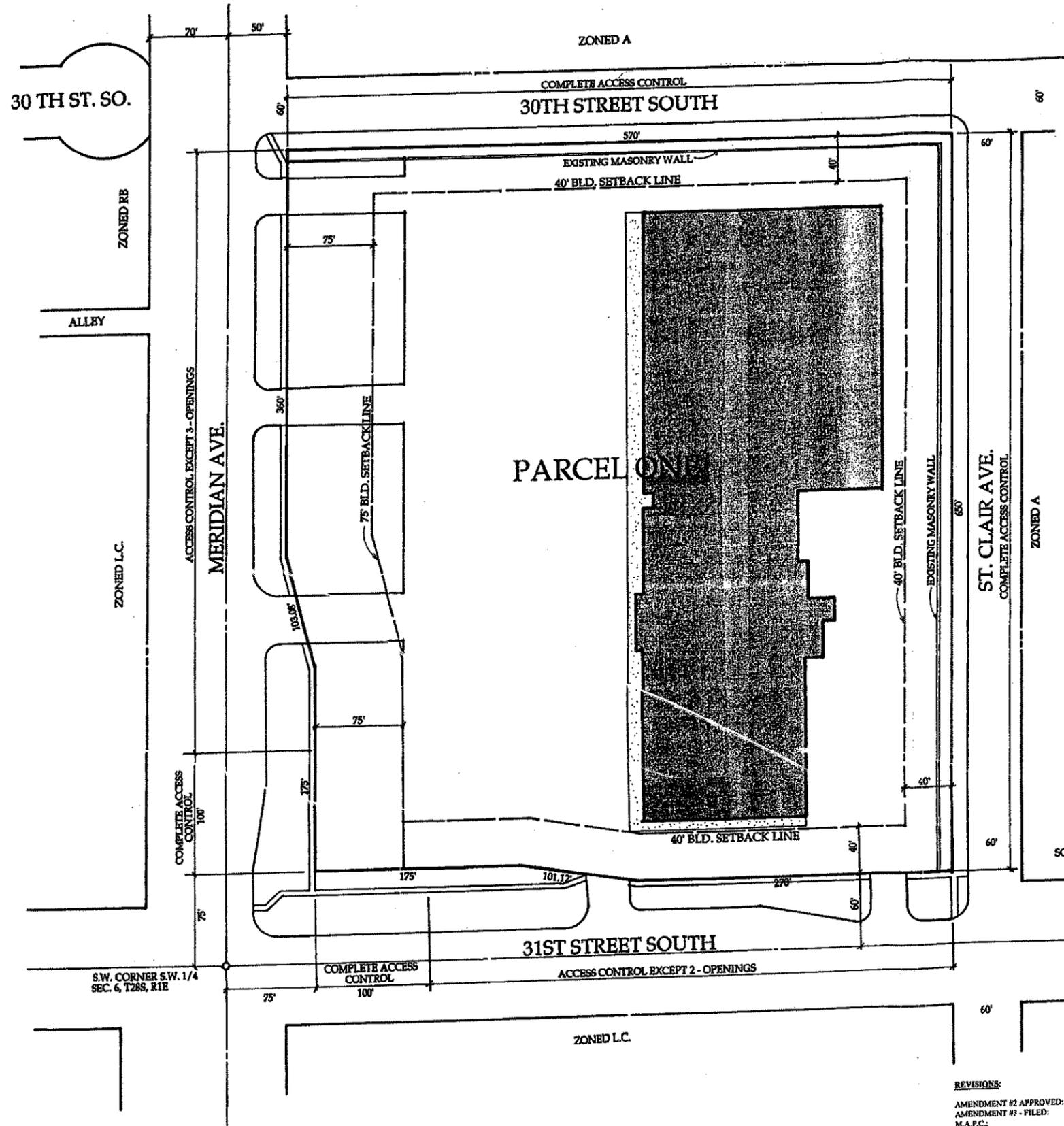
Approved as to form: _____
Jennifer Magana, Director of Law

SOUTHWEST PLAZA

COMMUNITY UNIT PLAN (DP-83)

AMENDMENT NUMBER THREE

DP-83 AMENDMENT #2
APPROVED CUP
 MAPC 10-26-95 DM
 BCC 11-21-95 DM
 MAPD COPY LOG 2



GENERAL PROVISIONS

1. THIS DEVELOPMENT IS PROPOSED TO CONTAIN 1.29 NET ACRES MORE OR LESS.
2. ACCESS CONTROL SHALL BE LIMITED TO THREE (3) OPENINGS, AND TWO (2) OPENINGS TO 31ST ST. SOUTH. THERE SHALL BE COMPLETE ACCESS CONTROL TO ST. CLAIR, 30TH ST. SOUTH, AND THE SOUTH AND WEST 100 FEET OF PARCEL ONE.
3. BUILDING SETBACKS SHALL BE AS INDICATED ON THE PLAN.
4. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
5. FIRE LANES
 - A. FIRE LANES SHALL BE IN ACCORDANCE WITH THE FIRE CODE OF THE CITY OF WICHITA. NO PARKING SHALL BE ALLOWED IN SAID FIRE LANES, ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING.
 - B. PRIOR TO FINAL APPROVAL OF THE PARKING PLAN, THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE, SHALL APPROVE THE PLAN AS TO THE LOCATION AND DESIGN OF THE FIRE LANE.
6. PARKING RATIO SHALL BE IN ACCORDANCE WITH SECTION 28.04.140 OF THE CODE OF THE CITY OF WICHITA.
7. MASONRY WALLS - A SOLID OR SEMI-SOLID WALL CONSTRUCTED OF BRICK, STONE, MASONRY, ARCHITECTURAL TILE OR OTHER SIMILAR MATERIAL (NOT INCLUDING WOOD OR WOVEN WIRE) AT LEAST SIX FEET BUT NOT MORE THAN EIGHT FEET HIGH SHALL BE CONSTRUCTED ALONG THE NORTH AND EAST LINES OF PARCEL ONE. SAID WALL SHALL BE REDUCED TO THREE FEET IN HEIGHT FOR THE WEST 25 FEET ADJACENT TO 30TH ST. SOUTH AND THE SOUTH 25 FEET ADJACENT TO ST. CLAIR. CONSTRUCTION OF WALLS WILL REQUIRE A BUILDING PERMIT. THE EXISTING SCREENING WALLS ALONG THE EAST AND NORTH PROPERTY LINES SHALL BE REPAIRED PRIOR TO OCCUPANCY OF THE PROPOSED ASSEMBLY FACILITY.
8. OUTSIDE STORAGE SHALL BE LIMITED TO THE SAME REQUIREMENTS OF THE "OW" ZONING DISTRICT.
9. SIGNS SHALL BE IN ACCORDANCE WITH CHAPTER 24.01 OF THE SIGN CODE OF THE CITY OF WICHITA WITH THE FOLLOWING EXCEPTIONS:
 - A. NO OFF-SITE, PORTABLE SIGNS, OR SIGNS WITH ROTATING OR FLASHING LIGHTS SHALL BE PERMITTED.
 - B. NO BUILDING SIGNS, GROUND SIGNS, OR POLE SIGNS SHALL BE PERMITTED ALONG 30TH STREET SOUTH OR ST. CLAIR AVENUE. DIRECTIONAL SIGNS MAY BE PERMITTED ON THE NORTH OR EAST SIDES OF THE PROPERTY IF SUCH SIGNS ARE LOCATED SO THAT THEY ARE NOT VISIBLE FROM RESIDENTIAL PROPERTIES. A MAXIMUM OF TWO (2) GROUND OR POLE SIGNS SHALL BE PERMITTED ALONG MERIDIAN AND ALONG 31ST STREET SOUTH (4 SIGNS TOTAL) AND SUCH SIGNS SHALL BE SPACED A MINIMUM 150 FEET APART, RESPECTIVE OF HOW LAND IS LEASED OR SOLD. THE MAXIMUM SIGN AREA SHALL BE 150 SQUARE FEET PER SIGN.
10. ALL LIGHTS SHALL BE SHIELDED TO REFLECT OR DIRECT LIGHT AWAY FROM THE RESIDENTIAL PROPERTIES TO THE NORTH AND EAST.
11. LANDSCAPING AND SCREENING SHALL BE IN ACCORDANCE WITH SECTION 10.22.010 ET. SEQ. OF THE CODE OF THE CITY OF WICHITA. THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY LANDSCAPE ORDINANCE PERTAINING TO STREET YARD LANDSCAPING, EXCEPT THAT NO REMOVAL OF ANY EXISTING PAVING SHALL BE REQUIRED. A LANDSCAPE PLAN INDICATING THE LOCATION, TYPE AND SPECIFICATIONS OF PLANT MATERIALS SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS. THE LANDSCAPE PLAN SHALL ALSO STATE HOW WATER IS TO BE PROVIDED TO PLANT MATERIALS. FAILURE TO PROPERLY MAINTAIN THE REQUIRED LANDSCAPING SHALL BE CONSIDERED A VIOLATION OF THE C.U.P. AFTER A FOD? DETERMINATION BY THE DIRECTOR OF PLANNING AND THE SUPERINTENDENT OF CENTRAL INSPECTION. A FINANCIAL GUARANTEE FOR THE PLANT MATERIALS AND WATERING SYSTEM(S) APPROVED FOR THE LANDSCAPE PLAN SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT IF THE REQUIRED LANDSCAPING HAS NOT BEEN PLANTED.
12. THE TRANSFER OF TITLE ON ALL OR ANY PORTION OF THE LAND INCLUDED IN THE C.U.P. DOES NOT CONSTITUTE A TERMINATION OF THE PLAN OR ANY PORTION THEREOF, BUT SAID PLAN SHALL RUN WITH THE LAND FOR THE DEVELOPMENT AND BE BINDING UPON THE PRESENT OWNER, THEIR SUCCESSORS AND ASSIGNS OR THEIR LESSEES UNLESS AMENDED.

SCALE: 1" = 50'

PARCEL DESCRIPTION

PARCEL 1
PROPOSED USE - THE MANUFACTURE AND WAREHOUSING OF ANIMAL CONTROL AND APPAREL PRODUCTS, SHOPPING CENTER, OFFICES, PROFESSIONAL AND PERSONAL SERVICES, COMPARISON AND CONVENIENCE SHOPPING, AND ALL USES PERMITTED BY RIGHT IN THE "OW" OFFICE WAREHOUSE USES EXCEPT THE FOLLOWING: RECYCLING COLLECTION STATION (PUBLIC OR PRIVATE), RECYCLING PROCESSING CENTER, OR ASPHALT/CONCRETE PLANT.
NET AREA - 361,124 SQ. FT OR 8.29 ACRES
MAXIMUM BUILDING COVERAGE - 30% OR 108,337 SQ. FT. FOR LIMITED COMMERCIAL, OR 35% OR 126,393 SQ. FT. FOR OFFICE WAREHOUSE USES, OR 35% OR 126,393 SQ. FT. FOR LIMITED MANUFACTURING USES
MAXIMUM BUILDING HEIGHT - 25 FEET
MAXIMUM NUMBER OF BUILDINGS - TWO

REVISIONS:
 AMENDMENT #2 APPROVED: SEPTEMBER 9, 1995
 MARCH 14, 2016
 AMENDMENT #3 - FILED: APRIL 21, 2016
 M.A.P.C.:
 CITY COUNCIL: 2016

DP-83
 SOUTHWEST PLAZA
 COMMUNITY UNIT PLAN

**EXCERPT MINUTES OF APRIL 21, 2016 WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION MEETING**

Case No.: ZON2016-00014 and CUP2016-00010 - Rose America Corporation c/o Regina Hanna (owner/applicant) and Baughman Company, PA, c/o Russ Ewy (agent) request a City zone change from LC Limited Commercial to OW Office Warehouse and City CUP amendment to DP-83 to permit OW Office Warehouses on property described as:

Lot 1, Southwest Plaza Addition, Wichita, Kansas, Sedgwick County, Kansas.

BACKGROUND: The subject site is located at the northeast corner of West 31st Street South and South Meridian Avenue, and currently contains 9.1 acres that is zoned LC Limited Commercial (“LC”), subject to the development standards and general provisions contained in the Southwest Plaza Community Unit Plan (CUP) DP-83. Currently CUP DP-83 is a one parcel CUP that currently permits the following uses: manufacture and warehousing or animal control and apparel products, shopping center, offices, professional and personal services, comparison and convenience shopping.

In addition to a zone change to OW Office Warehouse (“OW”), the applicant is proposing the following amendments to CUP DP-83:

- 1) General Provision 8 is proposed to read: “Outside storage shall be limited to the same requirements of the OW zoning district.”
- 2) The following uses are proposed to be added to Parcel 1: “all uses permitted by right in the “OW” Office Warehouse zone district, except the following: Recycling collection Station (Public or Private), Recycling Processing Center and Asphalt/Concrete Plant.”
- 3) Changes to the Maximum Building Coverage and Maximum Floor Area Ratio are proposed as follows: “30% or 108,337 square feet for Limited Commercial uses, or 30% or 108,337 square feet for Office Warehouse uses, or 35% or 126,393 square feet for Limited Manufacturing uses.”

The property has a screening wall along the north and eastern property lines that screen the existing uses from abutting and adjacent residential uses. There are 40-foot building setbacks along the frontages of 31st Street South, St. Clair Avenue and 30th Street South. There is a 75-foot building setback along the South Meridian Avenue frontage.

Land to the north and east of the application area is zoned TF-3 Two-family Residential and is developed with single-family residences. Properties located to the south of the subject site (across 31st Street South) are zoned LC Limited Commercial and developed with a bank, bar and car wash. Properties located west of the subject site (across South Meridian Avenue) are zoned LC and MF-29 Multi-family Residential and are developed with an apartment complex and some single-family residences.

CASE HISTORY: The Southwest Plaza CUP was established in August of 1977. The CUP has been amended two times previously. The most recent amendment was in 1995 and approved a zone change from LC Light Commercial to C Commercial (Z-3180). The Southwest Plaza Addition was recorded in 1977.

ADJACENT ZONING AND LAND USE:

North:	TF-3	Single-family residential
South:	LC	Bar, Bank, and Car Wash
East:	TF-3	Single-family residential
West:	LC and MF-29	Single-family residences and Apartment Complex

PUBLIC SERVICES: The site is served by municipal services. 31st Street South is a paved four-lane arterial street. South Meridian Avenue is also a four-lane arterial street. There are left turn lanes at the intersection of 31st Street South and Meridian Avenue. There are currently two points of access to the site of 31st Street South and three points of access off of South Meridian Avenue. One point of access to both 31st South and Meridian Avenue has a right turn lane.

CONFORMANCE TO PLANS/POLICIES: The 2035 Wichita Future Growth Concept Map indicates the site is appropriate for “industrial” uses. The “industrial” category encompasses areas that reflect the full diversity of industrial development intensities and types typically found in a large urban municipality. Centers or concentrations of manufacturing, warehousing, distribution, construction, research, and technology are located in close proximity to highways and airports and may have rail service. Industrial uses associated with the extraction, processing or refinement of natural resources or recycling of waste materials typically are located along rail lines. Businesses with negative impacts associated with noise, hazardous emissions, visual blight, and odor typically are buffered from Residential Uses by Commercial Uses.

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends approval of the zone change and amendments to CUP DP83 subject to the development guidelines and graphics depicted on the face of the amended CUP and the following conditions:

- A. The applicant shall record a document with the Register of Deeds indicating that this tract (referenced as CUP DP-83) includes special conditions for development on this property.
- B. Unless specifically modified, the development shall comply with all applicable ordinances, regulations or codes, including but not limited to zoning, fire, building and sanitation.
- C. The applicant shall submit four final copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Land to the north and east of the application area is zoned TF-3 Two-family Residential and developed with single-family residences. Properties located to the south of the subject site (across 31st Street South) are zoned LC Limited Commercial and developed with a bank, bar and car wash. Properties located west of the subject site (across South Meridian Avenue) are zoned LC and MF-29 Multi-family Residential and are developed with an apartment complex and some single-family residences.
2. The suitability of the subject property for the uses to which it has been restricted: The Southwest Plaza Commercial CUP DP-83 and its LC zoning was established in June of 1977. The site could continue to be economically viable as currently zoned; however, the proposed zone changes and CUP amendments address existing tenant needs (larger outside storage and display) or clean up potential zoning issues.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The zoning for the site was approved in 1977 and has been operating as a commercial center since that time. The proposed zone change and CUP amendments address existing tenant needs (larger outside storage and display), clean up potential zoning issues and provide the center with uniform commercial zoning. The requested changes should not detrimentally impact nearby property owners to any greater extent than the existing development.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request represents a gain to the public in that it contributes to the existing center's long term economic opportunity. Denial would presumably represent a loss in economic opportunity.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2035 Wichita Future Growth Concept Map indicates the site is appropriate for "industrial" uses. The "industrial" category encompasses areas that reflect the full diversity of industrial development intensities and types typically found in a large urban municipality. Centers or concentrations of manufacturing, warehousing, distribution, construction, research, and technology are located in close proximity to highways and airports and may have rail service. Industrial uses associated with the extraction, processing or refinement of natural resources or recycling of waste materials typically are located along rail lines. Businesses with negative impacts associated with noise, hazardous emissions, visual blight, and odor typically are buffered from Residential Uses by Commercial Uses.
6. Impact of the proposed development on community facilities: Existing or proposed improvements are in place to address anticipated demands.

DERRICK SLOCUM, Planning Staff presented the Staff Report.

RICHARDSON clarified that it is zoned LC but there has been manufacturing there for years. He asked if that use was grandfathered in or what.

SLOCUM said the agent can answer that question.

RUSS EWY, BAUGHMAN COMPANY, P.A., 315 ELLIS, AGENT FOR THE APPLICANT said about 20 years ago this location was a vacant shopping center. He said Rose America Corp. came in and began the manufacturing of leather goods such as saddles and collars. He said the zoning code at that time defined manufacturing by the type of machinery that was used. He said of course, over the last 20 years that type of machinery has changed quite a bit. He said an amendment was proposed to change the zoning from LC to GC which allowed manufacturing by right; however, that did not pass. He said the current CUP allows manufacturing specifically of apparel. He said OW zoning seemed to fit the profile of how the property was being marketed and would be used. He said that would open up the manufacturing opportunities as well as construction and contractor sales and services and those types of OW uses. He said they voluntarily eliminated some of the more obnoxious uses allowed under the OW zoning along with those uses that would not fit into the neighborhood. He said he has spoken with two people who live in close proximity. He said one person wanted to know about the notice he received and the other person wanted to know about the proposed street configuration and how that would affect the neighborhood.

JOHNSON asked staff if they have had any citizen contact regarding the item.

SLOCUM said a few calls wanting to know what was going on.

RICHARDSON asked about no access to the street to the north.

SLOCUM said that was correct, there is not access.

MOTION: To approve subject to staff recommendation.

RICHARDSON moved, **TODD** seconded the motion, and it carried (9-0).



**INTEROFFICE
MEMORANDUM**

TO: MAPC Members
FROM: Rebecca Fields, Community Services Representative, District IV
SUBJECT: CUP2016-00010 and ZON2016-00014
DATE: May 3, 2016

On Monday, May 2, 2016, the District IV Advisory Board considered a request for a: **City zone change from LC Limited Commercial to OW Office Warehouse and amendment of DP-83 Southwest Plaza Community Unit Plan to allow office warehouse uses.**

The DAB Members were provided the MAPD staff report for review.

DAB members expressed the following concerns 1) That the wall should be able to block any unsightly views of equipment and materials from those living nearby, and 2) that there would not be excessive noise coming from this area, especially from the “beeping” of when equipment is backing up if this facility is to be active at night.

The developer, Phil Meyer, was present and stated that they are not planning on any additional traffic from what is currently generated by this facility.

The DAB members voted 9-0 to recommend the application be approved.

Please review this information when CUP2016-00010 and ZON2016-00014 is considered.