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FINAL
CITY COUNCIL

CITY OF WICHITA
KANSAS

City Council Meeting
09:00 a.m. June 16, 2015

City Council Chambers
455 North Main

OPENING OF REGULAR MEETING

-- Call to Order

-- Invocation

-- Pledge of Allegiance

-- Approve the minutes of the regular meeting on June 9, 2015

AWARDS AND PROCLAMATIONS

-- Proclamations:

HOPE Inc./Juneteenth Health Fair and Parade
Independence Day Block Party
Go Skateboarding Day

I. PUBLIC AGENDA

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

1. Ben Lee - Guns, gangs, and violence.

2. Dennis Reese - Concerns with state proposing a tax increase which will negatively impact lower-income citizens and the City should have a plan in place to increase minimum wage.

II. CONSENT AGENDAS ITEMS 1 THROUGH 24

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.)*

*** WORKSHOP TO FOLLOW***

COUNCIL BUSINESS

III. UNFINISHED COUNCIL BUSINESS

None

IV. NEW COUNCIL BUSINESS

1. Public Hearing and Approval of a Façade Improvement Project – 100 South Market. (District I)

   RECOMMENDED ACTION: Close the public hearing, approve the façade easement and place the maximum assessment ordinance for the 100 South Market facade improvements on first reading.

2. Design Concept for Paving Improvements for Mosley and Rock Island from 2nd to 3rd Streets. (District VI)

   RECOMMENDED ACTION: Approve the design concept and authorize the necessary signatures for the acquisition or granting of easements, utility relocation agreements, and required permits.

3. Cultural Funding Allocation Recommendations.

   RECOMMENDED ACTION: Approve the funding allocations recommended for arts and cultural organizations by the Cultural Funding Committee.

COUNCIL BUSINESS SUBMITTED BY CITY AUTHORITIES

PLANNING AGENDA

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

V. NON-CONSENT PLANNING AGENDA

None

HOUSING AGENDA

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

VI. NON-CONSENT HOUSING AGENDA

None

AIRPORT AGENDA

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

VII. NON-CONSENT AIRPORT AGENDA

None

COUNCIL AGENDA

VIII. COUNCIL MEMBER AGENDA

None

IX. COUNCIL MEMBER APPOINTMENTS AND COMMENTS

1. Board Appointments.

   RECOMMENDED ACTION: Approve the appointments.

Adjournment

(ATTACHMENT 1 – CONSENT AGENDA ITEMS 1 THROUGH 24)

II. CITY COUNCIL CONSENT AGENDA ITEMS

1. Report of Board of Bids and Contracts dated June 15, 2015.

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

2. Applications for Licenses to Retail Cereal Malt Beverages:

Renewal	2015	(Consumption on Premises)
Joseph G Foldenauer	BJs Restaurant and Brew House**	7960 East Kellogg Drive
Elva Devora	Elvita's Mexican Restaurant**	3835 South Seneca
Pedro Ortega Escobedo	Mariscos Cheli**	1851 North Broadway
Concepcion Acosta	Taqueria El Paisa**	2227 North Arkansas

Renewal	2015	(Consumption off Premises)
Terry Williams	Quik Trip #356R***	1021 E 47th Street South
Terry Williams	Quik Trip #320***	1021 West 31st South
Terry Williams	Quik Trip #321***	6011 West Central
Terry Williams	Quik Trip #325***	1414 North Oliver
Terry Williams	Quik Trip #328***	2801 South Hydraulic
Terry Williams	Quik Trip #329***	5602 East Harry
Terry Williams	Quik Trip #343***	242 South Tyler
Terry Williams	Quik Trip #345***	4020 South Meridian
Terry Williams	Quik Trip #347***	1532 South Seneca
Terry Williams	Quik Trip #349***	1112 West Douglas
Terry Williams	Quik Trip #353***	110 South Rock Road
Terry Williams	Quik Trip #356***	4808 South Hydraulic
Terry Williams	Quik Trip #358***	7120 West 21st Street North
Terry Williams	Quik Trip #360***	3933 West 13th Street
Terry Williams	Quik Trip #366***	1620 South Webb Road
Terry Williams	Quik Trip #368***	626 West 21st Street North
Terry Williams	Quik Trip #372***	3126 East Pawnee
Terry Williams	Quik Trip #373***	1610 East Lincoln
Terry Williams	Quik Trip #374***	10315 West 13th Street
Terry Williams	Quik Trip #376***	2106 South Rock Road
Terry Williams	Quik Trip #378***	5611 South Broadway
Terry Williams	Quik Trip #383***	11223 East Central
Terry Williams	Quik Trip #384***	2510 West Pawnee
Terry Williams	Quik Trip #386***	1010 East Douglas Avenue
Terry Williams	Quik Trip #388R***	3820 North Rock Road
Terry Williams	Quik Trip #389***	4730 East Central
Terry Williams	Quik Trip #391***	730 North Broadway
Andrea Lazenby	Wal-Mart #3283***	10600 West 21st Street North
Scott F. Duggan	The Fresh Market***	1800 North Rock Road SU120
Sham Gupta	Maize Food Mart***	10723 West Kellogg
Sham Gupta	Schulte Food Mart***	11012 Southwest Blvd
Kulwinder Jaswal	Petro America #1***	2700 North Amidon

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

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

3. Preliminary Estimates:
   a. List of Preliminary Estimates.

RECOMMENDED ACTION: Receive and file.

4. Petitions for Public Improvements:
   a. Petitions for Improvements to Regency Park Commercial Addition. (District II)

RECOMMENDED ACTION: Approve the petitions and adopt the resolutions.

5. Statement of Costs:
   a. Revised Statements of Cost.

RECOMMENDED ACTION: Approve and file.

6. Consideration of Street Closures/Uses.
   a. Community Events - CCIM Family Night. (District I)
   b. Community Events - Kindness Moves Me 5K. (Districts I and VI)
   c. Community Events - Father's Day Kite Festival. (District VI)
   d. Community Events - Historic Dunbar Theater Fundraiser. (District I)
   e. Community Events - Independence Day Block Party. (Districts I and VI)
   f. Community Events - Waterfront Triathlon. (District II)
   g. Community Events - KEYN Summer Concert Series 1. (District I)
   h. Community Events - KEYN Summer Concert Series 2. (District I)
   i. Community Events - KEYN Summer Concert Series 3. (District I)
   j. Community Events - KEYN Summer Concert Series 4. (District I)
   k. Community Events - KEYN Summer Concert Series 5. (District I)
   l. Community Events - KEYN Summer Concert Series 6. (District I)

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.

7. Agreements/Contract:
   a. Supplemental Design Agreement No. 4 for Central Avenue from 119th Street West to 135th Street West. (District V)

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

8. Property Acquisition:
   a. Acquisition of Easements at 727 N. Waco for the Riverside Siphon Project. (District VI)

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

9. Minutes of Advisory Boards/Commissions

   Board of Building Code Standards and Appeals, May 4, 2015

   RECOMMENDED ACTION: Receive and file.

10. Acquisition by Eminent Domain of Tracts Required for the Meridian – McCormick to Pawnee Improvement Project. (District IV)

    RECOMMENDED ACTION: Adopt the resolution, place the condemnation ordinance on first reading, and authorize the necessary signatures.

11. Surplus of City-owned Property at 2220 E. 21st Street. (District I)

    RECOMMENDED ACTION: Declare the property as surplus and designate it as available for sale to the general public.

12. Sale of City-owned Property at 1001 E. Pawnee. (District III)

    RECOMMENDED ACTION: Approve the real estate purchase agreement and authorize all necessary signatures.

13. Consent Order Schedule of Compliance CIP Items. (Districts III and VI)

    RECOMMENDED ACTION: Approve the projects, adopt the resolutions, authorize the necessary signatures, authorize the Plant 3 project as design-build project and authorize staff to proceed with the Request for Proposal.

14. General Obligation Note Sale.

    RECOMMENDED ACTION: Adopt the resolution: 1) authorizing the general obligation note sale; 2) authorizing preparation of the Preliminary Official Statement in connection with the note sale; 3) approving the distribution to prospective bidders of the Preliminary Official Statement; 4) authorizing distribution of the Notice of Sale; 5) authorizing the City Manager to award the note sale subject to the parameters of the resolution; and 6) authorizing City staff, in consultation with Bond Counsel to take such further action as is reasonably required to implement the resolution.

15. 2015 Federal Justice Assistance Grant (JAG) Memorandum of Understanding.

    RECOMMENDED ACTION: Approve the Memorandum of Understanding between the City of Wichita and Sedgwick County and authorize the necessary signatures.

16. Sedgwick County Oaklawn Agreement Renewal.

    RECOMMENDED ACTION: Approve the Sedgwick County Oaklawn agreement renewal.

17. Release of Property Reversion Clause. (District I)

    RECOMMENDED ACTION: Approve the quit claim and authorize all necessary signatures.

18. Improvements to Slope at Santa Fe Avenue, Murdock Avenue to East 9th Street North. (District VI)

    RECOMMENDED ACTION: Approve acceptance of the lowest over-estimate bid and authorize all necessary signatures and all required permits.

19. Construction Funding for Improvements to the Douglas Bridge at Linden. (District II)

    RECOMMENDED ACTION: Approve the revised budget, adopt the amending resolutions, waive City Council Policy No. 2 regarding the use of project savings to allow transfer of funds and authorize the necessary signatures.

20. Maureen Connolly Brinker (MCB) Tennis Foundation Grant. (Districts I, III, and VI)

    RECOMMENDED ACTION: Authorize staff to accept a grant from the Maureen Connolly Brinker Tennis Foundation and authorize the necessary signatures.

21. Partial Loan Forgiveness-Home Repair Program.

    RECOMMENDED ACTION: Approve the partial loan forgiveness request, with all net proceeds from an approved sale to be paid to the City, and authorize the necessary signatures.

22. Second Reading Ordinances: (First Read June 9, 2015)
    a. List of Second Reading Ordinances.

    RECOMMENDED ACTION: Adopt the Ordinances.

II. CONSENT PLANNING AGENDA ITEMS

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

23. *SUB2015-00012 -- Plat of Falcon Falls 6th Addition Located on the North Side of 45th Street North, on the West Side of Hillside. (District I)

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

II. CONSENT HOUSING AGENDA ITEMS

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

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

None

II. CONSENT AIRPORT AGENDA ITEMS

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

24. *Air Capital Terminal 3 Program - Change Order No. 26 - Wichita Dwight D. Eisenhower National Airport.

RECOMMENDED ACTION: Approve Change Order No. 26 and authorize the necessary signatures.

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council Members

SUBJECT: Public Hearing and Approval of a Façade Improvement Project – 100 South Market (District I)

INITIATED BY: Office of Urban Development

AGENDA: New Business

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

Background: Since 2001, the City of Wichita has operated the Façade Improvement Program, which provides low-cost loans and grants to enhance the visual aesthetics of buildings located in defined areas needing revitalization, including the City's core area. The low-cost loans are funded through special assessment financing. In 2009, the Façade Improvement Program was revised to require that private funding for overall project costs be at least equal to public funding and that applicants show a financial need for public assistance in order to complete the project, based on the owner's ability to finance the project and assuming a market-based return on investment.

On June 2, 2015, the City Council accepted a petition to create a special assessment benefit district for a building located at 100 South Market and adopted a resolution authorizing façade improvements as part of a larger renovation project, setting a public hearing on the project for June 16, 2015. Adoption of a maximum assessment ordinance is needed in order to proceed with the façade improvement project.

Analysis: The project is part of the acquisition and rehabilitation of 100 S. Market, at the corner of Douglas and Market. The overall project includes a $1,026,000 acquisition and renovation, including extensive interior and exterior improvements to the building. The building will be converted into multi-tenant use. The $195,000 facade project will include new store front, new windows and doors, and additional work to restore the building and meet code requirements. The Office of Urban Development has reviewed the economic ("gap") analysis of the project and determined a financial need for incentives based on the current market.

State law requires a formal public hearing to levy assessments for special assessment benefit districts. By using a maximum assessment ordinance, the City levies the assessments in advance of the improvements being constructed, which protects the City from a protest petition should the building change ownership during the construction period. Once the construction is complete and final costs are known, including financing costs, the assessment ordinance will be amended to reflect the actual costs, which may be lower than the original maximum amount.

The City's Façade Program Policy requires developers to provide the City with acceptable surety, such as a letter of credit, to ensure that the City will be reimbursed for any façade expenditures in the event the City cannot levy special assessment taxes on the improved property. In this case, in lieu of a letter of credit, the property owner will pay the construction costs until the façade project is complete and special assessments can be placed on the property. Once the project is complete, as evidenced by an architect's certificate of completion, the City will reimburse the property owner for documented eligible façade costs. Once special assessment bonds are issued, the City's risk will be partially secured by a tax lien on the property.

Financial Considerations: The proposed maximum assessment amount is $160,000, based on the following uses of funds:

Façade improvement costs	$193,591
2% City administrative fee	3,520
Financing costs	27,889
Façade Improvement Grant	(30,000)
Maximum Assessment	195,000

The façade improvement costs include a 10% contingency amount to cover any unexpected expense, in order to avoid the possible need to increase the maximum assessment. The actual amount to be assessed to the property, not to exceed $195,000, will be based on a final statement of costs following completion of construction and will be financed with 15-year special assessment general obligation bonds. The project is eligible for a $30,000 grant component of the Façade Improvement Program based on the location on a corner. Included in the financing costs will be a contingency reserve equivalent to one year's debt service to mitigate risk. Any unused reserve will be used to make the final special assessment payment.

Legal Considerations: The attached Maximum Assessment Ordinance and Façade Easement have been approved as to form by the Law Department. State statutes provide the City Council authority to use special assessment funding for the project. A public hearing is required as part of the approval process. The actual amount to be assessed at the completion of construction may be less, but it may not exceed the amounts included in the petition, resolution and ordinance.

Recommendation/Action: It is recommended that the City Council close the public hearing, approve the façade easement and place the maximum assessment ordinance for the 100 South Market facade improvements on first reading.

Attachments: Maximum Assessment Ordinance
Façade Easement

ORDINANCE NO. 50-026

AN ORDINANCE LEVYING AND ASSESSING MAXIMUM SPECIAL ASSESSMENTS ON CERTAIN LOTS, PIECES AND PARCELS OF PROPERTY LIABLE FOR SUCH SPECIAL ASSESSMENTS TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS (FAÇADE IMPROVEMENTS – 100 SOUTH MARKET IMPROVEMENT DISTRICT).

WHEREAS, pursuant to Resolution No. 15-157 (the "Resolution"), the City Council (the "Governing Body") of the City of Wichita, Kansas (the "City") has authorized, pursuant to K.S.A. 12-6a01 *et seq*. (the "Act") the creation of an improvement district (the "Improvement District") and the construction of the following improvements therein:

Construction of improvements to area walls on public ways or land abutting thereto consisting of façade improvements (the "Improvements") at 100 South Market; and

WHEREAS, prior to commencement of construction of the Improvements, the City has determined the maximum amount of assessment against each lot, piece or parcel of land deemed to be benefited by the Improvements based on the approved estimate of cost of the Improvements and has held a public hearing on the proposed maximum special assessments to be levied against property in the Improvement District for the cost of the Improvements after providing notice of such hearing as required by the Act.

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

Section 1. **Levy of Assessments.** Pursuant to the Act, special assessments to pay the costs of the Improvements are hereby levied and assessed the amounts against the lots, pieces and parcels of land liable therefore as described on ***Exhibit A*** to this Ordinance, which is incorporated herein by reference; provided, however, that if the final cost of the completed Improvements is less than the maximum amount of the assessments set forth on ***Exhibit A***, the Governing Body shall adjust the assessments to reflect the cost of the completed Improvements. If any property owner elects to prepay the maximum assessment as provided in ***Section 2*** and the final cost of the completed Improvements as determined by the Governing Body is less than the estimated cost of the Improvements used to determine the maximum assessments, the City Clerk shall mail a check to the then current owner of the property for the difference.

Section 2. **Payment of Assessments**. The amounts so levied and assessed in ***Section 1*** shall be due and payable from and after the date of publication of this Ordinance; and the City Clerk shall notify the owners of the affected properties of the amounts of their assessments, that unless the assessments are paid by July 26, 2015, unless extended by action of the Governing Body, following which notice of the extended date shall be mailed to the owners of record of all property in the Improvement District (the "Prepayment Date"), bonds will be issued therefore and such assessments will be levied concurrently with general taxes.

Section 3. **Certification**. Any amount of special assessments not paid within the time prescribed in ***Section 2*** hereof shall be certified by the City Clerk to the County Clerk of Sedgwick County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in 15 annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by the Act. Interest on the assessed amount remaining unpaid between the

effective date of this Ordinance and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

Section 4. **Effective Date**. This Ordinance shall take effect and be in force from and after its passage by the Governing Body and publication once in the official City newspaper. The City Clerk is directed to file this Ordinance with the Register of Deeds of Sedgwick County, Kansas.

PASSED by the City Council of the City on June 23rd, 2015 and **SIGNED** by the Mayor.

(SEAL)

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____
Jennifer Magaña, City Attorney and Director of Law

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Exhibit A

(FAÇADE IMPROVEMENTS – 100 SOUTH MARKET IMPROVEMENT DISTRICT)
RESOLUTION NO. 15-157

Description of Property	Amount of Maximum Assessment
LOTS 113 AND 115, ON DOUGLAS AVE., WM. GRIEFFENSTEIN'S ADDITION TO THE TOWN OF WICHITA, SEDGWICK COUNTY, KANSAS	$195,000
Commonly known as 100 South Market	

When Recorded Return to:
City of Wichita, Kanas
Office of Urban Development
455 N. Main, 13th Floor
Wichita, Kansas 67202

FACADE EASEMENT
FACADE IMPROVEMENT PROGRAM

THIS FACADE EASEMENT made as of June 16, 2015, by and between Eyster Properties, LLC, hereinafter called "Grantor," and the City of Wichita, Kansas, hereinafter called "Grantee" or "City":

WITNESSETH THAT,

WHEREAS, the Grantee is a municipal corporation pursuant to state law; and

WHEREAS, the Grantee is authorized pursuant to K.S.A. 12-6a01 *et. seq*. (the "Act") to make or cause to be made improvements which confer a special benefit upon a property within a definable area of the City; and,

WHEREAS, the Grantee may levy and collect special assessments upon property deemed by the City Council (the "Governing Body") to be benefited by such improvement; and,

WHEREAS, the Grantee may acquire an interest in property when necessary for any of the purposes set forth in the Act; and,

WHEREAS, the Grantee is authorized to accept easements necessary for improvements to be financed through special assessment financing pursuant to the Act; and,

WHEREAS, the Grantor is the owner in fee simple of the improved real property consisting of a lot and building improvements located at 100 South Market, Wichita, Kansas (the "Premises"), the legal description for which is set forth on ***Exhibit A*** attached hereto and incorporated herein by reference; and,

WHEREAS, the Grantor has submitted a Facade Improvement Petition for special assessment financing to improve, restore and enhance the facade of the Premises; and,

WHEREAS, the grant of a facade easement by the Grantor to the Grantee will assist in the improvement of the Premises.

NOW, THEREFORE, in consideration of the sum of one dollar ($1.00), and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey to the Grantee, its successors and assigns, a 15 year facade easement in and to the Premises. The easement granted in the Premises shall constitute a binding servitude upon the Premises and shall be deemed to run with the said Premises for a period of 15 years, with said fifteen year period being contemporaneous with the period of time that the Premises are encumbered with special assessment payments related to improvements made to its facade. As a further condition of said easement, Grantor agrees to the following covenants, restrictions and obligations related to said facade:

1. Without the express written consent of the Grantee, signed by an authorized representative of the Grantee, no construction, alteration, remodeling or other action shall be undertaken or permitted to be undertaken which would affect the exterior facade improvements on the Premises (including, without limitation the exterior walls, the roofs or chimneys) or which would adversely affect the structural soundness of improvements on the Premises. In the event the Grantee does consent to construction, alteration, remodeling or other action which would affect the exterior facade of improvements on the Premises, the Grantor agrees that such construction, alteration, remodeling or other action will conform with applicable local, state and federal standards for construction or restoration or rehabilitation of historic property. Grantor agrees on behalf of itself and any successor condominium owners association at all times to maintain the Premises in good and sound state of repair and to bear the cost of all maintenance and repair of the Premises.

2. The Premises shall not be divided, diminished or subdivided nor shall the Premises ever be devised or conveyed except that the Premises may be divided into condominium units, the units may be conveyed to buyers, and the remainder of the Premises may be conveyed to a condominium owners association.

3. The Premises shall only be used for a use consistent with the zoning ordinances of the City.

4. No other structures may be constructed on the Premises during the term of this facade easement without the express written permission of the Grantee, signed by an authorized representative of the Grantee.

5. No utility transmission lines, except those required by the existing structures or by structures permitted by the Grantee, may be placed on or over the Premises.

6. No topographical changes shall be made or allowed on the Premises without the express written permission of the Grantee, signed by an authorized representative of the Grantee.

7. Grantor agrees that representatives of the Grantee, its successors or assigns, shall be permitted at all reasonable times to inspect the Premises. Inspections will normally take place on the exterior of the structures on the Premises; however, Grantor agrees that representatives of the Grantee, its successors and assigns, shall be permitted to enter and inspect the structures on the Premises to insure maintenance of structural soundness. Inspection of the interior of the structures will not take place more often than annually, in the absence of deterioration, and shall require prior notice to Grantor. Inspection of the interior of the structures will be made at a time mutually agreed upon by the Grantor and Grantee, its successors or assigns, and Grantor will not unreasonably withhold its consent in determining a date and time for such inspections.

8. In the event of a violation of any covenant or restriction herein, the Grantee, its successors and assigns, following no less than thirty (30) days notice to Grantor of the violation, may institute suit to enjoin such violation and to require restoration of the Premises in compliance with the covenants or restrictions herein. The Grantee, its successors or assigns, shall also have available all legal and equitable remedies to enforce Grantor's obligations hereunder (following expiration of the thirty (30) day notice and cure period set forth above), and in the event Grantor is found to have violated any of its obligations following expiration of such notice and cure period, Grantor shall reimburse Grantee, its successors and assigns, for any costs or expenses incurred in connection therewith, including court costs and reasonable attorneys' fees. In addition, Grantor acknowledges that the Grantee has advanced or will advance $30,000 in public funds to defray costs of a portion of Grantor's façade improvements, and

Grantor further acknowledges that, in the event of Grantor's violation of any covenant or restriction herein contained for the preservation, maintenance or repair of the façade improvements during the term of this easement, the Grantee will not have received the social and economic development benefits expected in connection with its advance of public funds, and the resulting loss to the Grantee will be difficult to measure. In such event, the Grantor covenants to repay to the Grantee, on demand, as contractual or liquidated damages, the amount advanced.

9. Grantor agrees that these covenants and restrictions will be inserted by it in any subsequent deed or other legal instrument by which it divests itself of either the fee simple title or its possessory interest in the Premises, or any part thereof during the term of this facade easement. Grantor agrees to give Grantee written notice of any sale or mortgage of the Premises or any part thereof within a reasonable time after such sale or mortgage.

10. Grantor agrees to maintain the facades of the Premises in its original condition and configuration or in a condition or configuration which is agreed to by the Grantee.

11. Nothing herein contained shall impose any obligation or liability on the Grantee for the restoration, renovation, preservation or maintenance of the facades of the Premises or any part of the Premises. The Grantor shall indemnify and hold harmless the Grantee from any liability for any and all claims, demands, damages, judgments, costs or expenses in connection with the restoration, renovation, preservation and maintenance of the facades of the Premises or any part thereof or in connection with the failure to restore, renovate, preserve or maintain the facades of the premise or any part of the Premises.

12. The Grantor shall maintain insurance on the Premises in such amount and on such terms as will allow the Grantee to restore, repair or rebuild the facade of the Premises in the event the facade is damaged or destroyed. In the event of damage to or destruction of the facades of the Premises, the Grantor alone may determine that the facade of the Premises cannot be reasonably restored, repaired or reconstructed. In such event, the Grantee shall be entitled to receive from the Grantor the greater of the following: the fair market value of the easement granted herein at the time the easement was granted or the fair market value of the easement granted herein immediately before the facade of the Premises was damaged or destroyed. However, any payment to the Grantee under the terms of this paragraph shall not terminate the easement granted herein, and the terms of the easement which are still applicable to the Premises shall remain in full force and effect. The provisions of this paragraph shall apply whether or not the Grantor maintains the insurance coverage required by this paragraph. In the event the Grantee receives any payment under the terms of this paragraph, the Grantee shall use such payment in a manner consistent with the purpose of this easement.

13. Grantor acknowledges that the easement granted herein gives rise to a property right, vested immediately, with fair market value that is a minimum ascertainable portion of the fair market value of the Premises. Thus, if a subsequent unexpected change in the conditions surrounding the Premises makes it impossible or impracticable to preserve the Premises for the purposes for which the easement was granted and restrictions imposed by the easement granted herein are terminated by judicial proceedings, the Grantee, on a subsequent sale, exchange or involuntary conversion of the Premises, will be entitled to a portion of the proceeds determined in accordance with the ratio that the fair market value of the easement granted herein determined on the date of this Facade Easement is executed, unless state law determines that the Grantor is entitled to full proceeds from the conversion without regard to the terms of the prior restrictions imposed by the Facade Easement. In the event the Grantee receives such proceeds from the subsequent sale, exchange or involuntary conversion of the Premises, the Grantee shall use such proceeds in a manner consistent with the terms conservation/enhancement purposes of the easement.

The covenants and restrictions imposed by the aforesaid, shall not only be binding upon the Grantor, but also upon its heirs, assigns, and all other successors in interest, and shall continue as a servitude running for the fifteen year term of the Facade Easement with the land and shall survive the Grantor and any termination of the Grantor's existence. All rights reserved herein to the Grantee shall run for the benefit of and be exercised by its successors, assigns, or by its designee duly authorized.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have executed in counterpart these presents as of the day and year first above written.

GRANTOR:
Eyster Properties, LLC

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF [_____])
) SS:
COUNTY OF [_____])

This instrument was acknowledged before me on _____, by _____, Manager of Eyster Properties, LLC.

[SEAL]

_____
Notary Public

My Appointment Expires:

_____

IN WITNESS WHEREOF, the parties hereto have executed in counterpart these presents as of the day and year first above written.

GRANTEE:

CITY OF WICHITA, KANSAS

(SEAL)

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

This instrument was acknowledged before me on _____, by Jeff Longwell, Mayor and Karen Sublett, City Clerk of the City of Wichita, Kansas, a municipal corporation.

[SEAL]

_____
Notary Public

My Appointment Expires:

_____

APPROVED AS TO FORM:

_____
Jennifer Magaña, City Attorney and Director of Law

(City Signature Page)

Exhibit A

Property Subject to Easement

An easement for construction and preservation of façade improvements on the façade of certain buildings currently addressed at 100 South Market Street, in the City of Wichita, Kansas, abutting public ways on Douglas Avenue and Market Street, in such City, together with easements for ingress, egress and access to the said facades as necessary for such purposes, all on that property described as:

LOTS 113 AND 115, ON DOUGLAS AVE., WM. GRIEFFENSTEIN'S ADDITION TO THE TOWN OF WICHITA, SEDGWICK COUNTY, KANSAS

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Design Concept for Paving Improvements for Mosley and Rock Island from 2nd to 3rd Streets (District VI)

INITIATED BY: Department of Public Works & Utilities

AGENDA: New Business

Recommendations: Approve the design concept.

Background: On January 6, 2015, the City Council approved the first reading of an ordinance adopting the Tax Increment Financing (TIF) Project Plan, which includes funding for improvements to Mosley and Rock Island. On April 28, 2015, the City Council approved an agreement with Ruggles & Bohm for the development of a design concept for the improvements. On May 4, 2015, the District Advisory Board sponsored a neighborhood hearing on the project. At that meeting, the Board voted unanimously to recommend the design concept. On May 27, 2015, the City's Design Council recommended approval of the proposed design concept with consideration for additional lighting at Second Street and Mosley as well as two sculpture bases within the proposed improvements.

Analysis: The proposed improvements will upgrade the area to current Old Town standards which will include brick streets and sidewalks, streetlights, landscaping planters, trash receptacles, and possible boardwalks. The improvements will also extend the underground storm water system where needed and replace a waterline in Mosley Street. Construction is proposed to start in the fall of 2015, dependent on relocation of utilities.

Financial Considerations: On March 3, 2015, the City Council approved the second reading of the ordinance adopting the TIF Project Plan and $1,550,000 of TIF funding for the project.

Legal Considerations: There are no legal considerations associated with the City Council's approval of the design concept.

Recommendation/Actions: It is recommended that the City Council approve the design concept and authorize the necessary signatures for the acquisition or granting of easements, utility relocation agreements, and required permits.

Attachments: None.

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Cultural Funding Allocation Recommendations

INITIATED BY: Division of Arts & Cultural Services

AGENDA: New Business

Recommendation: Approve the funding allocations recommended for arts and cultural organizations by the Cultural Funding Committee.

Background: In 2005, the City Council approved the formation of the Cultural Funding Committee consisting of 11 members. Members of City Council appointed seven members. The Arts Council appointed four members. The committee consists of representatives from government, education, business, philanthropy, arts organizations and the public at large. The committee was assigned the responsibility to make recommendations to the City Manager and members of City Council on allocation of additional funding through operational grants for arts and cultural organizations.

On July 16, 2013, the Wichita City Council approved the update to the 2008 Cultural Arts Plan. Notable changes in the plan included:

- A change in the definition of an arts and cultural organization that resulted in the elimination of zoological and botanical organizations. This change made the Sedgwick County Zoological Society ineligible to apply for Cultural Funding.
- The placement of Botanica under the management of the City's Park and Recreation Department, eliminating the need for Botanica to apply for Cultural Funding and the need to negotiate an Operating Partnership agreement.
- A redefinition of the "Group One" organizations to "Cultural Institutions" that are now defined as "organizations which have operations and activities in facilities that are owned and/or operated by the City of Wichita and which have annual revenues in excess of $50,000 for at least two preceding years."
- The creation of three separate grant categories: Cultural Funding Operational grants that are open to application from 501(c)(3) arts and cultural organizations in Wichita; Developing Arts grants that are open to 501(c)(3) organizations with annual operating budgets less than $50,000 for technical assistance; and Artist Access grants, given to professional and emerging artists for professional development.
- The grouping of Cultural Funding Operational grant applications by the size of the applying organization's annual operating budget so like-sized organizations compete against like-sized organizations.

Analysis:
The Cultural Funding Committee completed its review of the submitted applications and recommends funding 23 Cultural Funding Operational grants, three Developing Arts grants and five Artist Access grants. The organizations will enter into contracts with the City once the funding amounts have been approved as part of the City of Wichita Budget. These contracts require organizations to demonstrate that they meet excellence criteria developed for Performance Measures. The contracts also allow the City to

audit organizations in order to ascertain how the funding was used. The funding recommendations as part of the budget are listed below:

Organization Name	Org Size	2015 Amount Recommended	FY2016 Amount Recommended
American Guild of Organist	SM	$500	$600
Ballet Wichita	SM	Did not apply	$8,643
Chamber Music at the Barn	SM	$10,549	$14,585
Emerald City Chorus	SM	$1,078	$441
Fisch Bowl, Inc.	SM	$4,296	$2,741
Friends of Great Plains Nature Center	SM	$4,167	$4,801
Griot's Storytelling Institute	SM	$2,985	$4,054
Midwest Historical & Genealogical Society	SM	Did not apply	$1,485
Music Theatre for Young People	SM	$2,200	$5,467
Newman University Theater Department	SM	Did not apply	$2,235
Opera Kansas	SM	$2,513	$2,752
Tallgrass Film Association	SM	$22,728	$29,997
The Seed House	SM	$4,767	$4,036
Wichita Chamber Chorale	SM	$3,152	$3,234
Wichita Community Theater	SM	$2,870	Did not apply
Arts Partners, Inc.	MED	$40,000	$36,018
The Kansas African American Museum	MED	$16,400	$22,875
Wichita Public Library Foundation	MED	$29,304	$23,841
Exploration Place	LG	$58,539	$41,619
Music Theatre of Wichita	LG	$59,027	$59,345
Orpheum Performing Arts Centre	LG	$12,165	Did not apply
Ulrich Museum	LG	$22,621	$21,279
Wichita Children's Theatre	LG	$16,929	$16,521
Wichita Grand Opera	LG	$11,058	$24,004
Wichita Symphony Society	LG	$57,834	$61,543
Total Cultural Funding Allocation		**$385,682**	**$392,116**

Developing Arts Applications (Budgets <$50,000)		
Emerald City Chorus	Did not apply	$1,000
Griot's Storytelling Institute	$3,000	$0
Opera Kansas	$1,000	2500
Wichita Chamber Chorale	$1,000	$1,000
Total Developing Arts Allocation	**$5,000**	**$4,500**
Artist Access		
Hal Ray Cozart	Did not apply	$1,000
Chris Gulick	$500	Did not apply
Katie Hendry	$1,000	Did not apply
David Hunsicker	$0	$884
Armando Minjarez	$1,000	Did not apply
Meridith Radke-Gannon	Did not apply	$500
Rob Simon	$1,000	Did not apply
Twyla Smith	Did not apply	$750
Jo Quillin Tomson	$500	Did not apply
Joshua Tripoli	Did not apply	$1,000
Wendy Vallaredes	$800	Did not apply
Total Artist Access Allocation	**$4,800**	**$4,134**
Total City of Wichita Arts Funding Allocations	**$395,482**	**$400,750**

As part of the Cultural Arts Plan Update, the former Group One organizations were reclassified as "Cultural Institutions." Organizations that were classified as Cultural Institutions entered into separate Operating Partnership Agreements with a designated funding amount that is changed annually to ensure a funding level that provides a consistent millage equivalent. Maintenance responsibilities were also identified in each of the organization's agreements. Organizations that have entered into Operating Partnership Agreements with the City include Wichita Art Museum, Museum of World Treasures, Kansas Aviation Museum, Mid-America All-Indian Center, the Arts Council, Old Cowtown Museum*, CityArts* and the Wichita Historical Museum.

(*Daily operations are managed by the Division of Arts & Cultural Services for Cowtown and CityArts so it is not possible to have an Operating Partnership Agreement with the facility. However, they are held to the same Performance Measures as the other Cultural Institutions.)

Financial Consideration: The total estimated mill levy equivalent of funding for arts institutions and grants in the 2015 Adopted Budget was 1.31 mills, or a total of $4,136,926. Based on projected assessed valuation growth of 1.7%, the projected value of 1.31 mills in 2016 is $4,204,571. The portion of this allocated to Cultural Funding, Developing Arts and Artist Access grants via a competitive grant review process is $400,750.

Legal Consideration: Upon City Council approval for the funding recommendations, the Law Department will create and modify contracts with the Cultural Funding, Developing Arts and Artist Access recipients which will be brought back at a future date for final Council approval.

Recommendations/Action: It is recommended that the City Council approve the funding allocations recommended for arts and cultural organizations by the Cultural Funding Committee.

Attachments: None

Wichita, Kansas
June 15, 2015
10:00 a.m., Monday
Conference Room, 12th Floor

MINUTES - BOARD OF BIDS AND CONTRACTS*

The Board of Bids and Contracts met with Marty Strayer, Administrative Assistant, Public Works Engineering in the Chair; Fanny Chan, Senior Accountant, Finance, representing the Director of Finance, Troy Tillotson, Budget Analyst, Budget Office, Clarence Rose, Senior Buyer, representing Purchasing, Zack Daniel, Fellow, representing the City Manager's Office and Janis Edwards, Deputy City Clerk, present.

Minutes of the regular meeting dated June 8, 2015, were read and on motion approved.

Bids were opened June 12, 2015, pursuant to advertisements published on:

Kellogg, Cypress to Wiedemann (Kellogg, east of Rock) 54-87-KA-2382-01/472-85031

Defer one week

2015 Sanitary Sewer Reconstruction Phase 6 (north of 31st Street South, east of Hillside) (468-85035/620745/665005) Traffic to be maintained during construction using flag persons and barricades. (District III)

Dutton Construction and Plumbing LLC - $163,940.00

Casa Bella from the southwest lot line of Lot 7, Block 2, Casa Bella 2nd Addition to the west line of 127th Street East and Casa Bella Court from the west line of Lot 18, Block 1, Casa Bella 2nd to and including the cul-de-sac to serve Casa Bella 2nd and 3rd Additions (north of Pawnee, west of 127th Street East) (472-84946/766333/490354) Does not affect existing traffic. (District II)

Kansas Paving Company - $305,034.50

Street lighting in Red Oaks Court, Summerfield, and Crestwood within the Waterfront 7th Addition (north of 13th Street North, east of Webb) (472-85191/766327/490348) does not affect existing traffic. (District II)

Kilian Electrical Service Inc. - $108,240.00

Purchasing Manager recommended that the contracts be awarded/deferred 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/deferred 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 DIVISON: Riding Front Deck Mower 4x4.

Kansas Golf and Turf Inc. - $77,996.00 Base Bid
$2,414.00 Option 1 - each
$4,357.00 Option 2 - each
$426.00 Option 3 – each

HOUSING AND COMMUNITY SERVICES DEPARTMENT: Exterior Paint.

Sherwin Williams Company*- $80,650.00
*Estimate – Contract approved on unit cost basis; refer to attachments.

PUBLIC WORKS AND UTILITIES DEPARTMENT/MAINTENANCE DIVISION: White and Yellow Pavement Marking Paint.

Ennis Paint Inc.* - $76,600.00
*Estimate – Contract approved on unit cost basis; refer to attachments.

PUBLIC WORKS AND UTILITIES DEPARTMENT/FLEET AND FACITLITIES DIVISION: Electrical Renovation Market Street Garage.

Atlas Electric LLC. - $619,400.00

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

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

On motion the Board of Bids adjourned.

Marty Strayer, Administrative Assistant
Department of Public Works

Janis Edwards, CMC
Deputy City Clerk

EXHIBIT A

FORMAL BID REPORT

TO: Robert Layton, City Manager
DATE: June 15, 2015

ENGINEERING BIDS – GARY JANZEN, CITY ENGINEER
June 12, 2015

Paving – Kellogg, Cypress to Wiedemann (Kellogg, east of Rock Road) – Public Works & Utilities Department/Engineering Division **(Defer to June 22, 2015) (Pending KDOT Approval)**

2015 Sanitary Sewer Reconstruction Phase 6 (north of 31st Street S., east of Hillside) – Public Works & Utilities Department/Engineering Division
Dutton Construction and Plumbing, LLC **$163,940.00**

Paving – Casa Bella, Casa Bella Court to serve Casa Bella 2nd & 3rd Additions – Public Works & Utilities Department/Engineering Division
Kansas Paving Company **$305,034.50**

Streetlighting in Red Oaks Court, Summerfield to serve Waterfront 7th Addition – Public Works & Utilities Department/Engineering Division
Killian Electrical Service, Inc. **$108,240.00**

PURCHASING BIDS – MELINDA A. WALKER, PURCHASING MANAGER
June 12, 2015

Riding Front Deck Mower 4x4 – Public Works & Utilities Department/Fleet & Facilities Division

Kansas Golf and Turf, Inc.	**Base Bid**	**$77,996.00**
	Option 1 (Add) (Per Each)	**$2,414.00**
	Option 2 (Add) (Per Each)	**$4,357.00**
	Option 3 (Add) (Per Each)	**$426.00**

Exterior Paint – Housing & Community Services Department
Sherwin-Williams Company **(See Exhibit B for Itemized Pricing in the Formal Bid Report)** **$80,650.00**

White & Yellow Pavement Marking Paint – Public Works & Utilities Department/Maintenance Division
Ennis Paint, Inc. ***(See Exhibit C for Itemized Pricing in the Formal Bid Report*** **$76,600.00**

Electrical Renovation Market Street Parking Garage – Public Works & Utilities Dept./Fleet & Facilities Division
Atlas Electric, LLC **$619,400.00**

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

Melinda A Walker

Melinda A. Walker
Purchasing Manager

PAVING BID TABULATION SUMMARY

BOARD OF BIDS - June 12, 2015

RQ540496/RQ540497/RQ540498/RQ540499

FB540081		Engineer's Construction Estimate	Wildcat Construction	United Koss Group	Kansas Paving Company
Kellogg, Cypress to Wiedemann			$79,108,062.03	$98,316,302.83	
	BID BOND		X	X	
(Kellogg, east of Rock)	ADDENDA	7	X	X	
54-87-KA-2382-01/472-85031					
		Engineer's Construction Estimate	Central Paving	Dondlinger & Sons	Wildcat Construction
Kellogg, Cypress to Wiedemann					
	BID BOND				
(Kellogg, east of Rock)	ADDENDA	7			
54-87-KA-2382-01/472-85031					
		Engineer's Construction Estimate			
Kellogg, Cypress to Wiedemann					
	BID BOND				
(Kellogg, east of Rock)	ADDENDA	7			
54-87-KA-2382-01/472-85031					
		Engineer's Construction Estimate			
Kellogg, Cypress to Wiedemann					
	BID BOND				
(Kellogg, east of Rock)	ADDENDA	7			
54-87-KA-2382-01/472-85031					

DEFER 1 WEEK PENDING KDOT APPROVAL

CHECKED BY: KD

REVIEWED BY: PS

SANITARY SEWER BID TABULATION SUMMARY

BOARD OF BIDS - June 12, 2015

RQ540621

FB540102		Engineer's Construction Estimate	Dutton Construction and Plumbing LLC	Duling Construction	Mies Construction
2015 Sanitary Sewer Reconstruction Phase 6		$286,000.00	$163,940.00		
(north of 31st St S, east of Hillside)	BID BOND		X		
468-85035	ADDENDA	0			
(620745)					
		Engineer's Construction Estimate	McCullough Excavation	Nowak Construction	Utilities Plus
2015 Sanitary Sewer Reconstruction Phase 6		$286,000.00			
(north of 31st St S, east of Hillside)	BID BOND				
468-85035	ADDENDA	0			
(620745)					
		Engineer's Construction Estimate	Wildcat Construction	Stannard Construction d/b/a WB Carter	
2015 Sanitary Sewer Reconstruction Phase 6		$286,000.00			
(north of 31st St S, east of Hillside)	BID BOND				
468-85035	ADDENDA	0			
(620745)					
		Engineer's Construction Estimate			
2015 Sanitary Sewer Reconstruction Phase 6		$286,000.00			
(north of 31st St S, east of Hillside)	BID BOND				
468-85035	ADDENDA	0			
(620745)					

CHECKED BY: KP

REVIEWED BY: DSJ

PAVING BID TABULATION SUMMARY

BOARD OF BIDS - June 12, 2015

RQ540622

FB540103		Engineer's Construction Estimate	APAC - Kansas Inc	Cornejo & Sons, LLC	Kansas Paving Company
Casa Bella, Casa Bella Court		$393,365.00	$355,586.60	$339,000.20	$305,034.50
	BID BOND				
Casa Bella 2nd & 3rd Additions	ADDENDA	1			
472-84946 (766333)					
		Engineer's Construction Estimate	Dondlinger & Sons		
Casa Bella, Casa Bella Court		$393,365.00			
	BID BOND				
Casa Bella 2nd & 3rd Additions	ADDENDA	1			
472-84946 (766333)					
		Engineer's Construction Estimate			
Casa Bella, Casa Bella Court		$393,365.00			
	BID BOND				
Casa Bella 2nd & 3rd Additions	ADDENDA	1			
472-84946 (766333)					
		Engineer's Construction Estimate			
Casa Bella, Casa Bella Court		$393,365.00			
	BID BOND				
Casa Bella 2nd & 3rd Additions	ADDENDA	1			
472-84946 (766333)					

CHECKED BY: KD

REVIEWED BY: PS

PAVING BID TABULATION SUMMARY

BOARD OF BIDS - June 12, 2015

RQ540572

FB540107		Engineer's Construction Estimate	Phillips Southern Electric Co., Inc.	Kilian Electrical Service Inc.	Atlas Electric LLC
Streetlighting in Red Oaks Court, Summerfield		$111,075.00	$119,935.00	$108,240.00	
	BID BOND			X	
Waterfront 7th Addition	ADDENDA	1			
472-85191 (766327)					
		Engineer's Construction Estimate	Dondlinger & Sons	Kansas Paving Company	
Streetlighting in Red Oaks Court, Summerfield		$111,075.00			
	BID BOND				
Waterfront 7th Addition	ADDENDA	1			
472-85191 (766327)					
		Engineer's Construction Estimate			
Streetlighting in Red Oaks Court, Summerfield		$111,075.00			
	BID BOND				
Waterfront 7th Addition	ADDENDA	1			
472-85191 (766327)					
		Engineer's Construction Estimate			
Streetlighting in Red Oaks Court, Summerfield		$111,075.00			
	BID BOND				
Waterfront 7th Addition	ADDENDA	1			
472-85191 (766327)					

CHECKED BY: KP

REVIEWED BY: PSI

City of Wichita, Kansas

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: FB540098 **Riding Front Deck Mower 4x4** **Close Date/Time:** 6/12/2015 10:00 AM CST

Solicitation Type: Formal Bid

Award Method: Aggregate Cost

Department: *Public Works Fleet & Facilities*

Return to the Bid List

Responses: 4

Vendors	Complete	Bid Total	City Comments
KANSAS GOLF AND TURF INC	Complete	$85,470.00	Award 6/16/15 3ea Base Bid w/Opts 1,2,&3 Award 1ea Base Bid w/Opts 1&3 PW&U Dept/Fleet & Facs Div
PROFESSIONAL TURF PRODUCTS LP	Complete	$91,581.49	
PRAIRIELAND PARTNERS INC.	Complete	$97,245.63	
ANDOVER AUTO PARTS INC	In-Complete	$0.00	

Top of the Page

POWERED BY COGSDALE

City of Wichita, Kansas

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: FB540098 **Riding Front Deck Mower 4x4** **Close Date/Time:** 6/12/2015 10:00 AM CST

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

Award Method: Aggregate Cost

Department: Public Works Fleet & Facilities **Responses:** 4

Go to: 001

Line 001 | BASE BID: New Unused Current Model Riding Front Deck Mowers 4x4.
Manufacturer:_____Model:_____ Year:_____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
KANSAS GOLF AND TURF INC	4	Each	$19,499.0000	$77,996.00	Complete	2015 Hustler 928713 3700
PROFESSIONAL TURF PRODUCTS LP	4	Each	$20,579.5200	$82,318.08	Complete	Toro GM3280 4WD MN 30345 2015 model Offered with extended 3-year factory warranty
PRAIRIELAND PARTNERS INC.	4	Each	$22,954.6100	$91,818.44	Complete	John Deere
ANDOVER AUTO PARTS INC				No Bid.		

Line 002 | OPTION 1: 60" Hydraulically Angled Snow Blade (Cost per Mower)

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
PRAIRIELAND PARTNERS INC.	1	Each	$1,602.6600	$1,602.66	Complete	
KANSAS GOLF AND TURF INC	1	Each	$2,414.0000	$2,414.00	Complete	
PROFESSIONAL TURF PRODUCTS LP	1	Each	$3,105.9000	$3,105.90	Complete	
ANDOVER AUTO PARTS INC				No Bid.		

Line 003 | OPTION 2: Hydraulically Operated Rotary Brooms (Cost per Mower)

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
PRAIRIELAND PARTNERS INC.	1	Each	$3,824.5300	$3,824.53	Complete	
KANSAS GOLF AND TURF INC	1	Each	$4,357.0000	$4,357.00	Complete	
PROFESSIONAL TURF PRODUCTS LP	1	Each	$5,582.5000	$5,582.50	Complete	

ANDOVER AUTO PARTS INC	**No Bid.**

Line 004 | OPTION 3: Accessory Hydraulic Kit with Joysticks (Cost per Mower)

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
PRAIRIELAND PARTNERS INC.	1	Each	$0.0000	$0.00	Complete	NA
PROFESSIONAL TURF PRODUCTS LP	1	Each	$378.4100	$378.41	Complete	
KANSAS GOLF AND TURF INC	1	Each	$426.0000	$426.00	Complete	
ANDOVER AUTO PARTS INC				**No Bid.**		

Line 005 | OPTION 4: Four (4) Solid Semi Pneumatic Deck Wheels (Cost per Mower)

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
PRAIRIELAND PARTNERS INC.	1	Each	$0.0000	$0.00	Complete	Included
PROFESSIONAL TURF PRODUCTS LP	1	Each	$196.6000	$196.60	Complete	Foam filled caster wheels - Quoted as set of 2 as required for each rear discharge deck (rear roller)
KANSAS GOLF AND TURF INC	1	Each	$277.0000	$277.00	Complete	
ANDOVER AUTO PARTS INC				**No Bid.**		

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City of Wichita, Kansas

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: FB540100 **Exterior Paint** **Close Date/Time:** 6/12/2015 10:00 AM CST

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

Award Method: Aggregate Cost

Department: *Housing and Community Services* **Responses:** 3

Vendors	Complete	Bid Total	City Comments
SHERWIN-WILLIAMS COMPANY	Complete	$80,650.00	Award 06/16/15 Housing & Community Services Dept.
PPG ARCHITECTURAL FINISHES INC	Complete	$118,405.00	
DIAMOND PRODUCTS COMPANY	*Complete*	$134,664.00	

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City of Wichita, Kansas

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: F8540100 **Exterior Paint** **Close Date/Time:** 6/12/2015 10:00 AM CST

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

Award Method: Aggregate Cost

Department: Housing and Community Services **Responses:** 3

Go to: 001

Line 001 | Exterior Paint (White) in One (1) Gallon Containers as per specifications. Brand Name/Product Number:_____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
SHERWIN-WILLIAMS COMPANY	1000	Gallon	$11.0000	$11,000.00	Complete	Duracraft C7 Series
PPG ARCHITECTURAL FINISHES INC	1000	Gallon	$16.2500	$16,250.00	Complete	PPG 6-2045 Satin
DIAMOND PRODUCTS COMPANY	1000	Gallon	$18.9500	$18,950.00	Complete	BS-1540 Weather Plate Satin

Line 002 | Exterior Paint (Standard Color) in One (1) Gallon Containers as per specifications. Brand Name/Product Number:_____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
SHERWIN-WILLIAMS COMPANY	1000	Gallon	$11.0000	$11,000.00	Complete	Duracraft C7 Series
PPG ARCHITECTURAL FINISHES INC	1000	Gallon	$16.2500	$16,250.00	Complete	PPG 6-2045 Satin
DIAMOND PRODUCTS COMPANY	1000	Gallon	$18.9500	$18,950.00	Complete	BS Series Weather Plate Satin

Line 003 | Exterior Paint (Custom Color) in One (1) Gallon Containers as per specifications. Brand Name/Product Number:_____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
SHERWIN-WILLIAMS COMPANY	2000	Gallon	$11.0000	$22,000.00	Complete	Duracraft C7 Series
PPG ARCHITECTURAL FINISHES INC	2000	Gallon	$16.2500	$32,500.00	Complete	PPG 6-2045 Stin
DIAMOND PRODUCTS COMPANY	2000	Gallon	$18.9500	$37,900.00	Complete	BS Series Weather Plate Satin

Line 004 | Exterior Primer (White) in One (1) Gallon Containers as per specifications. Brand Name/Product Number:_____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
SHERWIN-WILLIAMS COMPANY	1000	Gallon	$10.0000	$10,000.00	Complete	Fast Dry Int Ext Alkyd Primer Y29W8980

PPG ARCHITECTURAL FINISHES INC	1000	Gallon	$20.9500	$20,950.00	Complete	PPG-17-941 Seal Grip Primer
DIAMOND PRODUCTS COMPANY	1000	Gallon	$22.5000	$22,500.00	Complete	AU-1404 Prime-O-Seal Alkyd Primer

Line 005 | Porch Paint (Standard Color) in One (1) Gallon Containers as per specifications. Brand Name/Product Number:_____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
SHERWIN-WILLIAMS COMPANY	550	Gallon	$15.0000	$8,250.00	Complete	Industrial Enamel B54 Series
PPG ARCHITECTURAL FINISHES INC	550	Gallon	$17.8000	$9,790.00	Complete	PPG 3-510 Floor and Porch Enamel
DIAMOND PRODUCTS COMPANY	550	Gallon	$25.3800	$13,959.00	Complete	Floor Cote Polyurethane Enamel Porch Paint

Line 006 | Metal Mobile Home Primer in One (1) Gallon Containers as per specifications. Brand Name/Product Number:_____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
SHERWIN-WILLIAMS COMPANY	500	Gallon	$19.0000	$9,500.00	Complete	Kem Bond HS Alkyd Primer B50W24
PPG ARCHITECTURAL FINISHES INC	500	Gallon	$19.4300	$9,715.00	Complete	PPG 90-712 Pitt-Tech Direct to Metal Primer
DIAMOND PRODUCTS COMPANY	500	Gallon	$23.5900	$11,795.00	Complete	AZ Series Cote All Enamel

Line 007 | Duct tape

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
SHERWIN-WILLIAMS COMPANY	500	Each	$3.7500	$1,875.00	Complete	Shartape Silver Duct Tape 165 0548
DIAMOND PRODUCTS COMPANY	500	Each	$6.7500	$3,375.00	Complete	AK150-020 Duct Tape AC36 2" x 60 yds.
PPG ARCHITECTURAL FINISHES INC	500	Each	$6.9500	$3,475.00	Complete	MMM90332 Duct Tape

Line 008 | Plastic sheeting

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
SHERWIN-WILLIAMS COMPANY	500	Each	$14.0500	$7,025.00	Complete	Poly America
DIAMOND PRODUCTS COMPANY	500	Each	$14.4700	$7,235.00	Complete	VS200-020 Polymerica 8'4" x 200' 1.5 mil
PPG ARCHITECTURAL FINISHES INC	500	Each	$18.9500	$9,475.00	Complete	POA000953 84X200 1.5 MIL

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City of Wichita, Kansas

BID RESULTS

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

Vendor **Group** **Line**

Solicitation: FB540101

White & Yellow Pavement Marking Paint

Close Date/Time: 6/12/2015 10:00 AM CST

Solicitation Type: Formal Bid

Award Method: Aggregate Cost

Department: Public Works Maintenance Division

Return to the Bid List

Responses: 3

Vendors	Complete	Bid Total	City Comments
ENNIS PAINT INC	Complete	$76,600.00	Award 06/16/15 Public Works & Utilities Dept/Maintenance Division
LBS ENTERPRISES LLC	Complete	$82,085.00	
SHERWIN-WILLIAMS COMPANY	In-Complete	$0.00	

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City of Wichita, Kansas

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: FB540101

White & Yellow Pavement Marking Paint

Close Date/Time: 6/12/2015 10:00 AM CST

Solicitation Type: Formal Bid

Return to the Bid List

Award Method: Aggregate Cost

Department: Public Works Maintenance Division

Responses: 3

Go to: 001

Line 001 | White Water-Borne Traffic Line Paint (55 Gallon Containers) as per specifications.
Manufacturer:_____ Product Number:_____ Acrylic Resin:_____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
ENNIS PAINT INC	3500	Gallon	$8.4500	$29,575.00	Complete	Ennis Paint, Inc Product Number 981601 Acrylic Resin 3427
LBS ENTERPRISES LLC	3500	Gallon	$9.0900	$31,815.00	Complete	Allstates Coatings Co ALT-735 Fastrack 3427 resin
SHERWIN-WILLIAMS COMPANY				No Bid.		

Line 002 | Yellow Water-Borne Traffic Line Paint (55 Gallon Containers) as per specifications.
Manufacturer:_____ Product Number:_____ Acrylic Resin:_____

Vendors	QTY	UOM	Price	Extended Cost	Complete	Comments
ENNIS PAINT INC	5500	Gallon	$8.5500	$47,025.00	Complete	Ennis Paint, Inc Product Number 981602 Acrylic Resin 3427
LBS ENTERPRISES LLC	5500	Gallon	$9.1400	$50,270.00	Complete	Allstates Coatings Co ALT-736 Fastrack 3427 resin
SHERWIN-WILLIAMS COMPANY				No Bid.		

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POWERED BY COGSDALE

City of Wichita, Kansas

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: FB540104 **Electrical Renovation Market St Garage** **Close Date/Time:** 6/12/2015 10:00 AM CST

Solicitation Type: Formal Bid

Award Method: Aggregate Cost

Department: Public Works Fleet & Facilities

Return to the Bid List

Responses: 3

Vendors	Complete	Bid Total	City Comments
ATLAS ELECTRIC LLC	Complete	$619,400.00	Award 6-16-15 Public Works & Utilities Dept./Fleet & Facilities Division
SHELLEY ELECTRIC INC	Complete	$670,980.00	
WICHITA ELECTRIC COMPANY INC	Complete	$774,254.00	

BIDS ARE WITHIN ENGINEERS ESTIMATE

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Engineer's Estimate $625,000.00

PRELIMINARY ESTIMATES
FOR CITY COUNCIL JUNE 16, 2015

a. Sycamore Bicycle Boulevard (Douglas and Sycamore to Orient and Euclid) (87TE-0622-01/472-85113/707056/211516) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - $99,460.00

b. 2015 Sanitary Sewer Rehabilitation Phase C (north of Harry, east of Tyler) (468-85026/620741/665005) Traffic to be maintained during construction using flagpersons and barricades. (District I,III,V,VI) - $383,000.00

c. 17th Street Sewer Replacement to serve WSU (east of Hillside, south of 21st St N) (468-85021/620740/655551) Traffic to be maintained during construction using flagpersons and barricades. (District I) - $1,750,000.00

d. 2015 Sanitary Sewer Reconstruction Phase 5 (north of Harry, east of West Street) (468-85034/620744/665005) Traffic to be maintained during construction using flagpersons and barricades. (District I,II,IV,VI) - $415,000.00

87TE-0622-01/472-85113 (707056) 211516 District IV

To be Bid: May 29, 2015

PRELIMINARY ESTIMATE of the cost of:
Sycamore Bicycle Boulevard
(Douglas and Sycamore to Orient and Euclid)

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

	LUMP SUM BID ITEMS		
1	Mobilization	1	LS
2	Signing	1	LS
3	Traffic Control	1	LS
	MEASURED QUANTITY BID ITEMS		
4	Pavement Marking (Thermoplastic)(Sharrows)	87	ea
5	Pavement Marking (MMA)(Green w/Sharrow)	14	ea
6	Pavement Marking (Multi-component)(White)(4")	655	lf
7	Pavement Marking (Multi-component)(White)(6")	320	lf
8	Pavement Marking (Multi-component)(White)(12")	15	lf

Construction Subtotal _____

Design Fee ($30,500 - OCA 615301 Dept 15)
Engineering & Inspection
Administration
Publication

Total Estimated Cost $99,460.00

CITY OF WICHITA)
STATE OF KANSAS) SS

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

Gary Janzen, P.E., ~~Interim~~ City Engineer

Sworn to and subscribed before me this _____.
(DATE)

City Clerk

211516 (707056) 87TE-0622-01/472-85113

Page _____ EXHIBIT ____

To be Bid: June 5, 2015

PRELIMINARY ESTIMATE of the cost of:
2015 Sanitary Sewer Rehabilitation Phase C
(north of Harry, east of Tyler)

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

	LUMP SUM BID ITEMS		
1	Pipe, Cured-in-Place, 15" (Site 1)	900	lf
2	Pipe, Cured-in-Place, 15" (Site 2)	842	lf
3	Pipe, Cured-in-Place, 18" (Site 3)	626	lf
4	Pipe, Cured-in-Place, 8" (Site 4)	463	lf
5	Pipe, Cured-in-Place, 8" (Site 5)	400	lf
6	Pipe, Cured-in-Place, 8" (Site 6)	475	lf
7	Pipe, Cured-in-Place, 8" (Site 7)	1,321	lf
8	Pipe, Cured-in-Place, 8" (Site 8)	738	lf
9	Pipe, Cured-in-Place, 8" (Site 9)	937	lf
10	Pipe, Cured-in-Place, 10" (Site 10)	1,061	lf
11	Pipe, Cured-in-Place, 8" (Site 11)	443	lf
12	Pipe, Cured-in-Place, 8" (Site 12)	540	lf
13	Pipe, Cured-in-Place, 12" (Site 13)	655	lf
14	Pipe, Cured-in-Place, 8" (Site 14)	1,271	lf
15	Pipe, Cured-in-Place, 8" (Site 15)	641	lf
16	MH Invert, Reconstructed (Site 15)	2	ea
17	Site Preparation	1	LS
18	Site Restoration	1	LS

Construction Subtotal _____

Engineering & Inspection
Administration
Publication

Total Estimated Cost $383,000.00

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

665005 (620741) 468-85026
Page _____

EXHIBIT ____

To be Bid: June 5, 2015

PRELIMINARY ESTIMATE of the cost of:
17th Street Sewer Replacement to serve WSU
(east of Hillside, south of 21st St N)

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-SANITARY SEWER (620740)		
1	Pipe, SS 15"	2,234	lf
2	Pipe, SS 8"	183	lf
3	MH, Standard SS (4')	5	ea
4	MH, Standard SS (4') w/ Outside Drop	3	ea
5	MH, Standard SS (5') w/ Outside Drop	1	ea
6	Fill, Sand (Flushed & Vibrated)	2,417	lf
7	Air Testing, SS Pipe	2,417	lf
8	MH, Connect to Existing	1	ea
9	Concrete Pavement Removed, 6"	1,093	sy
10	Concrete Pavement Removed, 8"	4,548	sy
11	Concrete Pavement 9" (NRDJ)	4,548	sy
12	Concrete Pavement 7" (Reinf.)	1,093	sy
13	Concrete Pavement (VG) 8" (Reinf.)	241	sy
14	Concrete Curb, Mono Edge (6-5/8" & 1-1/2")	2,186	lf
15	Concrete Curb & Gutter, Type 4 (6-5/8" & 1-	40	lf
16	Crushed Rock Base 5", Reinforced	1,161	sy
17	Crushed Rock Base 6", Reinforced	4,696	sy
18	Crushed Rock Base 7", Reinforced	263	sy
19	Wheelchair Ramp w/ Detectable Warnings	13	ea
20	Mobilization	1	LS
21	Transport of Salvaged Materials	1	LS
22	Site Clearing	1	LS
23	Site Restoration	1	LS
24	Sodding	1	LS
25	Pavement Markings	1	LS
26	Traffic Control	1	LS
	MEASURED QUANTITY BID ITEMS-SANITARY SEWER (620740)		
27	MH, Joint Wrap	65	lf
28	Pipe Plug Existing	15	ea
29	Pipe Removed	832	lf
30	MH Abandoned	3	ea
31	MH Removed	8	ea
32	Manhole Adjusted w/ New Ring & Cover	1	ea
33	Sidewalk, Drive &/or Pkg Lot Removed	770	sy
34	Asphalt Hook-Up	119	sy
35	Concrete Driveway 6"	518	sf
36	Concrete Driveway 8"	1,657	sf
37	Concrete Sidewalk 4"	496	sf
38	Sidewalk Thickening	40	lf
39	Sign, Existing, Removed and Replaced	13	ea
40	Concrete Safety Barrier, Temporary	600	lf
41	Signing, Elec. Portable Message (each per (	180	day
42	BMP, Back of Curb Protection	2,153	lf
43	BMP, Curb Inlet Protection	2	ea
44	BMP, Silt Fence	184	lf

	MEASURED QUANTITY BID ITEMS-WATER (620740)		
45	Pipe, WL 8"	1,278	lf
46	Pipe, DICL 8"	71	lf
47	Pipe, DICL 6"	5	lf
48	Pipe, DICL 4"	15	lf
49	Fire Hydrant Assembly	3	ea
50	Fire Hydrant Removal	1	ea
51	Valve Assembly, Anchored 8"	6	ea
52	Pipe Cap	3	ea
53	Pipe Plug	6	ea
54	Long Service	4	ea
55	Short Service	3	ea
	MEASURED QUANTITY BID ITEMS-SANITARY SEWER (620740)		
56	AC Pvmt 6", Temp for Patching	400	sy

Construction Subtotal _____

Design Fee
Engineering & Inspection (620740)
Engineering & Inspection (XXXXXX)
Administration
Publication
Water Dept (620740)
Contingency

Total Estimated Cost $1,750,000.00

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

655551 (620740) 468-85021
Page _____

EXHIBIT ____

To be Bid: June 5, 2015

PRELIMINARY ESTIMATE of the cost of:
2015 Sanitary Sewer Reconstruction Phase 5
(north of Harry, east of West Street)

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

	LUMP SUM BID ITEMS			
1	Pipe, SS 8"	1,881	lf	
2	Pipe, SS 10"	300	lf	
3	Pipe Removed (8" or 10" VCP)	1,874	lf	
4	Pipe Removed (8" VCP with 6" HDPE)	307	lf	
5	MH, Removed	9	ea	
6	MH, Shallow SS (4')	7	ea	
7	MH Frame & Cover, Replaced	4	ea	
8	AC Pavement Removed & Replaced	496	lf	
9	Concrete Pavement Rem & Replaced	313	lf	
10	Concrete Approach Rem & Replaced	20	lf	
11	Fill, Flowable	29	lf	
12	Fill, Sand (flushed & vibrated)	785	lf	
13	Site Clearing	1	LS	
14	Site Restoration	1	LS	
	MEASURED QUANTITY BID ITEMS			
15	Service Reconnection, Sewer (4")	48	ea	
16	Service Reconnection, Sewer (6")	6	ea	
17	BMP, Construction Entrance	1	ea	
18	BMP, Silt Fence	40	lf	
19	BMP, Ditch Check	1	ea	
20	BMP, Erosion Control Mat	40	sy	
21	BMP, Back of Curb Protection	20	lf	
22	BMP, Curb Inlet Protection	1	ea	
	Construction Subtotal			
	Engineering & Inspection			
	Administration			
	Publication			
	Total Estimated Cost			$415,000.00

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

665005 (620744) 468-85034
Page _____

EXHIBIT _____

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Petitions for Improvements to Regency Park Commercial Addition (District II)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve the petitions and adopt the resolutions.

Background: The signatures on the petitions represent 100% of the improvement district. The petitions are a requirement for a lot split and are valid per Kansas Statute 12-6a01.

Analysis: The projects will provide sanitary and storm water sewer improvements required for a new commercial development located south of 29th Street North, west of Greenwich Road.

Financial Considerations: The new petition totals are $25,000 for waterline distribution improvements and $19,000 for the sanitary sewer improvements. The funding source for both projects is special assessments.

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

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

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

Project Request

○ CIP ◉ Non-CIP

☒ NEIGHBORHOOD IMPROVEMENT ○ ORDERED BY WCC ◉ PETITION PETITION PERCENTAGE: 100

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

ENGINEERING REFERENCE #: 448-90671

FUND: 470 Water Improvements N.I.

COUNCIL DISTRICT: 02 Council District 2 DATE COUNCIL APPROVED: Jun 16, 2015 REQUEST DATE:

PROJECT # : PROJECT TITLE: WDS Regency Park Addition

PROJECT DETAIL # : PROJECT DETAIL DESCRIPTION: WDS Regency Park Addition

OCA # : OCA TITLE: WDS Regency Park Addition

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

PROJECT MANAGER: Julianne Kallman PHONE #: 268-4236

◉ NEW BUDGET ○ REVISED BUDGET

REVENUE		EXPENSE	
Object Level 3	**Budget**	**Object Level 3**	**Budget**
9730 S.A. Bonds	$25,000.00	2999 Contractuals	$25,000.00
	$0.00		$0.00
	$0.00		$0.00
	$0.00		$0.00
	$0.00		$0.00
	$0.00		$0.00
	$0.00		$0.00
REVENUE TOTAL:	$25,000.00	**EXPENSE TOTAL:**	$25,000.00

NOTES: HOLD for LOC

Print Form

SIGNATURES REQUIRED

DIVISION HEAD: Gary Jarr DATE: 05/27/15

DEPARTMENT HEAD: DATE:

BUDGET OFFICER: (J Busada) DATE: 5/27/15

CITY MANAGER: DATE:

Project Request

○ CIP ◉ Non-CIP

☒ NEIGHBORHOOD IMPROVEMENT ○ ORDERED BY WCC ◉ PETITION PETITION PERCENTAGE: 100

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

ENGINEERING REFERENCE #: 468-85030

FUND: 480 Sewer Improvements N.I. SUBFUND: 480 Sanitary Sewers N.I.

COUNCIL DISTRICT: 02 Council District 2 DATE COUNCIL APPROVED: Jun 16, 2015 REQUEST DATE:

PROJECT # : PROJECT TITLE: LAT 12, MAIN 26, WIS Regency Park Addition

PROJECT DETAIL # : PROJECT DETAIL DESCRIPTION: LAT 12, MAIN 26, WIS Regency Park Addition

OCA # : OCA TITLE: LAT 12, MAIN 26, WIS Regency Park Addition

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

PROJECT MANAGER: Julianne Kallman PHONE #: 268-4236

◉ NEW BUDGET ○ REVISED BUDGET

REVENUE		EXPENSE	
Object Level 3	**Budget**	**Object Level 3**	**Budget**
9730 S.A. Bonds	$19,000.00	2999 Contractuals	$19,000.00
	$0.00		$0.00
	$0.00		$0.00
	$0.00		$0.00
	$0.00		$0.00
	$0.00		$0.00
	$0.00		$0.00
REVENUE TOTAL:	$19,000.00	**EXPENSE TOTAL:**	$19,000.00

NOTES: HOLD for LOC

SIGNATURES REQUIRED

Print Form

DIVISION HEAD: Gary Jany DATE: 05/27/15

DEPARTMENT HEAD: DATE:

BUDGET OFFICER: C Busada DATE: 5/27/15

CITY MANAGER: DATE:

448-90671

RECEIVED
APR 17 '15
CITY CLERK OFFICE

PETITION
(WATER LINE IMPROVEMENTS– REGENCY PARK ADDITION)

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

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

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

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

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

(b) The estimated or probable cost of the proposed Improvements is: $25,000.00, 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:

PARCEL 'A'
The north 233.95 feet of Lot 5, Block 1,
Regency Park Addition, an Addition to Wichita,
Sedgwick County, Kansas

(d) The proposed method of assessment is on a fractional basis as described below.

Parcel 'A' shall pay 100 percent 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 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**
Mustang Land & Cattle, LLC By: _____ Robert C. Patton, Manager	4-13-15	PARCEL 'A'

****

THIS PETITION was filed in my office on April 17, 2015.

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

Deputy City Clerk

REGENCY PARK ADDITION

an Addition to Wichita, Sedgwick County, Kansas

WATER LINE PETITION

Benefit District:
PARCEL 'A'

Cost Estimate:

Item	Quantity	Unit	Unit Price	Amount
8" Pipe	160	L.F.	$24.00	$3,840.00
Fire Hydrants	1	EA.	$3,000.00	$3,000.00
Directional Drill	70	L.F.	125.00	$8,750.00
Erosion Control	1	L.S.	1,000.00	$1,000.00
Site Clearing and Restoration	1	L.S.	2,000.00	$2,000.00
Subtotal				$18,590.00
+ 35% Design, Insp., & Administration				$6,506.50
Total				$25,096.50

Petition Amount **$25,000**

Average Monthly Assessment **$185 (Based on 15 years @ 4%)**

$151 (Based on 20 years @ 4%)

/2015

Lateral 12, Main 26, WIS

RECEIVED
APR 15 '15
CITY CLERK OFFICE

PETITION
(SANITARY SEWER IMPROVEMENTS– REGENCY PARK ADDITION)

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

468-85030

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

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

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

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

(b) The estimated or probable cost of the proposed Improvements is: $19,000.00, 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:

PARCEL 'B'
Lot 5, Block 1, Regency Park Addition, an Addition to Wichita,
Sedgwick County, Kansas, except north 233.95 feet thereof.

(d) The proposed method of assessment is on a fractional basis as described below.

Parcel 'B' shall pay 100 percent 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 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**
Mustang Land & Cattle, LLC By: _____ Robert C. Patton, Manager	4-13-15	PARCEL 'B'

****

THIS PETITION was filed in my office on April 15, 2015.

THE CITY OF WICHITA SEDGWICK COUNTY, KANSAS

_____
Deputy City Clerk

REGENCY PARK ADDITION

an Addition to Wichita, Sedgwick County, Kansas

SANITARY SEWER PETITION

Benefit District:
PARCEL 'B'

Cost Estimate:

Item	Quantity	Unit	Unit Price	Amount
8" Pipe	250	L.F.	$28.00	$7,000.00
Manhole	1	EA.	$3,000.00	$3,000.00
Stubs	1	EA.	$500.00	$500.00
Erosion Control	1	L.S.	$1,000.00	$1,000.00
Site Clearing and Restoration	1	L.S.	$2,500.00	$2,500.00
Subtotal				$14,000.00
+ 35% Design, Insp., & Administration				$4,900.00
Total				$18,900.00

Petition Amount **$19,000**

Average Monthly Assessment **$141 (Based on 15 years @ 4%)**

$115 (Based on 20 years @ 4%)

4/14/2015
SS

132019

(Published in the ***Wichita Eagle***, on 06/19/2015)

RESOLUTION NO. 15-170

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 12, MAIN 26, WAR INDUSTRIES SEWER – REGENCY PARK ADDITION/SOUTH OF 29TH STREET NORTH, WEST OF GREENWICH) (468-85030).

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

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

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

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

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

Construction of a lateral sanitary sewer, (Lateral 12, Main 26, War Industries 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 **Nineteen Thousand Dollars $19,000,** 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.

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

PARCEL 'B'

Lot 5, Block 1, Regency Park Addition, an Addition to Wichita, Sedgwick County, Kansas, except north 233.95 feet thereof.

(d) The method of assessment is on a **fractional basis** as described below.

Parcel 'B' shall pay 100 percent 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 2. **Authorization of Improvements**. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in ***Section 1*** of this Resolution.

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

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, on June 16, 2015.

(SEAL)

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____
Jennifer Magaña, Director of Law and City Attorney

(Published in the ***Wichita Eagle***, on June 19, 2015)

RESOLUTION NO. 15-171

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 – REGENCY PARK ADDITION/SOUTH OF 29TH STREET NORTH, WEST OF GREENWICH) (448-90671).

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

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

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

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

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

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

(b) The estimated or probable cost of the Improvements is **Twenty-Five Thousand Dollars ($25,000)**, 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.

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

PARCEL "A"
The north 233.95 feet of Lot 5, Block 1
Regency Park Addition, an Addition to Wichita, Sedgwick County, Kansas

(d) The method of assessment is **fractional basis**.

Parcel 'A' shall pay 100 percent 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 2. **Authorization of Improvements**. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in ***Section 1*** of this Resolution.

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

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, on June 16, 2015.

(SEAL)

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____
Jennifer Magaña, Director of Law and City Attorney

Revised 6-16-2015

AMENDED PROJECT STATEMENT OF COST

Approved /Accepted by City Council

Wichita, Kansas
June 16, 2015

This _____

	OCA#	766047
City Clerk	Project#	491047
Wichita, Kansas	Setup	08/14/14

Dear City Clerk:

Following is the cost of constructing:
Façade Improvements at 143 N Rock Island

Lump Sum Contract Amount	$	144,973.00
Change Orders		$0.00
Recording Façade Documents		$0.00
Project Administration		$2,899.46
Publication		$0.00
Abstract		$20.00
Construction Cost		$147,892.46
Idle Fund Interest Estimated		$0.00
Temporary Finance Cost		$0.00
Finance Administration		$2,558.00
1 Year Debt Service reserve		$14,200.00
TOTAL COST		$164,650.46

Respectfully Submitted,

Mark Elder, Development Analyst

Property: $144,650.46
City: $20,000.00

Fall 2015

Petition/Resolution Amount: $160,000

Revised 6-16-2015

AMENDED PROJECT STATEMENT OF COST

Approved /Accepted by City Council

Wichita, Kansas
June 16, 2015

This _____

	OCA#	766046
City Clerk	Project#	491046
Wichita, Kansas	Setup	03/21/14

Dear City Clerk:

Following is the cost of constructing:
Façade Improvements at 623 W. Douglas

Lump Sum Contract Amount	$	125,279.49
Change Orders		$0.00
Recording Façade Documents		$0.00
Project Administration		$2,505.59
Publication		$0.00
Abstract		$20.00
Construction Cost		$127,805.08
Idle Fund Interest Estimated		$0.00
Temporary Finance Cost		$0.00
Finance Administration		$1,956.00
1 Year Debt Service reserve		$12,200.00
TOTAL COST		$141,961.08

Respectfully Submitted,

Mark Elder, Development Analyst

Property: $111,961.08
City: $30,000.00

Fall 2015

Petition/Resolution Amount: $135,000

Revised 6-16-2015 **AMENDED PROJECT STATEMENT OF COST**

Approved /Accepted by City Council

Wichita, Kansas
June 16, 2015

This _____

	OCA#	766045
City Clerk	Project#	491045
Wichita, Kansas	Setup	03/21/14

Dear City Clerk:

Following is the cost of constructing:
Façade Improvements at 818 West Douglas

Lump Sum Contract Amount	$	352,052.71
Change Orders		$0.00
Recording Façade Documents		$0.00
Project Administration		$7,041.05
Publication		$0.00
Abstract		$20.00
Construction Cost		$359,113.76
Idle Fund Interest Estimated		$0.00
Temporary Finance Cost		$0.00
Finance Administration		$6,582.00
1 Year Debt Service reserve		$42,900.00
TOTAL COST		$408,595.76

Respectfully Submitted,

Mark Elder, Development Analyst

Property: $378,595.76
City: $30,000.00

Fall 2015

Petition/Resolution Amount: $465,000

Agenda Item No. II-6a

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – CCIM Family Night (District I)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Kary Taylor, WaterWalk, is coordinating the CCIM Family Night with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

CCIM Family Night June 25, 2015 5:00 pm – 9:00 pm

- Water Street, Waterwalk Place to Dewey Street

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: There are no legal considerations.

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.

Agenda Item No. II-6b

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – Kindness Moves Me 5K (Districts I and VI)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Trevor Darmstetter, goracetiming.com, is coordinating the Kindness Moves Me 5K with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Kindness Moves Me 5K June 27, 2015 7:30 am – 9:30 am

- Main Street, Tenth Street to Murdock Street
- Murdock Street, Main Street to West River Boulevard
- West River Boulevard, Murdock Street to 11th Street
- 11th Street, West River Boulevard to Pearce Street
- Oak Park Drive North, 11th Street to Forest Street
- Oak Park Drive North, Forest Street to Oak Park Drive South
- Oak Park Drive South, Forest Street to Ninth Street
- Ninth Street, Bitting Street to Back Bay Boulevard
- Back Bay Boulevard, Ninth Street to Waco Street
- Eighth Street, Waco to Main Street

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: There are no legal considerations.

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.

Agenda Item No. II-6c

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – Father's Day Kite Festival (District VI)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Kathy Sweeney, Botanica, is coordinating the Father's Day Kite Festival with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Father's Day Kite Festival June 21, 2015 11:00 am – 4:00 pm

- Amidon Street, West Murdock Street to West Sim Park Drive

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: There are no legal considerations.

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 and 2) Obtaining barricades to close the streets in accordance with requirements of the Police, Fire and Public Works and Utilities Departments.

Agenda Item No. II-6d

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – Historic Dunbar Theater Fundraiser (District I)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Vesta Florence, Power Community Development Corporation, is coordinating the Historic Dunbar Theater Fundraiser with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Historic Dunbar Theater Fundraiser June 20, 2015 9:00 am – 8:00 pm

- Cleveland Street, Ninth Street to Tenth Street

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: There are no legal considerations.

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.

Agenda Item No. II-6e

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – Independence Day Block Party (Districts I and VI)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Stacey Hamm, Wichita Parks Foundation, is coordinating the Independence Day Block Party with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Independence Day Block Party July 4, 2015 6:00 am – 11:59 pm

- Maple/Lewis/Waterman Streets, Sycamore Street to Wichita Street

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: There are no legal considerations.

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.

Agenda Item No. II-6f

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – Waterfront Triathlon (District II)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Patrick Todd, Oz Endurance, is coordinating the Waterfront Triathlon with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Waterfront Triathlon July 19, 2015 6:00 am – 10:00 am

- 21st Street North, Webb Road to Greenwich Road
- Greenwich Road, 21st Street North to 13th Street North
- 13th Street North, Greenwich Road to Webb Road
- Webb Road, 13th Street North to 21st Street North

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: There are no legal considerations.

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.

Agenda Item No. II-6g

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – KEYN Summer Concert Series 1 (District I)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Kary Taylor, WaterWalk, is coordinating the KEYN Summer Concert with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

KEYN Summer Concert July 10, 2015 11:00 am – 11:00 pm

- Water Street, Waterman Street to Dewey Street

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: There are no legal considerations.

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.

Agenda Item No. II-6h

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – KEYN Summer Concert Series 2 (District I)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Kary Taylor, WaterWalk, is coordinating the KEYN Summer Concert with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

KEYN Summer Concert July 17, 2015 11:00 am – 11:00 pm

- Water Street, Waterman Street to Dewey Street

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: There are no legal considerations.

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.

Agenda Item No. II-6i

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – KEYN Summer Concert Series 3 (District I)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Kary Taylor, WaterWalk, is coordinating the KEYN Summer Concert with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

KEYN Summer Concert July 24, 2015 11:00 am – 11:00 pm

- Water Street, Waterman Street to Dewey Street

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: There are no legal considerations.

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.

Agenda Item No. II-6j

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – KEYN Summer Concert Series 4(District I)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Kary Taylor, WaterWalk, is coordinating the KEYN Summer Concert with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

KEYN Summer Concert July 31, 2015 11:00 am – 11:00 pm

- Water Street, Waterman Street to Dewey Street

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: There are no legal considerations.

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.

Agenda Item No. II-6k

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – KEYN Summer Concert Series 5 (District I)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Kary Taylor, WaterWalk, is coordinating the KEYN Summer Concert with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

KEYN Summer Concert August 7, 2015 11:00 am – 11:00 pm

- Water Street, Waterman Street to Dewey Street

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: There are no legal considerations.

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.

Agenda Item No. II-6l

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Community Events – KEYN Summer Concert Series 6 (District I)

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for temporary street closure.

Background: In accordance with the Community Events procedure, the event promoter Kary Taylor, WaterWalk, is coordinating the KEYN Summer Concert with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

KEYN Summer Concert August 14, 2015 11:00 am – 11:00 pm

- Water Street, Waterman Street to Dewey Street

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: There are no legal considerations.

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
June 16, 2015

TO: Mayor and City Council

SUBJECT: Supplemental Design Agreement No. 4 for Central Avenue from 119th Street West to 135th Street West (District V)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve Supplemental Agreement No. 4.

Background: On May 4, 2004, the City Council approved an agreement with MKEC Engineering Consultants, Inc. (MKEC) which provided for design for paving improvements to Central Avenue from 119th Street West to 135th Streets West. The following supplemental agreements have been approved by the City Council to date.

Agreement No.	Date Approved	Services Provided	Cost
Original	May 4, 2004	Original design services agreement.	$146,000
1	August 19, 2008	Additional design to straighten the road as well as for structures that would accommodate the existing location of the North Fork Calfskin Creek Channel.	$245,815
2	June 5, 2012	Additional flood modeling and map revisions.	$112,756
3	October 23, 2012	Required design changes to eliminate conflicts with the relocation of a Westar Energy transmission line.	$16,320
		Total design fee to date:	$520,891

Analysis: Supplemental Agreement No. 4 will provide additional design services for the survey and field work needed to complete the letter of map revision (LOMR) as required to meet Federal Emergency Management Agency (FEMA) regulations. Although the permit submittal was included in the original contract, the field work that is now being required by FEMA was not included. The LOMR will adjust the flood plain and flood elevation changes that were modified by the construction of the project.

Financial Considerations: The cost of the additional services is $7,810. With this supplemental agreement, the total design fee will be $528,701. Funding is available within the existing project budget which was approved on September 25, 2012.

Legal Considerations: The supplemental agreement has been approved as to form by the Law Department.

Recommendation/Action: It is recommended that the City Council approve the supplemental agreement and authorize the necessary signatures.

Attachments: Supplemental Agreement No. 4.

SUPPLEMENTAL AGREEMENT NO. 4

TO THE

AGREEMENT FOR PROFESSIONAL SERVICES DATED MAY 4, 2004

BETWEEN

THE CITY OF WICHITA, KANSAS

PARTY OF THE FIRST PART, HEREINAFTER CALLED THE

"CITY"

AND

MKEC ENGINEERING, INC.

PARTY OF THE SECOND PART, HEREINAFTER CALLED THE

"ENGINEER"

WITNESSETH:

WHEREAS, there now exists an Agreement (dated May 4, 2004) between the two parties covering engineering services to be provided by the ENGINEER in conjunction with the construction of improvements to **CENTRAL AVENUE, 135TH TO 119TH STREET WEST** (Project No.472-84017_706898).

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

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

NOW THEREFORE, the parties hereto mutually agree as follows:

A. PROJECT DESCRIPTION

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

Prepare an as-built survey (see Attached for details)

B. PAYMENT PROVISIONS

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

Payment to the ENGINEER for the performance of the professional services as outlined in this supplemental agreement shall be made on the basis of the lump sum fee amount of **$7,810.**

C. COMPLETION

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

(a) Field check plans of the project for distribution to utilities by (COMPLETED).
(b) Office check plans by (COMPLETED).
(c) Completion of all work required by this agreement (including submittal of final approved plans, field notes, and related project documents by (COMPLETED).

D. PROVISIONS OF THE ORIGINAL AGREEMENT

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

IN WITNESS WHEREOF, the CITY and the ENGINEER have executed this Supplemental Agreement as of this _____ day of _____, 2015.

CITY OF WICHITA

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____
Jennifer Magana, Director of Law and City Attorney

MKEC ENGINEERING, INC.

_____
(Name and Title)
Jay Anglemyer, P.E., Principal

ATTEST:

_____
Cynthia A. Womack, Admin. Asst.

MKEC ENGINEERING SUCCESS

May 5, 2015

Mr. Shawn Mellies, P.E.
Chief Design Engineer
City of Wichita
455 N. Main, 7th Floor
Wichita, KS 67202

Reference: Proposal for Supplemental Design Agreement
Central Avenue from 135th W. to 119th W. (Proj. No. 472-84017)

Dear Mr. Mellies:

Per the City's request, MKEC agrees to a change in design scope for the project noted above. MKEC proposes to perform an as-built topographic survey of the portions of the Tributary to the North Fork Calfskin Creek which pass through the project. The survey will include shooting cross sections across the channel at specific locations required to detail a hydraulic model as required by the Federal Emergency Management Administration (FEMA) for the purpose of preparing a Letter of Map Revision (LOMR) for the recently constructed improvements. The LOMR is required by FEMA due to changes created by the improvements.

MKEC did not include an as-built survey in the original project design scope. It was our intention to use plan information with an acknowledgment from City field personnel that the channel grading was constructed per plan. Although FEMA has accepted this strategy in the past, they have recently requested a new hydraulic stream model based on an as-built survey. Please note that additional effort by MKEC to prepare a new stream model and LOMR request based on the as-built survey is not included in this request. We believe this work to be part of the current project scope.

MKEC proposes a supplemental fee of $7,810.00 to complete the work. The supplemental fee is itemized as follows:

Staff	Rate	Hours	Amount
Project Manager	$139/Hour	2	$ 278.00
Hydraulic Engineer	$103/Hour	8	$ 824.00
Survey Technician	$ 82/Hour	12	$ 984.00
R.L.S.	$ 93/Hour	12	$ 1,116.00
Survey Field Crew	$144/Hour	32	$ 4,608.00
TOTAL			**$ 7,810.00**

411 N. Webb Rd. • Wichita, KS 67206 • T 316.684.9600 • F 316.684.5100 • MKEC.COM

Thank you for your consideration of this proposal. If you have any questions or wish to discuss the proposed contract changes, please contact me. MKEC welcomes this opportunity to serve the City of Wichita.

Sincerely,

MKEC ENGINEERING, INC.

Jay Anglemyer, PE

J:\Civil\04238\Correspondence\Scope Change Supplemental Letter #5.doc

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Acquisition of Easements at 727 N. Waco for the Riverside Siphon Project (District VI)

INITIATED BY: Office of Property Management

AGENDA: Consent

Recommendation: Approve the acquisition.

Background: On December 10, 2013, the City Council approved the funding to replace or rehabilitate failing water and sewer infrastructure using the Water Mains Replacement or Relocation Program or the Reconstruction or Rehabilitation of Aged Sanitary Sewers Program. The abandonment and replacement of a siphon at 727 N. Waco is a project within the Reconstruction or Rehabilitation of Aged Sanitary Sewers Program. To facilitate the project, it is necessary to acquire an 827 square foot permanent easement and 1,830 square foot temporary construction easement.

Analysis: The owner agreed to accept the estimated market value of the taking at $4,000, or $2,070 for the permanent easement and $1,830 for the temporary construction easement.

Financial Considerations: The City's Reconstruction or Rehabilitation of Aged Sanitary Sewers are being funded from future revenue bonds or sewer utility and water utility cash revenues. A budget of $4,175 is requested. This includes $4,000 for the acquisition, and $175 for title work and other administrative fees.

Legal Considerations: The Law Department has approved the real estate agreement as to form.

Recommendation/Action: It is recommended that the City Council; 1) approve the budget; 2) approve the real estate purchase agreement; and 3) authorize the necessary signatures.

Attachments: Real estate purchase agreement and tract map.

REAL ESTATE PURCHASE CONTRACT

THIS AGREEMENT, made this 2nd day of June, 2015, by and between Colby B. Sandlian, as trustee of the Colby B. Sandlian, as Trustee of the Colby B. Sandlian and Genevieve B. Sandlian Revocable Trust, dated October 2, 1990, and Six Pack, L.L.C., a limited liability company, parties of the first part, hereinafter referred to as "Sellers", and the City of Wichita, Kansas, a municipal corporation, hereinafter referred to as "Buyer".

WITNESSETH: That for and in consideration of the mutual promises, covenants and payments hereinafter set out, the parties hereto do hereby contract to and with each other, as follows:

1. The Seller does hereby agree to sell and convey to the Buyer by a perpetual easement for the purpose of constructing, operating, maintaining, and repairing a sewer system, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

A 10' Sanitary Sewer Easement across part of Lot 7, Block 1, Park Plaza First Addition, Wichita, Sedgwick County, Kansas being more particularly described as follows:

COMMENCING at the westerly most corner of Lot 7, Block 1, in said Park Plaza First Addition; Thence Bearing S44°00'00"E, along a line common to Lots 5 and 7, a distance of 43.46 feet to the **POINT OF BEGINNING**; Thence continuing Bearing S44°00'00"E, along said common lot line, a distance of 10.33 feet; Thence Bearing N60°34'52"E, a distance of 80.63 feet to a point on the South line of a platted 20' Sewer Easement; Thence Bearing N84°05'52"W, along the South line of said platted 20' Sewer Easement, a distance of 17.30 feet; Thence Bearing S60°34'52"W, a distance of 69.12 feet to the **POINT OF BEGINNING**.

(Said 10' Sanitary Sewer Easement containing 0.017 acres, more or less)

together with

A Sanitary Sewer Easement across part of Lot 7, Block 1, Park Plaza First Addition, Wichita, Sedgwick County, Kansas being more particularly described as follows:

COMMENCING at the westerly most corner of Lot 7, Block 1, in said Park Plaza First Addition; Thence Bearing N22°57'45"E, along the west line of said Lot 7, a distance of 22.97 feet to the **POINT OF BEGINNING**; Thence continuing Bearing N22°57'45"E, and along said west line, a distance of 10.00 feet; Thence Bearing S56°55'08"E, a distance of 20.93 feet to a point on the North line of a platted 20' Sewer Easement; Thence Bearing N84°05'52"W, along the North line of said platted 20' Sewer Easement a distance of 21.55 feet to the **POINT OF BEGINNING**.

(Said Sanitary Sewer Easement containing 0.002 acres, more or less)

2. The Seller does hereby agree to convey to the Buyer by a limited temporary construction easement for the purpose of constructing, operating, maintaining, and repairing a sewer system, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

3. The Buyer hereby agrees to purchase, and pay to the Seller, as consideration for the conveyance to the Buyer the above-described real properties the sum of Four Thousand Dollars ($4,000) in the manner following to-wit: cash at closing

4. A duly executed copy of this Purchase Agreement shall be delivered to the parties hereto.

5. The Seller further agrees to convey the above-described premises and deliver possession of the same in the same condition as they now are, reasonable wear and tear accepted.

6. It is understood and agreed between the parties hereto that time is of the essence of this contract, and that this transaction shall be consummated on or before June 19, 2015.

7. Possession to be given to Buyer at closing or at exchange of funds for easements.

8. Closing costs, if any, shall be paid by Buyer.

9. All parties hereby agree that the proceeds from the sale shall be split among the Sellers as follows:

Full payment amount to be issued to: The Colby B. Sandlian and Genevieve B. Sandlian Revocable Trust

WITNESS OUR HANDS AND SEALS the day and year first above written.

Colby B. Sandlian, as Trustee of the Colby B. Sandlian and Genevieve B. Sandlian Revocable Trust, dated October 2, 1990

Colby B. Sandlian, Trustee

Six Pack, L.L.C.

Craig L. Burns, Member

BUYER:

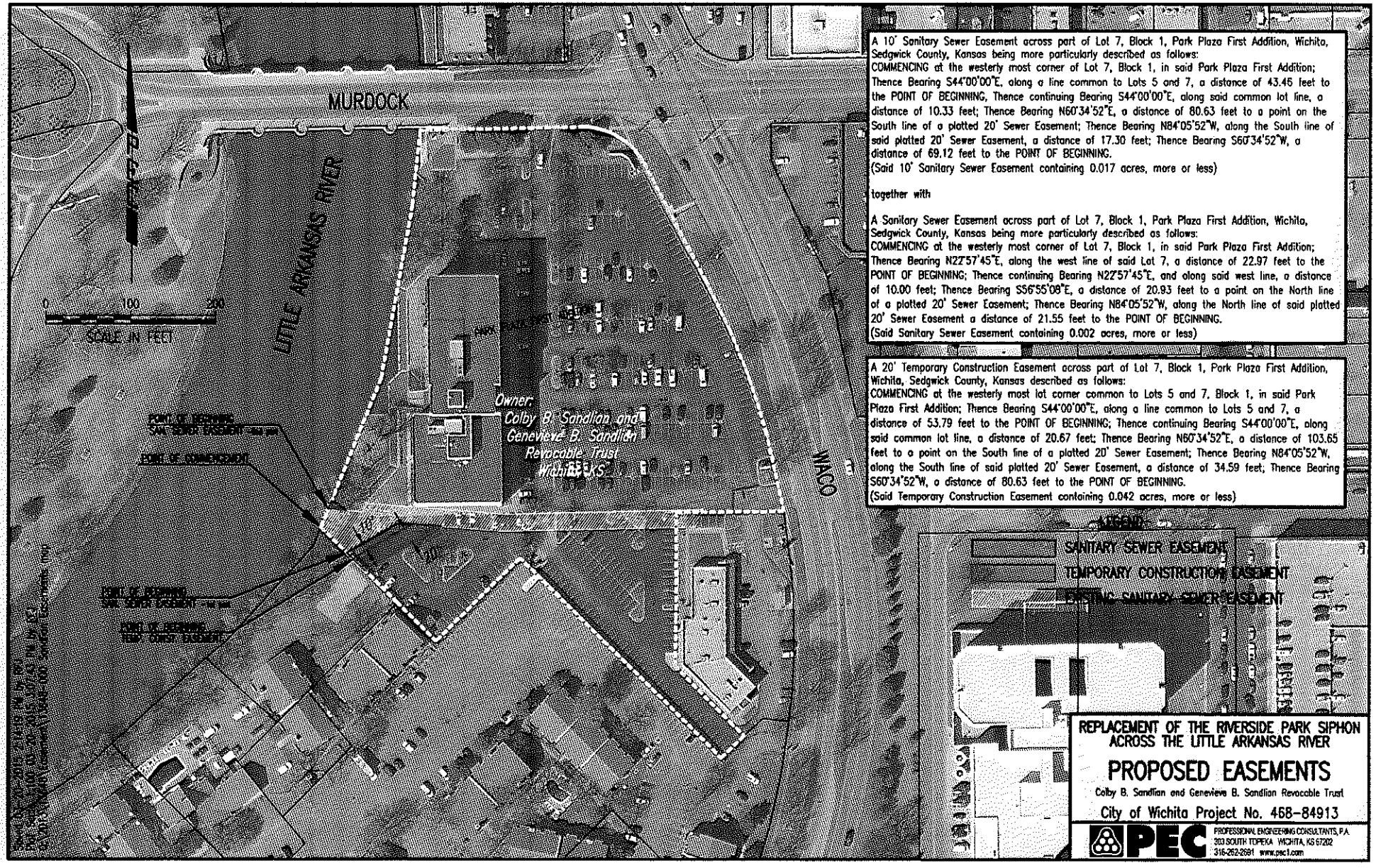
Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, Director of Law



A 10' Sanitary Sewer Easement across part of Lot 7, Block 1, Park Plaza First Addition, Wichita, Sedgwick County, Kansas being more particularly described as follows:
COMMENCING at the westerly most corner of Lot 7, Block 1, in said Park Plaza First Addition; Thence Bearing S44°00'00"E, along a line common to Lots 5 and 7, a distance of 43.46 feet to the POINT OF BEGINNING, Thence continuing Bearing S44°00'00"E, along said common lot line, a distance of 10.33 feet; Thence Bearing N60°34'52"E, a distance of 80.63 feet to a point on the South line of a platted 20' Sewer Easement; Thence Bearing N84°05'52"W, along the South line of said platted 20' Sewer Easement, a distance of 17.30 feet; Thence Bearing S60°34'52"W, a distance of 69.12 feet to the POINT OF BEGINNING.
(Said 10' Sanitary Sewer Easement containing 0.017 acres, more or less)

together with

A Sanitary Sewer Easement across part of Lot 7, Block 1, Park Plaza First Addition, Wichita, Sedgwick County, Kansas being more particularly described as follows:
COMMENCING at the westerly most corner of Lot 7, Block 1, in said Park Plaza First Addition; Thence Bearing N22°57'45"E, along the west line of said Lot 7, a distance of 22.97 feet to the POINT OF BEGINNING; Thence continuing Bearing N22°57'45"E, and along said west line, a distance of 10.00 feet; Thence Bearing S56°55'08"E, a distance of 20.93 feet to a point on the North line of a platted 20' Sewer Easement; Thence Bearing N84°05'52"W, along the North line of said platted 20' Sewer Easement a distance of 21.55 feet to the POINT OF BEGINNING.
(Said Sanitary Sewer Easement containing 0.002 acres, more or less)

A 20' Temporary Construction Easement across part of Lot 7, Block 1, Park Plaza First Addition, Wichita, Sedgwick County, Kansas described as follows:
COMMENCING at the westerly most lot corner common to Lots 5 and 7, Block 1, in said Park Plaza First Addition; Thence Bearing S44°00'00"E, along a line common to Lots 5 and 7, a distance of 53.79 feet to the POINT OF BEGINNING; Thence continuing Bearing S44°00'00"E, along said common lot line, a distance of 20.67 feet; Thence Bearing N60°34'52"E, a distance of 103.65 feet to a point on the South line of a platted 20' Sewer Easement; Thence Bearing N84°05'52"W, along the South line of said platted 20' Sewer Easement, a distance of 34.59 feet; Thence Bearing S60°34'52"W, a distance of 80.63 feet to the POINT OF BEGINNING.
(Said Temporary Construction Easement containing 0.042 acres, more or less)

A-15779

Agenda Item No. II-10

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Acquisition by Eminent Domain of Tracts Required for the Meridian – McCormick to Pawnee Improvement Project (District IV)

INITIATED BY: Office of Property Management

AGENDA: Consent

Recommendation: Adopt the resolution and place the ordinance on first reading.

Background: On November 5, 2013, the City Council approved the design for the improvement of Meridian from Pawnee to McCormick. The project calls for the improvement of Meridian to a five-lane roadway with a center turn lane, drainage improvements, new sidewalks on both sides of Meridian, the realignment of Orient at Meridian, and waterline improvements to serve surrounding residential neighborhoods. The right-of-way required for the project was acquired during the storm water reconstruction phase of the project. There are 72 temporary construction easements which are needed to facilitate the road construction. These temporary construction easements are primarily required at driveway approaches to residential and commercial properties; however there are some temporary easements that are needed for grading purposes.

Analysis: To date, the City is in possession of 52 tracts. There are 13 additional tracts under contract; however, they have not yet been received or due to title issues, there has been a delay clearing the title. Due to the timing of the project, it is necessary to initiate eminent domain at this time. Staff will continue to negotiate with the owners and continue to work though the remaining acquisitions and title issues. As agreements are reached or title is cleared, tracts will be deleted from the eminent domain action.

Financial Considerations: The cost of these acquisitions will be paid for with General Obligation Bonds.

Legal Considerations: The City is authorized by law to commence eminent domain proceedings to acquire these properties.

Recommendation/Action: It is recommended that the City Council adopt the resolution; place the condemnation ordinance on first reading; and authorize the necessary signatures.

Attachments: Tract list, condemnation resolution and condemnation ordinance.

PUBLISHED IN THE WICHITA EAGLE ON

ORDINANCE NO._____

AN ORDINANCE PROVIDING FOR THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN PRIVATE PROPERTY, EASEMENTS AND RIGHT-OF-WAY THEREIN, FOR THE PURPOSE OF ACQUIRING REAL PROPERTY FOR THE IMPROVEMENT OF MERIDIAN AVENUE FROM MCCORMICK AQVENUE TO PAWNEE AVENUE IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS; DESIGNATING THE LANDS REQUIRED FOR SUCH PURPOSES AND DIRECTING THE CITY ATTORNEY TO FILE A PETITION IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS, FOR ACQUISITION OF THE LANDS AND EASEMENTS THEREIN TAKEN.

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

SECTION 1. That it be and is hereby declared to be a public necessity to acquire by eminent domain proceedings for the purpose of public right-of-way for the development of infrastructure associated with the improvement of Meridian Avenue from McCormick Avenue to Pawnee Avenue in the City of Wichita, Sedgwick County, Kansas, the lands and easements hereinafter described in Section 2.

SECTION 2. That the description of the lands and title therein necessary for the purpose of such action is as follows:

Temporary construction easements for driveway, drainage and road construction in and to the following-described tracts, to-wit:

The east 25.00 feet of the south 15.00 feet of the north 149.50 feet of Lot 10, Block 1, Southwest Industrial Addition to Wichita, Kansas, Sedgwick County, Kansas, TOGETHER with the east 10.00 feet of the north 35.00 feet of the south 50.50 feet of Lot 11, of said Block 1. (Said Tract containing 725.00 square feet, more or less) and

That part of Lot9, Replat of Lot 19, Block 1, Pawnee Park an Addition to Wichita, Kansas, Sedgwick County, Kansas, described as beginning at the northwest corner of said Lot 9; thence east along the north line of said Lot 9, 10.00 feet; thence south parallel with the east line of said Lot 9, 30.00 feet; thence west parallel with the north line of said Lot 9, 10.00 feet to a point on the west line of said Lot 9; thence north along the west line of said Lot 9, 30.00 feet to the point of beginning. (Said Tract containing 300.0 square feet, more or less) and

The east 8.00 feet of the north 22.50 feet of Lot 1, Meridian Industrial Park Addition to Wichita, Kansas, Sedgwick County, Kansas. (Said Tract containing 180.0 square feet, more or less) and

That part of Lots 73 and 75 on Meridian Avenue, Garfield Park Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the north line of said Lot 73 with the west right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet west of the northeast corner of said Lot 73; thence south along the west right-of-way line of said Meridian Ave., (Condemnation Case A-53868), and 10.00 feet normally distant west of and parallel with the east line of said Lots 73 and 75, 50.00 feet to the intersection with the south line of said Lot 75; thence west along the south line of said Lot 75, 12.00 feet; thence north parallel with and 12.00 feet normally distant west of the west right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 50.00 feet to the intersection with the north line of said Lot 73; thence east along the north line of said Lot 73, 12.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

That part of Lots 21 and 23, Block H, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as commencing at the intersection of the north line of said Lot 21 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet east of the northwest corner of said Lot 21; thence south along east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 13.00 feet to the point of beginning; thence east parallel with and 13.00 feet south of the north line of said Lot 21, 8.00 feet; thence south parallel with and 8.00 feet normally distant east of the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 17.50 feet; thence west parallel to the south line of said Lot 23, 8.00 feet; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), and 10.00 feet normally distant east of and parallel with the west line of said Lots 21 and 23, 17.50 feet to the to the point of beginning.

TOGETHER WITH

That part of Lots 25 and 27, Block H, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as commencing at the intersection of the south line of said Lot 27 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet east of the southwest corner of said Lot 27; thence north along east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 11.00 feet to the point of beginning; thence continuing north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), and 10.00 feet normally distant east of and parallel with the west line of said Lots 25 and 27, 20.00 feet; thence east parallel with and 6.00 feet normally distant north from the north line of said Lot 27, 8.00 feet; thence south parallel with and 8.00 feet normally distant east of the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 20.00 feet; thence west parallel to the south line of said Lot 27, 8.00 feet to the point of beginning. (Said Tract containing 360.0 square feet, more or less) and

That part of Lot 1, Mick Nett Addition to Wichita, Kansas, Sedgwick County, Kansas described as commencing at the SE corner of said Lot 1; thence north along the east line of said Lot 1, 48.00 feet to the Point of Beginning; thence continuing north along the east line of said Lot 1, 55.00 feet; thence west perpendicular to the east line of said Lot 1, 12.00 feet; thence south parallel with the east line of said Lot 1 55.00 feet; thence east perpendicular to the east line of said Lot 1, 12.00 feet to the point of beginning. (Said Tract containing 660.0 square feet, more or less) and

That part of Lot 47, Block A, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 47 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet east of the southwest corner of said Lot 47; thence east along the south line of said Lot 47, 60.28 feet; thence north parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 10.00 feet; thence west parallel to the south line of said Lot 47, 60.28 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 10.00 feet to the point of beginning. (Said Tract containing 602.8 square feet, more or less) and

That part of Lot 47, Block A, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as commencing at the intersection of the south line of said Lot 47 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet east of the southwest corner of said Lot 47; thence east along the south line of said Lot 47, 20.29 feet for a point of beginning; thence continuing east along the south line of said Lot 47, 40.00 feet; thence north parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 10.00 feet; thence west parallel to the south line of said Lot 47, 40.00 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 10.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

The east 8.00 feet of Lot 1, Nett Sager Addition Wichita, Kansas, Sedgwick County, Kansas. (Said Tract containing 1,200.0 square feet, more or less) and

That part of Lots 21, 23, 25, 27, 29 and 31, Block A, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 31 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet east of the southwest corner of said Lot 31; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), and 10.00 feet normally distant east of and parallel with the west line of said Lot 31, 150.00 feet to the intersection with the north line of said Lot 21; thence east along the north line of said Lot 21, 10.00 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 150.00 feet to a point on the south line of said Lot 31; thence west along the south line of said Lot 31, 10.00 feet to the point of beginning. (Said Tract containing 1,500.0 square feet, more or less) and

That part of Lots 1, 3, 5, 7, 9 and 11 , Block A, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 11 with the east right-of-way line of Meridian Ave. as

established in Condemnation Case A-53868, said intersection being 10.00 feet east of the southwest corner of said Lot 11; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), and 10.00 feet normally distant east of and parallel with the west line of said Lots 1, 3, 5, 7, 9 and 11, 130.00 feet; thence northeasterly, 28.31 feet to a point on the north line of said Lot 1, said point being 20.00 feet normally distant east right-of-way line of said Meridian Ave., (Condemnation Case A-53868); thence east along the north line of said Lot 1, 44.57 feet; thence south 64.57 feet normally distant east of and parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868, 5.00 feet; thence west parallel with the north line of said Lot 1, 42.50 feet; thence southwesterly, 24.17 feet to a point 5.00 feet normally distant east of the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 127.85 feet to a point on the south line of said Lot 11; thence west along the south line of said Lot 11, 5.00 feet to the point of beginning. (Said Tract containing 993.7 square feet, more or less) and

That part of Lots 249 and 251, Richmond's 2nd Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the north line of said Lot 249 with the west right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet west of the northeast corner of said Lot 249; thence south along the west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant west of and parallel with the east line of said Lots 249 and 251, 50.00 feet to the intersection with the south line of said Lot 251; thence west along the south line of said Lot 251, 8.00 feet; thence north parallel with the west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 50.00 feet to a point on the north line of said Lot 249; thence east along the north line of said Lot 249, 8.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

That part of Lots 37 & 39 on Meridian Avenue, Stiles & Smith's Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 39 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet east of the southwest corner of said Lot 39; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant east of and parallel with the west line of said Lots 37 and 39, 50.00 feet to the intersection with the north line of said Lot 37; thence east along the north line of said Lot 37, 12.50 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 25.00 feet to a point on the south line of said Lot 37; thence west along the south line of said Lot 37, 7.50 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 25.00 feet to a point on the south line of said Lot 39; thence west along the south line of said Lot 39, 5.00 feet to the point of beginning. (Said Tract containing 437.5 square feet, more or less) and

That part of Lots 21 and 23 on Meridian Avenue, Stiles & Smith's Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 23 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-530778, said intersection being 10.00 feet east of the southwest corner of said Lot 23; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant east of

and parallel with the west line of said Lots 21 and 23, 50.00 feet to the intersection with the north line of said Lot 21; thence east along the north line of said Lot 21, 8.00 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 50.00 feet to a point on the south line of said Lot 23; thence west along the south line of said Lot 23, 8.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

That part of Lots 9 and 11 on Meridian Avenue, Stiles & Smith's Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 11 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet east of the southwest corner of said Lot 11; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant east of and parallel with the west line of said Lots 9 and 11, 50.00 feet to the intersection with the north line of said Lot 9; thence east along the north line of said Lot 13, 8.00 feet; thence south parallel with and 8.00 feet normally distant east of the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 50.00 feet to the intersection with the south line of said Lot 11; thence west along the south line of said Lot 11, 8.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

That part of Lots 79, 81, 83 and 85, Simmon's Addition of Garfield Park Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the north line of said Lot 79 with the west right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet west of the northeast corner of said Lot 79; thence south along the west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant west of and parallel with the east line of said Lots 79, 81, 83 and 85, 100.00 feet to the intersection with the south line of said Lot 85; thence west along the south line of said Lot 85, 15.00 feet; thence north parallel with the west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 100.00 feet to a point on the north line of said Lot 79; thence east along the north line of said Lot 79, 15.00 feet to the point of beginning. (Said Tract containing 1,500.0 square feet, more or less) and

That part of Lots 30 & 32 on Meridian Avenue, Garfield Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 32 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet east of the southwest corner of said Lot 32; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant east of and parallel with the west line of said Lots 30 and 32, 50.00 feet to the intersection with the north line of said Lot 30; thence east along the north line of said Lot 30, 8.00 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 50.00 feet to a point on the south line of said Lot 32; thence west along the south line of said Lot 32, 8.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

That part of Lot 43, Richmond's Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 43 with the west right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet west of the northeast corner of said Lot 41; thence west along the south line of said Lot 43, 15.00 feet; thence north parallel with the

west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 20.00 feet; thence east parallel with the south line of Lot 43, 15.00 feet; thence south along the west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant west of and parallel with the east line of said Lot 43, 20.00 feet to the point of beginning. (Said Tract containing 300.00 square feet, more or less) and

That part of Lot 16, Meridian Avenue, Garfield Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 16 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-538077, said intersection being 10.00 feet east of the southwest corner of said Lot 16; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant east of and parallel with the west line of said Lot 16, 25.00 feet to the intersection with the north line of said Lot 16; thence east along the north line of said Lot 16, 12.50 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 25.00 feet to a point on the south line of said Lot 16; thence west along the south line of said Lot 16, 12.50 feet to the point of beginning. (Said Tract containing 312.5 square feet, more or less) and

The east 5.00 feet of the south 44.00 feet of the north 88.00 feet of Lot 1,Powell's 7th Addition, Wichita, Kansas, Sedgwick County, Kansas. (Said Tract containing 220.00 square feet, more or less).

Said easements will be for a term of three years or 60 days after project completion, whichever is earlier. Access shall be available to the subject properties throughout the easement term.

SECTION 3. That the City Attorney is hereby authorized and directed to commence proceedings in eminent domain in the District Court of Sedgwick County, Kansas, for the appropriation of said lands and determination of the compensation to be awarded for the taking thereof.

SECTION 4. That this Ordinance shall take effect and be in force from and after its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this _____ day of, _____ 2015.

CITY OF WICHITA

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____

Jennifer Magana, Director of Law and City Attorney

PUBLISHED IN THE WICHITA EAGLE ON _____

RESOLUTION **NO.**_____

A RESOLUTION DECLARING THE NECESSITY FOR ACQUIRING PRIVATE PROPERTY FOR THE USE OF THE CITY OF WICHITA IN CONNECTION WITH PLANNED IMPROVEMENT OF MERIDIAN AVENUE FROM MCCORMICK AVENUE TO PAWNEE AVENUE IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS;

WHEREAS, the governing body has previously authorized certain improvements for Meridian Avenue from McCormick Avenue to Pawnee Avenue project in the City of Wichita; and

WHEREAS, such study and preliminary design has identified the need to acquire several parcels of private property in order to properly complete such improvements; and

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

SECTION 1. The governing body hereby declares it to be necessary to acquire certain private property in connection with the improvement of Meridian Avenue from McCormick Avenue to Pawnee Avenue.

SECTION 2. The City Engineer is directed to make or cause to be made a survey and description of the lands and/or interests to be acquired and to have such survey and description filed with the City Clerk.

SECTION 3. That this Resolution shall take effect and be in force from and after its passage and publication once in the official City paper.

PASSED by the governing body of the City of Wichita, Kansas, this _____ day of _____, 2015.

CITY OF WICHITA:

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____
Jennifer Magana, Director of Law and City Attorney

Meridian: Pawnee to McCormick
All acquisitions are temporary easemenets

Tract	Property Address	Tract Owner	Take Size (SF)	Property Type
1	2510 W Pawnee	Doug and Jeannie Maryott	500	C-Store
2	2301 S Meridian	Builder's Inc.	400	Retail
3	2243 S. Meridian	Village Marketplace	900	Retail
4	2201 S Meridian	Builder's Inc.	1000	Self Storage
5	2141 S Meridian	Nationalease of Kansas City, Inc.	500	Truck Repair
6	2141 S Meridian	Nationalease of Kansas City, Inc.	1513	Truck Repair
7	2121 S Meridian	Quiet Thunder Invesements	725	Car Wash
8	2010 S Meridian	Pentecostal Holiness Church	300	Church
9	1825 S Meridian	Allen Real Estate LP	180	Warehouse
10	1819 S Meridian	Micheal J. Casamento	220	Warehouse
11	1758 S Meridian	Jesus Ruiz	400	Residential
12	1752 S Meridian	Sonia Marquardt	400	Residential
13	1743 S Meridian	James Thompson	200	Residential
14	1737 S Meridian	David Ray	250	Residential
15	1735 S Meridian	Jack Hefly	400	Residential
16	1722 S Meridian	Walter & Jayma Grahm	300	Residential
17	1705 S Meridian	Cleo Ray/Heather Haggard	550	Residential
18	1702 S Meridian	Luis Moreno	200	Residential
19	1639 S Meridian	Nett Senior Family Trust	660	Retail
20	1650 S Meridian	Netco Commerical Prop.	603	Retail
21	1650 S Meridian	Netco Commerical Prop.	1500	Retail
22	1629 S Meridian	Nett Senior Family Trust	1200	Retail
23	1622 S Meridian	Netco Commerical Prop.	1500	Auto Repair
24	1617 S Meridian	Khalil Abdallah	1200	Commercial
25	1617 S Meridian	Khalil Abdallah	1550	Commercial
26	1602 S Meridian	D&M Partnership	994	Tavern
27	1555 S Meridian	Terry Gillette	1573	Auto Repair
28	1530 S Meridian	Chadwick Rassumussen	1852	Apartment
29	1522 S Meridian	Otto Meyer	600	Residential
30	1545 S Meridian	Terry Gillette	841	Retail
31	1543 S Meridian	Terry Gillette	828	Retail
32	1508 S Meridian	Daniel McLain	400	Residential
33	1525 S Meridian	Penny Smith	900	Residential
34	1519 S Meridian	Lowell Loesch	213	Residential
35	1515 S Meridian	Ontario Clinic LP	400	Residential
36	1432 S Meridian	Gary Van Dyke	150	Residential
37	1426 S Meridian	D&M Partnership	440	Residential
38	1422-1412 Meridia	John Scott	1150	Residential
39	1408 S Meridian	Blake Baty Victoiro Romando	438	Residential
40	1325 S Meridian	Westview Baptist Church	1500	Church
41	1334 S Meridian	Kenneth Erbert	500	Residential
42	1330 S Meridian	Michael Kerr	400	Residential

Tract	Property Address	Tract Owner	Take Size (SF)	Property Type
43	1325 S Meridian	Westview Baptist Church	1500	Vacant
44	1326 S Meridian	Kenneth Kindler	400	Residential
45	1318 S Meridian	Steve Lanes	400	Residential
46	1313 S Meridian	Serena Nickell	400	Residential
47	1312 S Meridian	Homes by Zome LLC	400	Residential
48	1305 S Meridian	Fred McCulley	500	Residential
49	1301 S Meridian	Gibson Revocable Trust	418	Quad plex
50	1161 S Meridian	Crossbow Investments LLC	496	Apartment
50A	1151 S Meridian	Crossbow Investments LLC	300	Apartment
51	2420 Walker	Carol Light	765	Residential
52	1141 S Meridian	Le Tuyen	1500	Residential
53	1125-1133 Meridia	Stephen Brotton	2110	Residential
54	1128 S Meridian	Trinidad Balderas	400	Residential
55	1124 S Meridian	Scott Sadler	400	Residential
56	1120 S Meridian	Judy Rogers	1050	Residential
57	1121 S Meridian	Jaime Green	391	Residential
58	2123 W Irving	COW	1800	Residential
59	1113 S Merdian	DP Holdings Inc	389	Residential
60	1107 S Meridian	Susan Robinson	550	Residential
61	1101 S Meridian	Gerald Stuckey	300	Residential
62	1047 S Meridian	Mae Carr Rev. Trust Seth Beard	250	Residential
63	1043 S Merdian	Ricardo Ortiz	300	Residential
64	1048 S Meridian	Ray Davis	360	Residential
65	1042 S Meridian	Ray Davis	420	Residential
66	1036 S Meridian	Richard Sanders	313	Residential
67	1030 S Meridian	Crossbow Investments LLC	363	Residential
68	1031 S Meridian	Ronnie Beard	300	Residential
69	1026 S Meridian	Kenneth Snellen	458	Residential
70	1015 S Meridian	Crown Entertainment Inc.	220	Retail
71	1018 S Meridian	Gary Hartman	524	Residential
72	1004 S Merdian	Fran Mar Invest. Co	1125	Retail

OCA 13-707060

PUBLISHED IN THE WICHITA EAGLE ON

ORDINANCE NO. 50-027

AN ORDINANCE PROVIDING FOR THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN PRIVATE PROPERTY, EASEMENTS AND RIGHT-OF-WAY THEREIN, FOR THE PURPOSE OF ACQUIRING REAL PROPERTY FOR THE IMPROVEMENT OF MERIDIAN AVENUE FROM MCCORMICK AQVENUE TO PAWNEE AVENUE IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS; DESIGNATING THE LANDS REQUIRED FOR SUCH PURPOSES AND DIRECTING THE CITY ATTORNEY TO FILE A PETITION IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS, FOR ACQUISITION OF THE LANDS AND EASEMENTS THEREIN TAKEN.

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

SECTION 1. That it be and is hereby declared to be a public necessity to acquire by eminent domain proceedings for the purpose of public right-of-way for the development of infrastructure associated with the improvement of Meridian Avenue from McCormick Avenue to Pawnee Avenue in the City of Wichita, Sedgwick County, Kansas, the lands and easements hereinafter described in Section 2.

SECTION 2. That the description of the lands and title therein necessary for the purpose of such action is as follows:

Temporary construction easements for driveway, drainage and road construction in and to the following-described tracts, to-wit:

The east 25.00 feet of the south 15.00 feet of the north 149.50 feet of Lot 10, Block 1, Southwest Industrial Addition to Wichita, Kansas, Sedgwick County, Kansas, TOGETHER with the east 10.00 feet of the north 35.00 feet of the south 50.50 feet of Lot 11, of said Block 1. (Said Tract containing 725.00 square feet, more or less) and

That part of Lot9, Replat of Lot 19, Block 1, Pawnee Park an Addition to Wichita, Kansas, Sedgwick County, Kansas, described as beginning at the northwest corner of said Lot 9; thence east along the north line of said Lot 9, 10.00 feet; thence south parallel with the east line of said Lot 9, 30.00 feet; thence west parallel with the north line of said Lot 9, 10.00 feet to a point on the west line of said Lot 9; thence north along the west line of said Lot 9, 30.00 feet to the point of beginning. (Said Tract containing 300.0 square feet, more or less) and

The east 8.00 feet of the north 22.50 feet of Lot 1, Meridian Industrial Park Addition to Wichita, Kansas, Sedgwick County, Kansas. (Said Tract containing 180.0 square feet, more or less) and

That part of Lots 73 and 75 on Meridian Avenue, Garfield Park Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the north line of said Lot 73 with the west right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet west of the northeast corner of said Lot 73; thence south along the west right-of-way line of said Meridian Ave., (Condemnation Case A-53868), and 10.00 feet normally distant west of and parallel with the east line of said Lots 73 and 75, 50.00 feet to the intersection with the south line of said Lot 75; thence west along the south line of said Lot 75, 12.00 feet; thence north parallel with and 12.00 feet normally distant west of the west right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 50.00 feet to the intersection with the north line of said Lot 73; thence east along the north line of said Lot 73, 12.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

That part of Lots 21 and 23, Block H, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as commencing at the intersection of the north line of said Lot 21 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet east of the northwest corner of said Lot 21; thence south along east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 13.00 feet to the point of beginning; thence east parallel with and 13.00 feet south of the north line of said Lot 21, 8.00 feet; thence south parallel with and 8.00 feet normally distant east of the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 17.50 feet; thence west parallel to the south line of said Lot 23, 8.00 feet; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), and 10.00 feet normally distant east of and parallel with the west line of said Lots 21 and 23, 17.50 feet to the to the point of beginning.

TOGETHER WITH

That part of Lots 25 and 27, Block H, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as commencing at the intersection of the south line of said Lot 27 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet east of the southwest corner of said Lot 27; thence north along east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 11.00 feet to the point of beginning; thence continuing north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), and 10.00 feet normally distant east of and parallel with the west line of said Lots 25 and 27, 20.00 feet; thence east parallel with and 6.00 feet normally distant north from the north line of said Lot 27, 8.00 feet; thence south parallel with and 8.00 feet normally distant east of the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 20.00 feet; thence west parallel to the south line of said Lot 27, 8.00 feet to the point of beginning. (Said Tract containing 360.0 square feet, more or less) and

That part of Lot 1, Mick Nett Addition to Wichita, Kansas, Sedgwick County, Kansas described as commencing at the SE corner of said Lot 1; thence north along the east line of said Lot 1, 48.00 feet to the Point of Beginning; thence continuing north along the east line of said Lot 1, 55.00 feet; thence west perpendicular to the east line of said Lot 1, 12.00 feet; thence south parallel with the east line of said Lot 1 55.00 feet; thence east perpendicular to the east line of said Lot 1, 12.00 feet to the point of beginning. (Said Tract containing 660.0 square feet, more or less) and

That part of Lot 47, Block A, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 47 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet east of the southwest corner of said Lot 47; thence east along the south line of said Lot 47, 60.28 feet; thence north parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 10.00 feet; thence west parallel to the south line of said Lot 47, 60.28 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 10.00 feet to the point of beginning. (Said Tract containing 602.8 square feet, more or less) and

That part of Lot 47, Block A, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as commencing at the intersection of the south line of said Lot 47 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet east of the southwest corner of said Lot 47; thence east along the south line of said Lot 47, 20.29 feet for a point of beginning; thence continuing east along the south line of said Lot 47, 40.00 feet; thence north parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 10.00 feet; thence west parallel to the south line of said Lot 47, 40.00 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 10.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

The east 8.00 feet of Lot 1, Nett Sager Addition Wichita, Kansas, Sedgwick County, Kansas. (Said Tract containing 1,200.0 square feet, more or less) and

That part of Lots 21, 23, 25, 27, 29 and 31, Block A, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 31 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53868, said intersection being 10.00 feet east of the southwest corner of said Lot 31; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), and 10.00 feet normally distant east of and parallel with the west line of said Lot 31, 150.00 feet to the intersection with the north line of said Lot 21; thence east along the north line of said Lot 21, 10.00 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 150.00 feet to a point on the south line of said Lot 31; thence west along the south line of said Lot 31, 10.00 feet to the point of beginning. (Said Tract containing 1,500.0 square feet, more or less) and

That part of Lots 1, 3, 5, 7, 9 and 11 , Block A, South University Place Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 11 with the east right-of-way line of Meridian Ave. as

established in Condemnation Case A-53868, said intersection being 10.00 feet east of the southwest corner of said Lot 11; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), and 10.00 feet normally distant east of and parallel with the west line of said Lots 1, 3, 5, 7, 9 and 11, 130.00 feet; thence northeasterly, 28.31 feet to a point on the north line of said Lot 1, said point being 20.00 feet normally distant east right-of-way line of said Meridian Ave., (Condemnation Case A-53868); thence east along the north line of said Lot 1, 44.57 feet; thence south 64.57 feet normally distant east of and parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868, 5.00 feet; thence west parallel with the north line of said Lot 1, 42.50 feet; thence southwesterly, 24.17 feet to a point 5.00 feet normally distant east of the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53868), 127.85 feet to a point on the south line of said Lot 11; thence west along the south line of said Lot 11, 5.00 feet to the point of beginning. (Said Tract containing 993.7 square feet, more or less) and

That part of Lots 249 and 251, Richmond's 2nd Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the north line of said Lot 249 with the west right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet west of the northeast corner of said Lot 249; thence south along the west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant west of and parallel with the east line of said Lots 249 and 251, 50.00 feet to the intersection with the south line of said Lot 251; thence west along the south line of said Lot 251, 8.00 feet; thence north parallel with the west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 50.00 feet to a point on the north line of said Lot 249; thence east along the north line of said Lot 249, 8.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

That part of Lots 37 & 39 on Meridian Avenue, Stiles & Smith's Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 39 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet east of the southwest corner of said Lot 39; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant east of and parallel with the west line of said Lots 37 and 39, 50.00 feet to the intersection with the north line of said Lot 37; thence east along the north line of said Lot 37, 12.50 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 25.00 feet to a point on the south line of said Lot 37; thence west along the south line of said Lot 37, 7.50 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 25.00 feet to a point on the south line of said Lot 39; thence west along the south line of said Lot 39, 5.00 feet to the point of beginning. (Said Tract containing 437.5 square feet, more or less) and

That part of Lots 21 and 23 on Meridian Avenue, Stiles & Smith's Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 23 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-530778, said intersection being 10.00 feet east of the southwest corner of said Lot 23; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant east of

and parallel with the west line of said Lots 21 and 23, 50.00 feet to the intersection with the north line of said Lot 21; thence east along the north line of said Lot 21, 8.00 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 50.00 feet to a point on the south line of said Lot 23; thence west along the south line of said Lot 23, 8.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

That part of Lots 9 and 11 on Meridian Avenue, Stiles & Smith's Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 11 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet east of the southwest corner of said Lot 11; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant east of and parallel with the west line of said Lots 9 and 11, 50.00 feet to the intersection with the north line of said Lot 9; thence east along the north line of said Lot 13, 8.00 feet; thence south parallel with and 8.00 feet normally distant east of the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 50.00 feet to the intersection with the south line of said Lot 11; thence west along the south line of said Lot 11, 8.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

That part of Lots 79, 81, 83 and 85, Simmon's Addition of Garfield Park Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the north line of said Lot 79 with the west right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet west of the northeast corner of said Lot 79; thence south along the west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant west of and parallel with the east line of said Lots 79, 81, 83 and 85, 100.00 feet to the intersection with the south line of said Lot 85; thence west along the south line of said Lot 85, 15.00 feet; thence north parallel with the west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 100.00 feet to a point on the north line of said Lot 79; thence east along the north line of said Lot 79, 15.00 feet to the point of beginning. (Said Tract containing 1,500.0 square feet, more or less) and

That part of Lots 30 & 32 on Meridian Avenue, Garfield Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 32 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet east of the southwest corner of said Lot 32; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant east of and parallel with the west line of said Lots 30 and 32, 50.00 feet to the intersection with the north line of said Lot 30; thence east along the north line of said Lot 30, 8.00 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 50.00 feet to a point on the south line of said Lot 32; thence west along the south line of said Lot 32, 8.00 feet to the point of beginning. (Said Tract containing 400.0 square feet, more or less) and

That part of Lot 43, Richmond's Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 43 with the west right-of-way line of Meridian Ave. as established in Condemnation Case A-53077, said intersection being 10.00 feet west of the northeast corner of said Lot 41; thence west along the south line of said Lot 43, 15.00 feet; thence north parallel with the

west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 20.00 feet; thence east parallel with the south line of Lot 43, 15.00 feet; thence south along the west right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant west of and parallel with the east line of said Lot 43, 20.00 feet to the point of beginning. (Said Tract containing 300.00 square feet, more or less) and

That part of Lot 16, Meridian Avenue, Garfield Addition to Wichita, Kansas, Sedgwick County, Kansas described as beginning at the intersection of the south line of said Lot 16 with the east right-of-way line of Meridian Ave. as established in Condemnation Case A-538077, said intersection being 10.00 feet east of the southwest corner of said Lot 16; thence north along the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), and 10.00 feet normally distant east of and parallel with the west line of said Lot 16, 25.00 feet to the intersection with the north line of said Lot 16; thence east along the north line of said Lot 16, 12.50 feet; thence south parallel with the east right-of-way line of said Meridian Ave., (Condemnation Case A-53077), 25.00 feet to a point on the south line of said Lot 16; thence west along the south line of said Lot 16, 12.50 feet to the point of beginning. (Said Tract containing 312.5 square feet, more or less) and

The east 5.00 feet of the south 44.00 feet of the north 88.00 feet of Lot 1,Powell's 7th Addition, Wichita, Kansas, Sedgwick County, Kansas. (Said Tract containing 220.00 square feet, more or less).

Said easements will be for a term of three years or 60 days after project completion, whichever is earlier. Access shall be available to the subject properties throughout the easement term.

SECTION 3. That the City Attorney is hereby authorized and directed to commence proceedings in eminent domain in the District Court of Sedgwick County, Kansas, for the appropriation of said lands and determination of the compensation to be awarded for the taking thereof.

SECTION 4. That this Ordinance shall take effect and be in force from and after its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this 26th day of, June 2015.

CITY OF WICHITA

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____

Jennifer Magana, Director of Law and City Attorney

OCA 13-707060

PUBLISHED IN THE WICHITA EAGLE ON _JUNE 19th, 2015

RESOLUTION NO. 15-172

A RESOLUTION DECLARING THE NECESSITY FOR ACQUIRING PRIVATE PROPERTY FOR THE USE OF THE CITY OF WICHITA IN CONNECTION WITH PLANNED IMPROVEMENT OF MERIDIAN AVENUE FROM MCCORMICK AVENUE TO PAWNEE AVENUE IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS;

WHEREAS, the governing body has previously authorized certain improvements for Meridian Avenue from McCormick Avenue to Pawnee Avenue project in the City of Wichita; and

WHEREAS, such study and preliminary design has identified the need to acquire several parcels of private property in order to properly complete such improvements; and

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

SECTION 1. The governing body hereby declares it to be necessary to acquire certain private property in connection with the improvement of Meridian Avenue from McCormick Avenue to Pawnee Avenue.

SECTION 2. The City Engineer is directed to make or cause to be made a survey and description of the lands and/or interests to be acquired and to have such survey and description filed with the City Clerk.

SECTION 3. That this Resolution shall take effect and be in force from and after its passage and publication once in the official City paper.

PASSED by the governing body of the City of Wichita, Kansas, this 16th day of June, 2015.

CITY OF WICHITA:

_____

Jeff Longwell, Mayor

ATTEST:

_____

Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____

Jennifer Magana, Director of Law and City Attorney

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Surplus of City-owned Property at 2220 E. 21st Street (District I)

INITIATED BY: Office of Property Management

AGENDA: Consent

Recommendation: Declare the property as surplus.

Background: In 1996, the City and Cessna entered into a development agreement and lease to construct two buildings located at 2130 and 2220 E. 21st Street. Cessna operated the training program for several years until the program was relocated to its main facility when business slowed due to the recession. The lease between the City and Cessna was canceled in March 2015, and in May 2015, the building at 2130 E. 21st Street was sold. The building at 2220 E. 21st was developed as a life skill training facility and day care. The facility is an approximately 20,000 square foot, single-story facility on a 115,852 square foot site. The site is zoned limited commercial. Approximately 59% of the space is built out as office space. The remaining space is assembly area/open space.

Analysis: All City departments have been notified of the availability of the property and no governmental use has been identified. The Office of Property Management requests permission to declare the property surplus and available for sale or lease.

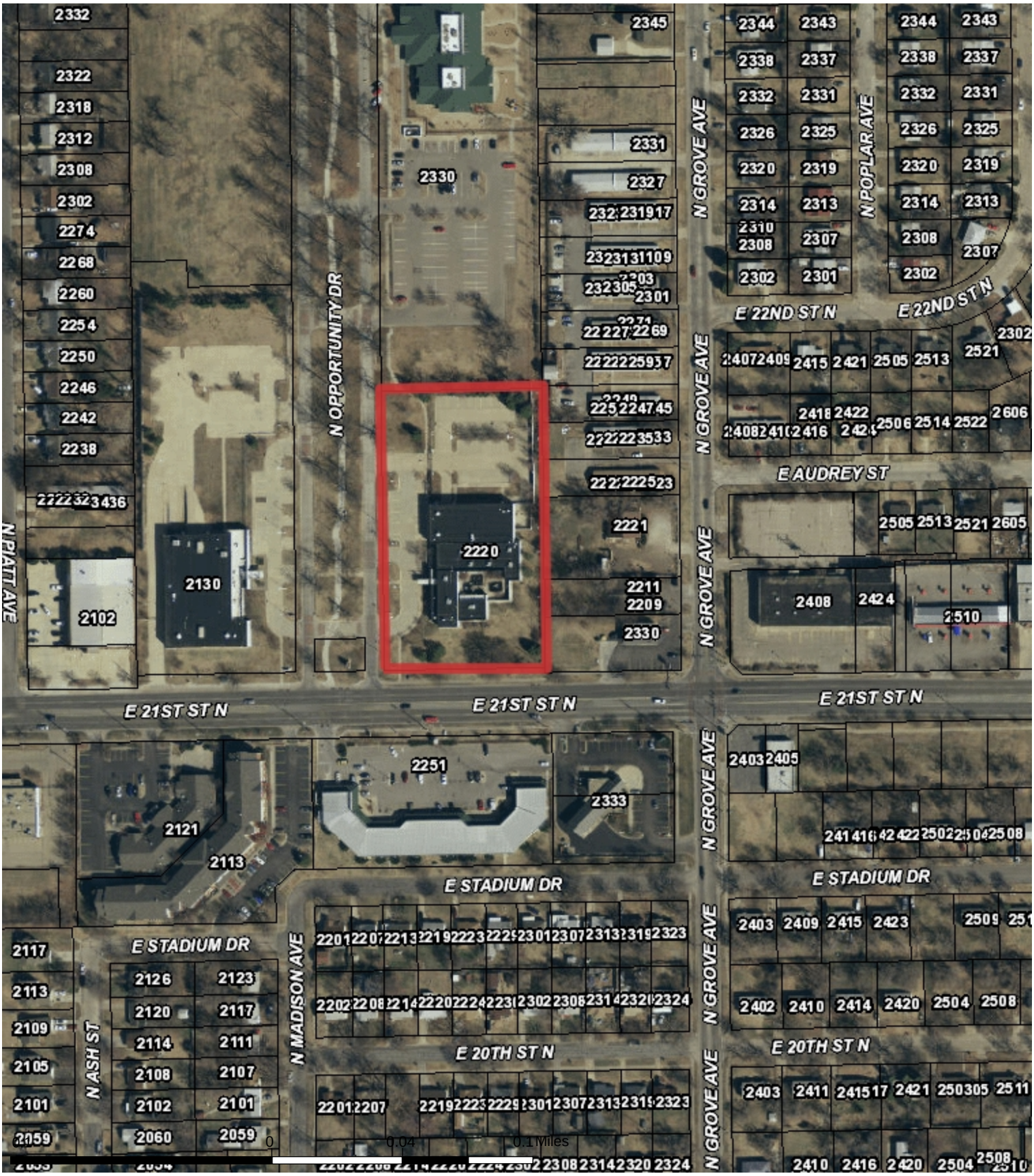
Financial Considerations: The City will receive cash consideration for the sale or lease of the property. The proceeds from the sale or lease payments, net fees and operating expenses, will be deposited to the General Fund or as directed. Additionally, the sale or lease of this property to a private party will place additional value into the tax base and relieve the City of the cost to maintain the property.

Legal Considerations: Any agreement for sale or lease will be provided to the Law Department to be reviewed as to form.

Recommendation/Action: It is recommended that the City Council declare the property as surplus and designate it as available for sale to the general public.

Attachments: Aerial map.

2220 E. 21st St. N.



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1: 2,521

Map Created On: 6/3/15 3:08 PM

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Sale of City-owned Property at 1001 E. Pawnee (District III)

INITIATED BY: Office of Property Management

AGENDA: Consent

Recommendation: Declare the property surplus.

Background: In 2006, the City of Wichita acquired the real estate and improvements located at 1001 E. Pawnee for the project to improve the intersection of Pawnee and Washington. The existing tenant believed it could continue to operate after the acquisition and requested that it be allowed to purchase the remnant rather than be relocated. The City sold the remnant to the tenant and took back a mortgage. In 2014, the City foreclosed on the property and the property was returned to the City. On January 13, 2015, the City Council declared the property as surplus and available for sale. The improvements at this location consist of two buildings that were built in the 1950s. The primary building is a 1,440 square foot auto service garage with two overhead doors. The second building is a 1,152 square foot garage/storage area with three overhead doors. Capital improvements, including but not limited to plumbing and roofing, are necessary to make the property suitable for daily use.

Analysis: The property has been on the market available for sale or lease since January 2015. Three written offers were made on the property with the final and best offer in the amount of $40,000. There were some other inquiries about the availability of the property but none led to an offer.

Financial Considerations: The City will receive cash consideration for the sale of the property. The proceeds from the sale, net fees and operating expenses, will be deposited to the General Fund or as directed. Additionally, the sale of this property to a private party will place additional value into the tax base and relieve the City of the cost to maintain the property.

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

Recommendation/Action: It is recommended that the City Council approve the real estate purchase agreement and authorize all necessary signatures.

Attachments: Real estate purchase agreement and aerial.

REAL ESTATE PURCHASE CONTRACT

THIS AGREEMENT, Made and entered into this____ day of _____, 2015 by and between City of Wichita, Kansas, a municipal corporation, party of the First Part, hereinafter referred to as "Seller," whether one or more, and Alejandro Vielmas-Rojas, party of the Second Part, hereinafter referred to as "Buyer," whether one or more.

WITNESSETH: That for and in consideration of the mutual promises, covenants and payments hereinafter set out, the parties hereto do hereby contract to and with each other, as follows:

1. The Seller does hereby agree to sell and convey to the Buyer by a good and sufficient warranty deed for the following described real property, situated in Sedgwick County, Kansas, to-wit:

   School Reserve Except 70 feet thereof Washington Ave, Wabash Subdivision, and less the road right-of-way to be determined by survey.

2. The Buyer hereby agrees to purchase, and pay to the Seller, as consideration for the conveyance to him of the above-described real property, the sum of Forty Thousand Dollars and zero cents ($40,000) in the manner following to-wit: cash at closing.

3. Buyer also covenants and agrees that Buyer, his agents, successors and assigns any future use of the property as described above for the following uses shall be prohibited:

   A. Adult Book and Video Stores
   B. Community Correctional Facilities
   C. Half-way Houses
   D. Drug or Alcohol Rehabilitation Facilities
   E. Multi-game, Casino-style Gambling Facilities
   F. New or Used Auto Sales
   G. Commercial Billboards

4. A complete abstract of title certified to date, or a title insurance company's commitment to insure, to the above described real property, showing a merchantable title vested in the seller, subject to easements and restrictions of record is required. The Title Evidence shall be sent to Property Management Division for examination by the Buyer as promptly and expeditiously as possible, and it is understood and agreed that the Seller shall have a reasonable time after said Title Evidence has been examined in which to correct any defects in title.

5. A duly executed copy of this Purchase Agreement shall be delivered to the parties hereto.

6. It is further agreed by and between the parties hereto that all rentals, insurance (if policies acceptable to Buyer), and interest, if any shall be adjusted and prorated as of the closing date. Taxes shall be pro-rated for calendar year on the basis of 105% of taxes levied for the prior year.

7. The Seller further agrees to convey the above described premises with all the improvements located thereon and deliver possession of the same in the same condition as they now are,

reasonable wear and tear accepted.

8. Possession to be given to Buyer on or before July 2, 2015.

9. In the event an Owners title insurance policy is furnished, the total cost of the commitment to insure and the title insurance policy will be paid 50% by Seller and 50% by buyer.

WITNESS OUR HANDS AND SEALS the day and year first above written.

BUYER:

Alejandro Vielmas Rojas

Alejandro Vielmas-Rojas

SELLER:
The City of Wichita, Kansas, a municipal corporation

_____
Jeff Longwell, Mayor

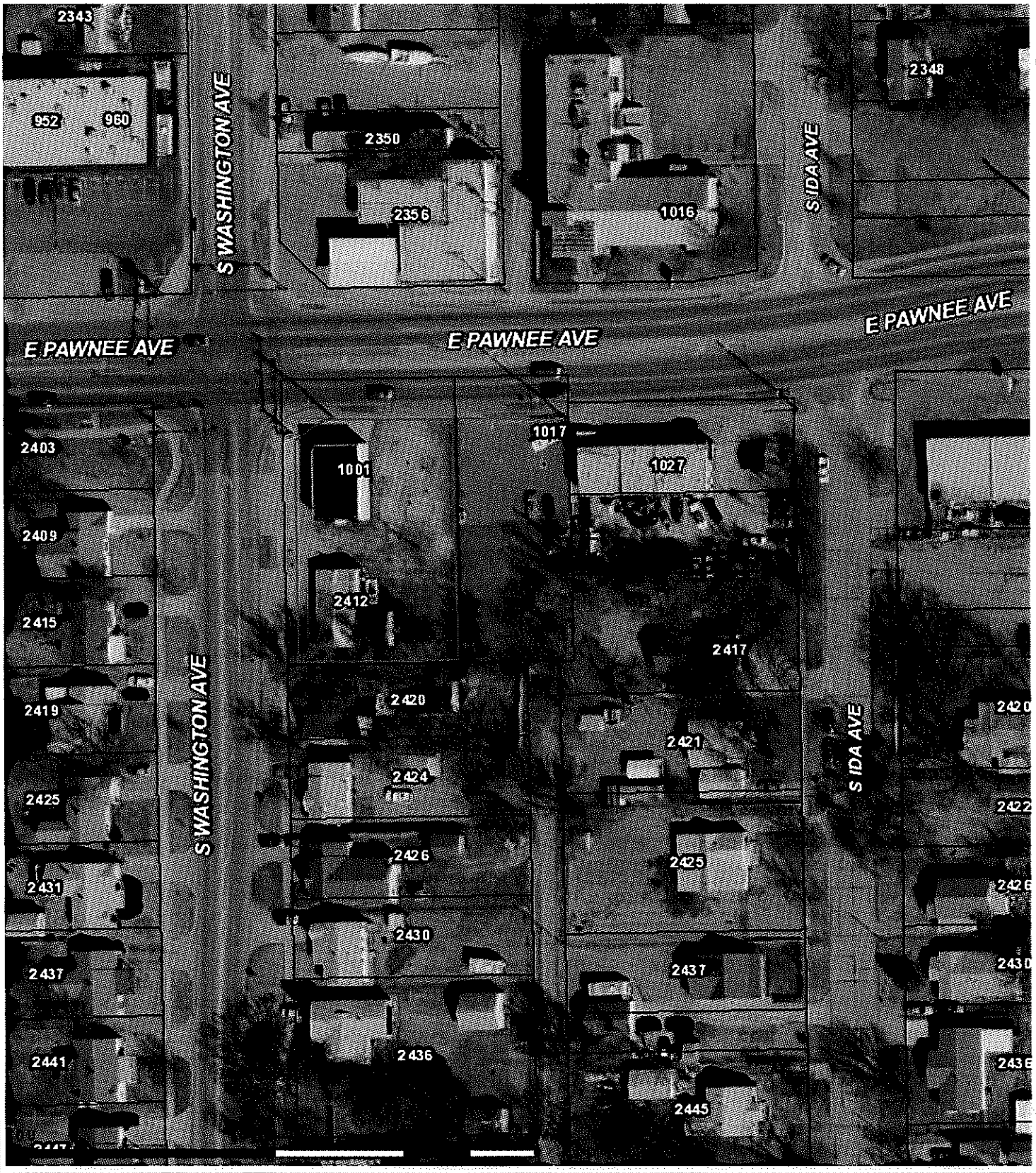
ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____
Jennifer Magana, City Attorney and Director of Law

City of Wichita Map Print



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1: 976

Map Created On: 5/22/15 11:46 AM

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Consent Order Schedule of Compliance CIP Items (Districts III and V)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve the initiation of projects in the Capital Improvement Program (CIP), adopt the resolution, and authorize the necessary signatures.

Background: On February 10, 2015, the City Council approved the Second Amendment to the Consent Order, Case No. 13-E-1 BOW, between the City and the Kansas Department of Health and Environment (KDHE). The Schedule of Compliance for this Second Amendment included the following new actions identified as "Phase 3 Improvement Projects":

- Replace roof at Sewage Treatment Plant One pumping facility.
- Improve plant headworks, reuse pumping, and solids handling facilities at Cowskin Creek Water Quality Reclamation Facility (Plant 3).
- Submit a report regarding the rehabilitation and replacement of aging sewer lift stations.

The Plant One roof replacement project will include demolition and replacement of the roof over the pumping station, as recommended in the Asset Management Report (CH2MHILL, December 2014) and included in the amended KDHE Consent Order. The roofing system was constructed in 1978 and has reached the end of its useful life. Precipitation is currently entering the pump station via the roof and has the potential to damage pumps and the conveyance system in the facility.

The Plant Three facility receives and treats about 750,000 gallons of wastewater per day from businesses and residents in the northwest area of Wichita. The Asset Management Report found several areas of concern at Plant Three which were determined to have a high risk of asset failure. This includes significant corrosion of the processes (screening and grit) in the Headworks facility, deterioration of the odor control media, reuse pump failures, and failure of equipment in the aerated solids holding and digestion tanks. Staff recommends that the project be done by a design-build method for the following reasons:

- Timing is a factor as the channels have significant concrete degradation and are depended on to remain in compliance with KDHE Permit discharge requirements. For a normal design-build project, the delivery method offers significant (40 to 50%) time savings over traditional design-bid-build project delivery.
- For this project the time savings will be tied to the consent order compliance status through KDHE.

The Asset Management Report found that 23 of the 61 lift stations were determined to be at a high risk of failure. The amended Consent Order with KDHE requires the City to submit a status report on the lift stations by September 1, 2015. Staff is developing a plan to address lift station improvements utilizing funds from the Sewage Treatment Operation and Maintenance budget and the proposed CIP.

Analysis: The following projects are included in the Consent Order Amendment and will be funded with the proposed CIP.

Project	Phase 3 Project Cost Estimates	KDHE Consent Order Phase 3 Project deadlines
Plant One Roof Improvements	$350,000	March 1, 2016
Plant Three Improvements	$2,355,000	June 30, 2016
Lift Stations Rehab/Replace	Not specified	Ten Year Plan – Status Report to KDHE due September 1, 2015
TOTAL	$2,705,000	

Financial Consideration: Preliminary cost estimates for these projects are estimated to be $2,705,000. These projects are identified in the proposed CIP and will be funded from Sewer Utility revenues and reserves, and/or a future bond issue.

Legal Considerations: The resolutions and Notice of Intent have been reviewed and approved as to form by the Law Department. Failure to complete this work by the deadlines set forth in the Amended Consent Order will result in Consent Order noncompliance with KDHE.

Recommendation/Action: It is recommended that the City Council approve the projects, adopt the resolutions, authorize the necessary signatures, authorize the Plant 3 project as a design-build project and authorize staff to proceed with the Request for Proposal.

Attachments: Resolutions, Notices of Intent and KDHE Phase III Schedule of Compliance Projects.

Gilmore & Bell, P.C.
10/09/2013

RESOLUTION NO. 15-173

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

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

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

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

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

Plant Three Improvements (S-59)

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

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

Section 1. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired, constructed and/or installed in accordance with plans and specifications therefor prepared under the direction of the City Engineer or designate and approved by the Governing Body; said plans and specifications to be placed on file in the offices of the Utility. The estimated cost of the Project, including related design and engineering expenses is $3,000,000. The Project will not cause duplication of any existing water or sewer utility service furnished by a private utility in the City.

Section 2. Project Financing. It is hereby found and determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed $3,240,000 in order to pay all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs (the "Bonds"). The Bonds shall not be general obligations of the City payable from taxation, but shall be payable from the revenues derived from the operations of the Utility. Costs of the Project in excess of the proceeds of the Bonds, if any, shall be paid

from unencumbered moneys of the Utility which will be available for that purpose. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, by not less than two-thirds of the members voting in favor thereof, on June 16th, 2015.

(SEAL)

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____
Jennifer Magana, Director of Law

Gilmore & Bell, P.C.
10/09/2013

RESOLUTION NO. 15-174

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

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

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

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

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

Plant One Improvements (S-60)

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

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

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

Section 2. **Project Financing**. It is hereby found and determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed $378,000 in order to pay all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs (the "Bonds"). The Bonds shall not be general obligations of the City payable from taxation, but shall be payable from the revenues derived from the operations of the Utility. Costs of the Project in excess of the proceeds of the Bonds, if any, shall be paid

from unencumbered moneys of the Utility which will be available for that purpose. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, by not less than two-thirds of the members voting in favor thereof, on June 16th, 2015.

(SEAL)

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____
Jennifer Magana, Director of Law

(Published in ***The Wichita Eagle***, on June 19, 2015.)

NOTICE

TO: THE RESIDENTS OF THE CITY OF WICHITA, KANSAS

You are hereby notified that the City Council (the "Governing Body") of the City of Wichita, Kansas (the "City"), by Resolution No. 15-173, duly adopted June 16, 2015, has found and determined it to be necessary and declared its intention to construct, reconstruct, alter, repair, improve, extend and enlarge the City of Wichita, Kansas Water and Sewer Utility, which is owned and operated by the City (the "Utility"), in the following manner:

Plant Three Improvements (S-59)

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

In order to finance all or a portion of the costs of the Project and related reserves, interest on financing and administrative and financing costs, the Governing Body has further found and determined it to be necessary and declared its intention to issue revenue bonds an aggregate principal amount not to exceed $3,240,000 under the authority of K.S.A. 10-1201 *et seq*., as amended and supplemented by Charter Ordinance No. 211 of the City (the "Bonds"). The Bonds shall not be general obligation bonds of the City payable from taxation, but shall be payable only from the revenues derived from the operations of the Utility. Costs of the Project in excess of the proceeds of the Bonds shall be paid from unencumbered moneys of the Utility which will be available for that purpose.

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

BY ORDER of the Governing Body of the City of Wichita, Kansas, on June 16, 2015.

/s/ JEFF LONGWELL, Mayor

ATTEST:
/s/ Karen Sublett, City Clerk

(Published in ***The Wichita Eagle***, on June 19th, 2015.)

NOTICE

TO: THE RESIDENTS OF THE CITY OF WICHITA, KANSAS

You are hereby notified that the City Council (the "Governing Body") of the City of Wichita, Kansas (the "City"), by Resolution No. 15-174, duly adopted June 16th, 2015, has found and determined it to be necessary and declared its intention to construct, reconstruct, alter, repair, improve, extend and enlarge the City of Wichita, Kansas Water and Sewer Utility, which is owned and operated by the City (the "Utility"), in the following manner:

Plant One Improvements (S-60)

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

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

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

BY ORDER of the Governing Body of the City of Wichita, Kansas, on June 16th, 2015.

/s/ JEFF LONGWELL, Mayor

ATTEST:
/s/ Karen Sublett, City Clerk

PHASE III SCHEDULE OF COMPLIANCE

Consent Order between KDHE and the City of Wichita Case No. 13-E-1 BOW

Phase III Improvement Projects	Start Issue RFP	End Complete Construction
1. Plant 1 Roof Replacement 2a. (Grove St Main Pump Station)	03/01/15	03/01/16
2. Plant 3 Headworks and Solids Treatment Improvements 2a. Evaluate and rehabilitate influent channels, isolation gate and grit removal system 2b. Evaluate and rehabilitate aerated sludge holding and diffused air system; replace mixing equipment and reuse pumps	03/01/15	06/30/16
3. Report on Programs 3a. Replacement of 65 Highest Risk Assets (Includes Lift Station Assets) 3b. Rehabilitate/Replace 23 Lift Stations 3c. Wastewater Collection System CIP program		Submit to KDHE 09/01/15

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council Members

SUBJECT: General Obligation Note Sale

INITIATED BY: Finance Department

AGENDA: Consent

Recommendation: Adopt the resolution.

Background: On April 21, 2015, the City Council authorized the sale of General Obligation Temporary Notes, Series 272 in the principal amount not to exceed $16,950,000 to provide interim financing for improvement district projects and other public improvements. Resolution No. 15-130 authorized the City Manager to award the sale of the notes provided that the principal amount of the notes did not exceed $16,950,000 and the net interest cost of the notes did not exceed 1%.

The sale of the temporary notes was conducted on May 13, 2015. Only one bid was received as a result of the sale and the net interest cost exceeded the parameter of 1% established in Resolution No. 15-130. This bid was not accepted since it did not conform to the parameters established under the authorizing resolution and due to the lack of competition experienced in connection with the sale. The City is planning to reoffer for sale the Series 272 Temporary Notes in the principal amount not to exceed $16,950,000.

Analysis: Following the rejection of the bid from the sale of the Series 272 Temporary Notes on May 13, 2015, Finance staff consulted with the City's bond counsel, Gilmore & Bell, LC as well as its financial advisor, Springsted, Inc., to discuss and remarket the sale of the temporary notes. In an effort to increase competition and encourage favorable bid results related to the sale of the notes, the maturity structure of the notes has been shortened and revised to eliminate the call feature that was previously in place. A portion of the temporary notes in the approximate principal amount of $10 million will mature on October 15, 2015 and the remaining portion of the notes of approximately $7 million will mature on April 15, 2016. The timing of these maturities allows for the retirement of a portion of the notes later in 2015 using pay-as-you-go financing and the remainder of the notes will be retired through renewal notes, the issuance of bonds, pay-as-you-go financing or other available sources in 2016.

The resolution authorizes the City to proceed with the sale and remarketing of General Obligation Temporary Note Series 272 and related activities, including the preparation and distribution of the Preliminary Official Statement and Notice of Sale. In addition, the resolution authorizes the City Manager to award the sale of the notes subject to the maximum principal amount and established interest rate parameters.

Bids will be accepted electronically through ***PARITY*** Electronic Bid Submission System on June 25, 2015 and the City Manager will award the sale of the notes to the bidders whose proposed interest rates result in the lowest overall cost to the City. At the next scheduled meeting, the City Council will ratify the award of the bids by the City Manager and approve ordinance and resolution authorizing the issuance of the notes.

Financial Considerations: The City of Wichita will award the sale of notes to the bidder with the lowest true interest cost, or "TIC". Using the TIC to calculate the bids, accounts for the time value of money. The TIC is the rate that will discount all future cash payments so that the sum of their present value will equal the note proceeds.

Legal Considerations: The Law Department has approved the resolution as to form, authorizing the sale of the notes and directing the publication and distribution of the Notice of Sale (prepared by the City's Bond Counsel).

Recommendation/Action: It is recommended the City Council adopt the resolution: 1) authorizing the general obligation note sale; 2) authorizing preparation of the Preliminary Official Statement in connection with the note sale; 3) approving the distribution to prospective bidders of the Preliminary Official Statement; 4) authorizing distribution of the Notice of Sale; 5) authorizing the City Manager to award the note sale subject to the parameters of the resolution; and 6) authorizing City staff, in consultation with Bond Counsel to take such further action as is reasonably required to implement the resolution.

Attachments: Sales Resolution
Official Notice of Sale

Gilmore & Bell, P.C.
06/01/2015

EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS
HELD ON JUNE 16, 2015

The governing body met in regular session at the usual meeting place in the City, at 9:00 a.m., the following members being present and participating, to-wit:

Absent:

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

* * * * * * * * * * * * * *

(Other Proceedings)

The matter of providing for the offering for sale of General Obligation Temporary Notes came on for consideration and was discussed.

Councilmember _____ presented and moved the adoption of a Resolution entitled:

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY NOTES OF THE CITY OF WICHITA, KANSAS.

Councilmember _____ seconded the motion to adopt the Resolution. Thereupon, the Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: _____.

Nay: _____.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. 15-[___].

* * * * * * * * * * * * * *

(Other Proceedings)

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* * * * * * * * * * * * * *

CERTIFICATE

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

(SEAL)

_____

Karen Sublett, City Clerk

Gilmore & Bell, P.C.
06/01/2015

RESOLUTION NO. 15-175

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY NOTES OF THE CITY OF WICHITA, KANSAS.

WHEREAS, the City Council (the "Governing Body") of the City of Wichita, Kansas (the "City"), has heretofore authorized the acquisition, construction and equipping of various public improvements (the "Improvements") to be paid from the proceeds of general obligation bonds to be issued by the City pursuant to the laws of the State of Kansas and certain Charter Ordinances of the City; and

WHEREAS, it is necessary for the City to provide cash funds (from time to time) to meet its obligations incurred in constructing the Improvements prior to the completion thereof and the issuance of the City's general obligation bonds, and it is desirable and in the interest of the City that such funds be raised by the issuance of temporary notes of the City; and

WHEREAS, the City desires to authorize the Director of Finance and other City staff, the Law Department and Gilmore & Bell, P.C., as bond counsel ("Bond Counsel") to proceed with the offering for sale of said temporary notes and related activities, including the preparation and distribution of a preliminary official statement and notice of note sale.

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

Section 1. The Director of Finance is hereby authorized to offer at competitive public sale the following general obligation temporary notes (collectively, the "Notes") of the City:

Description	**Series**
General Obligation Temporary Notes	272

as more fully described in the Notice of Note Sale, which is hereby approved in substantially the form presented to the Governing Body this date.

Section 2. The Director of Finance, in conjunction with Bond Counsel, is hereby authorized and directed to cause to be prepared a Preliminary Official Statement and to use such document in connection with the public sale of the Notes.

Section 3. The Director of Finance, in conjunction with Bond Counsel, is hereby authorized and directed to give notice of said sale by distributing copies of the Notice of Note Sale and Preliminary Official Statement to prospective purchasers of the Notes. Proposals for the purchase of the Notes shall be submitted upon the terms and conditions set forth in said Notice of Note Sale. Such proposals shall be reviewed by the City Manager and the Director of Finance and acted upon by the City Manager, who shall have the authority to award the sale of the Notes, provided: (a) the principal amount of the Notes shall not exceed $16,950,000; and (b) the true interest cost of the Notes shall not exceed 1.75%. The City Manager also has the authority to reject certain or all proposals. At its next scheduled meeting the Governing Body shall ratify the actions of the City Manager and adopt a resolution authorizing the issuance of the Notes.

Section 4. For the purpose of enabling the purchaser of the Notes (the "Purchaser") to comply with the requirements of Rule 15c2-12 of the Securities Exchange Commission (the "Rule"), the Mayor and the Director of Finance or appropriate officers of the City are hereby authorized to: (a) approve the form of said Preliminary Official Statement, and to execute the "Certificate Deeming Preliminary Official Statement Final" in substantially the form attached hereto as ***Exhibit A*** as approval of the Preliminary Official Statement, such officials' signature thereon being conclusive evidence of such officials' and the City's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to certain national repositories and the Municipal Securities Rulemaking Board, as applicable; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary; to enable the Purchaser to comply with the requirement of the Rule. The City agrees to provide to the Purchaser within seven business days of the date of the sale of Notes or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of the Rule and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 5. The Mayor, Director of Finance, Clerk, the City Attorney and the other officers and representatives of the City and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Notes, including selecting certain other qualified professional firms necessary to complete the issuance of the Notes.

Section 6. This Resolution shall be in full force and effect from and after its adoption.

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ADOPTED by the City Council of the City of Wichita, Kansas, on June 16, 2015.

(SEAL)

_____
Jeff Longwell, Mayor

ATTEST:

_____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

_____
Jennifer Magaña, Director of Law and
City Attorney

Gilmore & Bell, P.C.
06/01/2015

EXHIBIT A

CERTIFICATE DEEMING
PRELIMINARY OFFICIAL STATEMENT FINAL

June __, 2015

To:

Re: City of Wichita, Kansas: General Obligation Temporary Notes, Series 272, dated July 15, 2015 (the "Notes")

The undersigned are the duly authorized and acting Mayor and Director of Finance of the City of Wichita, Kansas (the "City"), and are authorized to deliver this Certificate to the addressees (collectively, the "Purchaser") on behalf of the City. The City has heretofore caused to be delivered to the Purchaser copies of the Preliminary Official Statement (the "Preliminary Official Statement") relating to the Notes.

For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the "Rule"), the City hereby deems the information regarding the City contained in the Preliminary Official Statement to be final as of its date, except for the omission of such information as is permitted by the Rule, such as offering prices, interest rates, selling compensation, aggregate principal amount, principal per maturity, delivery dates, ratings, identity of the underwriters and other terms of the Notes depending on such matters.

CITY OF WICHITA, KANSAS

By: _____
Jeff Longwell, Mayor

By: _____
Shawn Henning, Director of Finance

JLN\600809.70387\SALE DOCS\TN SALEDOCS

Gilmore & Bell, P.C.
06/01/2015

CITY OF WICHITA, KANSAS

OFFICIAL NOTICE OF NOTE SALE

Principal Amount*	***Description***	***Series***
$16,150,000	General Obligation Temporary Notes	272

*Subject to change

(GENERAL OBLIGATION NOTES PAYABLE FROM UNLIMITED AD VALOREM TAXES)

Bids. Electronic bids for the purchase of the above-referenced notes (the "Notes") of the City of Wichita, Kansas (the "City") herein described will be received by the Director of Finance of the City via ***PARITY***® until 10:00 a.m., Central Daylight Time (the "Submittal Hour"), on

THURSDAY, JUNE 25, 2015

(the "Sale Date"). All bids will be publicly evaluated at said time and place and the award of the Notes to the successful bidder (the "Successful Bidder") will be acted upon immediately thereafter by the City Manager and subsequently ratified by the City Council (the "Governing Body") of the City at its next regular meeting. No oral, auction, facsimile or other written bids will be considered and no bid for less than the entire principal amount of the Notes will be considered. Other capitalized terms not otherwise defined in this Notice of Note Sale (the "Notice") shall have the meanings set forth in the hereinafter referenced Preliminary Official Statement relating to the Notes.

Terms of the Notes

General. The Notes will consist of fully registered notes in the denomination of $5,000 or any integral multiple thereof (the "Authorized Denomination"), will be dated July 15, 2015 (the "Dated Date") and will become due on the payment dates and in the principal amounts as follows:

Stated Maturity	**Principal Amount***
10/15/2015	$9,770,000
04/15/2016	6,380,000

The Notes will bear interest from the Dated Date at rates to be determined when the Notes are sold as hereinafter provided, which interest will be payable at maturity.

****Adjustment of Principal Amounts***. The City reserves the right to adjust the total principal amount of the Notes, or any maturity thereof, depending on the purchase price bid by the Successful Bidder, amounts necessary to pay for interest on the Notes to the initial Interest Payment Date and amounts necessary to finance the public improvements to be financed thereby. The Successful Bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the Notes as described herein. If there is an adjustment in the final aggregate principal amount of the Notes as described above, the City will notify the Successful Bidder by means of telephone or facsimile transmission, subsequently confirmed in writing, no later than 2:00 p.m., Central Daylight Time,

on the Sale Date. The actual purchase price of the Notes shall be calculated by applying the percentage of par value bid by the Successful Bidder against the final aggregate principal amount of the Notes, as adjusted.

Place of Payment and Registration

Payment. The principal of and interest on the Notes will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the "Paying Agent" and "Note Registrar"). The principal of each Note will be payable at maturity to the owners thereof whose names are on the registration books (the "Register") of the Note Registrar (the "Registered Owner") upon presentation and surrender at the principal office of the Paying Agent. Interest on each Note will be payable to the Registered Owner of such Note as of the fifteenth day (whether or not a business day) of the calendar month next preceding each Interest Payment Date (the "Record Date"): (a) mailed by the Paying Agent to the address of such Registered Owner as shown on the Register or at such other address as is furnished to the Paying Agent in writing by such Registered Owner; or (b) in the case of an interest payment to Cede & Co., by wire transfer to such Registered Owner upon written notice given to the Paying Agent by such Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the wire transfer address to which such Registered Owner wishes to have such wire directed.

Registration. The Notes will be registered pursuant to a plan of registration approved by the City and the Attorney General of the State of Kansas. The City will pay for the fees of the Note Registrar for registration and transfer of the Notes and will also pay for printing a reasonable supply of registered blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Note Registrar, will be the responsibility of the Registered Owners.

Book-Entry-Only System

The Notes shall be initially registered in the name of Cede & Co., as the nominee of DTC and no beneficial owner will receive certificates representing their interests in the Notes. During the term of the Notes, so long as the book-entry-only system is continued, the City will make payments of principal of, premium, if any, and interest on the Notes to DTC or its nominee as the Registered Owner of the Notes, DTC will make book-entry-only transfers among its participants and receive and transmit payment of principal of, premium, if any, and interest on the Notes to its participants who shall be responsible for transmitting payments to beneficial owners of the Notes in accordance with agreements between such participants and the beneficial owners. The City will not be responsible for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants. In the event that: (a) DTC determines not to continue to act as securities depository for the Notes, or (b) the City determines that continuation of the book-entry-only form of evidence and transfer of ownership of the Notes would adversely affect the interests of the beneficial owners of the Notes, the City will discontinue the book-entry-only form of registration with DTC. If the City fails to identify another qualified securities depository to replace DTC, the City will cause to be authenticated and delivered to the beneficial owners replacement Notes in the form of fully registered certificates. Reference is made to the Preliminary Official Statement for further information regarding the book-entry-only system of registration of the Notes and DTC.

Redemption Provisions

The Notes are **not** subject to redemption prior to maturity.

Authority, Purpose and Security

General. The Notes are being issued pursuant to the Constitution and statutes of the State of Kansas, as amended by Charter Ordinances of the City to provide interim financing for various internal improvement projects of the City.

Security. The Notes shall be general obligations of the City payable as to both principal and interest, in part from special assessments, or from the proceeds of general obligation bonds of the City, and if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the City. The full faith, credit and resources of the City are irrevocably pledged for the prompt payment of the principal and interest on the Notes as the same become due.

Submission of Bids

All bids shall be submitted electronically via PARITY® and must be submitted in accordance with its Rules of Participation, as well as the provisions of this Notice. If provisions of this Notice conflict with those of PARITY®, this Notice shall control. Bids must be received prior to the Submittal Hour on the Sale Date accompanied by the Deposit (as hereinafter defined), which shall be submitted separately. The City shall not be responsible for any failure, misdirection or error in the means of transmission selected by any bidder. Information about the electronic bidding services of PARITY® may be obtained from Ipreo at 1359 Broadway, 2nd Floor, New York, New York 10018, Phone No. (212) 849-5023.

Conditions of Bids

General. Proposals will be received for the Notes bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: (a) the same rate shall apply to all Notes; (b) no interest rate may exceed a rate equal to the daily yield for the 10-year Treasury Bond published by ***THE BOND BUYER***, in New York, New York, on the Monday next preceding the day on which the Notes are sold, plus 6%; and (c) no supplemental interest payments will be considered. No bid shall be for less than ***99.5%*** of the principal amount of the Notes will be considered. Each bid shall specify: (a) the total interest cost (expressed in dollars) during the term of the Notes on the basis of such bid; (b) the purchase price offered by the bidder; (c) the net interest cost (expressed in dollars) on the basis of such bid; and (d) an estimate of the TIC (as hereinafter defined) on the basis of such bid. ***Each bidder shall certify to the City the correctness of the information contained on the bid form. The City will be entitled to rely on such certifications***. Each bidder agrees that, if it is awarded the Notes, it will provide the certification as to initial offering prices described under the caption "Certification as to Offering Price" in this Notice.

Good Faith Deposit

General. Each bid shall be accompanied by a good faith deposit (the Deposit") in an amount equal to **2%** of the principal amount of the Notes as stated on the initial page of this Notice, payable to the order of the City to secure the City from any loss resulting from the failure of the Successful Bidder to comply with the terms of its bid. Each Deposit must be in the form of: (a) a certified or cashier's check drawn on a bank located in the United States of America, payable to the order of the City; or (b) a wire of Federal Reserve funds (as described below), immediately available for use by the City. Deposits submitted in the form of a certified or cashier's check must be received by the City prior to 9:30 a.m. Central Daylight Time on the Sale Date. ***Deposits submitted by wire transfer are only required from each Successful Bidder and must be received by 2:00 p.m. Central Daylight Time on the Sale Date***. If a bid is accepted, the Deposit, or the proceeds thereof, will be held by the City until the Successful Bidder

has complied with all of the terms and conditions of this Notice at which time the amount of said Deposit shall be returned to the Successful Bidder or deducted from the purchase price at the option of the City. If a bid is accepted, but the City fails to deliver the Notes to the Successful Bidder in accordance with the terms and conditions of this Notice, said Deposit, or the proceeds thereof, will be returned to the Successful Bidder. If a bid is accepted but the Successful Bidder defaults in the performance of any of the terms and conditions of this Notice, the proceeds of such Deposit will be retained by the City as and for liquidated damages. No interest on any Deposit shall be paid by the City.

Deposit Submission Details.

(a) *Certified or Cashier's Check.* Certified or cashier's checks must be delivered to the Debt Coordinator at the address set forth on the last page of this Notice.

(b) *Wire Transfer*. Any wire transfer shall be submitted to a financial institution designated by the City, and wire transfer instructions may be obtained from the Debt Coordinator at the address set forth on the last page of this Notice. ***Each wire transfer Deposit must reference "City of Wichita, Kansas, Good Faith Deposit, Series 272."*** Contemporaneously with the submission of a wire transfer Deposit, such bidder shall send an email to the Director of Finance or Debt Coordinator at the email address set forth on the last page of this Notice, including the following information: (i) notification that a wire transfer has been made; (ii) the amount of the wire transfer; (iii) the wire transfer federal reference number; (iv) the name of the bidder for which the wire transfer is to be credited as a Deposit, (v) if the name of the bidder as shown on *PARITY* does not match the name shown as the beneficiary on the wire instructions, the email will also state that the bidder is identified by the beneficiary's name on the wire instructions; and (vi) return wire transfer instructions in the event such bid is unsuccessful.

Deposit Return Details. Good Faith checks submitted by unsuccessful bidders will be returned promptly via United States first class mail. Wire transfer Deposits submitted by unsuccessful bidders will not be accepted or shall be returned in the same manner received not later than the next business day following the Sale Date, and the City reserves the right to withhold reasonable charges for any fees or expenses incurred in returning a wire transfer Deposit.

Basis of Award

General. The City reserves the right to reject any and/or all bids and to waive any irregularities in a submitted bid. Any disputes arising hereunder shall be governed by the laws of the State of Kansas, and any party submitting a bid agrees to be subject to jurisdiction and venue of the federal and state courts within Kansas with regard to such dispute. Any bid received after the Submittal Hour on the Sale Date will be rejected or returned to the bidder.

Award. The award of the Notes will be made on the basis of the lowest true interest cost ("TIC"), which will be determined as follows: the TIC is the discount rate (expressed as a per annum percentage rate) which, when used in computing the present value of all payments of principal and interest to be paid on the Notes, from the payment dates to the Dated Date, produces an amount equal to the price bid, including any adjustments for premium or discount, if any. Present value will be computed on the basis of semiannual compounding and a 360-day year of twelve 30-day months. Bidders are requested to provide a calculation of the TIC for the Notes on the Official Bid Form, computed as specified herein on the basis of their respective bids, which shall be considered as informative only and not binding on either the bidder or the Issuer. The City will verify the TIC based on such bids. If there is any discrepancy between the TIC specified and the bid price and interest rates specified, the specified bid price and interest rates shall govern and the TIC specified in the bid shall be adjusted accordingly. If two or more

proper bids providing for identical amounts for the lowest TIC are received, the City Manager will determine which bid, if any, will be accepted, and his determination is final.

Ratings

The City's general obligation notes are rated "MIG 1" by Moody's and "SP-1+" by S&P. The City has applied to the same rating agencies that currently rate the City's general obligation notes for ratings on the Notes. Additional information regarding such application and ratings are further described in the Preliminary Official Statement, as hereinafter described. Any explanations of the significance of such ratings (as well as any positive or negative outlooks thereon or potential changes to any rating in the near future) should be obtained from Moody's and S&P.

Bond Insurance

The City has **not** applied for any policy of municipal bond insurance with respect to the Notes, and will not pay the premium in connection with any policy of municipal bond insurance desired by any Successful Bidder. In the event a bidder desires to purchase and pay all costs associated with the issuance of a policy of municipal bond insurance in connection with the Notes, such indication and the name of the desired insurer must be set forth on the bidder's bid form and the bid must be accompanied by a commitment from the selected insurer and shall specify all terms and conditions to which the City will be required to agree in connection with the issuance of such insurance policy. The City specifically reserves the right to reject any bid specifying municipal bond insurance, even though such bid may result in the lowest NIC to the City.

CUSIP Numbers

The CUSIP Service Bureau will be requested to assign CUSIP identification numbers to the Notes, and such numbers shall be printed on the Notes; however, neither the failure to assign any such number to or print any such number on any Note, nor any error with respect thereto, shall constitute cause for the failure or refusal by the Successful Bidder to accept delivery of and to make payment for the Notes in accordance with the terms of this Notice and of its bid. All expenses in relation to the printing of the CUSIP numbers and the expenses of the CUSIP Service Bureau for the assignment thereof shall be the responsibility of and shall be paid for by the City.

Delivery and Payment

The City will pay for printing the Notes and will deliver the Notes properly prepared, executed and registered without cost on or about **JULY 15, 2015** (the "Closing Date"), at DTC for the account of the Successful Bidder. The Successful Bidder will be furnished with a certified transcript of the proceedings in CD-ROM format evidencing the authorization and issuance of the Notes and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the Notes affecting their validity and a certificate regarding the completeness and accuracy of the Official Statement. Payment for the Notes shall be received by 12:00 noon, Central Daylight Time, on the Closing Date, in Federal Reserve funds immediately available for use by the City. The City will deliver one Note registered in the nominee name of DTC.

Reoffering Prices

The Successful Bidder will be required to complete, execute and deliver to the City prior to the delivery of the Notes, a written certification (the "Issue Price Certificate") containing the following: (a) the initial offering price and interest rate for each maturity of the Notes; (b) that all of the Notes were offered to the public in a bona fide public offering at the initial offering prices on the Sale Date; and (c) on the Sale Date the Successful Bidder reasonably expected that at least 10% of each maturity of the Notes would be sold to the "public" at prices not higher than the initial offering prices. For purposes of the preceding sentence "public" means persons other than bond houses, brokers, or similar persons or organizations acting in the capacity of underwriters or wholesalers. However, such Issue Price Certificate may indicate that the Successful Bidder has purchased the Notes for its own account in a capacity other than as an underwriter or wholesaler, and currently has no intent to reoffer the Notes for sale the public. ***Such initial offering price to the public must also be included in the Official Bid Form submitted for the Notes.***

At the request of the City, the Successful Bidder will provide information explaining the factual basis for the Successful Bidder's Issue Price Certificate. This agreement by the Successful Bidder to provide such information will continue to apply after the Closing Time if: (a) the City requests the information in connection with an audit or inquiry by the Internal Revenue Service (the "IRS") with respect to the Notes, or the Securities and Exchange Commission (the "SEC") or (b) the information is required to be retained by the City pursuant to future regulation or similar guidance from the IRS, the SEC or other federal or state regulatory authority.

Preliminary Official Statement and Official Statement

On June 16, 2015, the Governing Body authorized and directed the preparation of a Preliminary Official Statement "deemed final" by the City except for the omission of certain information as provided in Securities and Exchange Commission Rule 15c2-12, copies of which may be obtained by contacting the Department of Finance at the address set forth on the last page of this Notice or by visiting www.onlinemuni.com. Authorization is hereby given to redistribute this Notice and the Preliminary Official Statement, but this entire Notice and the entire Preliminary Official Statement, and not portions thereof, must be redistributed. Upon the sale of the Notes, the City will prepare the final Official Statement and will furnish the Successful Bidder, without cost, within seven business days of the acceptance of the Successful Bidder's proposal, with a sufficient number of copies thereof, which may be in electronic format, in order to comply with the requirements of Rule 15c2-12(3) and (4) of the Securities and Exchange Commission and Rule G-32 of the Municipal Securities Rulemaking Board (collectively the "Rules"). The City's acceptance, including electronic acceptance through PARITY®, of the Successful Bidder's proposal for the purchase of the Notes in accordance with this Notice shall constitute a contract between the City and the Successful Bidder for purposes of the Rules. The City designates the senior managing underwriter of any syndicate of the Successful Bidder as agent for purposes of distributing copies of the final Official Statement to each participating underwriter. Any bidder submitting a bid for the purchase of the Notes agrees thereby that if such bid is accepted: (a) it shall accept such designation, and (b) it shall enter into a contractual relationship with all participating underwriters of the Notes for purposes of assuring the receipt by each such participating underwriter of the final Official Statement. Additional copies may be ordered by the Successful Bidder at its expense.

Continuing Disclosure

The Securities and Exchange Commission (the "SEC") has promulgated amendments to its Rule 15c2-12 (the "Rule") requiring continuous secondary market disclosure for certain issues. In the resolution authorizing the Notes, the City has covenanted to enter into an undertaking (the "Undertaking") for the benefit of the holders of the Notes to send to the Municipal Securities Rulemaking Board (the "MSRB") through the Electronic Municipal Market Access facility, or other applicable entity as required or permitted under the Rule, certain financial information and operating data annually and to provide notice to the MSRB of certain events, pursuant to the requirements of the Rule. For further information regarding the Undertaking, reference is made to the caption "CONTINUING DISCLOSURE" in the Preliminary Official Statement.

Assessed Valuation and Indebtedness

Information regarding the assessed valuation of the taxable tangible property within the City and the amount of indebtedness of the City as of the date of delivery of the Notes is set forth in the Preliminary Official Statement.

Legal Opinion

The Notes will be sold subject to the approving legal opinion of GILMORE & BELL, P.C., WICHITA, KANSAS, Bond Counsel, which opinion will be furnished and paid for by the City, will be printed on the Notes, if the Notes are printed, and will be delivered to the Successful Bidder when the Notes are delivered. Said opinion will also include the opinion of Bond Counsel relating to the interest on the Notes being excludable from gross income for federal income tax purposes, if applicable, and exempt from income taxation by the State of Kansas. Reference is made to the Preliminary Official Statement for further discussion of federal and Kansas income tax matters relating to the interest on the Notes.

Additional Information

Additional information regarding the Notes, the delivery of the Deposit and notification regarding the same may be obtained from the Department of Finance, 12th Floor, City Hall, 455 North Main, Wichita, Kansas 67202-1679, or by contacting:

Ms. Shawn Henning	Ms. Cheryl Busada
Director of Finance	Debt Coordinator
Phone: (316) 270-4300	Phone: (316) 270-4143
Fax: (316) 219-6244	Fax: (316) 219-6216
Email: shenning@wichita.gov	cbusada@wichita.gov.

BY ORDER OF THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, ON JUNE 16, 2015.

By: /s/ Jeff Longwell
Jeff Longwell, Mayor

(Seal)

ATTEST:

By: /s/ Karen Sublett
Karen Sublett, City Clerk

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: 2015 Federal Justice Assistance Grant (JAG) Memorandum of Understanding

INITIATED BY: Police Department

AGENDA: Consent

Recommendation: Approve the Memorandum of Understanding between the City of Wichita and Sedgwick County.

Background: The City of Wichita Police Department and Sedgwick County Sheriff's Office have received notification they are eligible to receive 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) funding. The total JAG award is $306,097. The allocations established by the Bureau of Justice Assistance are $153,048 to the City of Wichita, and $153,049 to Sedgwick County. The application is due June 26, 2015.

The Edward J. Byrne Memorial JAG Program is the primary provider of Federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multi-jurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives.

JAG funds can be used for state and local initiatives, technical assistance, training personnel, equipment, supplies, contractual support, and information systems for criminal justice for any of the following categories:

- Law enforcement programs;
- Prosecution and courts programs;
- Prevention and education programs;
- Corrections and community corrections programs;
- Drug treatment and enforcement programs;
- Planning, evaluation, and technology improvement programs;
- Crime victim and witness programs (other than compensation).

Analysis: The Wichita Police Department will use its share of the JAG funding for law enforcement purposes to ensure professional public safety. Under the City of Wichita's Safe and Secure Initiative, the funding will help ensure the Police Department can continue its emphasis on the community policing philosophy.

Financial Considerations: The City of Wichita will receive $153,048 in 2015 JAG funding. There is no local match requirement.

General Police Equipment (purchase/repair items, e.g., Tasers, Axon body camera system)	$143,048
Rental Vehicles for special assignments	$10,000
Total	**$153,048**

Legal Considerations: The required Memorandum of Understanding has been reviewed by the Law Department and approved as to form.

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

Attachments: Memorandum of Understanding between the City of Wichita and Sedgwick County.

GMS APPLICATION NUMBER: **2015-H2722-KS-DJ**
(Mandatory)

COUNTY CLERK
CONTRACT NO. _____

AGREEMENT BETWEEN
THE CITY OF WICHITA, KANSAS AND COUNTY OF SEDGWICK

2015 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this____day of_____, 2015, by and between The COUNTY of Sedgwick, acting by and through its governing body, the Board of County Commissioners, hereinafter referred to as COUNTY, and the CITY of Wichita, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Sedgwick County, State of Kansas, witnesseth:

WHEREAS, this Agreement is made under the authority of K.S.A. 12-2908, et seq; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the COUNTY agrees to provide the CITY $153,048.50 from the JAG award for the 2015 Public Safety Enhancement Program; and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds.

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

COUNTY agrees to pay CITY a total of $153,048.50 of JAG funds.

Section 2.

CITY agrees to use $153,048.50 for the 2015 Public Safety Enhancement Program until 9-30-2018.

GMS APPLICATION NUMBER: **2015-H2722-KS-DJ**
(Mandatory)

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Kansas Tort Claims Act.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Kansas Tort Claims Act.

Section 5.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 6.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 7.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

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GMS APPLICATION NUMBER: **2015-H2722-KS-DJ**
(Mandatory)

ATTEST:

SEDGWICK COUNTY, KANSAS

KELLY ARNOLD
County Clerk

RICHARD RANZAU, Chairman
County Commissioner, 4th District

APPROVED AS TO FORM:

KAREN POWELL
Assistant County Counselor

GMS APPLICATION NUMBER: **2015-H2722-KS-DJ**
(Mandatory)

ATTEST:

CITY OF WICHITA, KANSAS

KAREN SUBLETT
City Clerk

JEFF LONGWELL, Mayor

APPROVED AS TO FORM:

JENNIFER MAGAÑA
City Attorney

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Sedgwick County Oaklawn Agreement Renewal (All Districts)

INITIATED BY: Wichita Transit

AGENDA: Consent

Recommendation: Approve the one-year renewal to the Oaklawn agreement with Sedgwick County.

Background: The City of Wichita provides the local resources to support transit services in the urbanized area, and therefore, transit services provided by Wichita Transit are contained to the Wichita City limits. Wichita Transit does operate in Oaklawn, outside of the Wichita City limits, and is reimbursed by Sedgwick County for the service.

Analysis: The service area for which the City of Wichita is allowed to seek Federal formula funds includes parts of Sedgwick County and other incorporated entities within the urbanized area (UZA). Sedgwick County currently receives Federal Transit Administration funds passed through from the City of Wichita to provide all transportation services located in the urbanized area of Sedgwick County other than the Oaklawn services for which Sedgwick County will pay the City of Wichita to provide. The City of Wichita holds an agreement with Sedgwick County to provide transit bus and paratransit service to the Oaklawn area located outside of the Wichita City limits. Sedgwick County will pay the City of Wichita $37,302 for the non-Federal share of transit services provided in the Oaklawn area for Fiscal Year 2015.

Financial Considerations: The City of Wichita will receive $37,302 from Sedgwick County to provide transit services to the Oaklawn area.

Legal Considerations: The Oaklawn agreement is a renewal agreement to provide City of Wichita transit services to the Oaklawn area located in Sedgwick County. The City's Law Department has reviewed and approved the agreement as to form.

Recommendations/Actions: It is recommended that the City Council approve the Sedgwick County Oaklawn agreement renewal.

Attachments: Oaklawn agreement renewal for Sedgwick County.

CITY OF WICHITA

Transit Services

May 13, 2015

Annette Graham, Director
Sedgwick County Department on Aging
2622 W. Central, Suite 500
Wichita, KS 67203

RE: Transit Service Agreement (Oaklawn Improvement District) between the City of Wichita and Sedgwick County

In the original agreement between the City of Wichita and Sedgwick County entered into April 8, 2014, for Wichita Transit to "provide public transportation to a certain unincorporated area of Sedgwick County located within and around the general vicinity of the Oaklawn Improvement District," the term was for the period January 1, 2014 thru December 31, 2014, "with an option to renew the agreement under the same terms and conditions for two successive one-year terms by mutual written agreement of the parties."

The City of Wichita/Wichita Transit desires to exercise its option to renew the agreement for the second successive one-year term commencing January 1, 2015 and ending December 31, 2015. The annual cost for 2015 will be $37,302. The terms and conditions shall remain as stated in the original agreement.

Please sign in the area below and return by mail to Michelle Stroot, Senior Management Analyst, Wichita Transit, at the address below. Should you have any questions, please feel free to contact Steve Spade, Director, Wichita Transit, at 352-4805. Thank you for your interest in doing business with Wichita Transit. We look forward to continuing to work with you in the future.

CITY OF WICHITA, KANSAS
By order of the City Council

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to form:

Jennifer Magana, Director of Law

BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

William Buchanan, County Manager

Approved As To Form
Justin M. Waggoner
Justin M. Waggoner,
Assistant County Counselor

Transit Operations Center
777 East Waterman • Wichita, Kansas 67202
T 316.265.1450 F 316.337.9287
www.wichita.gov

2015
January 1 thru December 31

COSTS

FIXED-ROUTE SERVICE

Operating	Days	Hours Per Day	Total Hours
Weekdays	251	3.617	907.8
Saturdays	52	3.083	160.3
		Total Hours:	1068.1
		Local Cost per Hour:	$ 43.42
		Local Cost per Year:	$ 46,382.37

PARATRANSIT SERVICE

No. of Trips	Ave. Hours on Board	Total Paratransit Hours
377	0.364666667	137.5
	Local Cost per Hour:	$ 43.42
	Local Cost per Year:	$ 5,969.96

REVENUES

Operating	Days	Daily Passenger Trips	Total Passenger Trips
Fixed-Route Weekdays	303	49	14,764
		Trips per Year:	14,764
		Revenue per Trip:	$ 0.93
		Total Revenue:	$ 13,730.52

Paratransit	Days	Revenue per Ride	Yearly Trips
	303	$ 3.50	377
		Total Paratransit Revenue:	$ 1,319.50

Total Costs:	$	52,352.33
Total Revenue	$	15,050.02
Total Due:	$	**37,302.31**

Payment for year 2015 as indicated in contract: $ 37,302.00

Quarterly Reimbursement due Wichita Transit: $ 9,325.50

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Release of Property Reversion Clause (District I)

INITIATED BY: Office of Property Management

AGENDA: Consent

Recommendation: Approve the release.

Background: In 1990, the City acquired the property of St. George Orthodox Church at 200 South Walnut Street as a replacement site for Senior Services, Inc., which was being relocated from its facility at 335 West Lewis. Community Development Block Grant (CDBG) funds were utilized in the purchase and renovation of the St. George property. Upon completion of the renovation, the property was deeded to Senior Services. Due to rules associated with CDBG funding, the deed contained a clause calling for the property to revert to City ownership if there was ever a change in use.

Analysis: Senior Services has utilized the property to provide services to senior citizens for over 30 years. In 2014, the property was damaged by a fire. Senior Services has been approved for a grant to repair the fire damage. As a condition of the grant, Senior Services must own the property without any contingencies or reversions. The Housing Department has reviewed the rules for CDBG funding and determined that all requirements have been met and that the regulations allow the removal of the reversionary clause. The clause can be eliminated by a quit claim deed from the City to Senior Services.

Financial Considerations: There is no financial impact to this transfer as the property is tax exempt and Senior Services has been maintaining the site.

Legal Considerations: The quit claim deed is in a standard format approved by the Law Department.

Recommendation/Action: It is recommended that the City Council approve the quit claim and authorize all necessary signatures.

Attachments: Quit claim deed and aerial.

QUIT CLAIM DEED

THIS DEED, Made this ____ day of _____ 2015, between the City of Wichita, Sedgwick County, Kansas, a municipal corporation, of the first part, and Senior Services, Inc., a Kansas Corporation, of the second part,

WITNESSETH, That party of the first part, in consideration of the sum of One Dollar and Other Valuable Considerations, the receipt of which is hereby acknowledged, does by these presents remise, release and quit claim unto said party of the second part, it's successors and assigns, all the following-described real estate situated in the County of Sedgwick and the State of Kansas, to wit:

Lots 22, 24, 26, 28 and 30 on Texas Avenue, in West Wichita, Sedgwick County, Kansas together with the north half of the vacated alley adjoining said lots on the south and together with the vacated south 10 feet of Texas Avenue adjoining said lots on the north; and

Lots 32, 34, 36, 38 and 40 on Texas Avenue, in West Wichita, Sedgwick County, Kansas together with the vacated south 10 feet of Texas Avenue adjoining said lots on the north in Sedgwick County, Kansas.

Lots 2, 4, 6, 8 and 10 on Walnut Avenue, in West Wichita, Sedgwick County, Kansas together with the south half of the vacated alley adjoining said lot 10 on the north; and

Lots 1, 3, 5, 7 and 9 on Wichita, now Handley Avenue, in West Wichita, Sedgwick County, Kansas together with the vacated west 10 feet of Handley Avenue adjoining said lots on the east.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances hereunto belonging or in anywise appertaining forever, subject to easements and restrictions of record.

IN WITNESS WHEREOF, party of the first part has hereunto subscribed its name, the day and year first above written.

The City of Wichita, Kansas, a municipal corporation:

_____
Jeff Longwell, Mayor

STATE OF KANSAS)
) ss:
COUNTY OF SEDWICK)

On this day of _____, 2015, before me, a notary public in and for said county and state, personally appeared Jeff Longwell, Mayor, City of Wichita, Kansas, a municipal corporation, 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: _____

200 South Walnut - Senior Services

Legend

- Parcels

This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

1: 1,461

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Improvements to Slope at Santa Fe Avenue, Murdock Avenue to East 9th Street North (District VI)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve acceptance of the over-estimate bid.

Background: The side slope along the east side of the BNSF Railroad is graded at a 3:1 slope. Surface water runoff from the railroad track area flows over this steep slope that is approximately 20 feet in height. Significant erosion of the slope has occurred over time that causes sediment to be deposited on the adjacent street Santa Fe Avenue. This sediment disposition requires removal costs by the City. This project is regulatory driven to control erosion and receives numerous complaints after rainfall.

Analysis: The construction bids from two contractors were very close, but both bids were in excess of the Engineer's estimate. The low bidder explained this will be a very challenging project due to the steepness of the slope and the close proximity to the railroad fence at the top of the slope. The slope steepness will require more expensive hand digging of the erosion control trench specified to be installed at the top of the slope. The project is unique with higher risk to the contractor's workers. In accordance with Charter Ordinance No. 222, staff recommends the City Council approve acceptance of the lowest bid based on the best interest of the City.

Financial Consideration: The project has been on the City's Stormwater Hot Spot Project listing for some time and was budgeted to be constructed in 2015. The original estimate was $26,500.The revised estimate is $120,000. Remaining FY 2015 Hot Spot funding is available to construct the project. The extra construction costs will cause the next project on the list to be delayed one year.

Legal Considerations: The Law Department has reviewed and approved acceptance of the over-estimate bid.

Recommendation/Action: It is recommended that the City Council approve acceptance of the lowest over-estimate bid and authorize all necessary signatures and all required permits.

Attachments: ~~Bid tab.~~ None

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Construction Funding for Improvements to the Douglas Bridge at Linden (District II)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendations: Approve the revised budget, adopt the amending resolutions, and waive City Council Policy No. 2 regarding the use of project savings to allow transfer of funds.

Background: On December 17, 2013, the City Council approved a design concept for improvements to the Douglas Bridge at Linden. On April 7, 2015, the City Council approved a revised budget for a total of $1,057,957 to construct the project. During completion of the final design plans a groundwater contamination plume was identified as a potential problem that would require remediation to comply with Kansas Department of Health and Environment (KDHE) requirements. Additional funding will be necessary for pumping, monitoring, and treatment of the groundwater during construction and related emergency contingencies, such as flooding.

Analysis: Improvements consist of replacing the existing structure with a new reinforced concrete box bridge, and the addition of new six-foot sidewalks along the north and south sides of the bridge. The design also includes space for possible bike lanes along Douglas Avenue per the Wichita Master Bicycle Plan. One lane of traffic will be carried in each direction during construction. Construction is expected to be completed by late 2015.

Financial Considerations: The existing approved budget is $1,057,957, with federal funding of $582,957 in the Transportation Improvement Program (TIP) and $475,000 in general obligation (GO) bond funding in the Adopted Capital Improvement Program (CIP). Staff proposes adding $500,000 in GO bond funding, which is available for transfer from the Tyler Road, 29th Street to 37th Street project. The offset of GO bond funding in the Tyler Road, 29th Street to 37th Street project is available due to lower than anticipated bid prices. Staff requests waiver of City Council Policy No. 2 regarding the use of project savings to allow this transfer of funds. The total revised project budget would be $1,557,957.

Project Budget Detail

Existing Approved Budget	
Funding Source	Amount
General Obligation Bonds	$475,000
Federal Grants	$582,957
Total Existing Financing Amount	**$1,057,957**
Proposed Budget	
Funding Source	Amount
General Obligation Bonds (increase $500,000)	$975,000
Federal Grants	$582,957
Total Revised Financing Amount	**$1,557,957**

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

Recommendation/Actions: It is recommended that the City Council approve the revised budget, adopt the amending resolutions, waive City Council Policy No. 2 regarding the use of project savings to allow transfer of funds and authorize the necessary signatures.

Attachments: Budget sheets and amending resolutions.

715731

RESOLUTION NO. 15-176

A RESOLUTION AMENDING RESOLUTION NO. 15-097 SUPPLEMENTING THE PROJECT AUTHORIZED BY ORDINANCE NO. 49-576 AND ORDINANCE NO. 49-659 OF THE CITY OF WICHITA, KANSAS, 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 has heretofore by **Resolution No. 15-097** of the City (the "Prior Resolution"), authorized the following described public improvements:

Design, acquisition of right-of-way, utility relocation and construction of improvements to Douglas Bridge at Linden (472-85119)

(the "Project") and provided authorization 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; and

WHEREAS, certain design and right of way acquisition costs of the Project have been previously authorized pursuant to **Ordinance No. 49-576** and **Ordinance No. 49-659**, and the Prior resolution and this Resolution are intended to supplement those Ordinances and to authorize additional improvements and expenditures as a part of the Project pursuant to the Act.

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

Section 1. **Amendment**. ***Sections 1 and 2*** of the Prior Resolution are hereby amended to read as follows:

> **Section 1. Project Authorization.** It is hereby authorized ordered and directed that the Project be acquired and/or constructed at an estimated cost of **$1,557,957, inclusive of the amounts previously authorized by Ordinance No. 49-576, Ordinance No. 49-659 and Resolution No. 15-097,** in accordance with the plans and specifications therefor prepared under the direction of the City Engineer and approved by the Governing Body; said plans and specifications to be placed on file in the office of the City Engineer.
>
> **Section 2. Project Financing.** All or 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 was: 60 days before the date of

adoption of **Ordinance No. 49-576** to the extent of Bonds authorized thereunder; 60 days before the date of adoption of **Ordinance No. 49-659** to the extent of the increased authorization contained therein; 60 days before the date of adoption of **Resolution No. 15-097** to the extent of increased authorization contained therein; and, 60 days before the date of this Resolution, to the extent of the increased authorization contained herein, all pursuant to Treasury Regulation §1.150-2.

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

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing body.

ADOPTED by the City Council of the City of Wichita, Kansas, on June 16, 2015.

_____
JEFF LONGWELL, MAYOR

ATTEST:

_____
KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

_____
JENNIFER MAGAÑA, DIRECTOR OF LAW

706991

RESOLUTION NO. ___-_____

A RESOLUTION AMENDING RESOLUTION NO. 15-053 SUPPLEMENTING THE PROJECT AUTHORIZED BY ORDINANCE NO. 47-975 AND ORDINANCE NO. 49-618 OF THE CITY OF WICHITA, KANSAS, 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 has heretofore by **Resolution No. 15-053** of the City (the "Prior Resolution"), authorized the following described public improvements:

Design, acquisition of right-of-way, utility relocation, administration, and construction of improvements to Tyler, between 29th St. North and 37th St. North (472-84700).

(the "Project") and provided authority 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; and

WHEREAS, certain design and right of way acquisition costs of the Project have been previously authorized pursuant to Ordinance No. 47-975 and Ordinance No. 49-618, and the Prior Resolution, as adjusted by this Resolution, is intended to supplement those Ordinances and to authorize additional improvements and expenditures as a part of the Project pursuant to the Act.

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

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

> **Section 1. Project Authorization.** It is hereby authorized ordered and directed that the Project be acquired and/or constructed at an estimated cost of **$3,412,000, inclusive of the amounts previously authorized by Ordinance No. 47-975 and Ordinance No. 49-618,** in accordance with the plans and specifications therefor prepared under the direction of the City Engineer and approved by the Governing Body; and plans and specification to be placed on file in the office of the City Engineer.

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

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Governing body.

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

_____
JEFF LONGWELL, MAYOR

ATTEST:

_____
KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

_____
JENNIFER MAGAÑA, DIRECTOR OF LAW

Project Request

◉ CIP ◯ Non-CIP CIP YEAR: 2015 CIP #:

☐ NEIGHBORHOOD IMPROVEMENT

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

ENGINEERING REFERENCE #: 472-84700

FUND: 400 Street Improvements SUBFUND: 405 Arterial Paving

COUNCIL DISTRICT: 05 Council District 5 DATE COUNCIL APPROVED: Jun 16, 2015 REQUEST DATE:

PROJECT # : 208456 PROJECT TITLE: Tyler, 29th to 37th Streets North

PROJECT DETAIL # : 01 PROJECT DETAIL DESCRIPTION: Tyler, 29th to 37th Streets North

OCA # : 706991 OCA TITLE: Tyler, 29th to 37th Streets North

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

PROJECT MANAGER: Shawn Mellies PHONE #: 268-4632

◯ NEW BUDGET ◉ REVISED BUDGET

Revenue Object Level 3	Original Budget	Adjustment	New Budget
9720 G.O. Bonds	$3,912,000.00	($500,000.00)	$3,412,000.00
	$0.00	$0.00	$0.00
	$0.00	$0.00	$0.00
	$0.00	$0.00	$0.00
	$3,912,000.00	($500,000.00)	$3,412,000.00

Expense Object Level 3			
2999 Contractuals	$3,912,000.00	($500,000.00)	$3,412,000.00
	$0.00	$0.00	$0.00
	$0.00	$0.00	$0.00
	$0.00	$0.00	$0.00
Total Expense:	$3,912,000.00	($500,000.00)	$3,412,000.00

NOTES:

Print Form

SIGNATURES REQUIRED

DIVISION HEAD: Gary Jones DATE: 05/27/15

DEPARTMENT HEAD: DATE:

BUDGET OFFICER: DATE: 5-27-15

CITY MANAGER: DATE:

Project Request

◉ CIP ◯ Non-CIP CIP YEAR: 2015 CIP #:

☐ NEIGHBORHOOD IMPROVEMENT

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

ENGINEERING REFERENCE #: 472-85119

FUND: 400 Street Improvements SUBFUND: 415 Bridges

COUNCIL DISTRICT: 02 Council District 2 DATE COUNCIL APPROVED: Jun 16, 2015 REQUEST DATE:

PROJECT # : 249147 PROJECT TITLE: Douglas Bridge at Linden

PROJECT DETAIL # : 01 PROJECT DETAIL DESCRIPTION: Douglas Bridge at Linden

OCA # : 715731 OCA TITLE: Douglas Bridge at Linden

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

PROJECT MANAGER: Tim Davidson PHONE #: 268-4455

◯ NEW BUDGET ◉ REVISED BUDGET

Revenue Object Level 3	Original Budget	Adjustment	New Budget
9720 G.O. Bonds	$475,000.00	$500,000.00	$975,000.00
8000 Federal	$582,957.00	$0.00	$582,957.00
	$0.00	$0.00	$0.00
	$0.00	$0.00	$0.00
	$1,057,957.00	$500,000.00	$1,557,957.00

Expense Object Level 3			
2999 Contractuals	$1,057,957.00	$500,000.00	$1,557,957.00
	$0.00	$0.00	$0.00
	$0.00	$0.00	$0.00
	$0.00	$0.00	$0.00
Total Expense:	$1,057,957.00	$500,000.00	$1,557,957.00

NOTES:

Print Form

SIGNATURES REQUIRED

DIVISION HEAD: DATE: 05/27/15

DEPARTMENT HEAD: DATE:

BUDGET OFFICER: DATE: 5-27-15

CITY MANAGER: DATE:

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Maureen Connolly Brinker (MCB) Tennis Foundation Grant
(Districts I, III, and VI)

INITIATED BY: Department of Park and Recreation

AGENDA: Consent

Recommendation: Authorize staff to accept a grant from the Maureen Connolly Brinker (MCB) Tennis Foundation.

Background: As part of the City of Wichita Riverside Tennis Center's effort to expand tennis instruction to the children of Wichita, the City of Wichita Riverside Tennis Center through the Wichita Park and Recreation Department has applied for the Maureen Connolly Brinker Tennis Foundation Grant. The City of Wichita Park and Recreation Department offers Summer Activity Camps at many of its Recreation Centers. At Colvin, Evergreen, and Lynette Woodard Centers, tennis is also part of the week's curriculum. The tennis portion is guided by Riverside Tennis Center instructors along with the help of some volunteers.

Analysis: This year the City of Wichita Riverside Tennis Center applied for the MCB Grant again to provide children of the Summer Activity Camps with tennis instruction who may otherwise not get the opportunity to take a tennis lesson. This grant is for total up to $2,000 that will pay for the Tennis Instructor wages needed to run this program in its entirety from June 2015 until its completion in July 2015.

Financial Considerations: The grant will pay for Tennis Instructor wages. ~~**Budget from Grant attached.**~~

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

Recommendation/Action: It is recommended that the City Council authorize staff to accept the grant from Maureen Connolly Brinker Tennis Foundation and authorize the necessary signatures.

Attachment: Grant Approval Letter.

January 12, 2015

City of Wichita
Riverside Tennis Center
ATTN: Jeff Clark
551 Nims Street
Wichita, Ks 67203

Dear Jeff,

This letter is to inform you that Maureen Connolly Brinker Tennis Foundation approved the funds you have requested for 2015. Listed below, you will find a recap of how we understand how the funds will be used.

Summer Activity Camps for Kids: This program provides tennis instruction for the participants of the Wichita Park Department's Activity Camps. The funding for this camp is to be used solely for Riverside Pro Staff instructor fees/wages/salaries/overtime needed to run this program in its entirety from June 2015 until it's completion in July 2015. The Grant is not to exceed the approved amount. The grant was approved for a total of up to $2,000. Please contact us, if you need to revise this amount.

Our organization also request that Riverside bills the actual cost in order for our finance committee to properly and efficiently disburse the payment. We also do not allow for administrative fees to be assessed to our grants and/or donations.

Please feel free to contact me 316-655-6366 if you have any questions.

Sincerely,

Ange Reilly, Chairman
MCB Kansas

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

SUBJECT: Partial Loan Forgiveness Request, Home Repair Program (District I)

INITIATED BY: Housing and Community Services Department

AGENDA: Consent

Recommendation: Approve the partial loan forgiveness request, with all net proceeds from an approved sale to be paid to the City, and authorize the necessary signatures.

Background: The Housing and Community Services Department provides loans for home repair and/or rehabilitation assistance through the Home Repair program. In most cases, the loans are zero-interest with payments deferred. Loans can be provided for as little as $500 for emergency assistance needs and for as much as $35,000 for whole-house rehabilitation. The current program design was implemented in 2006, and provides for forgiveness of Emergency Assistance and Minor Home Repair deferred loans of less than $5,000, after a period of five years. Deferred loans between $5,000 and $35,000, which are provided for whole-house rehabilitation, are partially forgiven after a period of five years.

Analysis: Between March 18, 1987 and June 26, 2003, a total of $17,913 in deferred payment loans were provided to Henrietta Jackson, for repairs to a single-family residence located at 2529 N. Chautauqua. The loans are secured by mortgages on the property and include no forgiveness provisions. A Petition for Appointment of Guardian and Conservator was filed October 20, 2014, for Ms. Jackson. She is currently in a care facility, and the property is unoccupied. An attorney serves as the conservator for Ms. Jackson, and an "absolute" auction sale of the property is scheduled for June 18, 2015. The conservator has selected McCurdy Auction to provide services related to the auction and sale of the property.

According to the Sedgwick County Appraiser, the value of the property with improvements is $24,000, and it is designated to be in "Average-minus" condition. An inspector from the Housing and Community Services Department's Home Improvement Program recently inspected the property and found it to be in fair condition and in need of minor renovation in order to achieve compliance with the minimum housing code. Staff estimates the cost of renovation to be $15,000. Although the price for which the property will sell is unknown, representatives of McCurdy Auction have advised that a property in similar condition, which is located at 2625 N. Volutsia, recently sold at auction for $12,000.

Given that the property is vacant, its condition, and the likelihood that Ms. Jackson will not return to occupy it, staff recommends that the conservator be allowed to proceed with the sale.

Financial Considerations: Under the proposed arrangement, the City will forgive the remaining loan balances that cannot be paid from the net proceeds of the sale, as recommended by staff. The proceeds of the sale will be used for costs associated with the sale, and payment of past due property taxes. Net proceeds from the sale are estimated to be $9,000, based on a projected sales price of $12,000. There are no general funds involved in the transaction.

Legal Considerations: Upon receipt of the net proceeds and forgiveness of outstanding loans, the City will prepare documents necessary to release the mortgage liens on the property, to be filed of record by the closing agent.

Recommendations/Actions: It is recommended that the City Council approve the partial loan forgiveness request, with all net proceeds from an approved sale to be paid to the City, and authorize the necessary signatures.

Attachments: None.

Second Reading Ordinances for June 16, 2015 (first read on June 9, 2015)

A. <u>Adoption of the 2012 International Residential Code.</u>

ORDINANCE NO. 50-023

AN ORDINANCE ADOPTING THE INTERNATIONAL RESIDENTIAL CODE, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., 2012 EDITION, AND AMENDING, ADDING AND DELETING VARIOUS SECTIONS OF ARTICLE 2 OF THE WICHITA/SEDGWICK COUNTY UNIFIED BUILDING AND TRADE CODE.

B. <u>Nuisance Abatement Assessments, Lot Clean Up. (Districts 1, III, IV and VI)</u>

ORDINANCE NO. 50-024

AN ORDINANCE MAKING A SPECIAL ASSESSMENT TO PAY FOR THE COST OF ABATING CERTAIN PUBLIC HEALTH NUISANCES (LOT CLEAN UP) UNDER THE PROVISION OF SECTION 7.40.050 OF THE CODE OF THE CITY OF WICHITA, KANSAS. BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

C. <u>PUD2015-*00003 Zone Change from TF-3 Two Family Residential B Multi Family Residential GO General Office and GC General Commercial to the Planned Unit Development (PUD #45) District on Property Located Est of South Clifton Avenue and South of East Morris (Lincoln) Street, 3700 East Lincoln. (District III)</u>

ORDINANCE NO. 50-025

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.

City of Wichita
City Council Meeting
June 16, 2015

TO: Mayor and City Council

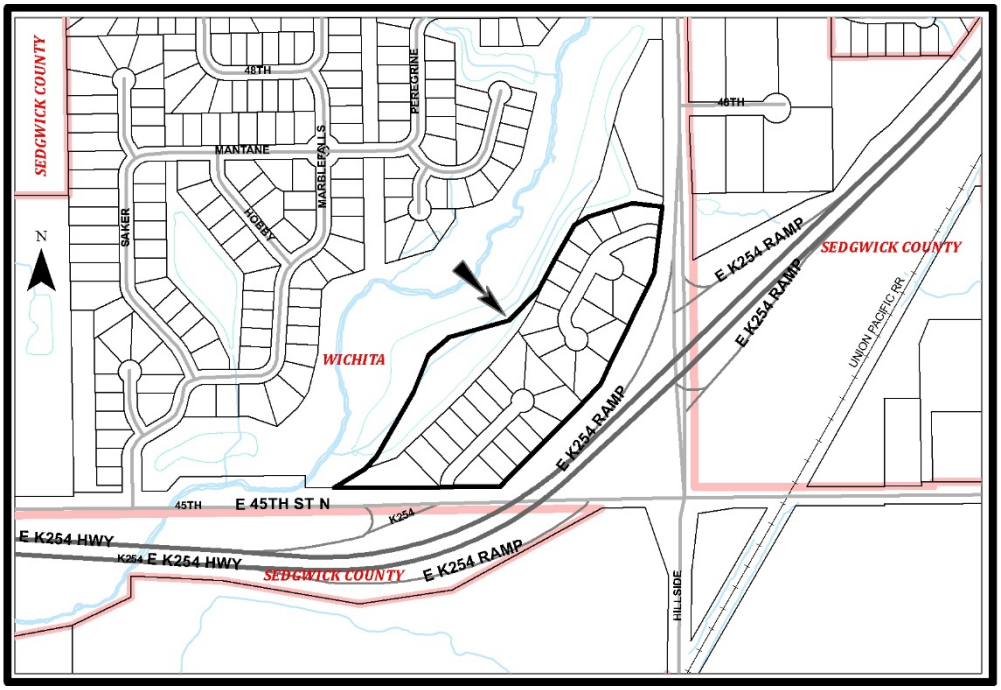
SUBJECT: SUB2015-00012 -- Plat of Falcon Falls 6th Addition Located on the North Side of 45th Street North, on the West Side of Hillside (District I)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (12-0)



Background: The site consists of 43 lots on 16.7 acres and is zoned Two-Family Residential (TF-3) and Limited Commercial (LC).

Analysis: The applicant has submitted 100 percent Petitions and a Certificate of Petition for sewer, water, drainage and paving improvements. The applicant has submitted Restrictive Covenants to provide for the ownership and maintenance responsibilities of the reserves being platted.

The plat has been reviewed and approved by the Metropolitan Area Planning Commission subject to conditions.

Financial Considerations: There are no financial considerations associated with the plat.

Legal Considerations: The Law Department has reviewed and approved the Certificate of Petition, Restrictive Covenants 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
Restrictive Covenants
Resolutions

CERTIFICATE OF PETITION

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

We, Heights, LLC, a Kansas limited liability company, owner of Falcon Falls 6th Addition, Wichita, Sedgwick County, Kansas, do hereby certify that petition(s) for the following improvements have been submitted to the City Council of the City of Wichita, Kansas:

1. Sanitary Sewer Improvements
2. Water Improvements
3. Paving Improvements
4. Storm Water Drain Improvements

As a result of the above-mentioned petition(s) for improvements, all lots or portions thereof within Falcon Falls 6th Addition, may be subject to special assessments assessed thereto for the cost of constructing the above-described improvements.

Signed this 19th day of May, 2015.

Heights, LLC

By: _____
Jay W. Russell, Managing Member

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

BE IT REMEMBERED, that on this 19th day of May, 2015, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Jay W. Russell, as Managing Member of Heights, LLC, a Kansas limited liability company, personally known to me to be the same persons who executed the within instrument of writing and such persons 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 - State of Kansas
My Appt. Expires 11-7-17

Judith M. Terhune
Notary Public

(My Appointment Expires: 11-7-17)

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law

RESTRICTIVE COVENANT

This Covenant, executed this 19th day of May, 2015.

WITNESSETH

WHEREAS, the undersigned is in the process of platting that certain real property to be known as Falcon Falls 6th Addition, Wichita, Sedgwick County, Kansas; and

WHEREAS, as a part of the platting process, certain requirements have been made by the City of Wichita regarding the establishment of an owners association, providing for the maintenance of Reserves being platted.

NOW, THEREFORE, the undersigned does hereby subject Falcon Falls 6th Addition, Wichita, Sedgwick County, Kansas, to have the following covenants and restrictions:

1. At such time as the property shall be come developed by erection of improvements thereon, the undersigned agrees to cause an association to be formed to provide for the care, maintenance and upkeep of the reserves and common areas.

2. The reserves located in said Addition will be conveyed to the association at such time as the project is sold to or occupied by owners or tenants other than the undersigned.

3. Until said reserves are so conveyed, the ownership and maintenance of the reserves shall be by the undersigned.

4. That Falcon Falls 6th Addition, being a replat of a portion of Falcon Falls 5th Addition, will continue to share in the ownership and maintenance responsibilities of any such previously platted reserves.

That the appropriate governing body has given written notice to the Declarant or the Lot Owner and neither entity has responded in initiating corrective action within thirty (30) days of such notice. If the governing body has taken action to maintain the reserve under this covenant, the Declarant or Lot Owner shall pay

promptly the costs expended. If the costs are not paid within thirty (30) days of the rendering of an account, the costs shall be considered an assessment against the above described real property in Falcon Falls 6th Addition and Falcon Falls 5th Addition, respectively, and shall be considered a lien thereon and be treated in the same manner as a special assessment.

The covenants, conditions, and restrictions on the property created and established in this instrument may be waived, terminated, or modified only upon written consent of appropriate governing body. No such waiver, termination or modification shall be effective until such written consent is recorded in the office of the Register of Deeds for Sedgwick County, Kansas.

This covenant shall be binding on the owner, their heirs, or successors or assigns and is a covenant running with the land and is binding on all successors in title to all lots, as platted in said Falcon Falls 6th Addition, Wichita, Sedgwick County, Kansas.

Executed the date and year first above written.

Heights, LLC

Jay W. Russell, Managing Member

STATE OF KANSAS)
SEDGWICK COUNTY) ss:

BE IT REMEMBERED, that on this 19th day of May, 2015, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Jay W. Russell, as Managing Member of Heights, LLC, a Kansas limited liability company, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same, for and on behalf of the 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 - State of Kansas
My Appt. Expires 11-7-17

Judith M. Terhune
Notary Public

(My Commission Expires: 11-7-17)

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law

RESTRICTIVE COVENANT

THIS DECLARATION made this 19th day of May, 2015, by Heights, LLC, a Kansas Limited Liability Company, hereinafter called "Declarant",

WITNESSETH

WHEREAS, Declarant is the owner of the following described property:

FALCON FALLS 6TH ADDITION
Lots 1 through 43, Block A

WHEREAS, Declarant is desirous in connection therewith that various provisions for the maintenance and responsibility for the maintenance be placed of record for Reserve "A", Falcon Falls 6th Addition, Wichita, Sedgwick County, Kansas.

NOW, THEREFORE, Declarant hereby declares and covenants:

1. That Reserve "A" is hereby reserved for open space, lakes, landscaping, berms, floodway purposes, drainage purposes, and utilities as confined to easements. No buildings shall be constructed or placed on or within said floodway, nor shall any fill, change of grade, creation of channel, or any other work be carried on without the permission of the Engineer for the appropriate governing body. FEMA floodplain and regulatory floodway boundaries are subject to periodic change, and such change may affect the intended land use with the subdivision.

Reserve "A" shall be owned and maintained by the homeowners association for the addition.

2. That a Homeowner's Association shall be formed and incorporated as a non-profit corporation under Kansas Statutes, at the Declarant's sole cost. Reserve "A", as designated on the plat of Falcon Falls 6th Addition, shall be deeded to the Homeowner's Association upon its incorporation or within 30 days thereafter.

3. That the declaration of covenants and other provisions of the Homeowner's Association being formed shall provide specific pertinent language requiring that the Homeowner's Association shall include the first or any other subsequent phase or phases for the maintenance of any and all common areas contiguous to Reserve "A", to Falcon Falls 6th Addition under the same scope of responsibility as the initial phase of development.

4. That the owners hereby grant an irrevocable easement to whichever appropriate governing body or authority has jurisdiction, to enter upon the Reserve, as defined, for the purposes of maintaining such Reserve. This easement is conditioned upon the following event or events happening:

A. That the Declarant or the Homeowners Association, as may be appropriate, has failed to maintain the reserve in a reasonable and prudent manner.
and,

B. That the appropriate governing body has given written notice to the Declarant or the Homeowners Association and neither entity has responded in initiating corrective action within thirty (30) days of such notice. If the governing body has taken action to maintain the reserve under this covenant, the Declarant or Homeowners Association shall pay promptly the costs expended. If the costs are not paid within thirty (30) days of the rendering of an account, the costs shall be considered an assessment against all lots in Falcon Falls 6th Addition, and shall be considered a lien thereon and be treated in the same manner as a special assessment.

This covenant shall be binding on the owner, their heirs, or successors or assigns and is a covenant running with the land and is binding on all successors in Lots in FALCON FALLS 6TH ADDITION, Wichita, Sedgwick County, Kansas.

The covenants, conditions, and restrictions on the property created and established in this instrument may be waived, terminated, or modified only upon written consent of the City of Wichita. No such waiver, termination or modification shall be effective until such written consent is recorded in the office of the Register of Deeds for Sedgwick County, Kansas.

EXECUTED the day and year first written.

Heights, LLC

By:_____
Jay W. Russell, Managing Member

STATE OF KANSAS)
SEDGWICK COUNTY) SS:

BE IT REMEMBERED, that on this 19th day of May, 2015, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Jay W. Russell, as Managing Member of Heights, LLC, a Kansas limited liability company, personally known to me to be the same persons who executed the within instrument of writing and such persons 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 - State of Kansas
My Appt. Expires 11-7-17

Judith M. Terhune
Notary Public

(My Appointment Expires: 11-7-17)

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law

(Published in the ***Wichita Eagle***, on June 19th, 2015)

RESOLUTION NO. 15-178

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORM WATER DRAIN NO. 401 – FALCON FALLS 6TH ADDITION/NORTH OF 45TH STREET NORTH, WEST OF HILLSIDE) (468-85038)

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

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

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

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

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

Construction of a storm water drainage system (Storm Water Drain No. 401), including necessary appurtenances to serve the Improvement District defined below.

(b) The estimated or probable cost of the Improvements is **One Hundred Fifty-Six Thousand Dollars ($156,000)**, 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.

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

FALCON FALLS 6TH ADDITION
Lots 1 through 43, Block A

(d) The method of assessment is: on a **fractional basis** as described below.

Lots 1 through 24, Block A, FALCON FALLS 6TH ADDITION, shall each pay 3/110 of the total cost of the improvements, and Lots 25 through 43, Block A, FALCON FALLS 6TH ADDITION shall each pay 2/110 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 2. **Authorization of Improvements**. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the Governing Body as set forth in ***Section 1*** of this Resolution.

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

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, on June 16, 2015.

(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 June 19th, 2015)

RESOLUTION NO. 15-179

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 – FALCON FALLS 6TH ADDITION/NORTH OF 45TH STREET NORTH, WEST OF HILLSIDE) (448-90650).

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. 14-352** of the City (the "Prior Resolution) authorizing 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 **Thirty-Eight Thousand Dollars ($38,000**), 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.

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

FALCON FALLS 6TH ADDITION
Lots 25 through 43, Block A

(d) The method of assessment is: **equally per lot (19 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 June 16th, 2015.

(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 June 19th, 2015)

RESOLUTION NO. 15-180

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 15, MAIN 13, SANITARY SEWER NO. 23 – FALCON FALLS 6TH ADDITION/NORTH OF 45TH STREET NORTH, WEST OF HILLSIDE) (468-84999).

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. 14-349** of the City (the "Prior Resolution) authorizing 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 lateral sanitary sewer (Lateral 15, Main 13, Sanitary Sewer No. 23), 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 **Two Hundred Sixty-Four Thousand Dollars ($264,000)**, 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.

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

FALCON FALLS 6TH ADDITION
Lots 1 through 43, Block A

(d) The method of assessment is: **equally per lot (43 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 June 16th, 2015

(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 June 19th, 2015)

RESOLUTION NO. 15-181

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 – FALCON FALLS 6TH ADDITION/NORTH OF 45TH STREET NORTH, WEST OF HILLSIDE) (472-85186).

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. 14-351** of the City (the "Prior Resolution) authorizing 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 Hillside Court from the west line of Hillside Avenue, west to and including cul-de-sac, with drainage to be installed where necessary (the "Improvements").

(b) The estimated or probable cost of the Improvements is **Two Hundred Fifty-Eight Thousand Dollars ($258,000**), 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.

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

FALCON FALLS 6TH ADDITION
Lots 1 through 24, Block A

(d) The method of assessment is: **equally per lot (24 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 June 16th, 2015.

(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 June 19th, 2015)

RESOLUTION NO. 15-182

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 – FALCON FALLS 6TH ADDITION/NORTH OF 45TH STREET NORTH, WEST OF HILLSIDE) (472-85185).

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. 14-350** of the City (the "Prior Resolution) authorizing 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 45th Court North from the north line of 45th Street North, north to and including cul-de-sac, with drainage to be installed where necessary (the "Improvements").

(b) The estimated or probable cost of the Improvements is **Two Hundred Forty-Six Thousand Dollars ($246,000**), 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.

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

FALCON FALLS 6TH ADDITION
Lots 25 through 43, Block A

(d) The method of assessment is: **equally per lot (19 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 June 16th, 2015.

(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 June 19th, 2015)

RESOLUTION NO. 15-183

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 – FALCON FALLS 6TH ADDITION/NORTH OF 45TH STREET NORTH, WEST OF HILLSIDE) (448-90651).

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. 14-353** of the City (the "Prior Resolution) authorizing 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 **Fifty-Two Thousand Dollars ($52,000)**, 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.

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

FALCON FALLS 6TH ADDITION
Lots 1 through 24, Block A

(d) The method of assessment is: **equally per lot (24 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 June 16th, 2015

(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
June 16, 2015

TO: Wichita Airport Authority

SUBJECT: Air Capital Terminal 3 Program
Change Order No. 26
Wichita Dwight D. Eisenhower National Airport

INITIATED BY: Department of Airports

AGENDA: Wichita Airport Authority (Consent)

Recommendation: Approve the change order.

Background: On July 17, 2012, the Wichita Airport Authority (WAA) approved a construction contract with Key-Walbridge to construct the new airline terminal. This change order provides for a number of tenant-requested items, regulatory compliance items, as well as those required to continue construction in a timely manner due to unforeseen conditions. Several of the larger items are described below:

- Entrance gates and a driveway providing vehicle and pedestrian access to the apron area were moved further away from the terminal to provide a safer and more secure buffer from aircraft operations at Gate 1in order to comply with new Transportation Security Administration guidelines, and to lessen vehicle congestion in the loading dock area
- Potable water cabinets and piping to service aircraft were relocated from the boarding bridge rotundas and put near the building to reduce utility and maintenance costs and to provide better weather resistance to prevent freezing
- Since the pedestrian canopies connecting the Parking Garage and Rental Car Center to the Terminal were designed after the Terminal project was bid, special glass cutouts at the sidewalk columns for this canopy were required to seal the openings at these four penetrations through the Terminal glass canopy

Analysis: A change order has been prepared for the cost of the additional work. The items included in this change order have been reviewed and approved by the Wichita Airport Advisory Board Change Order Review Committee.

Financial Considerations: The total cost of the additional work is a not-to-exceed amount of $332,194. The original contract amount is $101,500,542. This change order represents 0.33 percent of the original contract amount. Funding for this change order is included within the approved program budget.

Legal Considerations: The Law Department has reviewed and approved the change order as to form. The cumulative change order amount of 7.1 percent is within the 25 percent of contract cost limit set by City Council policy.

Recommendation/Action: It is recommended that the WAA approve Change Order No. 26 and authorize the necessary signatures.

Attachment: Change Order No. 26.

CHANGE ORDER (CO)

Change Order No.: 026

Project Name: ACT 3 Terminal Building
Date:
City of Wichita Project No.: 455-361-4
To (Contractor): Key Walbridge Joint Venture
FAA AIP Project No.: 3-20-0088-64

THE CONTRACT IS CHANGED AS FOLLOWS:

Give description of work. Reference Change Proposal No., Change Directive No., Change Request No., and any other documents as applicable. Your attention is directed to Article 8 and Article 10 of the General Conditions of the Contract for guidelines in pricing and documentation to be provided.

List applicable CR #, PCO #, CD # etc.	Description	Amount
TB - 146, 158R, 218, 221, 231, 255, 265, 269, 273SI, 274A, 278R, 282, 285, 292, 293, 296, 301, 302, 306SI, 307, 308, 310, 312, 313, 316, 319, 326SI, 327, 330, 331, 335SI, 339, 340	SEE ATTACHED.	332,194.00
	Total:	**332,194.00**

Original Contract Award Sum:	*$101,500,542.00*	
Net Change by Previous authorized Change Orders:	*$6,892,122.00*	
Total Contract Sum Prior to this Change Order:	*$108,392,664.00*	
Net increase/decrease in Contract Sum this Change Order:	*$332,194.00*	
NEW CONTRACT SUM INCLUDING THIS CHANGE ORDER:	***$108,724,858.00***	
Original Contract Time :	860	**Days**
Current Contract Time :	908	**Days**
This Change time add / deduct :	0	**Days**
Adjusted Contract Time :	**908**	**Days**

Except as modified in this agreement, all terms and conditions of the original Contract remain unchanged, in full force and effect, and are incorporated into this agreement to apply with equal force to the work described herein. This change order reflects complete and final payment for all costs for this Change including any and all schedule, field and home office overhead costs.

I hereby certify that I have reviewed and accept this Change Order in its entirety waive and release the Wichita Airport Authority (WAA) from any an all claims or cause of action arising therefore.

The undersigned Contractor has determined with regards to this Contract Change that □ the circumstances necessitating this Change in performance were not reasonably foreseeable at the time the bid was let, and that the Change does not expand the scope of work to be performed under the original Contract as signed, or that the Change Order, or that □ these conditions are not met, but the Change is in the best interest of the Wichita Airport Authority and adds value or utility that justifies WAA approval outside the existing policy.

ACCEPTED BY CONTRACTOR - Bill Lorelli	**DATE**
RESIDENT ENGINEER APPROVAL - James Armour, P.E.	**DATE**
PROGRAM MANAGER APPROVAL - Patrick McCollom, P.E.	**DATE**
DIRECTOR OF AIRPORTS APPROVAL - Victor White	**DATE**
DIRECTOR OF LAW, APPROVAL AS TO FORM - Jennifer Magan	**DATE**
MAYOR APPROVAL - Jeff Longwell	**DATE**
CITY CLERK ATTEST	**DATE**

WICHITA EISENHOWER NATIONAL AIRPORT

CHANGE ORDER (CO)

List applicable CR #, PCO #, CD # etc.	Description	Amount
TB 146	Add 2nd floor access doors for roof drains.	$1,377
TB 158R	Network changes at ticketing and gate millwork.	($8,567)
TB 218	Canopy glass for pedestrian bridge column.	$48,831
TB 221	Revised Bollard Sketh / Substitute stainless steel bollards	$0
TB 231	Fiber Optic to EDS Mach vs CAT6	($1,191)
TB 255	Reduce the number of W-1.2 TBD signs by a quantity of 8.	($780)
TB 265	Gate C revision.	$82,710
TB 269	In each bay of the Concourse walkway, turn two light fixtures downward; leave middle light directed downward as originally set.	$2,571
TB 273 SI	Vented doors in technical furniture at P&F Bldg.	$1,008
TB 274A	PBB - domestic water	$46,762
TB 278R	Install additional outlets in United Airlines ATO & Air OPS rooms	$11,580
TB 282	LR1 Fixtuer in acoustical panel ceiling	$0
TB 285	Provide power to revised camera locations per red-lined sketch.	$6,673
TB 292	Install switched lights and fire extinguishers as needed for elevator control rooms.	$6,995
TB 293	Routing data/electrical conduit in basement of existing Terminal.	$10,500
TB 296	Install corner guards on terra-cotta.	$12,422
TB 301	Furnish and install painted metal expansion joint covers in Great Hall and Airside Concourse. Include cost of stainless steel expansion joint cover.	$15,032
TB 302	Relocate two (2) data cabinets per WAA-IT.	$442
TB 306SI	Add one badging work station in P&F building.	$17,960
TB 307	Signage - active loading/unloading (Type R-1). Also, changes in tug area.	$4,467
TB 308	Paint plywood endcap at GFRG light fixture.	$2,744
TB 310	Replace electrical and data wall cover plates/devices.	$19,291
TB 312	Add horizontal bracing to rest room partions, per ASI 087.	$3,690
TB 313	Irrigation System - alternate connection point.	$7,514
TB 316	Removal of exit sign at exit corridor.	$0
TB 319	Extend sprinkler system to provide coverage in rest room closets.	$11,142
TB 326 SI	Tamper switches to AED	$1,583
TB 327	Elevator phone lines - p/code & RFI 867	$1,715
TB 330	Clear Channel monitor at CL 11 - add electrical outlet.	$0
TB 331	Per request from WAA--add stainless steel corner guards to 4 outer corners at 5 vestibules.	$5,940
TB 335SI	Remove CAT6 cabling Areas A/B North & remove cameras P10-86 & P10-88.	$1,271
TB 339	Gate 9: Remove 6" temporary asphalt/excavate 8" -- Install 14" concrete pavement	$10,086
TB 340	At the awning above ticket counter - order new track lighting	$8,426
	TOTAL:	$332,194