

Table of Contents

Agenda 3

II-1. Report of Board of Bids and Contracts dated October 24, 2016.

 10-24-2016 Board of Bids. 7

II-3a. Community Event - 25th Annual Frostbite Regatta. (District VI)

 Agenda Report No. II-3a 15

II-3b. Community Event – Miro Returns: Community Celebration. (District I)

 Agenda Report No. II-3b 16

II-4a. Kansas Department of Transportation Supplemental Agreement No. 1 for Improvements to 143rd Street East, Kellogg-Central. (District II)

 Agenda Report No. II-4a 17

 KDOT Agreement. 18

II-6. Purchase Option- Coleman. (District I)

 Agenda Report No. II-6 21

 Resolution No. 16-412 NP 22

 Bill of Sale - Coleman Company 27

 Release of Lease - Coleman Company. 31

 Cancellation, Discharge, Release - Coleman Company 36

II-7. Purchase Option- Envision, Inc. (District III)

 Agenda Report No. II-7 39

 Resolution No. 16-413 NP 40

 Special Warranty Deed - Envision 44

 Bill of Sale - Envision 47

 Release of Lease - Envision 48

II-8. Purchase Option, KSDD Properties, LLC. (District II)

 Agenda Report No. II-8 52

 Resolution No. 16-414 (NP). 53

 Bill of Sale - KSDD Properties 57

 Release of Lease - KSDD Properties 58

 Special Warranty Deed - KSDD Properties 62

II-9. Funding and Change Order No. 4 for Improvements to Pawnee Bridge at the Arkansas River. (District III)

 Agenda Report No. II-9 65

 Supporting Documents 67

 Resolution No. 16-415 (NP). 76

II-10. Funding for Sanitary Sewer Relocation for Kellogg and Greenwich. (District II)

 Agenda Report No. II-10 78

 Supporting Documents 79

 Resolution No. 16-416 84

 NOI 16-416 87

II-11. Notice of Intent to Use Debt Financing - Underground Storage Tank Replacement - Wichita Dwight D. Eisenhower National Airport.	
Agenda Report No. II-11	88
Resolution No. 16-417 (NP).	89
II-12. A Request for Permission to Submit a Historic Trust Fund Grant Proposal to the State Historic Preservation Office to Purchase Materials for Wood Storm Windows for the Fresh Air Baby Camp. (District VI)	
Agenda Report No. II-12	91
Grant Application 2017 Heritage Trust Fund Oct 18 DRAFT	92
II-13. Second Reading Ordinances.	
Second Reading Ordinances for 10-25-2016	100
II-14. *United Airlines, Inc. - Supplemental Agreement No. 1 - Airline Airport Use and Lease Agreement - Wichita Dwight D. Eisenhower National Airport.	
Agenda Report No. II-14	101
Supporting Document.	102
II-15. *Underground Storage Tank Replacement - Wichita Dwight D. Eisenhower National Airport.	
Agenda Report No. II-15	107
II-16. *WAA Report of Board of Bids and Contracts dated October 24, 2016.	
10-24-2016 WAA Board of Bids.	108

FINAL
CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
09:30 a.m. October 25, 2016

First Floor Board Room
455 North Main

OPENING OF REGULAR MEETING

- Call to Order
- Approve the minutes of regular meeting on October 18, 2016

II. CONSENT AGENDA ITEMS 1 THROUGH 16

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

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

COUNCIL AGENDA

VIII. COUNCIL MEMBER AGENDA

None

IX. COUNCIL MEMBER APPOINTMENTS AND COMMENTS

1. Board Appointments.

RECOMMENDED ACTION: Approve the appointments.

Adjournment

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

(ATTACHMENT 1 – CONSENT AGENDA ITEMS 1 THROUGH 16)

II. CITY COUNCIL CONSENT AGENDA ITEMS

1. Report of Board of Bids and Contracts dated October 24, 2016.

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

2. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renew</u>	<u>2016</u>	<u>(Consumption on Premises)</u>
Teresa Vasquez	El Patio Inc**	424 E. Central Ave
Erica Torres	El Rancho**	2801 N. Broadway
Matthew Ryan	Two Brothers BBQ and Burger Grill**	3134 E. Douglas
<u>Renew</u>	<u>2016</u>	<u>(Consumption off Premises)</u>
Kevin Schemm	Dillon's #96***	5500 E. Harry St.

**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. Consideration of Street Closures/Uses:

- a. Community Event - 25th Annual Frostbite Regatta. (District VI)
- b. Community Event – Miro Returns: Community Celebration. (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.

4. Agreements/Contracts:

- a. Kansas Department of Transportation Supplemental Agreement No. 1 for Improvements to 143rd Street East, Kellogg-Central. (District II)

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

5. Minutes of Advisory Boards/Commissions:

Library Board Minutes September 2016
Joint Investment Committee Minutes September 1, 2016

RECOMMENDED ACTION: Receive and file.

6. Purchase Option- Coleman. (District I)

RECOMMENDED ACTION: Adopt the Resolution approving the Bill of Sale, Release of Tenth Supplemental and Eleventh Supplemental Lease, Cancellation, Discharge and Release of the Tenth Supplemental Trust Indenture and Eleventh Supplemental Indenture to convey the property to Coleman and authorize the necessary signatures.

7. Purchase Option- Envision, Inc. (District III)

RECOMMENDED ACTION: Adopt the Resolution approving the Bill of Sale, Termination of Lease Agreement and Special Warranty Deed to convey the property to Envision, Inc. and authorize the necessary signatures.

8. Purchase Option, KSDD Properties, LLC. (District II)

RECOMMENDED ACTION: Adopt the Resolution approving the Bill of Sale, Release of Lease Agreement and Special Warranty Deed and to convey the property to KSDD Properties, LLC and authorize the necessary signatures.

9. Funding and Change Order No. 4 for Improvements to Pawnee Bridge at the Arkansas River. (District III)

RECOMMENDED ACTION: Adopt the amending resolution, approve the revised budget, agreement, and change order, and authorize the necessary signatures.

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

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

11. Notice of Intent to Use Debt Financing - Underground Storage Tank Replacement - Wichita Dwight D. Eisenhower National Airport.

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

12. A Request for Permission to Submit a Historic Trust Fund Grant Proposal to the State Historic Preservation Office to Purchase Materials for Wood Storm Windows for the Fresh Air Baby Camp. (District VI)

RECOMMENDED ACTION: Approve the Memorandum of Understanding with the Friends of the Historic Fresh Air Baby Camp, Inc.

13. Second Reading Ordinances: (First Read October 18, 2016)

RECOMMENDED ACTION: Adopt the Ordinances.

II. CONSENT PLANNING AGENDA ITEMS

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

None

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.

Andra Martin, 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.

14. ***United Airlines, Inc. - Supplemental Agreement No. 1 - Airline Airport Use and Lease Agreement - Wichita Dwight D. Eisenhower National Airport.**

RECOMMENDED ACTION: Approve the supplemental agreement and authorize the necessary signatures.

15. ***Underground Storage Tank Replacement - Wichita Dwight D. Eisenhower National Airport.**

RECOMMENDED ACTION: Approve the project budget.

16. ***WAA Report of Board of Bids and Contracts dated October 24, 2016.**

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

Wichita, Kansas
October 24, 2016
10:00 a.m., Monday
Conference Room, 12th Floor

MINUTES - BOARD OF BIDS AND CONTRACTS*

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

Minutes of the regular meeting date October 17, 2016, were read and on motion approved.

Bids were opened October 21, 2016, pursuant to advertisements published on:

Water Distribution System 448-90750 (735560), Lateral 36, Main 19 SWI 468-85143 (744426), SWS #710 468-85144 (751547), Tyler's Landing 6th Addition. (District V)

Dondlinger & Sons *- \$76,392.00

*Award 11-22-16 subject to City Council approval of new Engineer's Estimate and Budget Authorization.

2016 Sanitary Sewer Reconstruction Phase 11 (north of 31st Street South, east of Maize Rd) (468-85149/620858/666005) Traffic to be maintained during construction using flagpersons and barricades. (District III,V)

Dutton Construction and Plumbing, LLC - \$88,324.00

Main 25, Southwest Interceptor Sewer, Sandcrest Addition. (District V)

Defer one week

Stormwater Drain #411 Repairs at Hardtner and Crestline Westlink Village 4th (south of Central, east of Maize) (468-85131/133116/) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Dutton Construction and Plumbing, LLC - \$14,460.00

Lark Lane from the northwest line of Lot 10, block B, as platted in Southern Ridge 4th Addition, north and east to the north line of the plat; on Lark Court from the west line of Lark Lane, west to and including the cul-de-sac; and on Prescott from the west line of Lark Lane west to the west line of Lot 18, Block C to serve Southern Ridge 3rd Addition (south of Pawnee, west of Maize) (472-84192/766372/490395) Does not affect existing traffic. (District IV)

Kansas Paving Company - \$193,043.20

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.

On motion the Board of Bids adjourned.

Marty Strayer, Administrative Assistant
Department of Public Works and Utilities

Jamie Hayes, CMC
Deputy City Clerk

FORMAL BID REPORT

TO: Robert Layton, City Manager

DATE: October 24, 2016

ENGINEERING BIDS – GARY JANZEN, CITY ENGINEER

October 14, 2016

Water Distribution System to serve Tyler’s Landing 6th Addition – Public Works & Utilities
 Department/Engineering Division

Dondlinger & Sons	Group 1 – Water Distribution System	\$12,255.00
	Group 2 – Lateral 36, Main 19 SWI	22,992.00
	Group 3 – SWS #710	<u>41,145.00</u>
	Aggregate Bid Total	<u>\$76,392.00*</u>

***Award 11/22/16 Subject to City Council Approval of New Engineer’s Estimate and Budget Authorization**

2016 Sanitary Sewer Reconstruction Phase 11 (north of 31st Street S., east of Maize Road) – Public Works & Utilities Department/Engineering Division

Dutton Construction and Plumbing, LLC **\$88,324.00**

Main 25, Southwest Interceptor Sewer to serve Sandcrest Addition (was Pearl Peach) – Public Works & Utilities Department/Engineering Division **(Defer to October 31, 2016)**

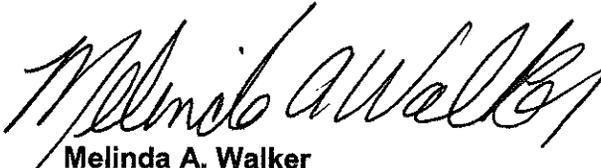
SWD #411 Repairs at Hardtner and Crestline to serve Westlink Village 4th Addition – Public Works & Utilities Department/Engineering Division

Dutton Construction and Plumbing, LLC **\$14,460.00**

Paving – Lark Lane, Lark Court, Prescott (south of Pawnee, west of Maize) – Public Works & Utilities Department/Engineering Division

Kansas Paving Company **\$193,043.20**

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


Melinda A. Walker
Purchasing Manager

WATER/SS/SWS BID TABULATION SUMMARY

BOARD OF BIDS - October 14, 2016

RQ641083

FB640197		Engineer's Construction Estimate	Dondinger & Sons	Duling Construction	Dutton Construction & Plumbing LLC
Water Distribution System 448-90750 (735560)	Group 1		\$12,255.00	\$15,592.00	
Lateral 36, Main 19 SWI 468-85143 (744426)	Group 2		\$22,992.00	\$33,246.00	
SWS #710 468-85144 (751547)	Group 3		\$41,145.00	\$58,230.00	
Tyler's Landing 6th Addition	BID BOND				
	ADDENDA	3			
BID TOTAL			\$76,392.00	\$107,068.00	
		Engineer's Construction Estimate	McCullough Excavation	Mies Construction	Nowak Construction
Water Distribution System 448-90750 (735560)	Group 1			\$11,630.00	\$12,518.00
Lateral 36, Main 19 SWI 468-85143 (744426)	Group 2			\$22,513.00	\$25,265.50
SWS #710 468-85144 (751547)	Group 3			\$48,771.00	\$50,198.00
Tyler's Landing 6th Addition	BID BOND				
	ADDENDA	3			
BID TOTAL				\$82,914.00	\$87,981.50
		Engineer's Construction Estimate	Stannard Construction d/b/a WB Carter	Wildcat Construction	Wilks Underground Utilities
Water Distribution System 448-90750 (735560)	Group 1				\$11,495.00
Lateral 36, Main 19 SWI 468-85143 (744426)	Group 2				\$24,175.25
SWS #710 468-85144 (751547)	Group 3				\$52,743.00
Tyler's Landing 6th Addition	BID BOND				
	ADDENDA	3			
BID TOTAL					\$88,413.25
Award 11-22-16 subject to City Council approval of new Engineer's Estimate and Budget Authorization.					

CHECKED BY: Kp
 REVIEWED BY: sm

SANITARY SEWER BID TABULATION SUMMARY

BOARD OF BIDS - October 21, 2016

RQ641094

FB640201		Engineer's Construction Estimate	Stannard Construction d/b/a WB Carter	Dutton Construction and Plumbing LLC	Danco Enterprises Inc.
2016 Sanitary Sewer Reconstruction Phase 11		\$153,000.00	\$94,579.00	\$88,324.00	\$135,854.00
(north of 31st Street S, east of Maize Road)	BID BOND		X	X	X
468-85149	ADDENDA	0			
(620858)					
		Engineer's Construction Estimate	Visual Systems Inc.	Wichita Excavation LLC	Utilities Plus
2016 Sanitary Sewer Reconstruction Phase 11		\$153,000.00	\$127,238.00	\$108,200.00	
(north of 31st Street S, east of Maize Road)	BID BOND		X	X	
468-85149	ADDENDA	0			
(620858)					
		Engineer's Construction Estimate	Wildcat Construction		
2016 Sanitary Sewer Reconstruction Phase 11		\$153,000.00			
(north of 31st Street S, east of Maize Road)	BID BOND				
468-85149	ADDENDA	0			
(620858)					
		Engineer's Construction Estimate			
2016 Sanitary Sewer Reconstruction Phase 11		\$153,000.00			
(north of 31st Street S, east of Maize Road)	BID BOND				
468-85149	ADDENDA	0			
(620858)					

CHECKED BY: *kp*
 REVIEWED BY: *sm*

SANITARY SEWER BID TABULATION SUMMARY

BOARD OF BIDS - October 21, 2016

RQ641102

FB640202		Engineer's Construction Estimate	Dondlinger & Sons	Duling Construction	Mies Construction
Main 25, Southwest Interceptor Sewer			\$1,379,529.00		\$1,295,403.00
Sandcrest Addition (was Pearl Peach)	BID BOND				
468-85046 (744412)	ADDENDA	2			
		Engineer's Construction Estimate	McCullough Excavation	Nowak Construction	Utilities Plus
Main 25, Southwest Interceptor Sewer				\$939,592.23	
Sandcrest Addition (was Pearl Peach)	BID BOND				
468-85046 (744412)	ADDENDA	2			
		Engineer's Construction Estimate	Wildcat Construction	Stannard Construction d/b/a WB Carter	
Main 25, Southwest Interceptor Sewer					
Sandcrest Addition (was Pearl Peach)	BID BOND				
468-85046 (744412)	ADDENDA	2			
		Engineer's Construction Estimate			
Main 25, Southwest Interceptor Sewer					
Sandcrest Addition (was Pearl Peach)	BID BOND				
468-85046 (744412)	ADDENDA	2			
Defer 1 Week					

CHECKED BY: *kp*
 REVIEWED BY: *sm*

STORM SEWER BID TABULATION SUMMARY

BOARD OF BIDS - October 21, 2016

RQ641107

FB640203		Engineer's Construction Estimate	Dutton Construction and Plumbing LLC	Duling Construction	Mies Construction
SWD #411 Repairs at Hardtner and Crestline		\$20,000.00	\$14,460.00	\$22,882.00	\$20,565.00
Westlink Village 4th Addition	BID BOND		X		
468-85131 (133116)	ADDENDA	1	X		
		Engineer's Construction Estimate	McCullough Excavation	Nowak Construction	Utilities Plus
SWD #411 Repairs at Hardtner and Crestline		\$20,000.00			
Westlink Village 4th Addition	BID BOND				
468-85131 (133116)	ADDENDA	1			
		Engineer's Construction Estimate	Wildcat Construction	Stannard Construction d/b/a WB Carter	
SWD #411 Repairs at Hardtner and Crestline		\$20,000.00			
Westlink Village 4th Addition	BID BOND				
468-85131 (133116)	ADDENDA	1			
		Engineer's Construction Estimate			
SWD #411 Repairs at Hardtner and Crestline		\$20,000.00			
Westlink Village 4th Addition	BID BOND				
468-85131 (133116)	ADDENDA	1			

CHECKED BY: Kp

REVIEWED BY: Sm

PAVING BID TABULATION SUMMARY

BOARD OF BIDS - October 21, 2016

RQ641098

FB640204		Engineer's Construction Estimate	APAC - Kansas Inc	Barkley Construction	Cornejo & Sons, LLC
Lark Lane, Lark Court, Prescott		\$281,360.00	\$228,627.20		\$199,611.05
(south of Pawnee, west of Maize)	BID BOND				
	ADDENDA	0			
472-84192 (766372)					
		Engineer's Construction Estimate	Dondlinger & Sons	Kansas Paving Company	
Lark Lane, Lark Court, Prescott		\$281,360.00		\$193,043.20	
(south of Pawnee, west of Maize)	BID BOND				
	ADDENDA	0			
472-84192 (766372)					
		Engineer's Construction Estimate			
Lark Lane, Lark Court, Prescott		\$281,360.00			
(south of Pawnee, west of Maize)	BID BOND				
	ADDENDA	0			
472-84192 (766372)					
		Engineer's Construction Estimate			
Lark Lane, Lark Court, Prescott		\$281,360.00			
(south of Pawnee, west of Maize)	BID BOND				
	ADDENDA	0			
472-84192 (766372)					

CHECKED BY: *JP*

REVIEWED BY: *SM*

City of Wichita
City Council Meeting
October 25, 2016

TO: Mayor and City Council
SUBJECT: Community Events – 25th Annual Frostbite Regatta (District VI)
INITIATED BY: Division of Arts & Cultural Services
AGENDA: Consent

Recommendation: Approve the request for temporary street closures.

Background: In accordance with the Community Events procedure the event promoter, Elisa Acosta, Wichita Rowing Association, is coordinating the 25th Annual Frostbite Regatta event with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

25th Annual Frostbite Regatta November 6, 2016 8:00 am – 5:00 pm

- Nims Street, Central Avenue to Roundabout

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

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

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

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

City of Wichita
City Council Meeting
October 25, 2016

TO: Mayor and City Council
SUBJECT: Community Events – Miró Returns: Community Celebration (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 Carolyn Copple, Ulrich Museum of Art, is coordinating Miró Returns: Community Celebration with City of Wichita staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

Miró Returns: Community Celebration, October 30, 2016 1:30 to 5:30 p.m.

- 17th Street North, Vassar to Holyoke

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

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

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

Recommendation/Actions: It is recommended that the City Council approve the request subject to: 1) Hiring 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
October 25, 2016

TO: Mayor and City Council

SUBJECT: Kansas Department of Transportation Supplemental Agreement No. 1 for Improvements to 143rd Street East, Kellogg-Central (District II)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Approve Supplemental Agreement No. 1.

Background: On July 15, 2014, the City Council approved an agreement with the Kansas Department of Transportation (KDOT) for improvements to 143rd Street East between Kellogg and Central.

Analysis: Supplemental Agreement No. 1 with KDOT will allow the City to use additional federal funding allocated by the Wichita Area Metropolitan Planning Organization (WAMPO) to construct the project. The supplemental agreement also adds audit language that is required by KDOT and the federal government, and a not to exceed allocation amount. This will allow changes in the federal dollar amount to be approved by way of the Transportation Improvement Program (TIP) instead of supplemental agreements, as long as the amounts do not increase. The agreement also splits the federal funding between 2017 and 2018.

Financial Considerations: The City Council approved a total of \$5.71 million in funding for this project on September 13, 2016. This includes \$2.11 million in local general obligation funding and \$3.60 million in federal funding. These amounts are included in the 2016-2025 Adopted Capital Improvement Program. The requested action only adjusts the KDOT agreement to reflect the correct federal funding amount.

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

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

Attachment: Supplemental Agreement No. 1.

PROJECT NO. 87 N-0614-01
STP-N061(401)
ROAD RECONSTRUCTION
CITY OF WICHITA, KANSAS

S U P P L E M E N T A L A G R E E M E N T N o . 1

This Agreement, made and entered into effective the date signed by the Secretary or designee, is by and between the **Secretary of Transportation**, Kansas Department of Transportation (KDOT) (the "Secretary") and the **City of Wichita, Kansas** ("City"), collectively, the "Parties."

RECITALS:

- A. The Parties entered into an Agreement dated July 25, 2014 for construction of 5-lane roadway at 143RD Street East from Kellogg Avenue to Central Avenue (the "Original Agreement").
- B. The Parties mutually desire to supplement the Original Agreement to reflect an increase in the maximum federal funds allowed for the Project and to update Federal Audit provisions.

NOW, THEREFORE, the Parties agree as follows:

1. On page 3 of the Original Agreement, Article II, paragraph 2, be replaced in its entirety to read as follows:

2. **Payment of Costs.** The Secretary agrees to reimburse the City for eighty percent (80%) of the total actual costs of Construction (which includes the costs of all Construction Contingency Items) and Construction Engineering, but not to exceed \$2,836,971.00 in 2017-FFY STP and CMAQ Funds for the Project. The Secretary also agrees to reimburse the City for eighty percent (80%) of the total actual costs of Construction (which includes the costs of all Construction Contingency Items), but not to exceed \$763,029.00 in 2018-FFY AC STP funds for the Project. The Secretary shall not be responsible for the total actual costs of Construction (which includes the costs of all Construction Contingency Items) and Construction Engineering that exceed \$4,500,000.00 for the Project. The Secretary shall not be responsible for the total actual costs of Preliminary Engineering, Right of Way, or Utility adjustments for the Project.

2. On pages 10-11 of the Original Agreement, Article III, paragraph 27, be replaced in its entirety to read as follows:

27. **Financial Obligation.** The City will be responsible for twenty percent (20%) of the total actual costs of Construction (which includes the costs of all Construction Contingency Items) and Construction Engineering, up to \$4,500,000.00 for the Project. In addition, the City agrees to be responsible for one hundred percent (100%) of the total actual costs of Construction (which includes the costs of all Construction Contingency Items) and Construction Engineering that exceed \$4,500,000.00 for the Project. Further, the City agrees to be responsible for one hundred percent (100%) of the total actual costs of Preliminary Engineering, Right of Way, and Utility adjustments for the Project. The City shall also pay for

any Non-Participating Costs incurred for the Project along with the associated Non-Participating Construction Engineering costs.

3. On page 11 of the Original Agreement, Article III, paragraph 29, be replaced in its entirety to read as follows:

29. **Audit.** All local governmental units, state agencies or instrumentalities, non-profit Organizations, institutions of higher education and Indian Tribal governments shall comply with Federal-Aid Transportation Act and the requirements of 2 C.F.R. Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (commonly known as the "Supercircular") Further, the City agrees to the following provisions:

(a) **Audit.** It is the policy of the Secretary to make any final payments to the City for services related to the Project in a timely manner. The Audit Standards set forth in 2 C.F.R. Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," and specifically the requirements in Subpart F, 2 C.F.R. §200.500 *et seq.* require either a single or program specific audit be performed by an independent certified public accountant in accordance with these standards. All information audited and audit standards and procedures shall comply with 2 C.F.R. §200.500 *et seq.*

(b) **Audit Report.** The Secretary may pay any final amount due for the authorized work performed based upon the City's most recent Single or Program Specific Audit Report "(Audit Report)" available and a desk review of the claim by the Contract Audit Section of KDOT's Bureau of Fiscal Services. The City, by acceptance of this Agreement, acknowledges the final payment is subject to all single or program specific audits which cover the time period of the expenses being claimed for reimbursement. The Parties agree as the Audit Report becomes available for the reimbursement period (normally should occur within a period of 1-2 years), the Secretary will review the Audit Report for items which are declared as not eligible for reimbursement. The City agrees to refund payment made by the Secretary to the City for items subsequently found to be not eligible for reimbursement by audit.

(c) **Agency Audit.** If the City is not subject to the Audit Standards set forth in 2 C.F.R. Part 200, the Secretary and/or the FHWA may request, in their sole discretion, to conduct an audit of the Project. Upon the request of the Secretary and/or the FHWA for an audit, the City will participate and cooperate in the audit and shall make its records and books available to representatives of the requesting agency for a period of five (5) years after date of final payment under this Agreement. If any such audit reveals payments have been made with federal funds by the City for items considered Non-Participating Costs, the City shall promptly reimburse the Secretary for such items upon notification by the Secretary.

4. On page 12 of the Original Agreement, Article III is revised to add new paragraph 33, to read as follows:

33. **Cap Amount for Project Costs.** The City agrees that the "Not to Exceed" dollar amount above is subject to change as listed in the City's MPO's Transportation Improvement Plan ("TIP"). Final "Not to Exceed" dollar amounts will be determined by the Secretary at the time of Letting. Any necessary changes to the "Not to Exceed" amounts will be documented through a supplemental agreement.

THIS SUPPLEMENTAL AGREEMENT shall not be construed to alter, modify, or void the terms, provisions or conditions of the Original Agreement, incorporated herein by reference, except as herein specifically provided.

IN WITNESS WHEREOF, the Parties have caused this Supplemental Agreement to be signed by their duly authorized officers.

ATTEST:

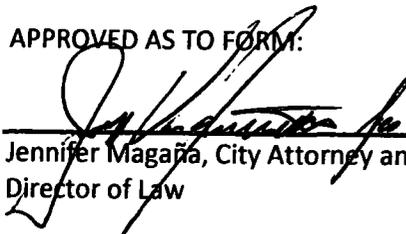
THE CITY OF WICHITA, KANSAS

CITY CLERK (Date)

MAYOR

(SEAL)

APPROVED AS TO FORM:



Jennifer Magaña, City Attorney and
Director of Law

Kansas Department of Transportation
Secretary of Transportation

By: _____
Jerome T. Younger, P.E. (Date)
Deputy Secretary and
State Transportation Engineer

City of Wichita
City Council Meeting
October 25, 2016

TO: Mayor and City Council

SUBJECT: Purchase Option (Coleman) (District I)

INITIATED BY: Office of Urban Development

AGENDA: Consent

Recommendation: Adopt the Resolution and authorize the necessary signatures.

Background: In 1993, the City Council approved the issuance of \$10,036,800 in Industrial Revenue Bonds (“IRBs”) for The Coleman Company (“Coleman”) to finance the new corporate headquarters on North Hydraulic. The City also entered into a Site Lease, Lease, and Indenture with Coleman securing the IRBs with all Coleman land and improvements. The City issued IRBs for Coleman in 2004 in an amount not to exceed \$19,500,000 and in 2005 for \$10,500,000.

The City has received notice from Coleman of its intention to exercise the IRB purchase option and requests approval of the conveyance of the property financed by the 2004 and 2005 IRBs.

Analysis: Under the provisions of the IRB Lease between Coleman (“Tenant”) and the City, the Tenant has the option, if all outstanding bonds and fees have been, or will be paid, to purchase the bond-financed facilities from the City of Wichita for the sum of \$1,000.

Financial Considerations: The City has received payment of the \$1,000 purchase option price required by the Lease Agreement. There are no fiscal impacts to the City as a result of the purchase option.

Legal Considerations: The City is required to convey the IRB Project property to the Tenant once all the conditions established in the Lease have been met. The Resolution authorizing execution of the Special Warranty Deed, Bill of Sale and Termination of Lease Agreement and the delivery of such documents have been approved as to form by the Law Department.

Recommendation/Actions: It is recommended that the City Council adopt the Resolution approving the Bill of Sale, Release of Tenth Supplemental and Eleventh Supplemental Lease, Cancellation, Discharge and Release of the Tenth Supplemental Trust Indenture and Eleventh Supplemental Indenture to convey the property to Coleman and authorize the necessary signatures.

Attachments: Resolution, Bill of Sale, Release of Tenth Supplemental Lease and Eleventh Supplemental Lease, Cancellation, Discharge and Release of Tenth Supplemental Indenture and Eleventh Supplemental Indenture

RESOLUTION NO. 16-412

A RESOLUTION OF THE CITY OF WICHITA, KANSAS, AUTHORIZING THE CITY TO CONVEY TITLE TO CERTAIN PROPERTY RELATING TO THE CITY'S TAXABLE REVENUE BONDS, SERIES IX, 2004 AND SERIES VIII, 2005 (THE COLEMAN COMPANY, INC.); AUTHORIZING EXECUTION OF A BILL OF SALE AND ALL SUCH OTHER DOCUMENTS NECESSARY TO CONVEY TITLE TO SUCH PROPERTY TO THE COLEMAN COMPANY, INC.

WHEREAS, the City of Wichita, Kansas (the "Issuer"), has heretofore determined that it is desirable in order to promote, stimulate and develop the general economic welfare and prosperity of the Issuer and its environs to issue its taxable industrial revenue bonds for the purpose of purchasing, acquiring, constructing and equipping improvements and additions to existing facilities located in the City of Wichita, Kansas and the City of Maize, Kansas (collectively, the "Project"); and

WHEREAS, the Issuer previously issued its Taxable Industrial Revenue Bonds, Series IX, 2004 (The Coleman Company, Inc.) (the "2004 Bonds") and its Taxable Industrial Revenue Bonds, Series VIII, 2005 (The Coleman Company, Inc.) (the "2005 Bonds"), pursuant to a Trust Indenture dated as of December 1, 1993, as amended and supplemented, including by the Tenth Supplemental Trust Indenture dated as of December 1, 2004 and the Eleventh Supplemental Trust Indenture dated as of December 1, 2005 (as supplemented and amended, the "Indenture"), all by and between the Issuer and The Bank of New York Mellon Trust Company, N.A., St. Louis, Missouri, as trustee (the "Trustee"), for the purpose of purchasing, acquiring, constructing and equipping a portion of the Project, as more fully described in the Indenture; and

WHEREAS, the proceeds of the 2004 Bonds were used for the purpose of acquiring, purchasing, constructing and equipping certain improvements and additions to an existing manufacturing facility (the "2004 Additions"), and

WHEREAS, the proceeds of the 2005 Bonds were used for the purpose of acquiring, purchasing, constructing and equipping certain improvements and additions to an existing manufacturing facility (the "2005 Additions"), and

WHEREAS, the 2004 Additions and the 2005 Additions comprise a portion of the Project; and

WHEREAS, the Issuer has leased the Project to The Coleman Company, Inc. a Delaware corporation (the "Tenant"), pursuant to the terms of a Lease dated as of December 1, 1993, as amended and supplemented, including by the Tenth Supplemental Lease dated as of December 1, 2004 and the Eleventh Supplemental Lease dated as of December 1, 2005 (as amended and supplemented, the "Lease"), all by and between the Issuer and the Tenant; and

WHEREAS, capitalized terms used and not otherwise defined herein shall have the meanings given to them in the Indenture and Lease; and

WHEREAS, Article XVI of the 1993 Lease and Article VIII of the Tenth Supplemental Lease provide that the Tenant may exercise its option to purchase the 2004 Additions at any time upon compliance

with the provisions in the Lease including receipt by the Issuer of notice of the Tenant's intent to exercise such option; and

WHEREAS, Article XVI of the 1993 Lease and Article VIII of the Eleventh Supplemental Lease provide that the Tenant may exercise its option to purchase the 2005 Additions at any time upon compliance with the provisions in the Lease including receipt by the Issuer of notice of the Tenant's intent to exercise such option; and

WHEREAS, the Issuer has received notice of the Tenant's intent to exercise its option to purchase the 2004 Additions and the 2005 Additions and the Issuer wishes to expedite that process; and

WHEREAS, the Issuer has received certification from the Trustee that the 2004 Bonds and 2005 Bonds have been paid in full and are no longer outstanding under the Indenture; and

WHEREAS, the Issuer has received a check from the Tenant in the amount of \$2,000 for payment of the purchase option price.

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

Section 1. The Mayor and City Clerk are authorized and directed to execute a Bill of Sale, a Release of Tenth Supplemental Lease and Eleventh Supplemental Lease, and a Cancellation, Discharge and Release of Tenth Supplemental Indenture and Eleventh Supplemental Indenture (collectively, the "Release Documents"), in substantially the forms submitted to the City Council concurrently with the adoption of this Resolution. The City Clerk is directed to deliver the executed Release Documents to the Tenant.

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

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ADOPTED AND APPROVED by the governing body of the City of Wichita, Kansas this 25th day of October, 2016.

CITY OF WICHITA, KANSAS

(Seal)

By _____
Jeff Longwell, Mayor

Attest:

By _____
Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law and
City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution adopted by the City Council of the City of Wichita, Kansas on October 25, 2016, as the same appears of record in my office.

DATED: October 25, 2016.

Karen Sublett, City Clerk

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**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS
HELD ON OCTOBER 25, 2016**

The governing body of the City of Wichita, Kansas met in regular session at the usual meeting place in the City, at 9:30 a.m., the following members being present and participating, to-wit:

Absent: .

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

* * * * *

(Other Proceedings)

Thereupon, there was presented on the City Council's Consent Agenda a Resolution entitled:

**A RESOLUTION OF THE CITY OF WICHITA, KANSAS,
AUTHORIZING THE CITY TO CONVEY TITLE TO CERTAIN
PROPERTY RELATING TO THE CITY'S TAXABLE REVENUE
BONDS, SERIES IX, 2004 AND SERIES VIII, 2005 (THE
COLEMAN COMPANY, INC.); AUTHORIZING EXECUTION OF
A BILL OF SALE AND ALL SUCH OTHER DOCUMENTS
NECESSARY TO CONVEY TITLE TO SUCH PROPERTY TO
THE COLEMAN COMPANY, INC.**

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

Aye:

Nay:

Thereupon, the Resolution was then duly numbered Resolution No. 16-412, and was signed by the Mayor and attested by the Clerk.

(Other Proceedings)

* * * * *

CERTIFICATE

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

[SEAL]

Karen Sublett, City Clerk

BILL OF SALE

In furtherance of the terms of a certain Lease dated as of December 1, 1993, as supplemented and amended, including by the Tenth Supplemental Lease dated as of December 1, 2004 and the Eleventh Supplemental Lease dated as of December 1, 2005 (as supplemented and amended, the "Lease"), all between the City of Wichita, Kansas, as lessor (the "Grantor"), and The Coleman Company, Inc., a Delaware corporation, as lessee (the "Grantee"), and for valuable consideration, Grantor hereby transfers, assigns and conveys to Grantee, all Grantor's interest in the property purchased with the proceeds of the City of Wichita, Kansas, Taxable Industrial Revenue Bonds, Series IX, 2004 (The Coleman Company, Inc.) and the City of Wichita, Kansas Taxable Industrial Revenue Bonds, Series VIII, 2005, said property being described on *Schedule I* attached hereto.

Grantor hereby covenants with Grantee that its interest such property is free from all encumbrances except (i) those transfers, liens and encumbrances to which title to the described property was subject when conveyed to the Grantor; (ii) those transfers, liens and encumbrances created by the Grantee or to the creation of which Grantee has consented; and (iii) those transfers, liens and encumbrances resulting from the failure of the Grantee to perform and observe any of the agreements on its part contained in the Lease under which it has heretofore leased such property; and that it will warrant and defend the same against the lawful claims and demand of all persons claiming through Grantor.

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Executed by authority of the governing body of the City of Wichita, Kansas, for delivery on or after October 25, 2016.

[SEAL]

CITY OF WICHITA, KANSAS
a municipal corporation

By: _____
Jeff Longwell, Mayor

ATTEST:

By: _____
Karen Sublett, City Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Jeff Longwell, Mayor, and Karen Sublett, City Clerk, respectively, of the City of Wichita, Kansas, on behalf of said City.

[SEAL]

Notary Public

My appointment expires:

SCHEDULE I
PROPERTY LISTING
Series IX, 2004 Bonds

[to be inserted]

**PROPERTY LISTING
Series VIII, 2005 Bonds**

[to be inserted]

**RELEASE OF TENTH SUPPLEMENTAL LEASE
AND ELEVENTH SUPPLEMENTAL LEASE**

WHEREAS, the City of Wichita, Kansas (the "Issuer") has heretofore entered into a Tenth Supplemental Lease dated as of December 1, 2004 (the "Tenth Supplemental Lease") and an Eleventh Supplemental Lease dated as of December 1, 2005 (the "Eleventh Supplemental Lease"), supplementing and amending a Lease dated as of December 1, 1993 (as supplemented and amended in accordance with the provisions thereof, the "Lease"), all between the Issuer and The Coleman Company, Inc., a Delaware corporation (the "Tenant"); and

WHEREAS, the Issuer assigned its interest in the Tenth Supplemental Lease and the Eleventh Supplemental Lease to The Bank of New York Mellon Trust Company, N.A., St. Louis, Missouri, acting as Trustee for the Issuer and others for purpose of enforcement of the Tenant's covenants under the Lease; and

WHEREAS, the Tenant has exercised its option to purchase certain property described in the Tenth Supplemental Lease and the Eleventh Supplemental Lease from the Issuer; and

WHEREAS, all of the Tenant's obligations to the Issuer under the Tenth Supplemental Lease and the Eleventh Supplemental Lease have been satisfied;

THEREFORE, the property described in the attached **Schedule I** is hereby released from any claim of the Issuer and the The Bank of New York Mellon Trust Company, N.A. under the Lease and the Tenth Supplemental Lease and the Eleventh Supplemental Lease are hereby terminated.

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Executed by authority of the governing body of the City of Wichita, Kansas, for delivery on or after October 25, 2016.

CITY OF WICHITA, KANSAS

By: _____
Jeff Longwell, Mayor

[SEAL]

ATTEST:

By : _____
Karen Sublett, City Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ___ day of _____, 2016 by Jeff Longwell, Mayor, and Karen Sublett, City Clerk, respectively, of the City of Wichita, Kansas, on behalf of said City.

[SEAL]

By: _____
Notary Public

My appointment expires: _____

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

[SEAL]

By: _____
Name:
Title:

ACKNOWLEDGMENT

STATE OF MISSOURI)
) SS:
COUNTY OF ST. LOUIS)

This instrument was acknowledged before me this ____ day of _____, 2016
by _____, as Vice President of the The Bank of New Mellon Trust Company, N.A., St.
Louis, Missouri, a national banking association.

[SEAL]

Notary Public

My appointment expires: _____
Date

SCHEDULE I

**PROPERTY LISTING
Series IX, 2004 Bonds**

[to be inserted]

**PROPERTY LISTING
Series VIII, 2005 Bonds**

[to be inserted]

**CANCELLATION, DISCHARGE AND RELEASE
OF THE TENTH SUPPLEMENTAL TRUST INDENTURE
AND ELEVENTH SUPPLEMENTAL TRUST INDENTURE**

THIS CANCELLATION, DISCHARGE AND RELEASE OF THE TENTH SUPPLEMENTAL TRUST INDENTURE AND ELEVENTH SUPPLEMENTAL TRUST INDENTURE, by and between **THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.**, St. Louis, Missouri, a national banking association duly organized and existing under the laws of the United States, with its office located in the City of St. Louis, Missouri (the "Trustee") and the **CITY OF WICHITA, KANSAS**, a municipal corporation organized under the laws of the State of Kansas (the "Issuer").

WITNESSETH:

WHEREAS, the Issuer has heretofore entered into a certain Tenth Supplemental Trust Indenture dated as of December 1, 2004 (the "Tenth Supplemental Indenture"), by and between the Issuer and the Trustee, for the purpose of securing by the pledge of the Trust Estate (as defined therein) the payment of the principal of, premium, if any, and interest on the Issuer's Taxable Industrial Revenue Bonds, Series IX, 2004 (The Coleman Company, Inc.) (the "2004 Bonds") which were issued for the purpose of acquiring, purchasing, constructing and equipping certain improvements and additions to an existing manufacturing facility (the "2004 Additions"), which 2004 Additions were leased to The Coleman Company, Inc., a Delaware corporation; and

WHEREAS, the Issuer has heretofore entered into a certain Eleventh Supplemental Trust Indenture dated as of December 1, 2005 (the "Eleventh Supplemental Indenture"), by and between the Issuer and the Trustee, for the purpose of securing by the pledge of the Trust Estate (as defined therein) the payment of the principal of, premium, if any, and interest on the Issuer's Taxable Industrial Revenue Bonds, Series VIII, 2005 (The Coleman Company, Inc.) (the "2005 Bonds") which were issued for the purpose of acquiring, purchasing, constructing and equipping certain improvements and additions to an existing manufacturing facility (the "2005 Additions"), which 2005 Additions were leased to The Coleman Company, Inc., a Delaware corporation; and

WHEREAS, said Tenth Supplemental Indenture and Eleventh Supplemental Indenture supplement a certain Trust Indenture dated as of December 1, 1993, as amended and supplemented in accordance with its terms (as amended and supplemented, the "Indenture"), by and between the Issuer and the Trustee; and

WHEREAS, in accordance with the provisions of the Indenture, no 2004 Bonds or 2005 Bonds remain outstanding; and

WHEREAS, it is necessary to provide for the release of the Trust Estate with respect to the 2004 Bonds and 2005 Bonds and the termination of the Tenth Supplemental Indenture and the Eleventh Supplemental Indenture.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and in consideration of other good and valuable consideration, the parties hereto agree that the Tenth Supplemental Indenture and the Eleventh Supplemental Indenture and the pledge of the Trust Estate thereunder are hereby canceled, discharged and released.

IN WITNESS WHEREOF, the parties hereto have executed this Cancellation, Discharge and Release of Tenth Supplemental Trust Indenture and Eleventh Supplemental Trust Indenture for delivery or after October 25, 2016.

CITY OF WICHITA, KANSAS

By _____
Mayor

[SEAL]

ATTEST:

City Clerk

IN WITNESS WHEREOF, the parties hereto have executed this Cancellation, Discharge and Release of Tenth Supplemental Trust Indenture and Eleventh Supplemental Trust Indenture for delivery or after October 25, 2016.

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

By: _____
Name: Kerry A. McFarland
Title: Vice President

[SEAL]

City of Wichita
City Council Meeting
October 25, 2016

TO: Mayor and City Council

SUBJECT: Purchase Option (Envision, Inc.) (District III)

INITIATED BY: Office of Urban Development

AGENDA: Consent

Recommendations: Adopt the Resolution and authorize the necessary signatures.

Background: On December 12, 2006, the City of Wichita approved the issuance of \$2,700,000 of Industrial Revenue Bonds (IRBs) on behalf of Envision, Inc. for an acquisition and rehabilitation of a building located at 610 N. Main in downtown Wichita.

The City received notice from Envision, Inc. of its intention to exercise the IRB purchase option and requests approval of the conveyance of the IRB-financed property. The bonds have matured.

Analysis: Under the provisions of the IRB Lease between Envision, Inc. (“Tenant”) and the City, the Tenant has the option, if all outstanding bonds and fees have been paid, to purchase the facilities from the City of Wichita for the sum of \$1,000. The Tenant has made final payment on the bonds which has been confirmed by the trustee.

Financial Considerations: The City has received payment of the \$1,000 purchase option price required by the Lease Agreement. There are no fiscal impacts to the City as a result of the purchase option.

Legal Considerations: The City is required to convey the IRB Project property to the Tenant once all the conditions established in the Lease have been met. The Resolution authorizing execution of the Bill of Sale, Special Warranty Deed and Termination of Lease Agreement, and the delivery of such documents have been approved as to form by the Law Department.

Recommendation/Action: It is recommended that the City Council adopt the Resolution approving the Bill of Sale, Termination of Lease Agreement and Special Warranty Deed to convey the property to Envision, Inc. and authorize the necessary signatures.

Attachment(s): Resolution, Special Warranty Deed, Bill of Sale, Release of Lease

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS
HELD ON OCTOBER 25, 2016**

The governing body met in regular session at the usual meeting place in the City Council on October 25, 2016, at 9:30 a.m., the following members being present and participating, to wit:

Absent:

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

* * * * *

(Other Proceedings)

Thereupon, there was presented a Resolution entitled:

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

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

Aye: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 16-413 and was signed by the Mayor and attested by the Clerk.

* * * * *

(Other Proceedings)

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

CERTIFICATE

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

[SEAL]

Clerk

RESOLUTION NO. 16-413

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

WHEREAS, pursuant to Ordinance No. 47-315 and the Trust Indenture dated as of December 1, 2006, [the] City of Wichita, Kansas (the "Issuer") has previously issued its Industrial Revenue Bonds, Series V, 2006 (Envision, Inc.) in the original aggregate principal amount of \$2,700,000 (the "Bonds") to finance the cost of acquiring, purchasing, constructing and equipping a certain facility to be used for commercial purposes (the "Project"), such Project having been leased to Envision, Inc., a Kansas nonprofit corporation (the "Tenant") pursuant to a Lease dated as of December 1, 2006 between the City and the Tenant (the "Lease"); and

WHEREAS, the Tenant desires to exercise its option to purchase the Project under Section 2.09 of the Lease and is not in default under the Lease; and

WHEREAS, the Tenant had made all the payments of Basic Rent and Additional Rent pursuant to the Lease and all principal and interest on the Bonds has been paid or payment has been provided for; and

WHEREAS, Security Bank of Kanss City, Wichita, Kansas, as success Trustee for the Bonds, has certified that no Bonds remain outstanding; and

WHEREAS, the Tenant has provided the City written notice of its intent to exercise its option to purchase the Project;

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

Section 1. The Mayor and Clerk are authorized and directed to execute a Special Warranty Deed, a Bill of Sale and a Release of Lease, in substantially the forms submitted to the Governing Body concurrently with the adoption of this Resolution. The Clerk is directed to deliver the executed special warranty deed, a bill of sale and a release of lease to the Tenant.

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

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ADOPTED by the governing body of the City of Wichita, Kansas on October 25, 2016.

CITY OF WICHITA, KANSAS

Mayor

[SEAL]

Attest:

By: _____
Clerk

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law and
City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution adopted by the City Council of the City of Wichita, Kansas on October 25, 2016, as the same appears of record in my office.

DATED: October 25, 2016.

Karen Sublett, City Clerk

THIS CONVEYANCE IS FOR THE PURPOSE OF RELEASING SECURITY FOR A DEBT OR OTHER OBLIGATION AND IS EXEMPT FROM THE REQUIREMENTS OF A SALES VALIDATION QUESTIONNAIRE PURSUANT TO K.S.A. 79-1437e(2).

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made October 25, 2016 between the City of Wichita, Kansas, a municipal corporation, as Grantor, and Envision, Inc., a Kansas nonprofit corporation, as Grantee;

WITNESSETH, that said Grantor, in furtherance of the terms of a certain Lease dated as of December 1, 2006 between Grantor and Grantee, and as authorized by a Resolution duly adopted by the governing body of the Grantor, and by these presents does hereby convey to Grantee, its successors and assigns, all real estate in Sedgwick County, Kansas described on **Exhibit A** hereto and incorporated herein, for the sum of \$1,000.00 and other valuable consideration;

TO HAVE AND TO HOLD, the premises described, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in any way appertaining, to Grantee and to its successors and assigns forever; and Grantor hereby covenants that the premises are free and clear of all encumbrances whatsoever, except (a) the restriction that no existing building nor any building which is constructed or placed upon the Land, either temporarily or permanently, shall be used for the purpose of housing any multigame, casino-style gambling on the premises, (b) those to which the title was subject on the date of conveyance to Grantor, or to which title became subject with Grantee's written consent, or which resulted from any failure of Grantee to perform any of its covenants or obligations under the Lease from Grantor referred to above, (c) taxes and assessments, general and special, if any, and (d) the rights, titles and interests of any party having condemned or attempting to condemn title to, or the use for a limited period of, all or any part of the premises conveyed; and that it will warrant and defend the title to the premises to Grantee and Grantee's successors and assigns forever against the lawful claims and demands of anyone claiming by, through or under it.

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IN WITNESS WHEREOF, Grantor has executed this deed and affixed its corporate seal on the day and year first above written.

[SEAL]

ATTEST:

CITY OF WICHITA, KANSAS
a municipal corporation

Karen Sublett, Clerk

Jeff Longwell, Mayor

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Jeff Longwell, Mayor, and Karen Sublett, Clerk, respectively, of the City of Wichita, Kansas, on behalf of said City.

[SEAL]

Notary Public

My appointment expires:

EXHIBIT A

DESCRIPTION OF PROPERTY

Parcel 1:

Unit A in Envision Vision Rehabilitation Clinic Condominium located on Lots 46, Except described as beginning at the Southwest corner of said Lot 46; thence north along the West line of said Lot 46, 2.46 feet; thence east 132.00 feet, more or less, to a point on the East line of said Lot 46, said point being 1.40 feet north of the Southeast corner of said Lot 46; thence south along the East line of said Lot 46, 1.40 feet to the Southeast corner of said Lot 46; thence west 132.00 feet, more or less, along the South line of said Lot 46 to the point of beginning, 48, 50, 52, 54 and 56 on Court Street, now Main Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas, together with the undivided interest in the common areas and facilities established by the Declaration of Condominium filed December 21, 2006 as Doc#/Flm-Pg: 28843492.

Parcel 2:

Lots 58, 60, 62 and 64 on Court Street, now Main Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

Parcel 3:

Lots 40, 42, 48, 50, 52, 54 and 56 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

Parcel 4:

Lots 39, Except the South 24 feet thereof; and Lots 41, 43, 45, 47, 57, 59, 61 and 63 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

Parcel 5:

A non-exclusive easement for the benefit of Lot 39, Except the South 24 feet thereof; and Lot 41 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas, as created by the Declaration of Cross Lot Access and Easement, recorded as Doc#/Flm-Pg: 28744383 and amended and restated as Doc#/Flm-Pg: 28841247, for ingress and egress vehicular and pedestrian traffic over and across The North Half of Lot 35, Lot 37 and the South 24 feet of Lot 39 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

Parcel 6:

A non-exclusive easement for the benefit of Lot 40 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas, as created by the Declaration of Cross Lot Access and Easement, recorded as Doc#/Flm-Pg: 28744384, for ingress and egress vehicular and pedestrian traffic over and across Lots 36 and 38 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

Parcel 7:

A non-exclusive easement for the benefit of Lots 57, 59, 61 and 63, Excepting the West 10 feet on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas, as created by the Declaration of Cross Lot Access and Easement, recorded as Doc#/Flm-Pg: 28811693, for ingress and egress vehicular and pedestrian traffic over and across Lot 66, Excepting the East 10 feet and Lots 68, 70, 72, 74, 76, 78, 80, 82 and 84 on Court Street, now Main Street; together with the West half of the vacated alley adjacent to said lots on the East; and Lots 65, 67 and 69 on Chisholm Street, now Market Street; together with the East half of the vacated alley adjacent to said lots on the west, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

BILL OF SALE

In furtherance of the terms of a certain Lease dated as of December 1, 2006 between the City of Wichita, Kansas, as Assignor, and Envision, Inc., a Kansas nonprofit corporation, as Assignee, and for valuable consideration, Assignor hereby transfers, assigns and conveys to Assignee, all personal property purchased with the proceeds of the City of Wichita, Kansas, Industrial Revenue Bonds, Series V, 2006 (Envision, Inc.).

[SEAL]

ATTEST:

CITY OF WICHITA, KANSAS
a municipal corporation

Karen Sublett, Clerk

Jeff Longwell, Mayor

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Jeff Longwell, Mayor, and Karen Sublett, Clerk, respectively, of the City of Wichita, Kansas, on behalf of said City.

[SEAL]

Notary Public

My appointment expires:

RELEASE OF LEASE

WHEREAS, the City of Wichita, Kansas (the "Issuer") has heretofore entered into a Lease dated as of December 1, 2006 (the "Lease") between the Issuer and Envision, Inc., a Kansas nonprofit corporation (the "Tenant"), notice of which is recorded as Doc.#/Flm-Pg 28844552 in the office of the Sedgwick County Register of Deeds; and

WHEREAS, the Issuer assigned its interest in the Lease to Security Bank of Kanss City, Kansas City, Kansas, acting as successor Trustee to UMB Bank, n.a., for the Issuer and others pursuant to an Assignment of Lease which is recorded as Doc.#/Flm-Pg 28844553 in the office of the Sedgwick County Register of Deeds for purpose of enforcement of the Tenant's covenants under the Lease; and

WHEREAS, the Tenant has exercised its option to purchase the facility described in the Lease (the "Project") from the Issuer; and

WHEREAS, all of the Tenant's obligations to the Issuer under the Lease have been satisfied;

[balance of this page left intentionally blank]

THEREFORE, the property described in the attached **Schedule I** is hereby released from any claim of the Issuer and the Security Bank of Kansas City under the Lease as of October 25, 2016.

CITY OF WICHITA, KANSAS

By: _____
Jeff Longwell, Mayor

[SEAL]

ATTEST:

By : _____
Karen Sublett, Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Jeff Longwell, Mayor, and Karen Sublett, Clerk, respectively, of the City of Wichita, Kansas, on behalf of said City.

[SEAL]

By: _____
Notary Public

My appointment expires: _____

SECURITY BANK OF KANSAS CITY
Kansas City, Kansas
As Trustee

[SEAL]

By: _____
Name: Bonnie Mosher
Title: Vice President and Trust Officer

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

This instrument was acknowledged before me this ___ day of _____, 2016 by Bonnie Mosher, Vice President and Trust Officer of the Security Bank of Kansas City, Kansas City, Kansas, a state banking association or corporation.

[SEAL]

Notary Public

My appointment expires: _____
Date

SCHEDULE I

PROPERTY SUBJECT TO LEASE

Parcel 1:

Unit A in Envision Vision Rehabilitation Clinic Condominium located on Lots 46, Except described as beginning at the Southwest corner of said Lot 46; thence north along the West line of said Lot 46, 2.46 feet; thence east 132.00 feet, more or less, to a point on the East line of said Lot 46, said point being 1.40 feet north of the Southeast corner of said Lot 46; thence south along the East line of said Lot 46, 1.40 feet to the Southeast corner of said Lot 46; thence west 132.00 feet, more or less, along the South line of said Lot 46 to the point of beginning, 48, 50, 52, 54 and 56 on Court Street, now Main Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas, together with the undivided interest in the common areas and facilities established by the Declaration of Condominium filed December 21, 2006 as Doc#/Flm-Pg: 28843492.

Parcel 2:

Lots 58, 60, 62 and 64 on Court Street, now Main Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

Parcel 3:

Lots 40, 42, 48, 50, 52, 54 and 56 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

Parcel 4:

Lots 39, Except the South 24 feet thereof; and Lots 41, 43, 45, 47, 57, 59, 61 and 63 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

Parcel 5:

A non-exclusive easement for the benefit of Lot 39, Except the South 24 feet thereof; and Lot 41 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas, as created by the Declaration of Cross Lot Access and Easement, recorded as Doc#/Flm-Pg: 28744383 and amended and restated as Doc#/Flm-Pg: 28841247, for ingress and egress vehicular and pedestrian traffic over and across The North Half of Lot 35, Lot 37 and the South 24 feet of Lot 39 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

Parcel 6:

A non-exclusive easement for the benefit of Lot 40 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas, as created by the Declaration of Cross Lot Access and Easement, recorded as Doc#/Flm-Pg: 28744384, for ingress and egress vehicular and pedestrian traffic over and across Lots 36 and 38 on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

Parcel 7:

A non-exclusive easement for the benefit of Lots 57, 59, 61 and 63, Excepting the West 10 feet on Chisholm Street, now Market Street, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas, as created by the Declaration of Cross Lot Access and Easement, recorded as Doc#/Flm-Pg: 28811693, for ingress and egress vehicular and pedestrian traffic over and across Lot 66, Excepting the East 10 feet and Lots 68, 70, 72, 74, 76, 78, 80, 82 and 84 on Court Street, now Main Street; together with the West half of the vacated alley adjacent to said lots on the East; and Lots 65, 67 and 69 on Chisholm Street, now Market Street; together with the East half of the vacated alley adjacent to said lots on the west, in Munger's Original Town, now City of Wichita, Sedgwick County, Kansas

City of Wichita
City Council Meeting
October 25, 2016

TO: Mayor and City Council

SUBJECT: Purchase Option (KSDD Properties, LLC) (District II)

INITIATED BY: Office of Urban Development

AGENDA: Consent

Recommendations: Adopt the Resolution and authorize necessary signatures.

Background: On October 3, 2006, the City Council approved the issuance of Industrial Revenue Bonds (IRBs) in an amount not to exceed \$9,000,000 for KSDD Properties, LLC for the benefit of Delta Dental of Kansas. The funds were utilized to construct and equip a new 40,000 square foot corporate headquarters at 13th Street North and Webb Road, in the Waterfront development.

The City received notice from KSDD Properties of its intention to exercise the IRB purchase option and requests approval of the conveyance of the IRB-financed property.

Analysis: Under the provisions of the IRB Lease between KSDD Properties, LLC (Tenant) and the City, the Tenant has the option, if all outstanding bonds and fees have been, or will be, paid, to purchase the facilities from the City of Wichita for the sum of \$1,000. The Tenant has paid off the bonds.

Financial Considerations: The City has received payment of the \$1,000 purchase option price required by the Lease Agreement. There are no fiscal impacts to the City as a result of the purchase option.

Legal Considerations: The City is required to convey the IRB Project property to the Tenant once all the conditions established in the Lease have been met. The Resolution authorizing execution of the Bill of Sale, Special Warranty Deed and Release of Lease Agreement, and the delivery of such documents has been approved as to form by the Law Department.

Recommendation/Action: It is recommended that the City Council adopt the Resolution approving the Bill of Sale, Release of Lease Agreement and Special Warranty Deed and to convey the property to KSDD Properties, LLC and authorize the necessary signatures.

Attachment: Resolution, Bill of Sale, Release of Lease, Special Warranty Deed

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF WICHITA, KANSAS
HELD ON OCTOBER 25, 2016**

The governing body met in regular session at the usual meeting place in the City Council on October 25, 2016, at 9:30 a.m., the following members being present and participating, to wit:

Absent:

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

(Other Proceedings)

Thereupon, there was presented on the governing body's consent agenda a Resolution entitled:

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WICHITA,
KANSAS AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN
PROPERTY TO KSDD PROPERTIES, LLC**

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

Aye: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 16-414 and was signed by the Mayor and attested by the Clerk.

(Other Proceedings)

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

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

CERTIFICATE

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

[SEAL]

Clerk

RESOLUTION NO. 16-414

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN PROPERTY TO KSDD PROPERTIES, LLC

WHEREAS, pursuant to Ordinance No. 47-139 and the Trust Indenture dated as of October 1, 2006, the City of Wichita, Kansas (the "Issuer") has previously issued its Industrial Revenue Bonds (Taxable Under Federal Law), Series II, 2006 (KSDD Properties, LLC) in the original aggregate principal amount of \$9,000,000 (the "Bonds") to finance the cost of acquiring, purchasing, constructing and equipping a certain facility to be used for commercial purposes (the "Project"), such Project having been leased to KSDD Properties, LLC, a Kansas limited liability company (the "Tenant") pursuant to a Lease dated as of October 1, 2006 between the City and the Tenant (the "Lease"); and

WHEREAS, the Tenant desires to exercise its option to purchase the Project under Section 17.1 of the Lease and is not in default under the Lease; and

WHEREAS, the Tenant had made all the payments of Basic Rent and Additional Rent pursuant to the Lease and all principal and interest on the Bonds has been paid or payment has been provided for; and

WHEREAS, Security Bank of Kansas City, Kansas City, Kansas, as Trustee for the Bonds, has certified that no Bonds remain outstanding; and

WHEREAS, the Tenant has provided the City written notice of its intent to exercise its option to purchase the Project;

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

Section 1. The Mayor and Clerk are authorized and directed to execute a Special Warranty Deed, a Bill of Sale and a Release of Lease, in substantially the forms submitted to the Governing Body concurrently with the adoption of this Resolution. The Clerk is directed to deliver the executed special warranty deed, a bill of sale and a release of lease to the Tenant.

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

[BALANCE OF THIS PAGE LEFT BLANK INTENTIONALLY]

ADOPTED by the governing body of the City of Wichita, Kansas on October 25, 2016.

CITY OF WICHITA, KANSAS

Mayor

[SEAL]

Attest:

By: _____
Clerk

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law and
City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution adopted by the City Council of the City of Wichita, Kansas on October 25, 2016, as the same appears of record in my office.

DATED: October 25, 2016.

Karen Sublett, City Clerk

BILL OF SALE

In furtherance of the terms of a certain Lease dated as of October 1, 2006 between the City of Wichita, Kansas, as Assignor, and KSDD Properties, LLC, a Kansas limited liability company, as Assignee, and for valuable consideration, Assignor hereby transfers, assigns and conveys to Assignee, all personal property purchased with the proceeds of the City of Wichita, Kansas, Industrial Revenue Bonds (Taxable Under Federal Law), Series II, 2006 (KSDD Properties, LLC).

[SEAL]

ATTEST:

CITY OF WICHITA, KANSAS
a municipal corporation

Karen Sublett, Clerk

Jeff Longwell, Mayor

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Jeff Longwell, Mayor, and Karen Sublett, Clerk, respectively, of the City of Wichita, Kansas, on behalf of said City.

[SEAL]

Notary Public

My appointment expires:

RELEASE OF LEASE

WHEREAS, the City of Wichita, Kansas (the "Issuer") has heretofore entered into a Lease dated as of October 1, 2006 (the "Lease") between the Issuer and KSDD Properties, LLC, a Kansas limited liability company (the "Tenant"), notice of which is recorded as Doc.#/Flm-Pg 28828708 in the office of the Sedgwick County Register of Deeds; and

WHEREAS, the Issuer assigned its interest in the Lease to Security Bank of Kansas City, Kansas City, Kansas, acting as successor Trustee to Central Bank and Trust Co. for the Issuer and others pursuant to an Assignment of Lease which is recorded as Doc.#/Flm-Pg 28828709 in the office of the Sedgwick County Register of Deeds for purpose of enforcement of the Tenant's covenants under the Lease; and

WHEREAS, the Tenant has exercised its option to purchase the facility described in the Lease (the "Project") from the Issuer; and

WHEREAS, all of the Tenant's obligations to the Issuer under the Lease have been satisfied;

[balance of this page left intentionally blank]

THEREFORE, the property described in the attached **Schedule I** is hereby released from any claim of the Issuer and the Security Bank of Kansas City under the Lease as of October 25, 2016.

CITY OF WICHITA, KANSAS

By: _____
Jeff Longwell, Mayor

[SEAL]

ATTEST:

By : _____
Karen Sublett, Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Jeff Longwell, Mayor, and Karen Sublett, Clerk, respectively, of the City of Wichita, Kansas, on behalf of said City.

[SEAL]

By: _____
Notary Public

My appointment expires: _____

SECURITY BANK OF KANSAS CITY
Kansas City, Kansas
As Trustee

[SEAL]

By: _____
Name: Shawn Hoebener
Title: Vice President and Trust Officer

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

This instrument was acknowledged before me this ____ day of _____, 2016 by Shawn Hoebener, Vice President and Trust Officer of the Security Bank of Kansas City, Kansas City, Kansas, a state banking association or corporation.

[SEAL]

Notary Public

My appointment expires: _____
Date

SCHEDULE I

PROPERTY SUBJECT TO LEASE

(a) The following described real estate in Sedgwick County, Kansas:

A TRACT OF LAND LYING IN A PORTION OF LOTS 3 AND 4, BLOCK 1, THE WATERFRONT ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH MOST CORNER OF SAID LOT 4, THENCE ALONG THE NORTH LINE OF SAID LOT 4 ON A PLATTED BEARING OF S65°37'40"E, 15.90 FEET TO THE POINT OF BEGINNING; THENCE S65°37'40"E, 19.38 FEET TO A POINT ON A CURVE TO THE RIGHT, THENCE ALONG SAID NORTH LINE AND ALONG SAID CURVE 18.56 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 01°56'01", A RADIUS OF 550.00 FEET, AND A LONG CHORD DISTANCE OF 18.56 FEET, BEARING S64°39'40"E; THENCE S24°39'54"W, 80.43 FEET TO A POINT ON A CURVE TO THE RIGHT, THENCE ALONG SAID CURVE 102.34 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 34°41'49", A RADIUS OF 169.00 FEET, AND A LONG CHORD DISTANCE OF 100.79 FEET, BEARING S42°00'49"W; THENCE S59°21'43"W, 11.44 FEET; THENCE S30°38'18"E, 324.17 FEET TO A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID CURVE 94.71 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 27°08'31", A RADIUS OF 199.92 FEET, AND A LONG CHORD DISTANCE OF 93.82 FEET, BEARING S88°14'39"W; THENCE N78°11'32"W 47.97 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE ALONG SAID CURVE 212.34 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 40°33'12", A RADIUS OF 300.00 FEET, AND A LONG CHORD DISTANCE OF 207.93 FEET, BEARING S81°31'52" W; THENCE S61°15'16"W, 43.03 FEET; THENCE N86°58'24"W, 87.11 FEET; THENCE S59°21'42"W, 234.84 FEET TO A POINT ON THE WEST LINE OF SAID LOT 4; THENCE ALONG THE WEST LINE OF SAID LOT 4 FOR THE NEXT FOUR COURSES, N26°35'28"W, 94.81 FEET; THENCE N15°04'15"E, 109.93 FEET; THENCE N57°51'45"E, 144.88 FEET; THENCE N22°57'20"E, 76.94 FEET; THENCE N89°31'35"E, 46.75 FEET; THENCE N59°21'42"E, 12.15 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE CONTINUING ON THE SAME BEARING N59°21'42"E, 398.50 FEET; THENCE S 65°37'40"E, 2.65 FEET TO A POINT ON THE WEST LINE OF SAID LOT 4; THENCE CONTINUING ON THE SAME BEARING S65°37'40"E, 14.20 FEET; THENCE N24°19'57"E, 73.00 FEET TO THE POINT OF BEGINNING.

said real property constituting the "Land" as referred to in the Trust Indenture dated as of October 1, 2006, between the City and the Trustee (the "Indenture") and the Lease

(b) All buildings, building additions, improvements, machinery and equipment now constructed, located or installed on the Land, all or any portion of the costs of which were paid from the proceeds of the Issuer's Bonds, and which constitute Improvements as defined in the Indenture, together with any substitutions or replacements therefor, the property described in paragraphs (a) and (b) of this Schedule I together constituting the "Project."

THIS CONVEYANCE IS FOR THE PURPOSE OF RELEASING SECURITY FOR A DEBT OR OTHER OBLIGATION AND IS EXEMPT FROM THE REQUIREMENTS OF A SALES VALIDATION QUESTIONNAIRE PURSUANT TO K.S.A. 79-1437e(2).

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made October 25, 2016 between the City of Wichita, Kansas, a municipal corporation, as Grantor, and KSDD Properties, LLC, a Kansas limited liability company, as Grantee;

WITNESSETH, that said Grantor, in furtherance of the terms of a certain Lease dated as of October 1, 2006 between Grantor and Grantee, and as authorized by a Resolution duly adopted by the governing body of the Grantor, and by these presents does hereby convey to Grantee, its successors and assigns, all real estate in Sedgwick County, Kansas described on **Exhibit A** hereto and incorporated herein, for the sum of \$100.00 and other valuable consideration;

TO HAVE AND TO HOLD, the premises described, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in any way appertaining, to Grantee and to its successors and assigns forever; and Grantor hereby covenants that the premises are free and clear of all encumbrances whatsoever, except (a) the restriction that no existing building nor any building which is constructed or placed upon the Land, either temporarily or permanently, shall be used for the purpose of housing any multigame, casino-style gambling on the premises, (b) those to which the title was subject on the date of conveyance to Grantor, or to which title became subject with Grantee's written consent, or which resulted from any failure of Grantee to perform any of its covenants or obligations under the Lease from Grantor referred to above, (c) taxes and assessments, general and special, if any, and (d) the rights, titles and interests of any party having condemned or attempting to condemn title to, or the use for a limited period of, all or any part of the premises conveyed; and that it will warrant and defend the title to the premises to Grantee and Grantee's successors and assigns forever against the lawful claims and demands of anyone claiming by, through or under it.

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IN WITNESS WHEREOF, Grantor has executed this deed and affixed its corporate seal on the day and year first above written.

[SEAL]

ATTEST:

CITY OF WICHITA, KANSAS
a municipal corporation

Karen Sublett, Clerk

Jeff Longwell, Mayor

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by Jeff Longwell, Mayor, and Karen Sublett, Clerk, respectively, of the City of Wichita, Kansas, on behalf of said City.

[SEAL]

Notary Public

My appointment expires:

EXHIBIT A

DESCRIPTION OF PROPERTY

(a) The following described real estate in Sedgwick County, Kansas:

A TRACT OF LAND LYING IN A PORTION OF LOTS 3 AND 4, BLOCK 1, THE WATERFRONT ADDITION, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH MOST CORNER OF SAID LOT 4, THENCE ALONG THE NORTH LINE OF SAID LOT 4 ON A PLATTED BEARING OF S65°37'40"E, 15.90 FEET TO THE POINT OF BEGINNING; THENCE S65°37'40"E, 19.38 FEET TO A POINT ON A CURVE TO THE RIGHT, THENCE ALONG SAID NORTH LINE AND ALONG SAID CURVE 18.56 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 01°56'01", A RADIUS OF 550.00 FEET, AND A LONG CHORD DISTANCE OF 18.56 FEET, BEARING S64°39'40"E; THENCE S24°39'54"W, 80.43 FEET TO A POINT ON A CURVE TO THE RIGHT, THENCE ALONG SAID CURVE 102.34 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 34°41'49", A RADIUS OF 169.00 FEET, AND A LONG CHORD DISTANCE OF 100.79 FEET, BEARING S42°00'49"W; THENCE S59°21'43"W, 11.44 FEET; THENCE S30°38'18"E, 324.17 FEET TO A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID CURVE 94.71 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 27°08'31", A RADIUS OF 199.92 FEET, AND A LONG CHORD DISTANCE OF 93.82 FEET, BEARING S88°14'39"W; THENCE N78°11'32"W 47.97 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE ALONG SAID CURVE 212.34 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 40°33'12", A RADIUS OF 300.00 FEET, AND A LONG CHORD DISTANCE OF 207.93 FEET, BEARING S81°31'52" W; THENCE S61°15'16"W, 43.03 FEET; THENCE N86°58'24"W, 87.11 FEET; THENCE S59°21'42"W, 234.84 FEET TO A POINT ON THE WEST LINE OF SAID LOT 4; THENCE ALONG THE WEST LINE OF SAID LOT 4 FOR THE NEXT FOUR COURSES, N26°35'28"W, 94.81 FEET; THENCE N15°04'15"E, 109.93 FEET; THENCE N57°51'45"E, 144.88 FEET; THENCE N22°57'20"E, 76.94 FEET; THENCE N89°31'35"E, 46.75 FEET; THENCE N59°21'42"E, 12.15 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE CONTINUING ON THE SAME BEARING N59°21'42"E, 398.50 FEET; THENCE S 65°37'40"E, 2.65 FEET TO A POINT ON THE WEST LINE OF SAID LOT 4; THENCE CONTINUING ON THE SAME BEARING S65°37'40"E, 14.20 FEET; THENCE N24°19'57"E, 73.00 FEET TO THE POINT OF BEGINNING.

said real property constituting the "Land" as referred to in the Trust Indenture dated as of October 1, 2006, between the City and the Trustee (the "Indenture") and the Lease

(b) All buildings, building additions, improvements, machinery and equipment now constructed, located or installed on the Land, all or any portion of the costs of which were paid from the proceeds of the Issuer's Bonds, and which constitute Improvements as defined in the Indenture, together with any substitutions or replacements therefor, the property described in paragraphs (a) and (b) of this Schedule I together constituting the "Project."

**City of Wichita
City Council Meeting
October 25, 2016**

TO: Mayor and City Council

SUBJECT: Funding and Change Order No. 4 for Improvements to Pawnee Bridge at the Arkansas River (District III)

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Adopt the amending resolution and approve the revised budget, design agreement, and change order.

Background: On August 24, 2010, the City Council approved an agreement with MKEC Engineering (MKEC) for development of a design for rehabilitation of the Pawnee Bridge at the Arkansas River. On June 7, 2016, the City Council approved a revised budget and accepted the low bid on the project from Wildcat Construction.

Analysis: The existing bridge was built in 1961 and was last rehabilitated in 1992. Improvements being completed are based on the most recent inspection and include rehabilitation of abutments, repair and reseal of the deck and driving surface, and restoration of the pedestrian handrails and structural supports. Due to the extent of work needed and to protect the safety of the traveling public, the bridge is closed to through traffic for the duration of the project. Through traffic on Pawnee is being detoured on McLean, 31st Street South, and Broadway. Construction began in August.

During the rehabilitation of the abutments, significant deterioration of the existing foundation piles was discovered. The steel piles could not be seen until the abutments were excavated. Multiple options were explored with MKEC and Wildcat, with long-term impacts, timing, and costs compared. The existing piles and abutments will need to be replaced and a portion of the bridge deck will need to be removed and replaced to install the new deck at each end. This work will require additional design and a change order is necessary to complete the project.

Staff and MKEC are investigating the cause of the unexpected corrosion and will design the new improvements to avoid the same in the future.

Financial Considerations: The supplemental design cost is \$61,984, which brings the total design cost to \$181,932. The change order cost for construction is \$889,452, bringing the total contract amount to \$3,328,074.

The existing budget is not sufficient to cover this work so staff is requesting the funds be taken from two other projects in the Approved Capital Improvement Program (CIP) that have not been initiated: Harry Street Bridge at the Arkansas River and 15th Street Bridge at the Wichita Drainage Canal. Staff is requesting that \$700,000 be taken from Harry in 2016 and 2017, and \$300,000 from 15th Street in 2016, for a total of \$1,000,000. Based on recent inspections, both bridges are in satisfactory condition and funding can be reprogrammed in the CIP.

The total cost of the supplemental design work and proposed change order for construction is \$951,436. The current budget is \$2,958,000 and the \$1,000,000 will increase the project budget to \$3,958,000. The \$1,000,000 in additional budget will help cover the extra design and construction work, as well as additional staff time and administrative costs.

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

Recommendation/Actions: It is recommended that the City Council adopt the amending resolution, approve the revised budget, agreement, and change order, and authorize the necessary signatures.

Attachments: Amending resolution, budget sheet, agreement, and change order.

Project Request

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

NEIGHBORHOOD IMPROVEMENT

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

ENGINEERING REFERENCE #: 472-84922

FUND: 400 Street Improvements SUBFUND: 415 Bridges

COUNCIL DISTRICT: 03 Council District 3 DATE COUNCIL APPROVED: 10/25/2016 REQUEST DATE: _____

PROJECT #: 249142 PROJECT TITLE: Pawnee Bridge at Little Arkansas River

PROJECT DETAIL #: 01 PROJECT DETAIL DESCRIPTION: Pawnee Bridge at Little Arkansas River

OCA #: 715726 OCA TITLE: Pawnee Bridge at Little Arkansas River

PERSON COMPLETING FORM: Janis Edwards PHONE #: 268-4499

PROJECT MANAGER: Shawn Mellies PHONE #: 268-4632

NEW BUDGET REVISED BUDGET

Revenue Object Level 3	Original Budget	Adjustment	New Budget
9720 G.O. Bonds	\$2,958,000.00	\$1,000,000.00	\$3,958,000.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
	\$2,958,000.00	\$1,000,000.00	\$3,958,000.00

Expense Object Level 3	Original Budget	Adjustment	New Budget
2999 Contractuals	\$2,958,000.00	\$1,000,000.00	\$3,958,000.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
Total Expense:	\$2,958,000.00	\$1,000,000.00	\$3,958,000.00

NOTES:
Tsf \$300,000 from 15th St at Drainage Canal. Tsf \$700,000 from Harry at Ark Rivr

SIGNATURES REQUIRED

Print Form

DIVISION HEAD: _____ *[Signature]*

DEPARTMENT HEAD: _____ *[Signature]*

BUDGET OFFICER: _____ *[Signature]*

CITY MANAGER: _____

DATE: 10/11/16

DATE: 10/11/16

DATE: 9/29/2016

DATE: _____

4360



September 26, 2016
CHANGE ORDER

To: Wildcat Construction, Inc.

Project: Bridge Rehabilitation Improvements -
Pawnee Avenue Bridge over Arkansas River

Change Order No.: 4
Purchase Order No.: PO640611
CHARGE TO OCA No.: 715726

Project No.: 472-84922
OCA No.: 715726
PPN: 249142

Please perform the following extra work at a cost not to exceed **\$889,452.00**
Work for this Change Order cannot be completed until approved by all. Contractor should expect approximately 6 weeks for approval.

Additional Work: Replace bridge abutments

Reason for Additional Work: Upon excavation of the bridge abutments, several bridge support piles exhibited significant deterioration. This deterioration was not visible until the contractor removed the existing pavement and excavated the existing abutments. The abutments and portions of the bridge deck on both ends require replacement.

The new quantities below are estimates based on a preliminary design. Credit for rehabilitation work that was part of the original scope is included on this change order. Reimbursement costs for unusable material already purchased and delivered are also included. Final quantities and budget charges will be adjusted on a future change order pending a final abutment design from the design consultant.

Line #	Item	Negotiated/			
		Bid	Qty	Unit Price	Extension
New	Removal of Existing Structures	Negot'd	1 LS	\$200,000.00	\$200,000.00
New	Mobilization	Negot'd	1 LS	\$50,000.00	\$50,000.00
New	Concrete (Grade 4.0) (AE)	Negot'd	671 cy	\$950.00	\$637,450.00
New	Reinforcing Steel (Grade 69)(Epoxy Coated)	Negot'd	117,320 lbs	\$1.50	\$175,980.00
New	Piles (Steel) (HP10x42)	Negot'd	1,440 lf	\$100.00	\$144,000.00
New	Embedded Galvanic Anode	Negot'd	150 ea	\$25.00	\$3,750.00
New	Splice (HRC 500)	Negot'd	240 ea	\$250.00	\$60,000.00
9	Concrete (Grade 4.0)	Bid	(313) cy	\$750.00	(\$234,750.00)
10	Reinforcing Steel (Grade 60)(Epoxy Coated)	Bid	(56,320) lbs	\$2.00	(\$112,640.00)
11	Structural Steel (AASHTO M270)	Bid	(18,870) lbs	\$5.00	(\$94,350.00)
13	Structural Steel (Merchant Quality)	Bid	(2,380) lbs	\$10.00	(23,800.00)
New	Reinforcing Steel (Grade 60)(Epoxy Coated)	Negot'd	56,320 lbs	\$0.55	\$30,976.00
New	Structural Steel (AASHTO M270)	Negot'd	18,870 lbs	\$2.80	\$52,836.00

CIP Budget Amount:	\$3,958,000.00	Original Contract Amt.:	\$2,423,437.00
Consultant: MKEC		Current CO Amt.:	\$889,452.00
Total Exp. & Encum. To Date:	\$2,594,586.30	Amt. of Previous CO's:	\$15,184.99
CO Amount:	\$889,452.00	Total of All CO's:	\$904,636.99
Unencum. Bal. After CO:	\$473,961.70	Adjusted Contract Amt.:	\$3,328,073.99

Recommended By:

Steve Degenhardt 09/28/16
Steve Degenhardt, P.E. Date
Construction Division Manager

Approved: Wildcat Construction Co., Inc.

Alan G. Farrington 9/29/16
Contractor Date
Alan G. Farrington, VP

Approved as to Form:

Jennifer Magaña 10-3-16
Jennifer Magaña Date
City Attorney and Director of Law

Approved:

Gary Janzen 10/12/16
Gary Janzen, P.E. Date
City Engineer

Approved

Alan King 10/11/16
Alan King Date
Director of Public Works & Utilities

By Order of the City Council:

Jeff Longwell Date
Mayor

Attest: _____
City Clerk

RESOLUTION NO. 16-_____

A RESOLUTION SUPPLEMENTING THE PROJECT AUTHORIZED BY ORDINANCE NO. 48-816, ORDINANCE NO. 49-672, AND ORDINANCE NO. 49-959 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 hereby finds and determines that it is necessary and advisable to make certain public improvements described as follows:

Design, acquisition of right-of-way, utility relocation and construction of improvements to Pawnee Bridge at Arkansas River (472-84922)

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

WHEREAS, certain design and right of way acquisition costs of the Project have been previously authorized pursuant to **Ordinance No. 48-816, Ordinance No. 49-672, Ordinance No. 49-959, Resolution No. 15-368, Resolution No. 16-131** and this Resolution is intended to supplement those Ordinances and Resolution 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. Project Authorization. It is hereby authorized ordered and directed that the Project be acquired and/or constructed at an estimated cost of **\$3,958,000, inclusive of the amounts previously authorized by Ordinance No. 49-959, Resolution No. 15-368, and Resolution No. 16-131** 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. 48-816** to the extent of Bonds authorized thereunder, and on or after the date 60 days before the date of adoption of **Ordinance No. 49-672** to the extent of Bonds authorized thereunder, and on or after the date 60 days before the date of adoption of **Resolution No. 15-368** to the extent of Bonds authorized thereunder, and on or after the date 60 days before the date of adoption of **Resolution No. 16-131** 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 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, _____, 2016.

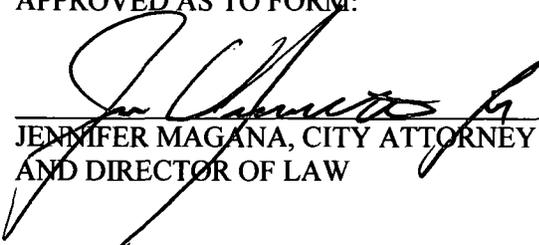
JEFF LONGWELL, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:



JENNIFER MAGANA, CITY ATTORNEY
AND DIRECTOR OF LAW

SUPPLEMENTAL AGREEMENT NO. 3

TO THE

AGREEMENT FOR PROFESSIONAL SERVICES DATED AUGUST 24, 2010

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 August 24, 2010) between the two parties covering engineering services to be provided by the ENGINEER in conjunction with the construction of improvements to **PAWNEE BRIDGE OVER ARKANSAS RIVER** (Project No.472-84922_715726).

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 modified plans for additional improvements to Pawnee Bridge over Arkansas River
(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 not to exceed fee as follows:

Bridge improvements (715726): \$61,984

C. COMPLETION

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

- (a) Field check plans of the project for distribution to utilities by N/A.
- (b) Office check plans by N/A.
- (c) Completion of all work required by this agreement (including submittal of final approved plans, field notes, and related project documents by **December 30, 2016**).

D. PROVISIONS OF THE ORIGINAL AGREEMENT

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

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

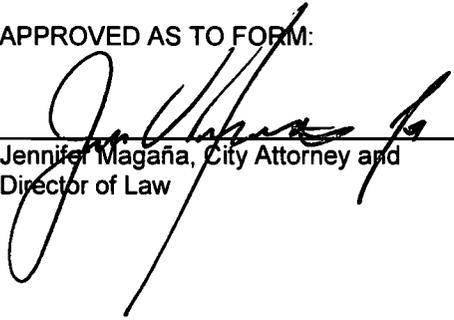
CITY OF WICHITA

Jeff Longwell, Mayor

ATTEST:

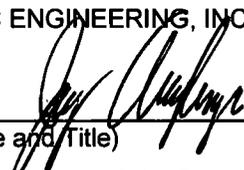
Karen Sublett, City Clerk

APPROVED AS TO FORM:



Jennifer Magaña, City Attorney and
Director of Law

MKEC ENGINEERING, INC.



(Name and Title)

Jay Anglemeyer, P.E., Principal



September 21, 2016

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

Mr. Steve Degenhardt, P.E.
Construction Division Manager
City of Wichita
1801 S. McLean Blvd.
Wichita, KS 67213

Reference: Proposal for Supplemental Design Agreement No. 3
Pawnee Ave. Bridge over Arkansas River (Proj. No. 472-84922)

Dear Mr. Mellies and Mr. Degenhardt:

Per the City's request, MKEC agrees to a change in design scope for the project noted above. MKEC proposes to perform additional design services and revise the current construction plans and specifications accordingly. Recently, construction crews and City personnel have discovered severely corroded abutment piles on the existing bridge. Based on these findings, the City is requesting a design to replace the existing abutments and steel piles. A portion of the end slab adjacent to the existing abutments will need to be removed and replaced to accommodate abutment replacement. MKEC proposes to revise the existing construction drawings and specifications to reflect these changes. The scope of the proposed additional services is presented below:

- Design new abutments on new H pile at each end of the bridge. New abutments will be of a length to accommodate grading for current and future bike paths to pass under the bridge based on current plan information.
- Design new deck slabs to replace removed portions of the existing deck.
- Design demolition and temporary support plans for the removed portions of the bridge.
- Modify plan information regarding sidewalk pavement under the bridge adjacent to the abutment.
- Revise grading plans and details.
- Eliminate plan information regarding cast-in-place retaining walls currently shown in the plans.
- Eliminate plan information regarding structural steel deck supports currently shown in the plans.
- Revise deck rehabilitation plans and details to reflect removed and replaced portions of the deck.
- Revise all plan information to reflect these changes described above.
- Design the addition of cathodic protection for the new abutment piles to prolong the life of the bridge.
- Modify plan details pertaining to curb and paver construction on the new deck as required.
- Modify plan details pertaining to sidewalk construction at the bridge abutments as required.
- Update general notes, the sheet index and special provisions to reflect the changes.
- Coordinate the timing of light pile removal and replacement on portions of the deck being removed and replaced between the contractor and Westar.
- Coordinate removal of the existing abandoned gas line with Kansas Gas Service.
- Update all plan quantities and the construction cost estimate.

- Prepare a letter report explaining the causes of the abnormal corrosion and methods implemented in the design to prevent the same corrosion from happening again.
- Review shop drawings and contractor submittals related to the proposed design during construction of the rehabilitation.

The additional work included in this supplemental agreement request will be performed in accordance with the requirements of the original contract. Submittal of revised "for-construction" plans, supplemental specifications and construction cost estimate for the project will occur two to three weeks from the date of the Notice to Proceed.

MKEC proposes a supplemental design fee of \$61,984.00 to complete the work. This is less than 7% of the estimated \$900,000 of additional construction costs for the new abutments.

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

Sincerely,

MKEC ENGINEERING, INC.



Jay Anglemyer, PE
Project Manager

RESOLUTION NO. 16-415

A RESOLUTION SUPPLEMENTING THE PROJECT AUTHORIZED BY ORDINANCE NO. 48-816, ORDINANCE NO. 49-672, AND ORDINANCE NO. 49-959 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 hereby finds and determines that it is necessary and advisable to make certain public improvements described as follows:

Design, acquisition of right-of-way, utility relocation and construction of improvements to Pawnee Bridge at Arkansas River (472-84922)

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

WHEREAS, certain design and right of way acquisition costs of the Project have been previously authorized pursuant to **Ordinance No. 48-816, Ordinance No. 49-672, Ordinance No. 49-959, Resolution No. 15-368, Resolution No. 16-131** and this Resolution is intended to supplement those Ordinances and Resolution 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. Project Authorization. It is hereby authorized ordered and directed that the Project be acquired and/or constructed at an estimated cost of **\$3,958,000, inclusive of the amounts previously authorized by Ordinance No. 49-959, Resolution No. 15-368, and Resolution No. 16-131** 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. 48-816** to the extent of Bonds authorized thereunder, and on or after the date 60 days before the date of adoption of **Ordinance No. 49-672** to the extent of Bonds authorized thereunder, and on or after the date 60 days before the date of adoption of **Resolution No. 15-368** to the extent of Bonds authorized thereunder, and on or after the date 60 days before the date of adoption of **Resolution No. 16-131** 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 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, October 25, 2016.

JEFF LONGWELL, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

JENNIFER MAGANA, CITY ATTORNEY
AND DIRECTOR OF LAW

City of Wichita
City Council Meeting
October 25, 2016

TO: Mayor and City Council

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

INITIATED BY: Department of Public Works & Utilities

AGENDA: Consent

Recommendation: Adopt the amending resolution.

Background: On March 2, 2010, the City Council approved a design concept for the expansion of East Kellogg to a six-lane freeway between Cypress and 127th Street East. On March 22, 2016, the City Council approved the funding needed to complete the sanitary sewer relocation between Greenwich and 127th.

Analysis: This sanitary sewer relocation work is required due to the widening of Kellogg and conflicts with other utilities. The existing budget that was approved on March 22, 2016 will not cover the bid submitted when the project was let by the Kansas Turnpike Authority (KTA) on August 5, 2016.

Financial Considerations: The approved budget is \$350,000. The lowest bid for the sanitary sewer work is \$385,118. Staff requests \$150,000 be added to the budget from the \$739,000 that is available in 2016 in the Adopted 2016-2025 Capital Improvement Program (CIP). The total project budget will be \$500,000. The additional budget request above the bid is for staff time and any potential change orders. The project will be funded by Sewer Utility cash reserves or future revenue bonds. If revenue bonds are issued, up to an additional 8% will be added for financing costs.

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

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

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

Project Request

CIP Non-CIP CIP YEAR: CIP #: _____

NEIGHBORHOOD IMPROVEMENT

DEPARTMENT: 18 Public Works & Utilities DIVISION: Sewage Treatment RESOLUTION/ORDINANCE #: _____
 ENGINEERING REFERENCE #: 468-85099

FUND: 533 Sewer Construction

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

PROJECT #: 666012 PROJECT TITLE: Sanitary Sewer Relocation for Kellogg & Greenwich

PROJECT DETAIL #: 01 PROJECT DETAIL DESCRIPTION: Sanitary Sewer Relocation for Kellogg & Greenwich

OCA #: 620862 OCA TITLE: SS Relocation for Kellogg & Greenwich

PERSON COMPLETING FORM: Joni Chamberlain PHONE #: 268-4572

PROJECT MANAGER: Mike Armour PHONE #: 268-4598

NEW BUDGET REVISED BUDGET

Revenue Object Level 3	Original Budget	Adjustment	New Budget
9813 Cash Transfer In	\$350,000.00	\$150,000.00	\$500,000.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
Total	\$350,000.00	\$150,000.00	\$500,000.00

Expense Object Level 3	Original Budget	Adjustment	New Budget
2999 Contractuals	\$350,000.00	\$150,000.00	\$500,000.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
_____	\$0.00	\$0.00	\$0.00
Total Expense:	\$350,000.00	\$150,000.00	\$500,000.00

NOTES:

SIGNATURES REQUIRED

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

Print Form

DATE: 10/11/16
 DATE: 10/11/16
 DATE: 9/29/2016
 DATE: _____

RESOLUTION NO. 16-_____

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 16-063 OF THE CITY OF WICHITA, KANSAS WHICH DECLARED IT NECESSARY TO CONSTRUCT, RECONSTRUCT, ALTER, REPAIR, IMPROVE, EXTEND AND ENLARGE THE WATER AND SEWER UTILITY OWNED AND OPERATED BY THE CITY, TO ISSUE REVENUE BONDS FOR THE PURPOSE OF PAYING CERTAIN COSTS THEREOF, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH INTENTION IN THE MANNER REQUIRED BY LAW.

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

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

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

WHEREAS, the Governing Body has heretofore by Resolution No. 16-063 of the City (the "Prior Resolution"), found and determined that it is necessary and advisable to construct, reconstruct, alter, repair, and improve the Utility in the following manner:

Sanitary Sewer Relocation for Kellogg & Greenwich

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

WHEREAS, the Prior Resolution also determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed \$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") to be payable from the revenues of the Utility; and

WHEREAS, the City now realizes the financing initiated under the Prior Resolution will not suffice for completion of the Project, and it is therefore necessary to amend the Prior Resolution.

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

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

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

Sanitary Sewer Relocation for Kellogg & Greenwich

(the "Amended Project") at an estimated cost, including related design and engineering expenses of \$500,000. It is hereby further authorized, ordered and directed that the Amended Project be designed, acquired, constructed and/or installed in accordance with plans and specifications therefor prepared under the direction of the City Engineer or designate and approved by the Governing Body; said plans and specifications to be placed on file in the offices of the Utility. The Amended Project will not cause duplication of any existing water or sewer utility service furnished by a private utility in the City.

Section 2. Project Financing. In order to pay all or a portion of the costs of the Amended Project and related reserves, interest on financing and administrative and financing costs, it is hereby found and determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed \$540,000 (the "Bonds"). The Bonds shall not be general obligations of the City payable from taxation, but shall be payable from the revenues derived from the operations of the Utility. Costs of the Amended Project in excess of the proceeds of the Bonds, if any, shall be paid from unencumbered moneys of the Utility which will be available for that purpose. The Bonds may be issued to reimburse expenditures authorized by the Prior Resolution made on or after the date which was 60 days before the date of adoption of the Prior Resolution and to reimburse additional expenditures authorized by this Resolution, which were made on or after the date 60 days before the date of adoption of this Resolution, all pursuant to Treasury Regulation §1.150-2.

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

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

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

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

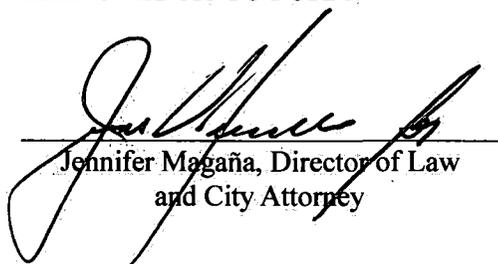
(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:



Jennifer Magaña, Director of Law
and City Attorney

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

NOTICE

TO: THE RESIDENTS OF THE CITY OF WICHITA, KANSAS

You are hereby notified that the City Council (the "Governing Body") of the City of Wichita, Kansas (the "City"), adopted Resolution No. 16-_____, on _____, 2016, (the "Resolution"). The Resolution amended Resolution No.16-063 (the "Prior Resolution") which found and determined it to be necessary and declared its intention to construct, reconstruct, alter, repair and improve the City of Wichita, Kansas Water and Sewer Utility (the "Project"), which is owned and operated by the City (the "Utility"), and authorized the issuance of revenue bonds in amount not to exceed \$378,000 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 City desired to increase the estimated costs and financing authority for design and construction of the Project and it is therefore necessary to amend the Prior Resolution to support the work on

Sanitary Sewer Relocation for Kellogg & Greenwich

(the "Amended Project") at an estimated cost, including related design and engineering expenses of \$500,000 and declared the intention to issue revenue bonds an aggregate principal amount not to exceed \$540,000 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") in order to finance all or a portion of the costs of the Amended Project and related reserves, interest on financing and administrative and financing costs.

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

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

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

/s/ JEFF LONGWELL, Mayor

ATTEST:

/s/ Karen Sublett, City Clerk

RESOLUTION NO. 16-416

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 16-063 OF THE CITY OF WICHITA, KANSAS WHICH DECLARED IT NECESSARY TO CONSTRUCT, RECONSTRUCT, ALTER, REPAIR, IMPROVE, EXTEND AND ENLARGE THE WATER AND SEWER UTILITY OWNED AND OPERATED BY THE CITY, TO ISSUE REVENUE BONDS FOR THE PURPOSE OF PAYING CERTAIN COSTS THEREOF, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH INTENTION IN THE MANNER REQUIRED BY LAW.

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

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

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

WHEREAS, the Governing Body has heretofore by Resolution No. 16-063 of the City (the “Prior Resolution), found and determined that it is necessary and advisable to construct, reconstruct, alter, repair, and improve the Utility in the following manner:

Sanitary Sewer Relocation for Kellogg & Greenwich

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

WHEREAS, the Prior Resolution also determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed **\$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”) to be payable from the revenues of the Utility; and

WHEREAS, the City now realizes the financing initiated under the Prior Resolution will not suffice for completion of the Project, and it is therefore necessary to amend the Prior Resolution.

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

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

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

Sanitary Sewer Relocation for Kellogg & Greenwich

(the “Amended Project”) at an estimated cost, including related design and engineering expenses of \$500,000. It is hereby further authorized, ordered and directed that the Amended Project be designed, acquired, constructed and/or installed in accordance with plans and specifications therefor prepared under the direction of the City Engineer or designate and approved by the Governing Body; said plans and specifications to be placed on file in the offices of the Utility. The Amended Project will not cause duplication of any existing water or sewer utility service furnished by a private utility in the City.

Section 2. Project Financing. In order to pay all or a portion of the costs of the Amended Project and related reserves, interest on financing and administrative and financing costs, it is hereby found and determined to be necessary and advisable to issue revenue bonds of the City under the authority of the Act, in an aggregate principal amount not to exceed \$540,000 (the “Bonds”). The Bonds shall not be general obligations of the City payable from taxation, but shall be payable from the revenues derived from the operations of the Utility. Costs of the Amended Project in excess of the proceeds of the Bonds, if any, shall be paid from unencumbered moneys of the Utility which will be available for that purpose. The Bonds may be issued to reimburse expenditures authorized by the Prior Resolution made on or after the date which was 60 days before the date of adoption of the Prior Resolution and to reimburse additional expenditures authorized by this Resolution, which were made on or after the date 60 days before the date of adoption of this Resolution, all pursuant to Treasury Regulation §1.150-2.

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

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

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

ADOPTED by the City Council of the City of Wichita, Kansas, by not less than two-thirds of the members voting in favor thereof, on October 25, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magaña, Director of Law
and City Attorney

620862

(Published in *The Wichita Eagle*, on October 28, 2016.)

NOTICE

TO: THE RESIDENTS OF THE CITY OF WICHITA, KANSAS

You are hereby notified that the City Council (the “Governing Body”) of the City of Wichita, Kansas (the “City”), adopted Resolution No. 16-416, on October 25, 2016, (the “Resolution”). The Resolution amended Resolution No. 16-063 (the “Prior Resolution”) which found and determined it to be necessary and declared its intention to construct, reconstruct, alter, repair and improve the City of Wichita, Kansas Water and Sewer Utility (the “Project”), which is owned and operated by the City (the “Utility”), and authorized the issuance of revenue bonds in amount not to exceed \$378,000 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 City desired to increase the estimated costs and financing authority for design and construction of the Project and it is therefore necessary to amend the Prior Resolution to support the work on**

Sanitary Sewer Relocation for Kellogg & Greenwich

(the “Amended Project”) at an estimated cost, including related design and engineering expenses of \$500,000 and declared the intention to issue revenue bonds an aggregate principal amount not to exceed \$540,000 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”) in order to finance all or a portion of the costs of the Amended Project and related reserves, interest on financing and administrative and financing costs.

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

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

BY ORDER of the Governing Body of the City of Wichita, Kansas, on October 25, 2016.

/s/ JEFF LONGWELL, Mayor

ATTEST:

/s/ Karen Sublett, City Clerk

City of Wichita
City Council Meeting
October 25, 2016

TO: Mayor and City Council

SUBJECT: Notice of Intent to Use Debt Financing
Underground Storage Tank Replacement
Wichita Dwight D. Eisenhower National Airport

INITIATED BY: Department of Airports

AGENDA: Consent

Recommendation: Adopt the Resolution.

Background: The Airport Authority relies on the City of Wichita for the issuance of general obligation bonds and/or notes for capital projects. In order to use debt financing for a project, it is necessary to declare the intent to utilize general obligation bond funding for expenditures made on or after the date which is 60 days before the notice of said intent. The actual issuance of the bonds/notes will require a separate authorization from the City Council. Debt financing can be in the form of temporary notes for durations as short as six months for timing considerations or in the form of general obligation bonds for long term financing.

Analysis: In a concurrent agenda item, the City Council, sitting as the Wichita Airport Authority, approved a capital budget for the replacement of underground storage tanks on Eisenhower Airport with above ground storage tanks. To correspond with that action, this Resolution reflects the estimated project cost to be financed through the issuance of general obligation debt.

Financial Considerations: The project budget approved is \$180,000 (exclusive of interest on financing and administrative and financing costs) which will be financed with the proceeds of general obligation bonds/notes. If the debt is issued, the source of repayment for the bonds/notes will be Airport revenues.

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

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

Attachment: Resolution.

RESOLUTION NO. 16-417

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS TO PAY THE COSTS OF IMPROVEMENTS TO CITY AIRPORT FACILITIES.

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 (the “Governing Body”) of the City has heretofore, pursuant to K.S.A. 3-162, created the Wichita Airport Authority (the “Authority”); and

WHEREAS, the Governing Body is authorized, pursuant to K.S.A. 13-1348a, as amended by Charter Ordinance No. 78 of the City (collectively, the “Act”) to issue general obligation bonds of the City without an election for the purpose of purchasing land for airport purposes or for the construction, enlargement, reconstruction, repair or addition to or of any improvements to said land used for airport purposes; and

WHEREAS, the outstanding principal amount of general obligation bonds issued pursuant to the Act shall not: (a) exceed three percent (3%) of the assessed value of all taxable tangible property within the City, and (b) be subject to or within the limitations prescribed by any other law limiting the amount of indebtedness of the City; and

WHEREAS, the Governing Body hereby finds and determines that it is necessary and advisable to make certain public improvements described as follows:

Underground Storage Tank Replacement

for use by the Authority at the Wichita Dwight D. Eisenhower National Airport (the “Project”) and to provide for the payment of all or a portion of the costs thereof by the issuance of general obligation bonds of the City pursuant to the Act.

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

Section 1. Project Authorization. It is hereby authorized, ordered and directed that the Project be acquired and/or constructed at an estimated cost of \$180,000 in accordance with specifications prepared or approved by the Authority.

Section 2. Project Financing. All or a portion of the costs of the Project, interest on financing and administrative and financing costs shall be payable by the Authority and financed with the proceeds of general obligation bonds of the City (the “Bonds”). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of adoption of this Resolution, pursuant to Treasury Regulation §1.150-2.

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

ADOPTED by the City Council of the City of Wichita, Kansas, on October 25, 2016.

(SEAL)

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Jennifer Magana, Director of Law

City of Wichita
City Council Meeting
October 25, 2016

TO: Mayor and City Council Members

SUBJECT: A Request for Permission to Submit a Historic Trust Fund Grant Proposal to the State Historic Preservation Office to Purchase Materials for Wood Storm Windows for the Fresh Air Baby Camp (District VI)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Consent

Recommendation: Approve submission of the grant proposal and authorize the Mayor to sign the application.

Background: Friends of the Historic Fresh Air Baby Camp (FHFABC) has made significant progress in rehabilitating the North Riverside Park structure. A new Ludowicci clay tile roof has been installed, a closed loop geothermal heating and cooling system has been installed and volunteers are repairing the interior plaster walls and will move on to repair and paint the exterior stucco. All of the original windows have been completely restored and the next step is to install appropriate wood storms to protect the restored windows and and conserve energy uses in the building. FHFABC has prepared this grant proposal to fund the purchase of the wood storm windows. The City, as the property owner, must sign the application.

The Heritage Trust Fund (HTF) Grant is an annual competitive grant administered by the State Historic Preservation Office to provide “bricks and mortar” funding for properties listed in the Register of Historic Kansas Places and the National Register of Historic Places. Grant proposals are submitted by November 1st of each year and awarded by the Kansas State Historic Sites Board of Review at its May meeting.

Analysis: The HTF grant is a 20/80 matching grant. FHBABC has \$2,329 in the FHFABC account in the Wichita Park & Recreation fund to match the \$9,315 requested in the HTF grant proposal. No cash match is required from the City of Wichita. Kathy Morgan, Historic Preservation Planner, will serve as the project administrator for the grant.

Financial Considerations: There will be no cost to the City. The cost for the storm windows will be paid from the FHFABC Park & Recreation fund.

Legal Considerations: The project scope is within the Memorandum of Understanding executed between the City of Wichita and Friends of the Historic Fresh Air Baby Camp.

Recommendations/Actions: It is recommended that the City Council approve the Memorandum of Understanding with the Friends of the Historic Fresh Air Baby Camp, Inc.

Attachments: 2017 Heritage Trust Fund Grant Application, HPF 2017 Grant Application

Heritage Trust Fund 2017 Grant Application

Place photograph here
representing an overall view of
building / property.

(Property Name as Listed in the National or State Register)

Total project cost \$ _____ Grant request \$ _____

The Kansas Historical Society does not discriminate on the basis of race, creed, color, national origin, religion, sex, age, or disability in admission to, access to, or operations of its programs, services or activities.



**Heritage Trust Fund Grant
Application Form**
Application Deadline – November 1, 2016

Please read Heritage Trust Fund Program Information before completing this application.
Responses to the application questions are restricted to the space provided unless otherwise noted.
Formatting and spacing of this application must not be altered.

A. Applicant (Legal Property Owner) _____

Mailing Address _____

City State Zip Code Area Code + Daytime Phone

B. Historic Property Name _____

Property Location _____

Street City Zip County

C. Grant Administrator (main point of contact) _____

Mailing Address _____

City State Zip Code Area Code + Daytime Phone

Cell Phone Home Phone E-mail Address

D. Applicant Status

- | | |
|---|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Unincorporated Business |
| <input type="checkbox"/> Local Government | <input type="checkbox"/> For-profit Corporation |
| <input type="checkbox"/> Local or County Historical Society | <input type="checkbox"/> Other (explain below) |
| <input type="checkbox"/> Not-for-profit Organization | |

E. This Property is Listed...

- as a National Historic Landmark
 in the National Register of Historic Places (also places property in the Register of Historic Kansas Places)
 in the Register of Historic Kansas Places only
 as a Contributing Property within a Historic District / District Name _____

F. Project Description

Briefly describe the proposed project in the space provided.



G. Historical Significance of the Property

How is this property unique as compared to other historic properties? Explain how the property reflects events, trends, and/or significant people in local, state, or national history.

H. Community Benefit and Support

How will this project benefit the local community and/or the state? Summarize the community support for this project and then demonstrate it with letters of support attached to this application (see Section O).



I. Condition of the Property and Urgency of the Preservation Work

Describe the current condition of the property and how it came to be in this condition. Prioritize the preservation work needed and describe the most urgent needs. Why is funding critical now?

J. Endangered Property

If the property is endangered explain why, citing any available documentation such as architectural or engineering studies of the property. Explain how this project will protect the property.



K. Financial Need

Why are HTF funds being requested for this project? Describe past expenditures made by the applicant toward the repair and maintenance of this property and give the sources of funding used. Describe what other funding is available for this project. If the project is ineligible for other sources of funding please explain why.

L. Match Requirements

A 20 percent match is required for most applicants (for-profit corporations require a 50 percent match). This match must be in-hand at the time this application is submitted. Are the matching funds for this project secured? What is the source of the match? Please provide documentation of that match (see Section O).

M. Applicant's Administrative Ability

Applicants must demonstrate their ability to administer a grant should they be funded. Who will be the grant administrator and what are his/her qualifications? Use similar projects or past experiences to demonstrate the grant administrator's ability to oversee this project.



N. Project Schedule, Budget, and Scope of Work

Write a detailed outline of the work you propose to accomplish with this grant. Attach additional pages if necessary. Provide corresponding costs and an estimated date for each task. Break up work items into manageable headings. **See an example budget and schedule at the end of this application.**

Should your project be funded, information from this section will be used to develop a project agreement. Finish this section by subtotaling the construction activity costs on the appropriate line at the bottom of this page. Complete the remaining lines by adding the construction total, contingency, and consultant fee to produce the project total. Record the grant request. Attach photos of the proposed project areas to document current conditions (see Section O).

Subtotal construction costs (does not include consultant costs)	\$ _____
Project completion date _____	
Contingency (20 percent of construction costs)	\$ _____
Consultant fees (if needed and only if they will be reimbursed by the HTF program)	\$ _____
Total Project	\$ _____
Grant Request (80 percent of total for most applicants)	\$ _____



Mandatory Application Materials and Attachments

O. Application Submission and Attachment

Please use the checklist below to verify that all required materials are included in this application. Do not submit materials that have not been requested. Final application submissions become the property of the Kansas Historical Society and will not be returned to the applicant.

- Four sets (one original and three copies) of the completed grant application.** Indicate which application is the original. Applications and required attachments are to be stapled in the upper left corner. DO NOT enclose applications in separate envelopes or binders.
- Evidence of property ownership.** One copy with the original application is required. Types of acceptable evidence include current titles or deeds in the applicant's name, evidence of current title insurance, or other documentation from a local government attesting to the current ownership of the subject property (preferred). Document must include a legal description of the property.
- Documentation of 20 percent (or 50 percent) match.** One copy with the original application is required. Types of acceptable documentation include, but are not limited to, a bank statement, loan guarantee letter, evidence of donation pledges, or confirmation of other funding.
- One compact disc (CD) or USB Flash Drive with a minimum of 10 digital images.** The first image should show an overall view of the property / building. The remaining images are at the applicant's discretion. The applicant is solely responsible for the clarity of the images. Electronic image files must be saved as JPEG (.jpg) files on the CD-R disk or flash drive. CDs and flash drives must be labeled with the property name. Include an MSWord document on the CD or flash drive with a brief description of each photo or descriptively label each image saved.
- Four sets of printed/hard copy photographs** illustrating the most urgent and significant conditions that will be addressed by this project. At least one photograph should provide an overall view of the property and be attached to the front cover. *One set of photos must be attached to each copy of the application.* Reprints of photographs are acceptable; however the applicant is solely responsible for the clarity of photographs and copies. *All photos must be printed in color unless they are historic photos.* Grant reviewers will only see one copy of your application so it is recommended you make all copies as clear and attractive as your original. Photographs may be taken with 35-mm or digital camera and may be printed in whatever format the applicant wishes. Photos should be mounted to or printed onto 8.5 by 11 inch sheets and stapled to the application. Envelopes containing loose photos and plastic sleeves are not accepted.
- Letters of Support** - Five to 10 letters from supporters are usually sufficient to demonstrate community support. Submit FOUR sets of letters - ONE with each set of the application. **DO NOT send these directly to KSHS as they will not be attached to your application.**
- Preservation Plan** - A preservation plan can be a very comprehensive report or a simple maintenance plan. Provide one copy with the original application if you have a preservation plan, historic structure report, or long-range plan that is of considerable length. A brief, single page summary of a long-range plan must be included with both the original and each copy. Shorter, one to two-page plans can be submitted with the original and each copy of the application. If you do not currently have a preservation plan, please include a simple outline of your future plans for the property.



P. Assurances

Applicants hereby agree and acknowledge that, if they are awarded funds:

(1) if they are awarded funds, they will conduct their operations in accordance with Title VI and VII of the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, as amended; the Kansas Act Against Discrimination; and the Americans with Disabilities Act of 1990, which bar discrimination against any employee, applicant for employment, or any person participating in any sponsored program on the basis of race, creed, color, national origin, religion, sex, age, or physical or mental disability, and require compensation for employment at no less than minimum wage requirements, and will provide safe and sanitary working conditions.

(2) they will not engage in project activities or expend grant funds until (a) **they have been notified** that the application was approved, (b) a **project agreement has been signed** by the applicant and the executive director of the Kansas Historical Society (KSHS), and (c) they have attended an **HTF grant administration orientation**.

(3) applicants will include in all promotions, publicity, advertising, and in any printed material the following credit line: **“This property has benefited from a Heritage Trust Fund grant from the Kansas Historical Society.”**

(4) they will assist and participate in educational programs, sponsored by the KSHS, regarding the preservation of the property, if requested.

(5) they **have sufficient funds** to match the Heritage Trust Fund grant and will **pay all project costs then await reimbursement** by the KSHS.

(6) they will **follow the guidelines** established by the KSHS, the HTF Grant Project Agreement, and the *Heritage Trust Fund Grant Manual*.

(7) they will **obtain KSHS approval** of the final “Scope of Work” or working drawings and specifications **before** the project is advertised for bidding or construction activities are initiated.

(8) they will receive approval from the KSHS **before** changing the costs of the project, scope of work, or methods of accomplishing the project work.

(9) they will **not enter into a construction contract(s)** for the project or undertake other activities until the **conditions of the HTF grant program have been met**.

(10) they will provide and maintain competent and adequate architectural and engineering observation and inspection as required at the construction site to ensure that the completed work conforms to the approved plans and specifications.

(11) the filing of this **application has been approved by the legally authorized governing body** of the applicant, if applicable.

(12) the facts, figures, and information contained in this application, including all attachments, are true and correct.

(13) all components of the grant application, including attachments, are included and **no additional or missing materials will be submitted after the stated application deadline**.

Signature of Property Owner or Legally Authorized Representative

Date

Printed Name and Title of Signatory



**SECOND READING ORDINANCES FOR OCTOBER 25, 2016 (FIRST READ
OCTOBER 18, 2016)**

a. Ordinance No. 50-345

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 – 303 S. BROADWAY)

b. Ordinance No. 50-346

AN ORDINANCE INCLUDING AND INCORPORATING CERTAIN BLOCKS, PARCELS, PIECES AND TRACTS OF LAND WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF WICHITA, KANSAS. (A16-03)

City of Wichita
City Council Meeting
October 25, 2016

TO: Wichita Airport Authority

SUBJECT: United Airlines, Inc. – Supplemental Agreement No. 1
Airline Airport Use and Lease Agreement
Wichita Dwight D. Eisenhower National Airport

INITIATED BY: Department of Airports

AGENDA: Wichita Airport Authority (Consent)

Recommendation: Approve the supplemental agreement.

Background: On March 17, 2015, the Wichita Airport Authority (WAA) approved a uniform use and lease agreement with the signatory commercial passenger airlines serving the Wichita Dwight D. Eisenhower National Airport (Airport). These agreements are for American Airlines, Inc.; Delta Air Lines, Inc.; Southwest Airlines Co.; and United Airlines, Inc. The agreements will expire on December 31, 2019; however, the agreements may be extended for an additional five-year renewal option.

Analysis: Currently, United Airlines, Inc. (United) leases 1,923 sq. ft. of airline ticket office and operations offices, as well as eight ticket counter positions and two passenger gate hold-rooms. United is desirous of expanding the operations space by 831 sq. ft. It is expected that United Airlines will spend approximately \$250,000 to remodel the expanded area.

Financial Considerations: The terminal rental rate is \$37.38 per sq. ft., which was agreed to by the airlines for 2016. The new annual revenue to the WAA for the increased area is \$31,063.

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

Recommendations/Actions: It is recommended that the Wichita Airport Authority approve the supplemental agreement and authorize the necessary signatures.

Attachment: Supplemental Agreement No. 1

SUPPLEMENTAL AGREEMENT NO. 1
AIRLINE AIRPORT USE AND LEASE AGREEMENT

BETWEEN
WICHITA AIRPORT AUTHORITY

AND

UNITED AIRLINES, INC.

**UNITED
CONTRACT**

184679-1

THIS SUPPLEMENTAL AGREEMENT NO. 1, dated October 25, 2016, is made between the WICHITA AIRPORT AUTHORITY, hereinafter referred to as "AUTHORITY", and UNITED AIRLINES, INC., hereinafter referred to as "AIRLINE".

The parties previously entered into an Airline Airport Use and Lease Agreement, dated March 17, 2015 (as the same may have been previously amended, the "Original Agreement") for the purpose of providing air service to the traveling public using Wichita Dwight D. Eisenhower National Airport;

The AUTHORITY and AIRLINE are now desirous of entering into this Supplemental Agreement No. 1 for the purpose of modifying "Exhibit D"; and

In consideration of these covenants and agreements, the parties hereto agree to the following modifications to the original agreement, as previously supplemented:

1. EXHIBIT D

Effective, November 1, 2016, Exhibit "D", pages 3-5, dated August 2, 2016 attached to this Supplemental Agreement No. 1 shall replace Exhibit "D" of the Original Agreement.

2. OTHER TERMS

It is understood and agreed that all other terms and conditions of the existing Agreement between the parties hereto are incorporated herein and reaffirmed.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

ATTEST:

WICHITA AIRPORT AUTHORITY
WICHITA, KANSAS

By: _____
Karen Sublett, City Clerk

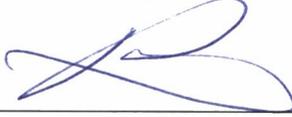
By: _____
Jeff Longwell, President
"Authority"

By:  _____
Victor D. White, Director of Airports

ATTEST:

UNITED AIRLINES, INC.

By:  _____

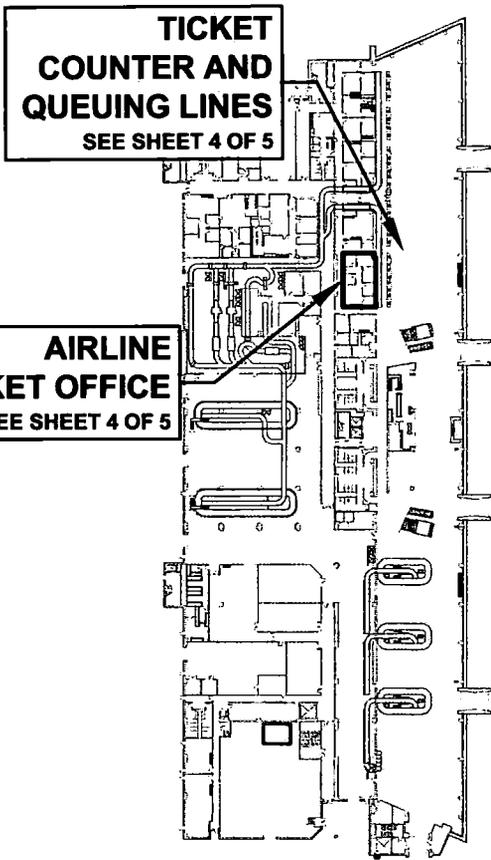
By:  _____

Title: Assoc. - lease Administration

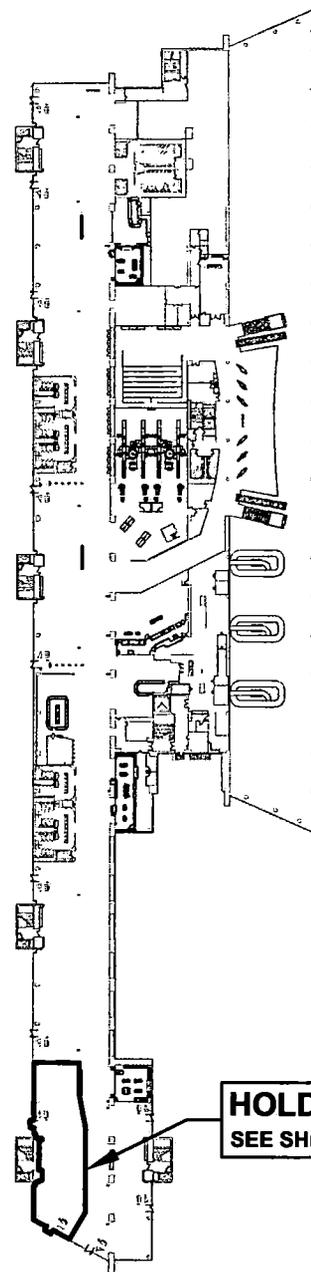
Title: **Peter Froehlich**
Managing Director
Airport Affairs

"Airline"

APPROVED AS TO FORM: Jennifer Magana / JLM Date: 10-11-16
Jennifer Magana,
City Attorney and Director of Law



1ST FLOOR



2ND FLOOR



**UNITED AIRLINES
TERMINAL LAYOUT**

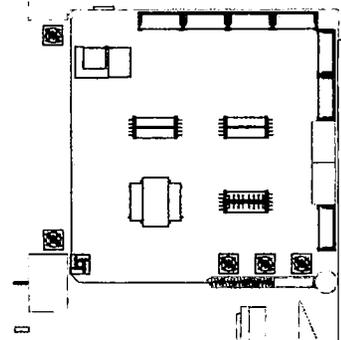
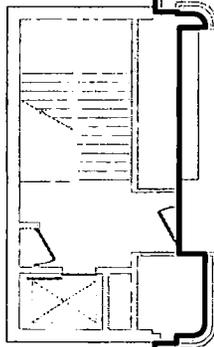
**WICHITA DWIGHT D. EISENHOWER
NATIONAL AIRPORT**
THE WICHITA AIRPORT AUTHORITY
WICHITA, KANSAS

DATE	DR. BY	SCALE	SHEET
8/2/16	H.G.O.	1" = 150'	3 of 5

D:\Drawings\214-Terminal NewAirline Leases\United2015.dwg, Both, 8/2/2016 11:13:57 AM

GATE 8

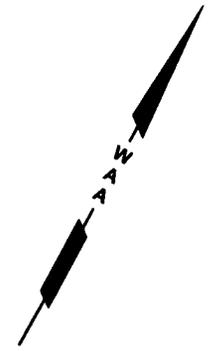
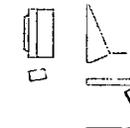
GATE 12



GATE 9

GATE 11

GATE 10



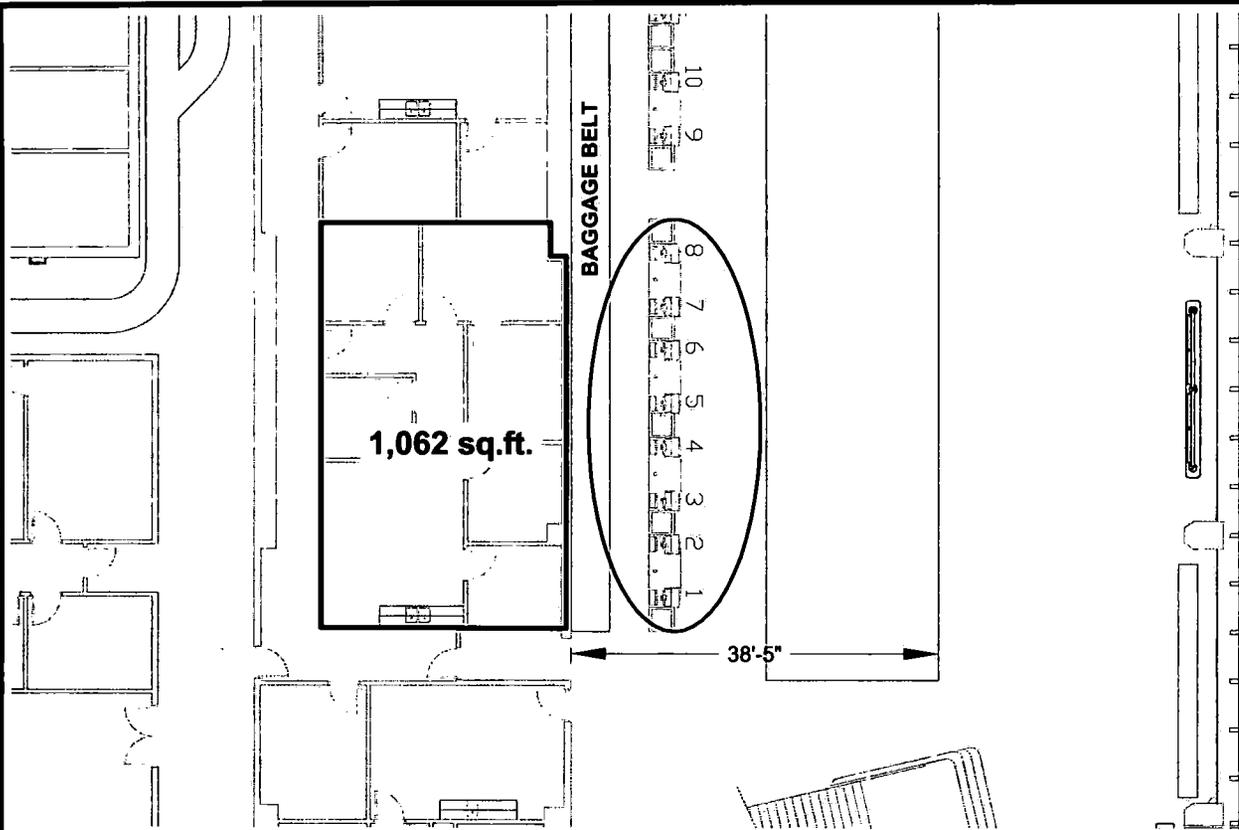
GATE 8 & 9 HOLD ROOM

UNITED AIRLINES

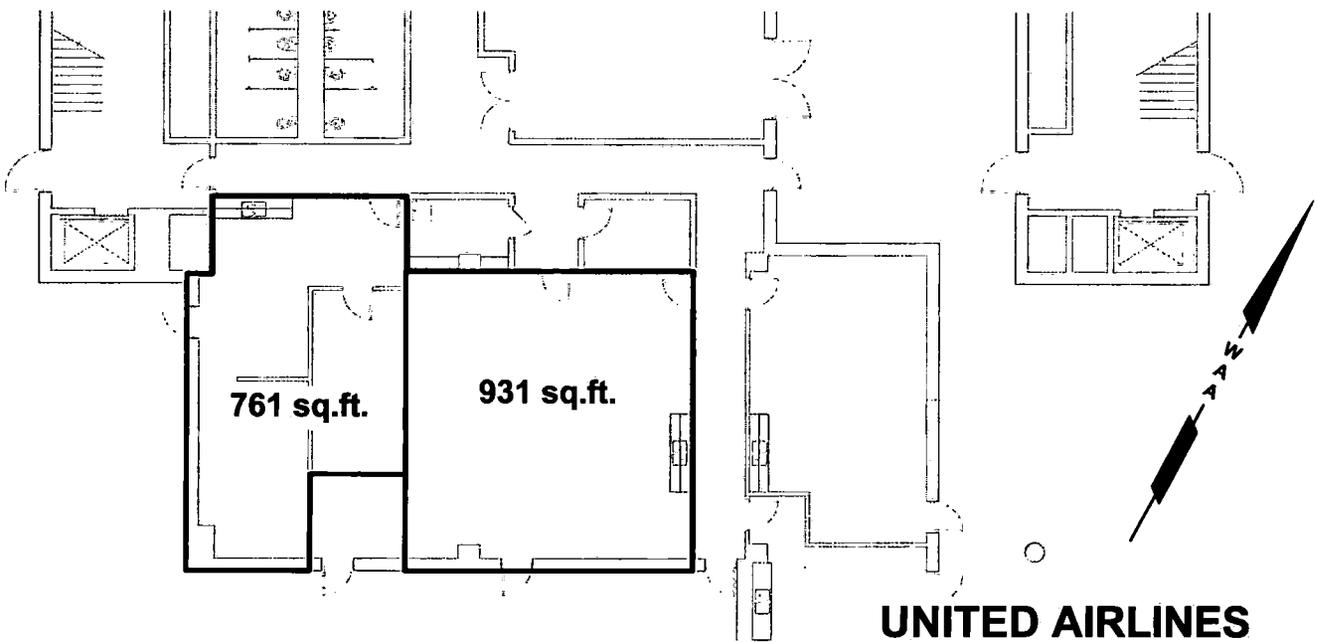
2ND FLOOR

**WICHITA DWIGHT D. EISENHOWER
NATIONAL AIRPORT
THE WICHITA AIRPORT AUTHORITY
WICHITA, KANSAS**

DATE	DR. BY	SCALE	SHEET
8/2/16	H.G.O.	1" = 20'	5 of 5



TICKET COUNTER AND AIRLINE TICKET OFFICE



AIRLINE OPERATIONS OFFICE

UNITED AIRLINES

1ST FLOOR

WICHITA DWIGHT D. EISENHOWER
NATIONAL AIRPORT
THE WICHITA AIRPORT AUTHORITY
WICHITA, KANSAS

DATE	DR. BY	SCALE	SHEET
8/2/16	H.G.O.	1" = 20'	4 of 5

City of Wichita
City Council Meeting
October 25, 2016

TO: Wichita Airport Authority

SUBJECT: Underground Storage Tank Replacement
Wichita Dwight D. Eisenhower National Airport

INITIATED BY: Department of Airports

AGENDA: Wichita Airport Authority (Consent)

Recommendation: Approve the project budget.

Background: At the Dwight D. Eisenhower National Airport (Airport), the Wichita Airport Authority (WAA) currently has four underground storage tanks (UST) used for the purpose of storing and dispensing unleaded and diesel fuels to airport vehicles and equipment. All of these USTs have been in continuous operation in excess of 35 years. While these USTs meet all federal, state and local regulations for tightness and level monitoring, airport staff recently found indications of water intrusion into two of the tanks. The water intrusion was discovered to come from around vent lines on top of the tanks, and after further testing there have been no indications that any fuel has been released from these tanks. In the interest of best environmental practices, and to insure that uncompromised fuel is dispensed in the future to airport fleet vehicles (including critical emergency response equipment such as fire trucks and snow removal equipment), it is necessary to remove the USTs and replace with a like number of above ground tanks (AST).

Analysis: It is proposed to solicit bids from qualified contractors to remove two 6,000 gallon USTs at the Airport Grounds & Fleet headquarters, and one 3,000 and one 1,000 gallon UST at Airport Police & Fire. Through the same contractor solicitations, ASTs would then replace the removed USTs. The new ASTs will meet all current federal, state and local standards for secondary containment and level monitoring, as well as fuel management.

Financial Considerations: This project was not planned in the adopted Capital Improvement Program. However, the latest roof maintenance project was completed for less than the established budget and there are \$179,063 of funds that can be repurposed. Staff is requesting a waiver of City Council Policy #2 to allow the project savings to be shifted from the roof project to this tank project. The requested budget is \$180,000, which staff believes should cover the full cost of this project. The project is funded with available funds of the Airport and the issuance of general obligation bonds repaid with Airport revenue.

Legal Considerations: The proposed action is within the statutory powers of the Wichita Airport Authority.

Recommendations/Actions: It is recommended that the Wichita Airport Authority approve the project budget.

Attachments: None.

Wichita, Kansas
October 24, 2016
10:00 a.m., Monday
Conference Room, 12th Floor

MINUTES - BOARD OF BIDS AND CONTRACTS*

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

Minutes of the regular meeting date October 17, 2016, were read and on motion approved.

Bids were opened October 21, 2016, pursuant to advertisements published on:

WICHITA AIRPORT AUTHORITY/ENGINEERING DIVISION: TSA Build Out & Remodel 2 Offices.

Defer one week

The Purchasing Division recommended that the contracts be deferred as outlined above.

On motion the Board of Bids recommended that the contracts be deferred as outlined above.

On motion the Board of Bids adjourned.

Marty Strayer, Administrative Assistant
Department of Public Works

Jamie Hayes, CMC
Deputy City Clerk

FORMAL BID REPORT

TO: Robert Layton, City Manager

DATE: October 24, 2016

WICHITA AIRPORT AUTHORITY BIDS – VICTOR WHITE, DIRECTOR OF AIRPORTS

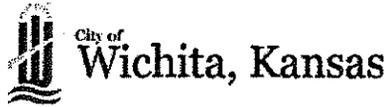
October 24, 2016

TSA Office Build Out & Remodel 2 Airline Offices Terminal Building - Wichita Airport Authority/Engineering Div.
(Defer to October 31, 2016)

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



Melinda A. Walker
Purchasing Manager



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: FB640136 **TSA Build Out & Remodel 2 Offices** **Close Date/Time:** 8/12/2016 10:00 AM CST

Solicitation Type: Formal Bid

[Return to the Bid List](#)

Award Method: Aggregate Cost

Department: Airport Engineering

Responses: 4

Vendors	Complete	Bid Total	City Comments
COMPTON CONSTRUCTION CORP	Complete	\$1,112,432.00	Defer to 10-31-16 Wichita Airport Authority/Engineering Division
VOGTS CONSTRUCTION COMPANY	Complete	\$1,118,048.00	
COMMERCE CONSTRUCTION SERVICES INC	Complete	\$1,120,100.00	
VAN ASDALE CONSTRUCTION LLC	Complete	\$1,212,900.00	

NO BIDS WITHIN ENGINEERS ESTIMATE

[Top of the Page](#)

