

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 413

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, March 27, 2007
Tuesday, 9:40 A.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Schlapp; Skelton, present.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

The Minutes of the regular meeting of March 13, 2007, approved 6 to 0.

CONSENT AGENDA

Motion--
--carried

Mayans moved that Consent Agenda items 1-17c be approved in accordance with the recommended action shown thereon. Motion carried 6 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED MARCH 26, 2007.

Bids were opened March 23, 2007, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications.

Waterman Drainage & Paving Improvements, Phase 2 and 48 Inch Southeast Water Supply Line, Phase 1B - Main to Washington; Waterman Sanitary Sewer Improvements, Emporia to Commerce south of Douglas, west of Hydraulic (468-84167a/751422/633791/620473/ 485313/757001/667591) Waterman to be closed 3 blocks at a time during construction. (District I,II)

Dondlinger and Sons - \$6,776,497.80

Paving the south 100 feet of the north-south alley adjacent to even lots 182-188 on Wabash now Ida Avenue to serve Campbell's Addition north of Pawnee, west of Hydraulic (472-84471/766120/490138) Traffic to be maintained during construction using flagpersons & barricades. (District III)

Barkley Construction* - \$16,000.00

*Tie bid - Awarded by coin toss

Lateral 10, Main 7 Northwest Interceptor Sewer to serve Fontana 3rd Addition north of 29th Street North, east of 119th Street West (468-83882/744219/480907) Does not affect existing traffic. (District V)

McCullough Excavation - \$61,150.00

Lateral 3, Main 7 Northwest Interceptor Sewer to serve Prairie Pointe & Prairie Pointe 2nd Additions north of 37th Street North, west of Maize (468-83809/744217/480905) Does not affect existing traffic. (District V)

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 414

McCullough Excavation - \$81,000.00

Water Distribution System to serve Fontana 3rd Addition north of 29th Street North, east of 119th Street West (448-90004/735355/470028) Does not affect existing traffic. (District V)

McCullough Excavation - \$57,500.00

Water Distribution System to serve Prairie Pointe & Prairie Pointe 2nd Additions north of 37th Street North, west of Maize (448-89974/735353/470026) Does not affect existing traffic. (District V)

McCullough Excavation - \$51,000.00

Water Distribution System to serve Pier 37 Addition south of 37th Street North, west of Ridge (448-90272/735350/470023) Does not affect existing traffic. (District V)

McCullough Excavation* - \$94,832.00

*Negotiated to Engineer's Estimate

Water Distribution System to serve Terradyne West Addition north of Central, west of 159th Street East (448-90250/735340/470013/448-90251/73541/470014) Does not affect existing traffic. (District II)

Nowak Construction - \$ 49,302.46 (Group 1)

\$ 77,287.25 (Group 2)

\$126,589.71 Total Bid

Water Distribution System to serve Fox Ridge Addition north of 29th Street North, east of Maize (448-90247/735339/470012) Does not affect existing traffic. (District V)

Utilities Plus - \$29,593.65

Storm Water Drain #317 to serve Monarch Landing Addition north of 21st Street North, west of 159th Street East (468-84318/751442/485333) Storm Water Drain #627 to serve Monarch Landing Addition north of 21st Street North, west of 159th Street East (468-84319/751443/485334) Does not affect existing traffic. (District II)

Nowak Construction - \$229,480.00 (Group 1)

\$317,333.25 (Group 2)

\$546,813.25 Total Bid

Motion--

Mayans moved that the contracts be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the necessary signatures be authorized. Motion carried 6 to 0.

--carried

PUBLIC WORKS DEPARTMENT/LANDFILL DIVISION: Mow and Landscape Maintenance Brooks Landfill.

D & R Mowing Services LLC* - \$325,798.75

*Estimate – Contract approved on unit cost basis.

TRANSIT DEPARTMENT: Security Service Downtown Transit.

Vend-Tech Enterprise, LLC* - \$45,396.00

*Estimate – Contract approved on unit cost basis.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 415

WICHITA WATER UTILITIES DEPARTMENT/PRODUCTION AND PUMPING DIVISION:
Fencing Hess Pump Station.

Kansas Fence Company Inc. - \$51,719.00

Motion-- Mayans moved to that the contract(s) be awarded as outlined above, same being the lowest
--carried and best bid, and the necessary signatures be authorized. Motion carried 6 to 0.

CMBS

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal 2007</u> Vanessa M. Pham	To Chau Restaurant*	(Consumption on Premises) 4875 East Pawnee
<u>Renewal</u> Jose O. Vasquez	<u>2007</u> Super Del Centro Hillside LLC	<u>(Consumption off Premises)</u> 2425 South Hillside
<u>New Operator</u> Thuan T. Ngo	<u>2007</u> CT Happy Store #1	<u>(Consumption off Premises)</u> 2199 North Woodlawn
Jose O. Vasquez	El Super Del Centro LLC	1770 North Broadway

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion-- Mayans moved that the licenses be approved subject to Staff review and approval. Motion
--carried carried 6 to 0.

PRELIM. ESTS.

PRELIMINARY ESTIMATES:

- a. Pawnee, from west of 119th Street West to east of Maize Road (87N-0353-01/472-84357/706951/636174/206417/776567) Traffic to be carried through construction using flagpersons and barricades. (District IV) - \$7,648,042
- b. Water Distribution System to serve Tyler's Landing 3rd Addition south of 37th Street North, east of Tyler (448-90104/735347/470020) Does not affect existing traffic. (District V) - \$65,000
- c. Main 22 Four Mile Creek Sewer to serve Brentwood South Addition north of Pawnee, east of Webb Road (468-84262/744204/470892) Does not affect existing traffic. (District II) - \$259,000
- d. Lateral 7, Main 14 Four Mile Creek Sewer to serve Krug South Addition south of 21st Street North, west of 143rd Street East (468-84321/744218/480906) Does not affect existing traffic. (District II) - \$936,000
- e. Water Distribution System to serve Krug South Addition south of 21st Street North, west of 143rd Street East (448-90277/735354/470027) Does not affect existing traffic. (District II) - \$301,000

Motion--carried Mayans moved to receive and file. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 416

PETITION

CONSTRUCT ACCELERATION/DECELERATION AND LEFT TURN LANES FOR FONTANA FIRST, SECOND, AND THIRD ADDITIONS, NORTH OF 29TH STREET NORTH, WEST OF MAIZE. (DISTRICT V)

Agenda Report No. 07-0271

The Petitions have been signed by one owner representing 100% of the improvement districts.

The projects will provide paving improvements for a residential development located north of 29th St. North, west of Maize to serve the Covington Street entrance.

The Petitions total \$56,500. The funding source is special assessments.

These projects address the Efficient Infrastructure goal by providing for the construction of paving improvements for a new subdivision.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by owners of the majority of property in the improvement district.

Motion--
--carried

Mayans moved that the Petitions be approved; the Resolutions adopted; and the necessary signatures authorized. Motion carried 6 to 0.

RESOLUTION NO. 07-207

Resolution of findings of advisability and resolution authorizing constructing an ace/decal lane on the north side of 29th Street North to serve the Covington Street Entrance, 472-84537 (North of 29th Street North, west of Maize) in the city of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-208

Resolution of findings of advisability and resolution authorizing constructing a left-turn lane to serve the east bound, left-turn movements from 29th Street North to Covington, 472-84538 (North of 29th Street North, west of Maize) in the city of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans

BOARDS/COMMISS. MINUTES OF ADVISORY BOARDS/COMMISSIONS.

Wichita Employees' Retirement Board/Police & Fire Retirement Board, December 11, 2006
Police & Fire Retirement System Ad Hoc Committee Meeting, December 12, 2006
Wichita Employees' Retirement System, January 17, 2007
Police & Fire Retirement System Annual Board Meeting, January 24, 2007
Wichita Employees' Retirement Board/Police & Fire Retirement Board, February 1, 2007
Wichita Employees' Retirement Board/Police & Fire Retirement Board, February 6 & 7, 2007
Board of Electrical Appeals, February 13, 2007

Motion--carried

Mayans moved to receive and file. Motion carried 6 to 0.

STREET CLOSURE CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures to consider.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 417

HIDDEN GLEN

RESPREAD ASSESSMENTS, HIDDEN GLEN ADDITION, NORTH OF 47TH STREET SOUTH, WEST OF HYDRAULIC. (DISTRICT III)

Agenda Report No. 07-0272

The landowners, Hickory Creek, L.L.C.; Comfort Homes, Inc.; Don Klausmeyer Construction, L.L.C.; Robl Construction Inc.; Paul D. Hammerman & Elizabeth Ulery; Charlene L. Weimer; and Elio L. & Mayra O. Gil, have submitted two Agreements to respread special assessments within Hidden Glen Addition.

The land was originally included in an improvement district for two public street improvement projects. The landowners are developing this Addition and request the respread of the special assessments.

There is no cost to the City.

The City of Wichita aggressively uses special assessments to lower the cost of residential developments. In doing so, the City's program satisfies the City Council's goal to promote Economic Vitality and Affordable Living. The program supports this goal through partnering with stakeholders in the development community and sustains affordable living by lowering the costs of home ownership.

The Agreements have been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreements be approved and the necessary signatures authorized. Motion carried 6 to 0.

MERCADO

CONTRACT WITH ECONOMIC RESEARCH ASSOCIATES FOR FEASIBILITY AND BUSINESS PLAN SERVICES, "MERCADO" PUBLIC MARKET PLACE FACILITY NEAR 21ST STREET NORTH AND MARKET STREET. (DISTRICT VI)

Agenda Report No. 07-0273

On March 6, 2007, City Council approved the selection of Economics Research Associates for financial services in preparing a feasibility study and preliminary pro forma/business plan for a 'Mercado' public market facility, and to assess the likelihood and/or extent of any short term or long term operating shortfalls. City Council also authorized staff to negotiate a not-to-exceed contract of \$35,000 to perform this work.

A contract for professional services has been negotiated with Economic Research Associates in the amount of \$34,970 to perform the feasibility study and preliminary pro forma/business plan for a 'Mercado' public market facility in the vicinity of 21st Street and Market.

The City Council has authorized the use of the Economic Development Fund to fund this project.

This project impacts two goal areas. It will help achieve the goal of creating vibrant neighborhoods, as well as the goal of promoting economic vitality.

The contract has been reviewed and approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the contract with Economic Research Associates be approved and the appropriate signatures authorized. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 418

MERCADO

CONTRACT WITH LAW/KINGDON FOR ARCHITECTURAL DESIGN SERVICES, "MERCADO" PUBLIC MARKET PLACE FACILITY NEAR 21ST STREET NORTH AND MARKET STREET. (DISTRICT VI)

Agenda Report No. 07-0274

On March 6, 2007, the City Council approved the selection of Law/Kingdon Inc. for architectural services (developing building design schematics and related new construction and/or renovation costs) to support a consultant to be hired by the City under separate contract to complete a feasibility study and preliminary pro forma/business plan for the indoor/outdoor public 'Mercado' market proposed in the vicinity of 21st Street and Market. Council also authorized staff to negotiate a not-to-exceed contract of \$50,000 to perform the architectural support work.

A contract for architectural professional services has been negotiated with Law/Kingdon on an hourly fee-for-service basis, with the total contract amount not to exceed \$50,000.

In September 2006, City Council approved a bonding ordinance in the amount of \$50,000 to cover the initial design and planning phases for this project.

This project impacts two goal areas. It will help achieve the goal of creating vibrant neighborhoods, as well as the goal of promoting economic vitality.

The contract has been reviewed and approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the contract with Law/Kingdon Inc. be approved and the appropriate signatures authorized. Motion carried 6 to 0.

MONARCH ADD.

MONARCH LANDING ADDITION, NORTH OF 21ST STREET, WEST OF 159TH STREET EAST. (DISTRICT II)

Agenda Report No. 07-0275

The City Council approved the water, sanitary sewer, storm water, and paving improvements in Monarch Landing Addition on February 13, 2007.

The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for the design of bond financed improvements consisting of water, sanitary sewer, storm water, and paving in Monarch Landing Addition. Per Administrative Regulation 1.10, staff recommends that MKEC be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to MKEC will be on a lump sum basis of \$223,680 and will be paid by special assessments.

This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 419

**FOX RIDGE ADD. FOX RIDGE ADDITION, NORTH OF 29TH STREET NORTH, WEST OF TYLER.
(DISTRICT V)**

Agenda Report No. 07-0276

The City Council approved the water, storm water, and paving improvements in Fox Ridge Addition on November 7, 2006.

The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for the design of bond financed improvements consisting of water, storm water, and paving in Fox Ridge Addition. Per Administrative Regulation 1.10, staff recommends that MKEC be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to MKEC will be on a lump sum basis of \$58,400 and will be paid by special assessments.

This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0.

**NORTHGATE ADD. NORTHGATE ADDITION, NORTH OF 53RD STREET NORTH, WEST OF MERIDIAN.
(DISTRICT VI)**

Agenda Report No. 07-0277

The City Council approved the water, sanitary sewer, drainage, and paving improvements in Northgate Addition on October 24, 2006.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond financed improvements consisting of water, sanitary sewer, drainage and paving in Northgate Addition. Per Administrative Regulation 1.10, staff recommends that Baughman be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to Baughman will be on a lump sum basis of \$154,500 and will be paid by special assessments.

This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 420

CHANGE ORDER

29TH STREET NORTH, FROM RIDGE TO TYLER. (DISTRICT V)

Agenda Report No. 07-0278

On February 7, 2006, the City Council approved a construction contract with LaFarge North America, Inc. to improve 29th Street North, from Ridge to Tyler. During the construction of the project, a number of items developed that should be addressed as a change order:

A water main was found to be in conflict with the paving and required relocation.

Additional stormwater sewer was needed to facilitate drainage on the northwest and northeast corners of 29th and Ridge Road.

A median east of Tyler was modified to alleviate access restrictions to local businesses.

Wheelchair ramps and pavement markings were modified to meet American Disabilities Act (ADA) and Manual of Uniform Traffic Control Device (MUTCD) requirements.

This change order also adjusts contract to final as-built quantities.

A Change Order has been prepared for the additional work. Funding is available within the project budget.

The total cost of the additional work is \$101,536.40 with \$81,229.12 paid by Federal Grants and \$20,307.28 paid by City General Obligation bonds. The original contract amount is \$3,042,333.83. This Change Order represents 3.34% of the original contract amount.

This project addresses the Efficient Infrastructure goal by improving the traffic capacity and safety along a major transportation corridor.

The Law Department has approved the Change Order as to legal form. The Change Order amount is within the 25% of construction contract cost limit set by City Council policy.

Motion--
--carried

Mayans moved that the Change Order be approved and the necessary signatures authorized. Motion carried 6 to 0.

UNSAFE STRUC.

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES. (DISTRICTS I, IV, AND VI)

Agenda Report No. 07-0279

On March 5, 2007, the Board of Code Standards and Appeals (BCSA) held a hearing on the following five (5) properties. These properties are considered dangerous and unsafe structures, and are being presented to schedule a condemnation hearing before the Governing Body.

Violation notices have been issued on these structures, however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties.

Property Address	Council District
a. 2305 North Waco	VI
b. 2718 East 10th Street	I
c. 1748 North Estelle	I
d. 1954 North Minneapolis	I
e. 623 South Martinson (Front)	IV

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 421

On January 24, 2006 the City Council adopted five (5) goals for the City of Wichita. These include: Provide a Safe and Secure Community, Promote Economic Vitality and Affordable Living, Ensure Efficient Infrastructure, Enhance Quality of Life, and Support a Dynamic Core Area & Vibrant Neighborhoods. This agenda item impacts the goal indicator to Support a Dynamic Core Area and Vibrant Neighborhoods: Dangerous building condemnation actions, including demolitions, remove blighting and unsafe buildings that are detrimental to Wichita neighborhoods.

These structures have defects that under Ordinance No. 28-251 of the Code of the City of Wichita shall cause them to be deemed as dangerous and unsafe buildings, as required by State Statute for condemnation consideration.

Motion--

Mayans moved that the resolutions to schedule a hearing and place these matters on the agenda for a Hearing before the Governing Body on May 8, 2007 at 9:30 a.m. or as soon thereafter be adopted.

--carried

Motion carried 6 to 0.

RESOLUTION NO. 07-209

Resolution fixing a time and place and providing for notice of a hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as Lots 414 and 416, on Jewett Avenue, now Waco, Rosenthal's Subdivision of Meyers and Snyders Out Lots to Wichita, Sedgwick County, Kansas known as 2305 North Waco, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-210

Resolution fixing a time and place and providing for notice of a hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as Lot 25, Fairmount Park Second, an addition to the City of Wichita, Sedgwick County, Kansas, known as 2718 East 10th Street North, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-211

Resolution fixing a time and place and providing for notice of a hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: the north 14.5 feet of Lot 46 and the south 37.5 feet of Lot 48, on Estelle Avenue, Getto's 3rd Addition to Wichita, Sedgwick County, Kansas known as 1748 North Estelle, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 07-212

Resolution fixing a time and place and providing for notice of a hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as: Lots 98 and 100, Block 11, Pennsylvania Addition to Wichita, Sedgwick County, Kansas, Known as 1954 North Minneapolis, may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 422

RESOLUTION NO. 07-213

Resolution fixing a time and place and providing for notice of a hearing before the governing body of the City of Wichita, Kansas, at which the owner, his agent, lienholders of record and occupants of property legally described as Lots 82 and 84, except west 54 feet, Coop's Grove Addition to Wichita, Sedgwick County, Kansas known as 623 South Martinson (front), may appear and show cause why such structure should not be condemned and ordered repaired or demolished as a dangerous structure, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

BUDGET ADJUST. BUDGET ADJUSTMENT FOR STATIONERY STORES.

Agenda Report No. 07-0280

The City of Wichita has a mail machine that is currently four (4) years old. There were plans to trade the mail machine in and purchase a new mail machine the later part of this year. The new proposed postal rate changes have caused this time frame to be moved up six (6) months. The City will need to purchase new software to handle all the postal rate changes that will go into effect May 6, 2007 and did not want to purchase and install new technology into an old mail system, when it will be traded away within a six (6) months time frame. The new software required to handle the postal changes will cost approximately \$3,700.00. That is 10% of the cost of the new machine with this technology currently installed.

The new mail machine is a DM1000 with an ascent software package with the new technology for the postal rate changes. This purchase will be under the State of Kansas contract from the contract vendor Pitney Bowes.

The cost for the new system will be \$37,500 complete with trade-in and will require a budget transfer of \$37,500 from the Stationery Stores retained earnings.

Utilize Purchasing Ordinance 38-122(j) Intergovernmental Cooperative Contract and Agreements. Purchasing will issue a Purchase Order to Pitney Bowes for the purchase of new mail machine.

Ensure efficient infrastructure to maintain and optimize public facilities and assets.

Motion--
--carried

Mayans moved that the budget adjustment and for the purchase of the new mail machine system be approved. Motion carried 6 to 0.

MOU WATERSHED PROTECTION PLAN, MEMORANDUM OF UNDERSTANDING.

Agenda Report No. 07-0281

On August 24, 1993, the City Council authorized Staff to assist in submitting a request for a grant with the U.S. Environmental Protection Agency for watershed improvements above Cheney Reservoir. As part of that action, City Council approved the concept of the City assuming part of the cost-share necessary to allow landowners to implement Best Management Practices in the watershed.

On October 3, 2000, City Council approved and instructed Staff to begin implementation of the Concept Design Plan for the Integrated Local Water Supply Plan. The plan identified cost-effective water resources that would be adequate to meet Wichita's water supply needs to the year 2050.

On August 2, 2005, City Council approved a Memorandum of Understanding with the McPherson County Conservation District to assist in funding Best Management Practices (BMPs) in the Little Arkansas River watershed to reduce atrazine in the river.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 423

As part of the Integrated Local Water Supply Plan (ILWS) Plan, the Little Arkansas River will become an important component of the City's water supply. It will be the source of water for the Equus Beds Aquifer Storage and Recovery project and the source of water used for the expanded local wellfield. Because of its growing importance as a water supply, efforts have already begun to identify water quality problems in the river and attendant potential solutions.

A task force composed of watershed stakeholders and several governmental agencies completed a Watershed Restoration and Protection Strategy for the Little Arkansas River. The Watershed Restoration and Protection Strategy (WRAPS) report determined the watershed covers 1,407 square miles, with 208 public water suppliers currently drawing water from the river or its alluvium. While the report identifies several pollutants of concern, atrazine is the greatest concern. Atrazine is a relatively inexpensive and effective herbicide that is widely used in corn and sorghum production. The report estimates that atrazine is used on approximately 300,000 acres of cropland in the watershed, amounting to about one-third of the land.

The current drinking water standard for atrazine is three parts-per-billion (3ppb). Unfortunately, water sampling has found levels over 40 parts-per-billion (40ppb) at times. To recharge water from the river into the Equus Beds Aquifer, the water quality must meet drinking water standards so excess atrazine must be removed. If steps can be taken to reduce or eliminate atrazine in the river, the result will be a significant reduction in cost to treat the water prior to using it to recharge the aquifer. The WRAPS report recommends a variety of BMPs to reduce atrazine in the river, and during the first year a reduction of 40 percent was obtained where BMPs were implemented.

The intent of the Memorandum of Understanding (MOU) is to provide an incentive to producers in the watershed to install BMPs and to provide up to 100 percent cost-share reimbursement. Under the MOU, producers would be eligible for up to 100 percent reimbursement for approved projects, with the State Conservation Commission providing 50 percent of the funds and the City providing the other 50 percent. For innovative practices not currently covered under the state's program, the City would reimburse up to 50 percent for the cost of the improvement or incentive payment, and the remaining cost would be the responsibility of the producer.

The Little Arkansas Watershed Advisory has been created under the McPherson County Conservation District to review and approve BMPs in the watershed. Kansas State University Research and Extension is monitoring the program to verify its effectiveness.

A number of partners have agreed to assist in this effort. The Kansas Department of Health and Environment has agreed to commit 319 Grant funds for educational efforts, demonstrations and some monitoring; Kansas State University Research and Extension has agreed to assist with water quality monitoring and analysis, BMP implementation and delivery of educational programs; the Natural Resources Conservation Service has agreed to help identify sub-watersheds to study and to assist with BMP implementation; and the Kansas State Conservation Commission has committed \$10,000 in funds for cost-share incentives.

The City's share of the costs will not exceed a maximum of \$20,000 in fiscal year 2007. Funds are available in CIP W-549, Water Supply Projects.

Ensure efficient infrastructure by maintaining and optimizing public facilities and assets. While the work in the project occurs in the watershed above the reservoir, the intent is to improve the water quality and prolong the life of the reservoir.

The Law Department has approved the Memorandum of Understanding as to form.

Motion--
--carried

Mayans moved that the Memorandum of Understanding be approved and the necessary signatures authorized. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 424

LAND ACQUIS.

NORTHWEST WATER TREATMENT PLANT, LAND ACQUISITION.

Agenda Report No. 07-0282

This project is included in the ten-year Capital Improvement Program. The project provides for land acquisition and construction funding for a new water treatment plant and pump station in the northwest portion of Wichita. As the City and water service area continue to grow, more treatment capacity will be required.

A new water treatment plant in northwest Wichita will provide needed capacity to the Water Utility's system. Sufficient land acquisition is required not only for building the proposed pump station and water treatment plant, but for an adequate buffer zone around the proposed facility.

Northwest Water Treatment Plant – Land Acquisition (CIP W-596) has a budget of \$500,000 for 2007. It will be funded from future revenue bonds and/or Water Utility cash reserves.

This project addresses the goal of ensuring efficient infrastructure by providing reliable water service to the Water Utility customers.

The Law Department has approved the Resolution as to form.

Motion--
--carried

Mayans moved that the expenditure be approved; the Resolution adopted; and the necessary signatures authorized. Motion carried 6 to 0.

RESOLUTION NO. 07-214

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the water and sewer utility owned and operated by the city, and to issue revenue bonds in a total principal amount which shall not exceed \$500,000, exclusive of the cost of interest on borrowed money, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

WATER MAIN

20-INCH WATER MAIN IN WOODLAWN FROM SECOND STREET TO KELLOGG, BUDGET INCREASE. (DISTRICT II)

Agenda Report No. 07-0283

On November 1, 2005, the City Council approved the expenditure for a 20-inch water main to be constructed along Woodlawn from 2nd Street to Kellogg. The Water Master Plan identified this project as necessary to ensure adequate service levels now and in the future.

On February 16, 2007, bids were opened for the construction of the 20-inch water line project. All bids were over the engineer's estimate. The budget for this project was set at \$730,000. A budget increase is necessary to successfully let the project and also have adequate monies for engineering and inspection.

Woodlawn & 2nd – Kellogg & Windsor (CIP W-834) was included in the 2006 approved Capital Improvement Program. The budget will require an increase of \$328,000 for a total of \$1,058,000. The project will be funded from Water Utility revenues and reserves, and/or a future revenue bond issue.

This project addresses the Ensure Efficient Infrastructure goal by providing reliable water service to the Water Utility customers.

The Law Department approved the Resolution as to form.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 425

Motion--
--carried

Mayans moved that the budget increase be approved; the amended Resolution adopted; and the necessary signatures authorized. Motion carried 6 to 0.

RESOLUTION NO. 07-215

A Resolution amending Resolution No. 05-540 pertaining to the construction of a 20-inch water main in Woodlawn from Second Street to Kellogg (W-834) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

CHILDCARE

CHILDCARE LICENSING GRANT AWARD.

Agenda Report No. 07-0284

The Environmental Services Department conducts inspections of childcare facilities and provides education for childcare providers within Sedgwick County on behalf of the Kansas Department of Health and Environment. KDHE provides an annual grant to fund these activities, and has solicited Environmental Health's application for state fiscal year 2008 (July 1, 2007 through June 30, 2008.)

The City has conducted childcare licensing and education services for in excess of thirty years, providing a local point of contact for citizens and providers. Local operation of the program also enhances coordination with other agencies involved, such as the Fire Department and Office of Central Inspection. Environmental Services staff members enforce state regulations and utilize state enforcement mechanisms, as appropriate.

The grant application deadline was March 15, 2007. Under authority of City of Wichita Administrative Regulation No. 61, the City Manager is authorized to submit the grant application.

The grant supports the goals for Safe and Secure Communities.

The grant request for state fiscal year 2008 totals \$317,100. The program is also supported by the City's General fund in the amount of \$167,064; the local contribution is offset by inspection fees, which are estimated at \$126,000 for state fiscal year 2008.

The grant agreement when received will be reviewed by the Department of Law upon receipt, for approval as to form.

Motion--
--carried

Mayans moved that the grant application be approved; the necessary signatures authorized; and the funds if awarded the grant be received. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 426

RESOLUTION

RESOLUTION AUTHORIZING SECTION 3037 ACCESS TO JOBS GRANT FROM FEDERAL TRANSPORTATION ADMINISTRATION, (FTA).

Agenda Report No. 07-0285

The Federal Transportation Administration (FTA) grant application process requires a resolution by the governing body authorizing staff to file grant applications to receive funds and administer the grant's program. The purpose of this Resolution is to authorize staff to file for eligible federal funds for the support of the City's Access to Jobs transit services for 2007 – 2008 and transit operation. The authorized total federal apportionment for FY 2005 is \$361,810. A public hearing will be held on March 23, 2007, at 10:00 AM at the Transit administrative office. Section 3037 is a 50% federal/50% local match program.

The proposed Resolution authorizes funding to support the purchase of rides for ADA/low- income clients under a brokerage system, utilizing other transportation providers within Wichita. We provide service for clients of Social and Rehabilitation Services and nonprofit organizations, including Breakthrough Club, the Mental Health Association, COMCARE, and the Cerebral Palsy Research Foundation.

The total budget for the grant is \$723,620, where 50% federal share is \$361,810 and local City match is \$90,709, all in-kind service; numerous agencies and nonprofits make up the remaining \$271,101 local match. Services will only be provided to the extent that a local match has been negotiated.

The resolution impacts the goal, "Ensure Efficient Infrastructure." It impacts the indicator "Maintain safe and dependable transportation systems." Approving this resolution will allow us to transport more ADA/low-income clients to work and back in a safe, cost-effective, and dependable manner.

The City's Law Department has reviewed and approved the Resolution as to form.

Motion--
--carried

Mayans moved that the Resolution be adopted and the necessary signatures authorized. Motion carried 6 to 0.

RESOLUTION NO. 07-216

A Resolution authorizing the filing of an application with the Department of Transportation, United States of America, for a grant under Section 3037 of the Transportation Equity act for the 21st Century (TEA-21) to support local 2007 Job Access and Reverse Commute Program, , presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

CLAIM

SETTLEMENT OF CLAIM.

Agenda Report No. 07-0292

On January 21, 2005, a city employee was involved in an automobile accident, while making a left turn. There were three passengers in the vehicle, including this claimant.

After investigating the claim, evaluating the extent of the claimed damages, and considering the risks of trial, the City determined that a resolution of this matter was appropriate. After some discussion and negotiation, the City has been offered an opportunity to resolve the claim with a lump sum payment of \$30,000.00 as full settlement of all claims arising out of the accident. Because of risks associated with litigation, the Law Department recommends acceptance of the offer.

Funding for this settlement payment is from the City's Tort Liability Fund.

The Internal Perspective includes this type of liability.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 427

The Law Department has approved the agreement and is initiating this item before the City Council

Motion--
--carried

Mayans moved that the payment of \$30,000 as a full settlement of all possible claims arising out of the accident, which is the subject of the claim be authorized. Motion carried 6 to 0.

KELLY HOTEL

ADOPTION OF FINDINGS REGARDING THE PROJECT DESIGN OF THE KELLY HOTEL AND CONFERENCE CENTER AT 111-125 EAST DOUGLAS, (DISTRICT I)

Agenda Report No. 07-0293

The owner of 111-125 East Douglas sought approval of the Kelly Hotel and Conference Center design. At its February 2007 meeting the Historic Preservation Board found that design did not comply with Environs Review Guidelines established by the Kansas State Historical Society. The owner appealed to the governing body under the provisions of state law seeking a determination that there was no feasible and prudent alternative to the proposed design and that the program for the design included all possible planning for minimizing harm to the District. The Council heard from the owner and its agent at its meeting on March 20, 2007. There was no testimony presented by parties offering information that there were feasible and prudent alternatives to the design submitted.

The Council determined, from all the relevant factors, that there was no feasible and prudent alternative for the proposed design of the Kelly Hotel and Conference center. Based on all relevant factors and the information presented at the public hearing on this appeal, the Council finds as follows:

1. That the proposed project is appropriate for the location.
2. That the District Advisory Board for Council District I reviewed the project and voted unanimously to support the proposed design.
3. That the Design Council reviewed the proposed project and voted unanimously to support the project as presented by the developer and their agent.
4. The economic benefit provided by this project to District I and Wichita as a whole is significant.
5. The design of the project includes all possible planning to protect the public generally and to minimize harm to the environs of Old City Hall, Carnegie Library, Wheeler Kelly Hagny Building, the Kress Building, the Michigan Building and Kaufman Building.

The facts and information presented to the governing body at the appeal hearing support the above findings.

The Council has review authority over the decision of the Historic Preservation Board, as provided for in K.S. A. 75- 2724 and the City Code Section 2.12.1023(c), and (f). In order for the City Council to overturn the decision of the HPB, all relevant factors must be considered and must find there is no "feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to such historic property resulting from such use."

Core Area and Neighborhood

Motion--

--carried

Mayans moved that the findings set forth above in support of the Council's determination that there is no feasible and prudent alternative to the proposed design of the Kelly Hotel and Conference Center; and the program for the proposed design includes all possible planning for minimizing harm to the environs of Old City Hall, Carnegie Library, Wheeler Kelly Hagny Building, the Kress Building, the Michigan Building and Kaufman Building be adopted. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 428

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ MARCH 20, 2007)

- a. Adoption of Broadway and 47th Redevelopment Project Plan. (District IV)

ORDINANCE NO. 47-450

An Ordinance adopting a project plan for the Broadway and 47th Redevelopment District), read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

- b. Wichita Employee's Retirement System proposed revisions of City Code Sections 2.28.020, 2.28.100, 2.28.110, 2.28.140, 2.28.160, 1.28.200, 2.28.230, 2.28. 240, 2.28.50 and 2.28.090.

ORDINANCE NO. 47-451

An Ordinance amending Sections 2.28.020, 2.28.090, 2.28.100, 2.28.110, 2.28.140, 2.28.160, 2.28.200, 2.28.230, 2.28.240 and 2.28.250 of the Code of the city of Wichita, Kansas, pertaining to administration of the Wichita Employees' Retirement System, and repealing the originals of said sections), read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

- c. Charter Ordinance - Police and Fire Retirement System, proposed revisions of Charter Ordinance Sections 3, 12, 13, 14, 20, 22 and 25.

CHARTER ORDINANCE NO. 205

A Charter Ordinance of the city of Wichita Kansas, amending Charter Ordinance No. 195 relating to the Police and Fire Retirement System of the City of Wichita and repealing the original of said charter ordinance), read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Schlapp, Skelton, and Mayans.

PLANNING AGENDA

Motion--
--carried

Mayans moved that Planning Consent items 18-21 be approved in accordance with the recommended action shown thereon. Motion carried 6 to 0.

GIBBONS

STREET IMPROVEMENT AGREEMENT FOR GIBBONS GARDENS ADDITION, LOCATED NORTH OF 29TH STREET NORTH AND WEST OF BROADWAY. (DISTRICT VI)

Agenda Report No. 07-0286

Staff Recommendation: Approve the Agreement.

This No-Protest Agreement is associated with Lot Split Case No. SUB 2007-15 and is for the future paving improvements on 33rd Street North

This property is the remainder of an original lot from which other portions have been split. These lots are zoned LC, Limited Commercial District. The Agreement assures the City of Wichita that this property will be included in the paving improvements and that the owners have waived their right to protest said paving improvements.

Ensure Efficient Infrastructure.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 429

The No-Protest Agreement will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the No-Protest Agreement be approved and the necessary signatures authorized.
Motion carried 6 to 0.

DED2007-02

DED2007-02-DEDICATION OF A UTILITY EASEMENT LOCATED WEST OF WEST STREET AND NORTH OF NORTH OF HARRY. (DISTRICT IV)

Agenda Report No. 07-0287

Staff Recommendation: Accept the Dedication.

This Dedication is associated with Lot Split No. SUB 2004-106 (Part of Lot 3, Chance Industrial Second Addition). The Dedication is for construction and maintenance of public utilities.

Ensure Efficient Infrastructure.

This Dedication has been recorded with the Register of Deeds.

Motion--carried

Mayans moved that the Dedication be accepted. Motion carried 6 to 0.

A07-01

A07-01R-REQUEST BY CHRIS DUGAN TO ANNEX LAND GENERALLY LOCATED WEST OF 135TH STREET WEST, BETWEEN 13TH STREET NORTH AND CENTRAL AVENUE. (DISTRICT V)

Agenda Report No. 07-0288

The City received a request to annex 4.43 acres of land generally located west of 135th Street West, between 13th Street North and Central Avenue. The annexation area abuts the City of Wichita to the north, east, south and west. The property owner does not anticipate further development of this property at this time.

Land Use and Zoning: The proposed annexation consists of approximately 4.43 acres of property currently zoned "SF-20" Single-Family Residential. Upon annexation, the "SF-20" Single-Family Residential zoning will convert to "SF-5" Single-Family Residential. Property directly to the north, east south and west is zoned "SF-5" Single-Family Residential. The lots immediately to the north, east, south and west are developed.

Public Services: There is an existing 8" water main in 10th Street, east of 135th Street West. In addition, there is a project out for bid to install a 24" water line along the east side of 135th Street West, across the front of the subject property. There is an existing 8" sewer line along the northwest portion of the subject property that was installed with Copper Gate Estates. There is also a 24" sewer main under construction across the front of the subject property along the west side of 135th Street West.

Street System: The subject property borders 135th Street to the east, which is a 2-lane asphalt road. The City of Wichita Capital Improvement Program (CIP) 2005-2014 and the Transportation Improvement Program (2006-2010) have scheduled improvements to 135th Street West from 21st Street North to Maple, directly east of the subject property. Improvements include the reconstruction and widening of 135th Street West. The Sedgwick County Capital Improvement Program 2006-2010, the Transportation Improvement Program (2006-2010) and the City of Wichita Capital Improvement Program (CIP) 2005-2014 have scheduled improvements to 13th Street North and Central Avenue, between 135th Street West and 119th Street West.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 430

Public Safety: Fire services to this site can be provided by the City of Wichita within an eight (8) to nine (9) minute approximate response time from City Station No. 17, located at 10651 W. Maple. Upon annexation, police protection will be provided to the area by the Patrol West Bureau of the Wichita Police Department, headquartered at 661 N. Elder.

Parks: West Meadows Park, a 1.5-acre park, is located approximately 1 1/2 miles to the northeast of the proposed annexation site and contains a children's play area, a basketball court and a tennis court. Swanson Park, a 93-acre park, is located approximately 1 1/2 miles to the east from the proposed annexation site and contains a nature trail and parking area. Cowskin Greenway, a 27.06-acre park, is located 2 1/2 miles to the southeast, which is a recreational corridor that will eventually connect Swanson Park and Buffalo Park. Buffalo Park, a 38-acre park, is approximately 3 miles from the proposed site and contains 3 softball diamonds, 2 tennis courts, a children's play area, a basketball court and a fishing pond. Meadows Park, a 51-38-acre park, is located 1 1/2 miles to the south of the subject property and contains a nature trail, a pond and a children's play area. Auburn Hills Golf Course, a 159-acre gold course, is also located 1 1/2 miles to the south of the subject property and is considered an 18 hole champion golf course. According to the 1996 Parks and Open Space Master Plan, a pathway has been proposed that would run along 135th Street West to the north and to the south of the subject property.

School District: The annexation property is part of the Unified School District 266 (Maize School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with the Wichita-Sedgwick County Comprehensive Plan. The annexation property falls within the 2030 Wichita Urban Growth Area, as shown in the Plan.

The current approximate appraised value of the proposed annexation lands, according to County records, is \$344,530 with a total assessed value of \$39,620. Using the current City levy (\$31.828/\$1000 x assessed valuation), this roughly yields \$1,244 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of any other developments on the proposed annexation property and the current mill levy. The property owner does not anticipate further development of this property at this time.

Approving the annexation request would impact Wichita's goal to ensure efficient infrastructure, for annexation of this property would assist the City in satisfying the demand for new infrastructure needed to support growth and development.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion--
--carried

Mayans moved that the annexation request be approved; the ordinance placed on first reading; and the necessary signatures authorized. Motion carried 6 to 0.

ORDINANCE

An ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the city of Wichita, Kansas, introduced and under the rules laid over. (A07-01)

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 431

A07-04

A07-04R-REQUEST BY DOUGLAS KUPPER, ON BEHALF OF THE WICHITA PARKS AND RECREATION DEPARTMENT TO ANNEX LAND GENERALLY LOCATED EAST OF MERIDIAN BETWEEN 47TH STREET SOUTH AND 55TH STREET SOUTH. (DISTRICT IV)

The Parks and Recreation Department is requesting to annex 0.77 acres of land generally located east of Meridian between 47th Street South and 55th Street South. The annexation area abuts the City of Wichita to the north, east, south and west. The property is park ground, of which is a small portion of South Lakes Park.

Land Use and Zoning: The proposed annexation consists of approximately 0.77 acres of property currently zoned "SF-20" Single-Family Residential, which upon annexation will convert to "SF-5" Single-Family Residential. Property directly to the north east and south is zoned "SF-5" Single-Family Residential and is South Lakes Park. Property to the west of the subject property is primarily undeveloped and zoned as "MH" Manufactured Housing District. This annexation also includes the intersection of 119th Street West and US 54/400.

Public Services: There is a 12" water line along the east side of Meridian adjacent from the subject property. There is also an 8" sewer line on the north side of the South Lakes Park driveway that is just north of the north lot line of the subject property.

Street System: The subject property borders Meridian to the west, which is a paved, two-lane road. The Sedgwick County Capital Improvement Program 2006-2010 and the 2006 Transportation Improvement Program have scheduled Meridian to be widened to four lanes between 47th Street South and 71st Street South, which is directly to the west of the subject property. The 2006 Transportation Improvement Program and the City of Wichita Capital Improvement Program (CIP) 2005-2014 have also scheduled 47th Street South between Meridian and Seneca, as well as, Meridian from 47th Street South to I-235, to be widened and reconstructed; both of which are north of the subject property.

Public Safety: Fire services to this site can be provided by the City of Wichita within a five (5) to six (6) minute approximate response time from City Station No. 12, located at 3443 South Meridian. Upon annexation, police protection will be provided to the area by the Patrol South Bureau of the Wichita Police Department, headquartered at 211 East Pawnee.

Parks: The proposed annexation site is a portion of South Lakes Park, a 250-acre park, which contains 16 soccer fields, 8 softball fields, a football field, 3 concession stands and 4 fishing lakes. The Southview Park, a 20-acre park, is located approximately 1/2 mile to the north of the subject property and contains 2 tennis courts, 6 soccer fields, a children's play area and a restroom.

School District: The annexation property is part of the Unified School District 261 (Haysville School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with the Wichita-Sedgwick County Comprehensive Plan. The annexation property falls within the 2030 Wichita Urban Growth Area as shown in the Plan.

The current approximate appraised value of the proposed annexation lands, according to County records, is \$86,880. This property is owned by the City of Wichita and is therefore tax exempt.

Approving the annexation request would impact Wichita's goal to improve the quality of life of our citizens, for annexation of this property would contribute to the City's goal to provide a healthy, safe community that has a vibrant recreation and entertainment focus that embraces diversity and builds pride.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion--
--carried

Mayans moved that the annexation request be approved; the ordinance placed on first reading; and the necessary signatures authorized. Motion carried 6 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 432

ORDINANCE

An ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the city of Wichita, Kansas, introduced and under the rules laid over. (A07-04)

AIRPORT AGENDA

Motion--
--carried

Mayans moved that Airport Consent items 22-23 be approved in accordance with the recommended action shown thereon. Motion carried 6 to 0.

SA No. 1

GENERAL SERVICE ADMINISTRATION-SUPPLEMENTAL LEASE AGREEMENT NO. 1, TERMINAL BUILDING OFFICE SPACE, WICHITA MID-CONTINENT AIRPORT.

Agenda Report No. 07-0290

On November 5, 2002, the Wichita Airport Authority approved a contract with General Services Administration (GSA) to lease 8,626 sq. ft. of space in the Terminal Building to the Transportation Security Administration (TSA), for a three-year period with one two-year option.

An amendment to the agreement is required to reconcile the term of the lease, annual rental rate, amortized tenant improvement costs, and to eliminate the parking spaces called out in the original agreement.

The supplemental lease agreement puts into place the final numbers which were arrived at based upon actual construction costs required to complete the project.

The Airport's contribution to the economic vitality of Wichita is promoted through facilitating lease amendments which potentially result in the establishment of longer term, mutually beneficial lease arrangements.

The supplemental lease agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the supplemental lease agreement be approved and the necessary signatures authorized. Motion carried 6 to 0.

RUNWAY/TAXIWAY

WICHITA MID-CONTINENT AIRPORT, RUNWAY AND TAXIWAY SHOULDERS REHABILITATION.

Agenda Report No. 07-0291

On March 20, 2007 the Wichita Airport Authority awarded the construction bid submitted by Vance Brothers to rehabilitate the Runway 1L-19R and Runway 1R-19L Shoulders and Blast Pads, plus the south 3,300 feet of the Taxiway D Shoulders.

During construction, resident engineering and construction-related services are necessary in order to comply with Federal requirements. A supplemental agreement with Professional Engineering Consultants has been prepared to authorize the necessary construction-related services.

The cost of the construction-related services is a not-to-exceed amount of \$114,428.92. Funding is expected from AIP Federal Grant funds, PFC funding, and General Obligation bonds paid for with Airport Revenue.

The Airport's contribution to the economic vitality of Wichita is promoted through maintaining airfield pavements to serve the aviation community.

CITY COUNCIL PROCEEDINGS

JOURNAL 188

MARCH 27, 2007

PAGE 433

The Law Department has approved the Supplemental Agreement as to form. FAA approval is pending.

Motion--
--carried

Mayans moved that the Supplemental Agreement be approved and the necessary signatures authorized.
Motion carried 6 to 0.

CITY COUNCIL

BOARD APPTS.

BOARD APPOINTMENTS:

There were no appointments made.

Motion--carried

Mayans moved to adjourn. Motion carried 6 to 0.

ADJOURNMENT

The City Council meeting adjourned at 9: 43 a.m.

Respectfully submitted,

Karen Sublett CMC
City Clerk

Workshop followed in the 10th Floor HR Training Room