

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

July 27, 2005

The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:00 A.M., on Wednesday, July 27, 2005 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro Tem Ben Sciortino; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Commissioner Lucy Burtnett; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. John Schlegel, Director, Metropolitan Area Planning Department; Mr. Ron Holt, Assistant County Manager; Ms. Irene Hart, Director, Division of Community Development; Ms. Karen McNally, Director, CSS, Comprehensive Community Care; Ms. Annette Graham, Director, Department on Aging; Mr. Tom Pollan, Director, Emergency Medical Services; Mr. Dave Rush, Assistant Director, Kansas Coliseum; Mr. Brent Shelton, Chief Deputy County Clerk; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Bethany Carpenetti, Deputy County Clerk.

GUESTS

Mr. Rick Rekoske, Member, South Central Kansas Economic Development District Board of Directors alternate.

King David Davis, Wichita, Kansas.

Mr. Tom Smith, Acting Assistant Finance Director, City of Wichita.

Ms. Bev Dunning, Director, Extension Council.

Ms. Frances Seidl, member, Aging Advisory Board.

Mr. Charles Steiner, Director, Wichita Art Museum.

INVOCATION

The Commission stood for a moment of silence.

FLAG SALUTE

ROLL CALL

The Clerk reported, after calling roll, that all Commissioners were present.

CONSIDERATION OF MINUTES: Regular Meeting, July 13, 2005

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The Clerk reported that all Commissioners were present at the Regular Meeting of July 13, 2005.

Chairman Unruh said, “Commissioners, you’ve had the opportunity to review the Minutes of July 13th. Are there any additions or corrections?”

MOTION

Commissioner Sciortino moved to approve the Minutes of the Regular Meeting of July 13, 2005.

Commissioner Burtnett seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Next item.”

APPOINTMENTS

A. APPOINTMENTS TO THE SOUTH CENTRAL KANSAS ECONOMIC DEVELOPMENT DISTRICT (SCKEDD) BOARD OF DIRECTORS, AND APPOINTMENT OF ALTERNATES AND MINORITY REPRESENTATION.

1. RESIGNATIONS.

BOARD OF DIRECTORS

- **YVONNE COON**
- **CHARLES RIVERA**

ALTERNATES

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- **KENT BROWN**
 - **IRENE HART**
 - **CLIFF SONES**
 - **TOM SANDOVAL**
- MINORITY REPRESENTATION**
- **MICHAEL KINARD**
 - **ERICA TAYLOR**

Mr. Rich Euson, County Counselor, greeted the Commissioners and said, “Item A-1 consists of resignations of members of this board, and I might explain that the Board of County Commissioners has five board of directors members and five alternates on this board, as well as minority representation and these resignations have come in over a period of a couple of years. It’s not a mass resignation, but they’ve come in over that period of time, and of course the alternates have been able to fill in for the board of directors members who have resigned. So, these resignations involve two board of directors members: Yvonne Coon and Charles Rivera, four alternates: Ken Brown, Irene Hart, Cliff Sones and Tom Sandoval and two minority representatives: Michael Kinard and Erica Taylor. And unless you have any questions, I would ask that you accept those resignations.”

Chairman Unruh said, “Okay, well I appreciate your comment that this is an accumulation of resignations and doesn’t indicate any sort of a mass problem here. We’re doing these all at one time. All right. Commissioners, what’s the will of the Board?”

MOTION

Commissioner Sciortino moved to accept the resignations.

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Next item.”

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2. RESOLUTION APPOINTING SCKEDD MEMBERS.

BOARD OF DIRECTORS

- **KENT BROWN**
- **WILLIAM LEWIS, JR.**

ALTERNATES

- **LUNDA ASMANI**
- **SUZANNE COIN**
- **LISA K. JONES**
- **RICK REKOSKE**

MINORITY REPRESENTATION

- **BRIAN BLACK**
- **GEORGE RIVAS**

Mr. Euson said, “Commissioners, we’ve prepared a resolution that would appoint members to the South Central Kansas Economic Development District, to those vacancies that were just created, two board of directors members: this would appoint Kent Brown and William Lewis Junior, the four alternates: Lunda Asmani, Suzanne Coin, Lisa Jones and Rick Rekoske and for the minority representatives: Brian Black and George Rivas. All of these members serve at the pleasure of the Board of County Commissioners and I would recommend you adopt the resolution.”

MOTION

Commissioner Sciortino moved to adopt the Resolution.

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “And now will we swear all these folks in all at once? All at once would be appropriate. Well, we have County Clerk Don Brace here. Those folks who are being sworn in this morning and heard your name called, would you please step forward.”

Mr. Don Brace, County Clerk, said, “Please raise your right hand.

I do solemnly swear that I will support the Constiution of the United States, the Constitution of the State of Kansas and faithfully discharge the duties of the office of the South Central Kansas Economic Development District Alternates, so help me God.

SCKEDD members stated, “I do”.

Mr. Brace said, “Congratulations to all of you.”

Chairman Unruh said, “Well we want to thank you all for being willing to serve and offer you all the opportunity to make a comment if you desire to. It’s not required, but you’re sure welcome to.”

Mr. Rick Rekoske, Member, SCKEDD, said, “I just wanted to thank the Commissioners and Irene Hart for giving me this opportunity to represent Sedgwick County for SCKEDD and look forward to the challenges and opportunities ahead and again, I’m just delighted and thrilled to become a part of this organization with them and with Sedgwick County.”

Chairman Unruh said, “Okay, very good, thank you Rick. I have a comment from Commissioner Winters.”

Commissioner Winters said, “Well I just wanted to say that we appreciate every one serving on the SCKEDD board. I know that some folks really aren’t very familiar with the SCKEDD

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organization but it is, I believe 14 county organization in south central Kansas that is involved in economic development work and it is one of the organizations that's able to leverage the dollars that are created here in south central Kansas with both the state and at the federal level that really bring some benefit to businesses in this area, plus continues this working relationship, partnership with our neighbor counties. And as we all are working on economic development issues, we realize how important it is that we have some good relationships and partnerships with the entire area. So we appreciate all your willingness to commit the time and effort to serve on this board, because we do believe it's important. Thank you."

Chairman Unruh said, "Thank you. Commissioner Sciortino."

Commissioner Sciortino said, "Well, just echo a little bit about what Tom said, Mr. Chairman, any more you can't be an island. You know, we're a community and the things that we do affect a lot broader base than just Sedgwick County or Wichita or what have you. Plus, when we can get 14 counties talking together, that gives us a louder voice in Topeka for change, it gives us a louder voice if we want to go to our legislators in Washington D.C., and together we're going to be able to accomplish a lot more than just one person doing it alone. So, I'm real happy also that you all have decided, I know some of you personally, and have decided to give of your time, because then you make our job a lot easier. Without volunteers and the multiplicity of committees and boards that we have, it would make our job as commissioners much more difficult. So I'll just echo what Tom said in thanking you all for being willing to serve."

Chairman Unruh said, "Well thank you Commissioner, and I would also echo those comments. The concept of regionalism is now trying to be practiced in our area today is really not an option. It's a necessity for economic development and for economic viability, so appreciate you folks helping to advance that whole cause of regionalism and your willingness to serve so thank you all very much. Madam Clerk, call the next item."

CITIZEN INQUIRY

B. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS

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REGARDING “A MOST URGENT STATE OF AFFAIRS AND THE OVERSIGHT RESPONSIBILITY OF SEDGWICK COUNTY.”

King David Davis, Wichita, greeted the Commissioners and said, “Once again, it’s a pleasure to see you and a great honor. I stand here today in your presence, in an institution whereby the highest standards of honor, ability and wisdom are meant to flow from the seats that you hold, an opportunity for which I am deeply grateful. If at any time in my presentation, you feel uncomfortable, offended or disrespected, I apologize to you now in advance. It’s just that our time for truth is unpleasant and painful and if we are to survive as a community, we’re going to have to start facing the truth, humbling ourselves, while finding grace in the eyes of the almighty God. My name is King David Davis, founder of the Messenger Boy publications, head of Citizens for Justice, the unofficial voice of the little guy.

Today, I believe I have no choice but to bring to your attention some serious issues, issues that are not addressed unilaterally by the good and honorable members of Sedgwick County law enforcement, thereby putting into check a process of degradation, the eroding away of what little honor and respectability government has left, in particular the government of Wichita, Kansas.

You see, we have a situation in City Hall where the good and honorable members of government and law enforcement suffer in silence, while they operate underneath the leadership standards of the arrogant, the ignorant, those indifferent to the true needs and truths of the people, along with a city council and mayor that are basically incompetent, incapable and unwilling to protect our citizens from the arrogant who make their ways into positions of power, trust and entitlement, who then use their positions to advance their vital ways of degradation. It is most urgent you take seriously, consider closely and commit yourself to one degree or another of being a part of a unilateral effort and a coalition of citizens to restoring of honor and respectability back into the political arena, healing to our citizens who have suffered from the wounds of injustice and a community that moves forward, taking into consideration the needs of all the citizens respectively, so those of us who treasure honor, ability, truth, justice that’s honorable and a community worthy of our children when we finally leave it behind can for a moment have a sigh of relief that there are good and honorable citizens in our community who will stand up and will do what is right, just and honorable in the eyes of God and men.

Therefore, let the record show, we will not give up, be bought or intimidated into silence, and every time the arrogant attempt to silence and put down the honorable voice of the people, we will intensify our effort ten to a hundred fold, and that’s a promise. We are not stopping until the objective is achieved. Commissioners, you already know by now, there has been a serious attempt

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to silence and put down the people's voice, by way of lies and treachery. We also know that the arrogant and the greedy have a death grip on city hall, thereby making the City of Wichita a city of threat and hazard to the well-being and sanctity of all of Sedgwick County.

Not only do I come to you now on behalf of the good citizens of Wichita, I come to you as well on behalf of all of Sedgwick County. The decision I am asking of you is not one that you would acknowledge at this time openly, due to the retaliatory nature of the arrogant when they make it into positions of power, that is well known by all but were afraid to bring it out into the open, but those days of being afraid are over.

Therefore, in the spirit of such words, I now do hereby call upon all of the good and honorable members in Sedgwick County law enforcement and everyday citizens to stand with me in a unilateral effort to put into check the violent ways of the arrogant, the restoration of honor and respectability back into the political arena, law and harmony back into our community and hope and confidence back into the hearts of our citizens. Remember, evil abounds when good men do nothing.

Therefore, when history writes a book, let it not be said that when the good and honorable voice of the people kin to the fathers of Sedgwick County, you turn not a deaf ear but rather you listen intently. Instead of turning your back, you stay brave and valiant and today, July 27th, 2005 is the beginning of an end to leadership that has brought us shame and disgrace to our needs economically and put us at the mercy of the worst kind of leadership known to man, that of arrogance, ignorance, indifference and greed.

In closing, I have all the confidence those of you who still believe in honor and nobility, the all powerful God of creation and the power of humble prayer, that you will do your part because you can better believe I'm going to do mine. Once again, it truly has been a great honor. My website is citizensforjustice.info, citizensforjustice.info. Thank you."

Chairman Unruh said, "Madam Clerk, call the next item."

PRESENTATION

C. PRESENTATION REGARDING THE INTERNATIONAL TRADE PROCESSING CENTER FEASIBILITY STUDY.

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POWERPOINT PRESENTATION

Mr. Tom Smith, Acting Assistant Finance Director, City of Wichita, greeted the Commissioners and said, "I'd like to present to you today and talk about international trade and how it affects our region and area. In an era when international trade and globalization is increasing at an ever-increasing rate, we believe it's prudent to step back and examine ways that we can maximize assistance to area small and medium-sized businesses to assist them in both importing and exporting under NAFTA Corridor and global markets.

Today I'd like to present information regarding an international trade processing center feasibility study that will be undertaken in the next 30 to 45 days. The City has received a \$1,000,000 grant to conduct the study. It would include a feasibility study an evaluation of import/ export trade in our region and if feasible, a work plan for implementation of a trade- processing center would be presented.

I'm here today as part of our outreach efforts to various groups and elected officials to apprise them of the study and to let others know about how we're proceeding with this. We want to share our plans with our partners at Sedgwick County, as we move forward with the study and examine the results together.

The strategic plan that would come out of this study we see would be a compliment to the GWEDC Strategic Plan and Visioneering. In fact, I'm scheduled to present to both of those groups next week. I will be presenting to the REAP committee this week and I've already presented this information to the Wichita City Council, the Kansas World Trade Center Board, the Kansas Department of Commerce and the U.S. Department of Commerce. So it's a combined effort that we're linking that, in terms of examining our trade possibilities for south central Kansas. So with that, I'd like to give you a brief overview of the study and where it's going and then answer any questions that you might have.

As you are aware, under the NAFTA program, trade has flourished throughout the United States, including Kansas. Overall, our trade to Mexico is up 90% over the last five years, and our trade to Canada is up about 55%. Other cities have undertaken this challenge. I'm going to talk a little bit about two of those. Kansas City Smart Port is operational. This is an inter-portal Port, very much to the kind of concept that we have in mind to look at. Dallas also has a mobile facility which functions as a smart port. These are what we considered level one Inter-modal processing centers.

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We do not see that Wichita or Sedgwick County would compete directly with Kansas City or Dallas, but the way that it's set up now, if companies, especially small or medium sized companies want to undertake Inter-modal trade, they have to go to Kansas City, Denver or Dallas. There's no place in between and so that's part of the reason for the study is to look at what are other cities doing in this area, what could we do in this area that would facilitate that. Whether or not we could provide a tier II or tier III facility and partner with these larger facilities would be part of the that study, to see whether or not there would be some form of cooperation.

What is the smart port and what are these cities doing? The Kansas City Smart Port has access to I-35, I-29 and I-70. They have the International Airport, with 12,500 acres. Obviously, they have a large rail hub. They have consolidated their shipping carriers, their documentation systems, their general trade, their governmental resources, their foreign trade, their logistic providers, air cargo, warehousing, containerized freight, customs brokers, freight forwarders, and trucking companies together with their marine cargo carriers, on-line carriers, shipping management, load board drill companies, transportation brokers and warehousing companies.

And so they've put that together. You can go out on the web right now and see the K.C. Smart Port in operation. It's not physically in one location. It's actually in several locations, but by electronics, we're able to bring all those services to bear to improve and enhance their import and export in the Kansas City metropolitan area.

Similarly, Dallas has undertaken the development of Inter-modal facilities. They have installed their parking facilities, truck trailers. Kansas City Southern has developed an impressive 9,000-acre Inter-modal facility in south Dallas. They have consolidated their currier services, automotive, transportation, steamship agencies and other companies to provide value-added services for companies that are wishing to import and export throughout the world.

We see this study as part of economic development, how do we increase international trade markets in Wichita and south central Kansas. Is it possible for us to serve as a clearance facility for transportation systems from the United States to Canada, Mexico and other parts of the globe? Can we integrate truck, rail, air and other kinds of facilities with value-added services to improve the ability of our small and medium-sized firms to import and export goods into south central Kansas? Is it feasible to have a high-tech inland port? We don't know that, but we want to examine those options and see whether that would be feasible.

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What would this do for south central Kansas? We're looking to improve the access to international markets for businesses of all size, with particular emphasis on medium and small companies. We would look towards leading the efforts with our federal, state and local agencies for trade-related development and promote strategic relationships with other trade centers, be that Kansas City, be that Dallas or other areas, and let me give you an example. The port of Katusa, which is in Tulsa, has a year-round facility just south of us, about 120 miles. They have a 440-mile waterway. Their links connect to five different states. They have access to the Mississippi at New Orleans. They have foreign and domestic port access beyond the gulf, and right now they're currently shipping about 13,000,000 tons of cargo per year in Tulsa.

Watco is a short-line railroad that provides short-line services to south central Kansas and most of Kansas. Interestingly, Wasco recently has purchased the deep-water port in Greenport, Texas on their own initiative and this is a fairly significant facility that they have invested in. It includes 640 acres in the heart of the Houston ship channel. They have warehousing, storage, frontage to the channel, four rail yards and inner-state access, so obviously they see it's important for their company to invest in this kind of a facility.

So those are some of the things that we want to look at. We want to look at promoting safe and efficient regional multi-modal and Inter-modal transportation and increased vitality and economic development for Wichita and Kansas.

Part of that is bridge building. We see the study bringing together multiple industry partners, be that shipping, rail, trucking and other logistics providers. This cannot be done by ourselves. It would have to incorporate and have input directly from the private sector industries that are actually carrying out these kinds of activities now.

We also see a chance of improved communications by using electronic virtual inland ports. Now ideally, we would also work at enhancing security. As you recall, under the Department of Homeland Security, there's a number of homeland security efforts that are tied to shipping and trading of goods and services. This is an actual layout for the Saint Louis International Trade Processing Center. One of our staff has been onsite to examine this facility. It's under construction right now. It is on the Mississippi River, with their port right here, that's connected by roadway and they have Inter-modal facilities here to train ship it between rail and trucking along with warehousing and other logistic services connected to the interstate.

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Every city that's developed one of these has a different arrangement, because they're specific to the companies that work in that area and the geography of that area. But there are some similarities in terms of the kinds of services that they tend to provide.

We would also look at creating a digital corridor. We understand the companies are in the process now of developing Internet portals for the entire I-35 corridor that would utilize electronic logistics management and marketing software to make the use of the corridor easier, cheaper, faster. One of the ways that we could potentially add value is to provide customs and permitting processing, say in the south central Kansas area, as a one-stop center. You get all of your permitting and processing done here and then you go straight to the border and cross. You can't do that now, but that's one of the things that we would look at, is that possible, is that something that our companies need and would want.

We believe an international trade processing center, if it proves feasible, would improve our trade efforts, increase our capacity, improve our operations, allow us to implement new security protocols to keep pace with what's happening at the national level, and to be competitive with our surrounding areas that are developing multi-modal systems.

We have Heartland Location, we're approximately equal distance from Canada and Mexico and fortunately, we're right on the main the north/ south NAFTA Corridor at I-35. We see this as a cooperative work between the City of Wichita, Kansas World Trade Center, Sedgwick County, REAP, the State of Kansas, DWEDC and our congressional delegation to examine those possibilities and see what is feasible for south central Kansas.

Some of the things that we would expect the consultant to look at would be to identify our key partners, facility and infrastructure needs, the configuration and layout of a facility, the funding and potential sites for such a facility, what kinds of customs and security requirements would be and what the development costs would be, if it proves feasible to do such a thing.

It would also examine partnerships with the Sedgwick County Foreign Trade Zone and based on the Whittier study, examine opportunities for enhancing clusters, such as distribution centers, including east/ west trade, as well as north/ south trade on the NAFTA market and served national and international markets.

We'd also look at examining partnerships with the KC Smart Port, Port of Catoosa, and other entities to see if there's some economies of scale, where we can link together. We would look at possibilities of partnering with other communities, such as Garden City Importer, in order to provide them with access to markets and certainly partnering with our local customs, U.S.

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Department of Commerce and Kansas Department of Commerce.

Some of the specific tasks the consultants will do is to survey user needs and support, to create an operational design, to create a strategy and development plan, to coordinate with other agencies and to identify financial support. Right now, we have received the funding, we're in our outreach and buy-in for the RFP and we would expect to issue the RFP for competitive procurement sometime next month. We're in the process of going through this presentation with a number of agencies and getting feedback from area elected officials and community groups.

We're trying to promote the vision, the plan and the thinking of our organization, as well as other entities. We see this as really an economic development effort that it is job creation and it is economic development. If it proves feasible, it would be something that we would all have to look at carefully and examine it together, before moving forward. So we're doing this in a partnership way. We're telling you up front what we're going to be looking at. We're going to be coming back to you with the information from the study and talking about whether we can move forward with this and how we would do that.

So that's kind of a summary of the study. It will probably take six to nine months for the study to complete and then we would come back to you at that time, with the summary of the results and we would certainly invite participation by the commission or your representative on our screening and selection committee for the consultant.

That concludes my prepared remarks. If you have specific questions, I'd be happy to answer those now."

Chairman Unruh said, "Well thank you, Tom, very quite extensive report. It sounds interesting and exciting and full of potential for us, but there are some comments. Commissioner Sciortino."

Commissioner Sciortino said, "I got lost on a couple of . . . what does Inter-modal mean?"

Mr. Smith said, "Inter-modal means changing goods and services from rail to truck, truck to air and so forth, so you're transitioning from different types of transportation modes and right now that's somewhat difficult to do in this area. You can't shift rail to the airport and load it on an aircraft the way it's set up now. If you want to take something off of rail and put it on truck, you have to call certain companies, they put it on a siding somewhere, they come out and put it on a crane there and literally lift it up and set it on a truck, but there's no dedicated facility or operation or coordination that we're aware of that does that."

Commissioner Sciortino said, "Okay. This next question is just of Mr. Buchanan. Were you aware of this presentation ahead of time? Have you looked at it and seen it and are you comfortable

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with the concept that they're trying to attain here?"

Mr. William P. Buchanan, County Manager, said, "Yes, sir."

Commissioner Sciortino said, "Okay, that's all I had."

Chairman Unruh said, "All right, thank you. Commissioner Winters."

Commissioner Winters said, "Well thank you. Tom, thanks very much and I also look forward to your presentation to the REAP Economic Development Committee, which I believe is going to be tomorrow and I'm sure they'll find this interesting. I think there are times when we have lost out on some opportunities because we have not had Inter-modal facilities here, and I know at one time in the '70s and '80s, Inter-modal facilities from truck to rail or rail to truck were numerous. I mean, there were facilities in Newton, Wellington, Dodge City, there were a lot of opportunities to take advantage of Inter-modal and those have now passed us by, and so I hope that we can put together some information that will at least make this more attractive to our rail suppliers and rail partners in particular, as they certainly play a huge role in this effort.

I'm going to continue to be supportive and if I can be helpful to your group, please let me know."

Mr. Smith said, "Thank you."

Commissioner Winters said, "Thank you."

Chairman Unruh said, "Okay, thank you. Commissioner Burnett."

Commissioner Burnett said, "I'm just curious, throughout the U.S., how many international trade processing centers are there?"

Mr. Smith said, "There are three that are operational, Kansas City, Dallas and Saint Louis I believe is operational now. Now, Oklahoma City is in the process of studying their smart port, they have created a continental gateway authority to operate a facility south of Oklahoma City. I also know that Des Moines is in the process now of examining a similar kind of facility. To give you an idea of the scale of some of these, the Oklahoma City study originally looked at a \$60,000,000 facility and this charge is being led by the Oklahoma Department of Commerce. Right now, there's really three that are in operation."

Commissioner Burnett said, "That's all I had. I thought there would be more. That's great."

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Chairman Unruh said, “Well, thank you Tom. We appreciate the presentation and it seems like a logical move for our geographic location, and I hope that, as we go through the process, it turns out to be fruitful and profitable for us. Thank you very much.”

Mr. Smith said, “Thank you.”

Chairman Unruh said, “Commissioners?”

MOTION

Commissioner Winters moved to receive and file.

Commissioner Sciortino seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Next item please.”

PLANNING DEPARTMENT

- D. CASE NUMBER ZON2005-00016 – ZONE CHANGE FROM “RR” RURAL RESIDENTIAL TO “LC” LIMITED COMMERCIAL AND “OW” OFFICE WAREHOUSE, GENERALLY LOCATED NORTH OF 53RD STREET NORTH AND WEST OF RIDGE ROAD. DISTRICT #4.**

POWERPOINT PRESENTATION

Mr. John Schlegel, Director, Metropolitan Area Planning Department, greeted the Commissioners and said, “The case that I’m presenting to you today, the applicant had originally put in an

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application for Limited Industrial, or 'LI' zoning on this 8-acre tract on the northwest corner of Ridge Road and 53rd Street North.

It's currently developed with a single-family residence and they at . . . and at this point in time, they don't know exactly how they intend to use the parcel in the future. You can see on the aerial graphic in front of you that the parcel immediately to the north is a former sandpit operation that now has a single-family residence on it. To the east are additional farmsteads and single-family homes. Also in the south are farmsteads and single-family homes.

Just to the southeast of this site, across Ridge Road and 53rd Street, there is a zoning district, Limited Commercial zoning district on that southeast corner and to the west, we also have another Limited Commercial zoned, with an auto repair shop on it and then, further to the west, some 'GO' and Limited Industrial zoning, with a transportation facility on the one parcel and an Engineering Industrial use on the other parcel and those uses show up on the aerial photo that I've put in front of you now.

There are no, at this time, municipal water and sanitary sewer services available to the site and the property is located within the equis beds, groundwater management district.

Going to the recently adopted comprehensive plan, you can see the location of the parcel. It's just on the northern edge of what is the City of Wichita's future growth area. That's the area that they're projecting to be able to extend municipal services into over the next 20-25 years. And you can see off to the west, about a half-mile to the west, along 53rd Street, the gray area is the City of Maize's projected growth area.

The staff finding, in presenting this to the MAPC, is that because of its location, just outside the growth area for Wichita, that it did not conform to the recommendations of the newly adopted comprehensive plan.

The MAPD has received one letter from one neighbor who is opposed to the requested zone change. That neighbor expressed their concern with potential negative effects from industrial development. One residential neighbor's traffic concerns, potential for groundwater contamination and the lack of municipal water and sewer services to the area.

Because the site is within the City of Maize's zoning area of influence, the case also went to the Maize Planning Commission. They first heard it on May 5th, when the application was still for the Limited Industrial zoning at that time.

No one spoke in opposition at the hearing, but the Maize Planning Commission at that time voted 6-0 to deny the request for the Limited Industrial zoning. That request then went to the Metropolitan Area Planning Commission. This meeting on May 12th, again no one came to that meeting to speak

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in opposition. The MAPC at that time voted to defer the case and asked staff to meet with the applicant regarding the request, and subsequent to that meeting, the applicant did amend their application to what is before you today, a request for Limited Commercial and Office Warehouse zoning.

The case then went back to the Maize Planning Commission on June 2nd and they, at that time then, voted 3 to 2 to approve the amended request. The item then came back to the MAPC on June 23rd and at that time, there was a series of motions, all of which failed because of tie votes, 5 to 5. The first motion was to approve a substitute motion to deny but both failed. So as a result of those tie votes with the MAPC, the recommendation by the MAPC before you today is by default a recommendation for denial. And with that, I'll be glad to take any questions."

Chairman Unruh said, "Okay, thank you John. That's quite a calendar of events there. I don't think I followed them all sequentially, but one of the first . . . the planning staff recommended . . . a professional staff recommended which way on this?"

Mr. Schlegel said, "To deny the request, based on the request that its location is outside the area to which the City of Wichita expects to be able to extend its municipal services."

Chairman Unruh said, "Okay. And it was originally denied by Maize and then passed through to you, after it was amended. Is that correct?"

Mr. Schlegel said, "Correct."

Chairman Unruh said, "Okay. And then our planning failed to have a majority either way."

Mr. Schlegel said, "Correct."

Chairman Unruh said, "So that requires of us a super-majority."

Mr. Schlegel said, "Correct."

Chairman Unruh said, "I got it right, didn't I. All right, we do have some other questions. Commissioner Burtnett."

Commissioner Burtnett said, "Well Commissioners, I've been kind of following this. I was at the original MAPC meeting where they asked them to take it back and change the zoning and I missed the second meeting, but after reading the backup material, how many people are on the MAPC board?"

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Mr. Schlegel said, "There are 14 members."

Commissioner Burtnett said, "And so there were only 10 members present for that vote."

Mr. Schlegel said, "Correct."

Commissioner Burtnett said, "Just looking at how things have gone with this particular issue, I would feel more comfortable if we could send it back to MAPC and have them vote on it again with a full board. Like I say, I've been going to some of these meetings and I don't think this is as big of a problem as it appears to be, but I would just feel more comfortable sending this back to MAPC for them to approve, for their consideration."

Commissioner Sciortino said, "But you're not going to make the Motion that it be only put to the full board, are you? Because sometimes it's hard to get the full board."

Commissioner Burtnett said, "True, I don't think you can force them to have a full board, but I think that it was just a . . . I don't know how many times they have people absent. I haven't been to enough meetings to know. I mean, is there usually a full board there?"

Mr. Schlegel said, "Usually there's one or two, especially during the summer months, there's usually one or two or maybe sometimes more that are absent because of other . . . because of vacation or other obligations."

Commissioner Burtnett said, "And they meet every other week. Correct?"

Mr. Schlegel said, "Yeah, twice a month."

Commissioner Burtnett said, "So if we were to send this back, when would it be on their agenda?"

Mr. Schlegel said, "It would probably be on the second meeting in August and then it would get back to you by mid to late September."

Commissioner Burtnett said, "Okay, I'm open to any . . ."

Chairman Unruh said, "Okay, well we have other comments. Commissioner Winters."

Commissioner Winters said, "Thank you. I was just going to say, since this is in Commissioner Burtnett's district, if she would like to have it back, I'll certainly support that motion if she makes it. I would though be interested, Mr. Chairman, if there are any citizens from the neighborhood

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who came today who wanted to speak on this, before we get off of the subject, it would be interesting to know if there's neighbors here. That's all I had."

Chairman Unruh said, "Okay, good. Let's finish with the commissioners and then I'll ask if there's any citizens who want to talk. Commissioner Sciortino."

Commissioner Sciortino said, "John, if I understood it right, MAPD presented to MAPC and the position of your department was to deny?"

Mr. Schlegel said, "That was our recommendation."

Commissioner Sciortino said, "Okay. And Mr. Euson, right now if we were to try to override the de facto denial of the MAPC, it would take four votes, but by sending it back, and then it comes back to us, even if the motion stays denial, then it only takes three votes, since Maize has approved it?"

Mr. Euson said, "Yes, by sending it back to the MAPC, which of course just takes a majority, it then comes back to you. You can vote to approve it with three votes."

Commissioner Sciortino said, "Or vote to deny it, vote to override their denial it only takes three votes. Okay, that's all I had. Thank you."

Chairman Unruh said, "Okay. I don't see any other lights on right now, so let me take this opportunity to ask if there are neighbors or citizens who would like to speak to this issue and it's not a public meeting, but we'll allow that if someone wants to speak. I don't see anyone stepping forward, so that being the case, Commissioners is there any more discussion?"

MOTION

Commissioner Burtnett moved to that the Commission return this recommendation to the MAPC to allow reconsideration, since the earlier consideration was made by less than the full membership and did not result in a majority vote for either the motion to approve or the motion to deny.

Commissioner Winters seconded the Motion.

Chairman Unruh said, "Okay, thank you. We have a Motion and a second. Commissioners?"

Commissioner Sciortino said, "Yeah, I had discussion on the Motion. The only concern I have,

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Mr. Euson, the way that's worded, does that mean it can't be considered by the MAPC unless there's more than 10 people there?"

Commissioner Burnett said, "No, we're just saying that since it was less than the full membership, that's why we're sending it back. If it becomes the same issue again, then it becomes the same issue again."

Commissioner Sciortino said, "Is that how you interpret that?"

Mr. Euson said, "I interpret it that way."

Commissioner Sciortino said, "Okay, I just want to make sure that we haven't said something that, now it languishes over there because we can't get more than 10 people at one time for the next two or three months attending meetings."

Mr. Euson said, "I think the intent of the motion is rather to get some fault direction at the MAPC, to get some active direction."

Commissioner Sciortino said, "Got it. Okay, that's fine."

Chairman Unruh said, "Any other comment or discussion, Commissioners, on the Motion? Seeing none, call the vote."

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you, John. Next item."

NEW BUSINESS

E. CULTURAL GRANT AGREEMENT WITH WICHITA ART MUSEUM FOR

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SEDGWICK COUNTY TO SPONSOR EXHIBITION OF A COLLECTION OF LAMPS, SHADES AND RELATED MATERIAL BY TIFFANY STUDIOS.

Mr. Buchanan said, “You have the contract before you that lays out the details by which we would contribute to this project. It has come to our attention and our opportunity some time ago that Sedgwick County Board of Commissioners would want to participate, providing this exhibit at the Wichita Art Museum. This contract allows that to occur and provides for the conditions of making those payments. But I would recommend you approve it.”

Chairman Unruh said, “Okay, thank you. Well I noticed that we have several members of the staff from the Wichita Art Museum here. Museum Director Charlie Steiner is here. Charlie, would you want to step up and make a comment about this request? I mean, you don’t have to.”

Mr. Charles Steiner, Director, Wichita Art Museum, greeted the Commissioners and said, “Commissioners, the first thing I’d like to do though is introduce my staff who are here. All of them have had key roles in the development of this exhibition and bringing it to Sedgwick County. In various orders of importance, at the far end, Ashle Stratton, who is our Public Relations Liaison, Debbie Deuser works extensively with our volunteers, McKinsey Mausman, who is our exhibition registrar and is responsible for bringing the exhibition here and the details of shipping and insurance. Stephen Gleissner, who is our chief curator, who found the exhibition and has been absolutely key and instrumental in guiding us in the appropriate way of showing the exhibition and interpreting it to the public, and Lynn Hawks, who has been helping us find the money to bring the exhibition to Wichita and I want to thank them and thank all of you in advance, for your interest in this exhibition.

This exhibition is an exhibition of approximately 30 lamps. I think what’s important about the exhibition is that Tiffany and Tiffany style has infiltrated our culture. One can hardly go by a storm door or a lamp or look at a window that doesn’t sort of reek of Tiffany influence and at least I, for one, and I’m pretty well educated, I always look at these things and go, ‘Now is that a real Tiffany or is that not a real Tiffany?’ And what makes Tiffany real? And I think the one thing that museums can do that’s so important is to educate all of us and demonstrate to us and show us the real object, the real thing and I think that’s the major selling point of this exhibition, that we have a major American artist whose imprint is felt not only here in Wichita, but around the world and we have this opportunity to have these real examples of his work here at the museum. I can tell you more about the exhibition if you’re interested, but I don’t want to take undue amounts of your time.”

Chairman Unruh said, “Well perhaps you could tell us the dates that are suggested for this

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exhibit.”

Mr. Steiner said, “That’s a good question and that may be the one thing I don’t have. September 20 . . . the exhibition opens September 23rd, I know that and closes . . . (*inaudible voice in audience*) but the reception, the preview for those who are members of the museum is the 23rd.”

Chairman Unruh said, “So it will be here for quite some time.”

Mr. Steiner said, “It will be here for quite some time, into 2006.”

Chairman Unruh said, “And during that time, Saturdays are . . .”

Mr. Steiner said, “Are free.”

Chairman Unruh said, “Free day.”

Mr. Steiner said, “right, and also we have a number of educational programs that we’re tying into this particular exhibition, our Senior Wednesdays, our Art Start for preschoolers, school groups who by the way come to the museum for free, whether it’s Saturday or not, will all be integrated in with this exhibition and its programs.

We’re also thrilled that the Friends of the Wichita Art Museum was our community branch or liaison, has deemed to sponsor a symposium and appraisal weekend, with public radio, on the weekend of October 14th. And I think that would be another opportunity for the public, special opportunity for the public to learn about Tiffany and it’s going to feature Arlie Spector, who many people have seen on Antiques Roadshow.”

Chairman Unruh said, “Okay, very good, that sounds like you’ll have a big turn-out for that.”

Mr. Steiner said, “I hope so. I think we will.”

Chairman Unruh said, “Okay, very good. Well, I’m going to be very supportive of this grant that we want to give to the Art Museum. I think it’s an important, cultural component in our

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community. I think the Art Museum is an outstanding museum and folks may not be aware that it's focus is entirely on American art and we have just wonderful exhibits there. Your staff is to be commended for the way that our Art Museum is presented and the content of the exhibits. So, I think it's a significant investment for our community to be supportive of this. So, I'm going to be supportive of this."

Commissioner Winters said, "Mr. Chairman, if you're ready for a motion, I'm prepared to make one. I'd make one quick comment before that."

Chairman Unruh said, "That would be very appropriate."

Commissioner Winters said, "Thank you. Charles, I appreciate your bringing your staff with you, particularly to back-up on those dates, but also it's good for us to see your staff and staff of other institutions in the community to get again names and faces and institutions together. So, I appreciate your bringing your staff with you."

MOTION

Commissioner Winters moved to approve the Cultural Grant Agreement and authorize the Chairman to sign.

Commissioner Burtnett seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	No
Chairman Unruh	Aye

Chairman Unruh said, "Thank you very much."

Mr. Steiner said, "Thank you and on behalf of the museum, thank you all very much."

Chairman Unruh said, "Well, we appreciate you all being here and we're looking forward to a

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great exhibit. Madam Clerk, call the next item.”

F. PRESENTATION OF UPDATE ON THE SEDGWICK COUNTY ARENA.

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, “Thank you for this opportunity to give you a short update on the Sedgwick County arena project. We will be, throughout this project from time to time, at your request bringing you updates and keeping you and the community apprised of where we are in the project.

As you know, the Sedgwick County arena will be an entertainment venue that attracts a large variety of activities, including sporting events, concerts, family shows and other types of entertainment. Upon its completion, it will provide 15,000 seats for basketball, as well as a number of independent suites.

The estimated costs of this arena is 184.5 million dollars, paid for by 1% voter approved county-wide sales tax that went into affect on July the 1st and will last no more than 30 months, as it was . . . that sunset clause was built into the ballot question. The ten members of the Arena Sales Tax Oversight Committee have been appointed. The purpose of this committee is to ensuRe citizens that all money collected under the terms of the special 1% arena sales tax is spent on the Sedgwick County arena project.

The committee will review and monitor project progress, generated revenues and all expenditures and report findings to you at least once every six months. The first meeting of this committee was held yesterday, Tuesday July the 26th. Greg Sevier of Peterson, Peterson and Goss was selected to Chair the committee and the committee at yesterday’s meeting decided on his next two meetings, the next meeting will be in October and the meeting after that will be in January and we will have notices of those meetings well ahead of the time that they are scheduled.

As you know, this committee will be meeting throughout the life of the project and so they will be meeting periodically for about two and a half, three years. They’re expected to meet until 30 days after the public opening of the arena, which is currently projected to open in December, 2008.

Another committee, the Citizen Design Review Advisory Committee, will be appointed in August by you, the commissioners, with input by the City Council. That committee will be responsible for

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providing insight taken from citizens to be used in the design of the arena and this committee, once appointed, will begin meeting later this year.

The Sedgwick County arena will have a huge and long-term impact on this community. Sedgwick County and the City of Wichita, as you know are working together to create a neighborhood that will make downtown Wichita a vibrant community and destination point for years to come. In an atmosphere that provides for future economic development and embrace quality of life in an exciting center city, a community in the process has been developed to provide an opportunity to share information about the arena project and to seek ideas and input on the city's arena neighborhood redevelopment plan through a series of meetings.

The first meeting was held on April the 12th. That's when the planning process and timeline was introduced to the public. The second meeting will be August 4th at Century II, room 209-A. This will be an open house type meeting, come and go, 4:30 to 8:30, the public can come and go at their convenience. The focus of this meeting is to define site selection criteria and then it is planned to have the site selection process, or the number of sites narrowed down by the end of this year, with the selection made early after the first of the year, if not before.

Later on your agenda today, during the report of the Board of Bids and Contracts, you will be receiving a recommendation for the selection of an architectural and engineering services team to help us with site selection, as well as to do the design engineering for the arena.

Also you should know that using the Request For Proposal process, Brenda Spencer from Wamego, Kansas has been selected to provide an historic building survey for us. We went out for RFPs. We received five proposals and Ms. Spencer was awarded the bid. She was the low proposal, at \$9,400. Since the fee was less than \$10,000, this selection process has been using the county process signed off by the manager, and so it did not require Board of Bids and Contracts review and approval.

The purpose of the survey is to inventory and photograph approximately 160 buildings within the arena area in downtown Wichita. The inventory will be completed, according to Kansas Historic Preservation Office standards and the final report will list buildings that are eligible for listing in the local, state or national Register of Historic Places. The report will then be forwarded and we're doing this all on a proactive and voluntary basis. The report will be forwarded to the state Historic Preservation Office for final determination of eligibility and we think that this report can be completed over the next several months. Have the information available to us, again on a proactive basis to be used throughout the process for selecting the arena site, and also then giving us some

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heads-up on what kind of processes we'll have to use in the purchasing and demolition of any of these properties that might be eligible that will be in the final site.

The next step is a general timeline, the site selected. We are anticipating that to happen again by December, 2005, January of 2006. The land acquisition then will begin soon after that, January 2006, site demolition December 2006, the arena design we are anticipating will be completed by January 2007. Arena construction then will start by the summer of 2007. Again, the 1% sales tax will end no later than December 2007. That would be a total of 30 months and of course if the funds, 184.5 million is raised ahead of that time, we will look at taking that tax off earlier, as you have made that commitment to the community.

The arena then, at the current time, we're projecting that the opening date will be December 2008 or thereabouts. And we are beginning . . . we've been excited but we're beginning to get really excited about having this project become a reality.

How can the public get more information? Go to the county website, at www.sedgwickcounty.org.

There are fact sheets, there are videos of interviews, there's on-line public forum where citizens can offer their comments and ask questions, if they have them. Also on that website you can sign up for e-arena news, which will be periodic correspondence to those persons who are interested in what's going on, to keep updated. And then we'll have a series of public meetings, I mentioned the next one is August 1st.

We'll have at least one, if not two more after August 4th, before the end of this year, dealing with site selection and then we'll be looking at various public meetings throughout the design process to keep the public involved, engaged and an opportunity to offer their comments and/ or be informed about what's going on.

Again, thank you for the opportunity for this presentation today and I'd be happy to answer any questions you might have."

Chairman Unruh said, "Okay, thank you Ron. That was a good update for us, appreciate it. Commissioners, are there any comments or questions for Mr. Holt? Well, I was waiting to see if anyone else wanted to speak, but the historic building, is that a potential that that could really stop us in our tracks, or we can, by being proactive, we think we'll be able to deal with potential problems there?"

Mr. Holt said, "We are very confident that by being proactive, by getting out in front, by

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identifying possible potential historic sites, that wherever issues may arise there, that we can work through them and do it in a fashion that meets all of the individual and/ or public demands.”

Chairman Unruh said, “Okay, very good. Well, the timeline indicated just less than three and a half years Ron, so . . .”

Mr. Holt said, “It’s pretty aggressive and we believe that it can be done.”

Chairman Unruh said, “Okay, all right, very good. Any other questions, commissioners? Seeing none, can we have a Motion to receive and file?”

MOTION

Commissioner Sciortino moved to receive and file.

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Next item please.”

G. AMENDMENT TO AGREEMENT WITH SEDGWICK COUNTY EXTENSION COUNCIL TO INCLUDE MEASURABLE GOALS AND OBJECTIVES.

Ms. Irene Hart, Director, Division of Community Development, greeted the Commissioners and said, “In December of 2001, the Sedgwick County Board of County Commissioners approved a five-year agreement with the Sedgwick County Extension Council to lease Extension Center

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facilities at 7001 West 21st Street. The use of those facilities would be to provide educational services.

Now Sedgwick County also provides some funding to Extension Council to provide those educational services. Over \$900,000 is allocated for 2005, so in order to benchmark and identify those services, the Extension Council has developed measurable goals and objectives for 2005 and those are included in amendment number one that is here for your consideration today.

The goals and objectives are in the area of food and nutrition, family and consumer sciences, 4-H and youth, horticulture and agriculture. Approval of the amendment presented today will increase the accountability for the use of the public funds at the Extension Center and will provide benchmark data on services provided. Bev Dunning, Director of the Extension Council, is here to answer any questions you might have and we'd recommend your approval."

Chairman Unruh said, "All right, thank you Irene. Are there any questions of Irene?"

Commissioner Sciortino said, "Just one, Mr. Chairman. Does this then commit us that we are obligated now, for the next five years, to give the Extension Council 965,536?"

Ms. Hart said, "No sir, this is for the year 2005 only."

Commissioner Sciortino said, "Okay."

Chairman Unruh said, "Any other questions? Bev Dunning is here. Is there . . . I mean, wanted to recognize you, and is there anything you want to say relative to this, as Director of the Extension."

Ms. Bev Dunning, Director, Extension Council, said, "Never pass the opportunity. I just wanted to express my appreciation for your continued support and this is one way we can continue to work with you."

Chairman Unruh said, "All right, very good. Well thank you. Any other questions, Commissioners? It looks to me like this is a good step towards insuring accountability and measuring the results and measuring what we're doing with our investment, so I'm going to be very supportive. Commissioner Sciortino."

Commissioner Sciortino said, "Well, on goal number two, I assume that the majority of you are comfortable that these are programs that we feel are best suited and run by the Extension Council, that we do want the Extension Council to get into improving family management of finances and getting into the mentoring program now for children, like Big Brothers and Big Sisters and teaching

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families for child rearing and we're comfortable that these are programs that we feel aren't being served in the community by other agencies that we fund and we want them to focus on that? I mean, I assume that, that you've looked at that and . . ."

Chairman Unruh said, "I appreciate you bringing that to our attention commissioner and perhaps Commissioner Winters has a response."

Commissioner Winters said, "I'll respond to that. Yes, I think it is. I think these are activities Extension has been in for a number of years. This is kind of a listing of some of the things that they've done regularly and you know, I became aware of several years ago, ten or more, of the parenting programs that Extension puts on, I believe on a yearly basis, on a full-day Saturday, that a number of the courts in Sedgwick County take advantage of by either encouraging or insisting that certain clients attend a part of these parenting and training courses.

And of course if you look at 4-H, I don't think there's any other organization in the community that's going to take full responsibility for the 4-H projects that go on, and again you think about an organization that touches kids lives, we've just completed the Sedgwick County Fair. And I'd just encourage you to take a look at the number of kids that participated and received awards or some kind of ribbon or recognition. And basically, again, these are kids involved in large numbers. That's always the thing that impresses me, is just how many kids are touched by some of these programs.

So to say that Extension is the only group that is going to operate in these arenas, no we don't think that's probably going to be the case, but again, can they be one of the community partners dealing with families and parenting and working with children. I think Extension is right there at the forefront and needs to continue to be there. Thank you."

Chairman Unruh said, "All right, thank you. Commissioner Sciortino."

Commissioner Sciortino said, "As I see these goals, Bev, aren't these pretty much all the services that you're presently providing?"

Ms. Dunning said, "They're probably not all in detail, but they sure cover the waterfront and we felt they were very measurable and things that we could be accountable to you for."

Commissioner Sciortino said, "Okay. I wish I had . . . It's my fault, I did not read my backup in as much detail as I should have, so since . . . that's my fault. Last year, how many families did you work with to improve their knowledge in child rearing?"

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Ms. Dunning said, "I don't have those numbers right here in front of me but I can get those."

Commissioner Sciortino said, "So you're comfortable that 50 is a number that you could meet then for next year."

Ms. Dunning said, "Oh, sure."

Commissioner Sciortino said, "And I assume the numbers here are based on some kind of history that you've done this in the past, so you feel that you can meet this in the future."

Ms. Dunning said, "Right."

Commissioner Sciortino said, "Okay, thank you. That's all I have."

Chairman Unruh said, "Is that all? All right, thank you. Any other comments or questions, Commissioners?"

MOTION

Commissioner Winters moved to approve the Amendment to Agreement and authorize the Chairman to sign.

Commissioner Burtnett seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

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Chairman Unruh said, "Thank you. Call the next item please."

DIVISION OF HUMAN SERVICES

H. DIVISION OF HUMAN SERVICES – COMCARE.

1. AGREEMENT WITH WICHITA TRANSIT, CITY OF WICHITA TO PROVIDE TRANSPORTATION SERVICES RELATED TO THE WELFARE TO WORK PROGRAM.

Ms. Karen McNally, Director, Community Support Services, Comprehensive Community Care, greeted the Commissioners and said, "As you are aware, Community Support Services provides services to people with severe and persistent mental illness and among those services, we help folks get back to work, some of whom have not worked in many, many years, if at all. They're living on a very limited income as we begin working with them, and the vast majority don't have cars.

Consequently, transportation to work becomes one of the biggest hurdles in actually obtaining and sustaining employment. I tell you all this because this agenda item and the one that follows are very directly related to helping people get back to work and using transportation as one of those supports. This first item is a memorandum of understanding or contract with the City of Wichita, which would allow Community Support Services to pay a flat \$9 rate for cab rides within the City of Wichita and cab rides are one of the ways that we help people get to work. We use a variety of options, from the bus routes and specialized transit, direct transportation through our services, cab rides and the Sedgwick County Brokerage system.

This particular type of cab ride, at \$9 for a flat rate, we anticipate will save us an average of \$3 per ride when we select this similar sort of ride that we're using now and I'd entertain any questions please."

Chairman Unruh said, "Okay, thank you Karen. Commissioners, are there questions about this? The consumers that avail themselves of this service, do we have to recruit them, are they already in our system, or do they contact us?"

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Ms. McNally said, “They’re already in our system. They’ve arrived through an intake process and they’re receiving case management services at the time that we begin working with them, for support employment.”

Chairman Unruh said, “Okay, so there’s been an assessment for their appropriateness to provide this for us.”

Ms. McNally said, “Absolutely.”

Chairman Unruh said, “Okay, very good. Any other questions, Commissioners? What’s the will of the Board?”

MOTION

Commissioner Burtnett moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Sciortino seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Next item.”

2. AGREEMENT WITH CITY OF WICHITA FOR COMCARE TO PROVIDE TRANSPORTATION SERVICES FOR EMPLOYMENT PURPOSES UNDER THE JOB ACCESS AND REVERSE COMMUTE GRANT PROGRAM.

Ms. McNally said, “Once again, we’re looking at transportation to work and as I noted previously, there are times when we do the actual transportation. We do have two drivers on staff at Community Support Services and we have county vans that we utilize for a variety of purposes for our programming and part of that is to get people to work who don’t have other sorts of options,

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where this makes the most sense.

We have previously covered that with program costs. In this particular contract with the City of Wichita, through the job access and Reverse Commute grant program, which are federal dollars coming to the City of Wichita, we would be allowed to be a vendor that may charge that grant \$6 per ride, one way, when we provide that transportation, again, related to work, the job, job interview, job training kinds of transportation, so it will help offset some of those costs that we haven't previously had a subsidy for and I'll answer questions on that one."

Chairman Unruh said, "Okay Commissioners, are there questions on this agenda item? I don't see any."

MOTION

Commissioner Burtnett moved to approve the Agreement and authorize the Chairman to sign.

Chairman Unruh seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Okay, thank you Karen."

Ms. Karen McNally said, "Thank you very much, Commissioners."

Chairman Unruh said, "Call the next item please."

I. DIVISION OF HUMAN SERVICES – DEPARTMENT ON AGING.

- 1. AGREEMENT WITH KANSAS DEPARTMENT ON AGING (KDOA) FOR CENTRAL PLAINS AREA AGENCY ON AGING (CPAAA) TO PROVIDE MEDICAID ADMINISTRATIVE ASSESSMENT SERVICES.**

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Ms. Annette Graham, Director, Department on Aging, greeted the Commissioners and said, “The Central Plains Area Agency on Aging is one of 11 planning and service areas designated by the State of Kansas to provide aging services. As such, we are required to provide assessments for individuals age 65-plus who are eligible or might be eligible for in-home services under the Home and Community-based Services for Elderly waiver, which is a Medicaid program.

This process, the assessment, is the first step in accessing services under that program and through this, we have a contract with the Kansas Department on Aging, and this is for the Medicaid administrative process. The reimbursement rate is \$10 per 15 minutes and under this program we currently serve approximately 900 people in our tri-county area of Butler, Harvey and Sedgwick Counties.

This is a contract for the following year that started July 1st through the end of June of 2006 and this program does provide services to the in-home services to elderly in our community. It is a very vital service. It assists them to remain in their homes, in the community, rather than in nursing home placements and it is our only service currently at this time in our area for seniors that is open.

Our other two programs, under Senior Care Act and Older Americans Act, are frozen to two limited resources. So, I’d be happy to answer any questions. We would request that you approve and authorize the Chair to sign this contract.”

Chairman Unruh said, “Thank you, Annette. This particular grant will allow us to do that assessments for just Sedgwick County or for the entire . . .?”

Ms. Graham said, “For the tri-county area.”

Chairman Unruh said, “Okay. And what’s the demand out there, I mean, in terms of numbers? Do we have an idea of that?”

Ms. Graham said, “The number of new intakes that we get vary greatly. It can go from 10 to 24 in a week, so of those not all, of course, are eligible but the case managers then go out and do an assessment and determine functional eligibility and SRS does the financial eligibility determination.”

Chairman Unruh said, “Okay. Did you say that they were in 15-minute segments?”

Ms. Graham said, “The contract reimburses in 15-minute segments, at \$10 per 15 minutes, so it’s \$40 an hour.”

Chairman Unruh said, “All right, but we can’t do an assessment in 15 minutes, I don’t see.”

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Ms. Graham said, "Oh no."

Chairman Unruh said, "All right, well that's what I was . . . you had me confused. So, thank you. We do have another question. Commissioner Sciortino."

Commissioner Sciortino said, "Thanks. Annette, is this a one-time assessment, or is it ongoing to continue?"

Ms. Graham said, "They're reassessed every year. Once they're on the program, there is a reassessment that must be completed within 365 days."

Commissioner Sciortino said, "Okay. And as I understand, on our backup right now, we're serving a little bit over 900 people right now."

Ms. Graham said, "Correct."

Commissioner Sciortino said, "And will this give us the ability, is it just open-ended? I mean, we can . . . how many can we count on here?"

Ms. Graham said, "At this point in time, the Kansas Department on Aging does believe that the funding they have is adequate to maintain the program with no waiting list across the state, so yeah. However, many people that come in, we assess them and we don't have a limited amount of slots for that."

Commissioner Sciortino said, "Okay, that's good. Thank you."

Chairman Unruh said, "Okay. Commissioners, is there any other questions or comments?"

MOTION

Commissioner Sciortino moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Burtnett seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

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Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item."

2. FISCAL YEAR 2006 CPAAA AREA PLAN, AND GRANT AWARD APPLICATION TO KDOA.

Ms. Graham said, "As an Area Agency on Aging in the State of Kansas, we're required to submit an area plan, and basically the area plan sets out in writing how we anticipate spending the federal funds that come down through the Older Americans Act to the State of Kansas that then come out to each Area Agency on Aging.

This year, our area plan date is from October 1st, 2005 through September 30th, 2008, so it is a three-year plan. And basically what we do in this is determine how we're going to fund each of the titles. There's a Title III, which is basically in-home and community-based services, Title III C-1, III C-2, which is congregate meals and in-home delivered meals, we have 3-E, which is the Family Caregiver program, 3-D, which is home and wellness kind of activities and then we have Medication Management.

So, as a part of this planning process, we're required to do a needs assessment, and we sent out over 3,000 surveys, got almost 800 back, so we have a fairly good response rate on that, and what we're required to do then is kind of do a needs assessments of individuals of individuals aged 60 and over, in our area, and tell what do you see as your current needs and what do you see as the needs of this population within the next five years.

So usually those come back pretty consistent about what those needs are. We did have one new one that popped up in the top four this year. The number one identified need for this population was the cost of medicine, concerns about that. That's been pretty consistent over the last 10-15 years. The second one was cost of food. The third one, and this is the new one that popped up into the top five, and that was concerns about health and fitness issues. And then the fourth one was home cleaning, home upkeep and yard work. So those were the top four needs identified.

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Through our information and assistance, we also keep track of unmet needs that are coming in through that phone line and what we've identified through them was the top three needs was dental care and the lack of dental services for this population, 24-hour care for people who want to stay in their homes, don't want to seek out institutional-based care, but don't have access to 24-hour around the clock care, and in-home care was the number three.

So based on that needs assessment and then we look at the funding options and under the Older Americans Act, they do identify specifically the different types of programs and services that can be provided with these funds and then we have the flexibility to pick among that array of services to determine what best meets our community needs, what resources we currently have and what other funding options we have.

So we looked at those and basically didn't change too much of our current service delivery system. We made some minor changes, moved some funding around based on availability of service providers and some minor changes like that. There were really no new, additional funding, no increase in funding through these programs with the federal or state level.

So basically, what you have before you is the area plan that identifies, in detail, how we plan to spend that money for the tri-county area that we serve as the Central Plains Area Agency on Aging. That area plan was approved by our Central Plains advisory council at their June 15th meeting. The area plan has also been reviewed by Butler County Commissioners, and Harvey County Commissioners and they have both given their approval and authorized the Chair of Sedgwick County, which is the governing board for the Area Agency on Aging, to sign off on that.

This area plan does include matching funds that they . . . they do have a requirement of matching funds of local dollars, and those are not only by Sedgwick County, but Butler and Harvey County also put in matching funds to assist with this for their community and their services.

So the total amount of matching funds is \$71,599. The Sedgwick County funds have already been included in the budget and have been . . . will be in the new budget that will be held next week. And then the total amount of federal dollars that we will be receiving with this area plan is \$1,753,652. I would be happy to answer any questions."

Chairman Unruh said, "Okay, thank you Annette. It looks like you've touched all the bases. I mean, we've done our research and looked at our plan and tweaked it and got the Advisory Board to buy in and the other county commissions to buy in, and \$71,000 investment for a million sounds like a very good deal for us. We should be approving of this, I think. Anyway, are there any other

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questions or comments, Commissioners? What's the will of the Board?"

MOTION

Commissioner Winters moved to Approve the Plan and Application, and authorize the Chairman to sign all necessary documents, including a grant award agreement containing substantially the same terms and conditions as this Application; and approve establishment of budget authority at the time the grant award documents are executed.

Commissioner Sciortino seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you, Annette. Next item please."

J. EMERGENCY MEDICAL SERVICE (EMS).

1. AGREEMENT WITH COWLEY COUNTY COMMUNITY COLLEGE TRAINING PROGRAM FOR SEDGWICK COUNTY EMS TO PROVIDE FIELD INTERNSHIPS FOR TRAINING PROGRAM STUDENTS.

Mr. Tom Pollan, Director, greeted the Commissioners and said, "The agreement I have before you this morning is an agreement to continue the cooperative partnership with Cowley County Community College in their paramedic or mobile intensive care technician program that they provide. Part of the legal requirements for that program is that they must serve on an ambulance service as a paramedic, be able to do the things, along with the crew, at the same time learn from an

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experimental basis, how to perform the services.

So what this does for us and why it's beneficial for Sedgwick County is that it's a recruitment tool. It gives us an opportunity to see the employees, the future employees' or possible employees work and also a chance for them to see our system and whether they're a good match.

Most of the employees in the last 20 years have come from this type of process so we think it's very valuable. The agreement is for one-year and I would request that you approve the agreement and allow the Chair to sign."

Chairman Unruh said, "Okay, thank you Tom. It appears that this is a winner for all the parties involved, for the students and for us and for the good of the citizens of Sedgwick County. But how long has the program been going, where we've been using these students?"

Mr. Pollan said, "In agreement form, probably the last 20 years. We've done this, prior to that, without agreements. Part of their requirement for credentialing is that they have a formal agreement with a provider of care."

Chairman Unruh said, "Okay, very good. Well, I'll be very supportive. Commissioners, are there any other questions or comment?"

MOTION

Commissioner Sciortino moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Burtnett seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item."

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2. PROPOSED EMS EQUIPMENT CLASS CHANGE FROM TWO SEDAN VEHICLES TO TWO SPORT UTILITY VEHICLES.

Mr. Pollan said, “In watching our services grow, especially the 9-11 and all of the issues with Homeland Security, our involvement with the Metropolitan Medical Response System merged, which is a regional system approach to supporting other ambulance services in other communities and our EMSS training program. We’re seeing an increasing need for our fleet to be more utility vehicle rather than being a standard sedan for our two positions, mine and the assistant director.

What this will do for us, it will allow us, when their vehicles are down or if we have another vehicle down, we’ll be able to just switch immediately into ours and go on. In this particular case, my staff has brought this to me for quite some time and I’ve kind of held it down because of the cost of buying two brand new vehicles would be very, very expensive. But in this case, what we’ve developed is a program in coordination with Marv Duncan in Fleet, is that we essentially have an extended life program. Our supervisory vehicles get about 90,000 miles on them in two years, so if we can stretch that out to be 110 or so thousand in four years, we’re basically matching the depreciation slope for vehicles, rather than being very radical.

So we believe that we can do this program with minimal costs, very little, less than . . . about \$1,200 a year and we think it will be less than that and it will increase our utility of our fleet, and it will decrease our risk. One very valid point, in our sedans, with our new MCT system that we’ll be putting in for the AVL, Auto Vehicle Location system, is a computer and I’ve provided a picture of that, and when that unit is sitting in a position where the driver can use it, then the passenger is really at a disadvantage, especially if the airbag would go off or get involved in an accident, it’s very uncomfortable. To sit it in a position where it’s neutral to the passenger, then the driver can’t use it and it gets in their way of being able to steer the vehicle, so we think we can reduce risk there as well and I would recommend your approval.”

Chairman Unruh said, “Okay, thank you. Well, the illustration that you gave us is pretty obvious that that’s not a good situation and we’ve got this equipment, we need to put it in vehicles where it fits appropriately. And if you’ve figured out a way to make it happen with just minimal budget impact, I’m very supportive of it. So, Commissioners, is there any other comment or question for Tom?”

MOTION

Commissioner Winters moved to approve the equipment class change.

Commissioner Burtnett seconded the Motion.

There was no discussion on the Motion, the vote was called.

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VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you, Tom. Clerk, call the next item."

K. KANSAS COLISEUM MONTHLY REPORT.

POWERPOINT PRESENTATION

Mr. Dave Rush, Assistant Director, Kansas Coliseum, greeted the Commissioners and said, "This year, this June we had 8,144 attendees at the building, over seven events and ten performances. The budget was \$45,291 that came in and the highlights, we had a knife show that we have every three to four months. They'll be back in again next month. And the Mid-American Flea Market, which starts back up again this next month. They're not there during June, July and August because it's mighty hot in those buildings. The Machinist Union, which they voted on and got their issues taken care of. The Aviators, we had 1,700 at the two performances of them.

Upcoming events, the U.S. Weapons Gun Show will be back on the 6th and the 7th. Alison Krauss and Union Station, which is going to be really a good concert. It's been quite a while since she's been in the Wichita area. Veggie Tales, which is new to Wichita, we're having the live performances, two performances on the 20th. You've got the little kids, they know who the Veggie Tales are. The Valley Center Regional Cross Country Meet that's going to be held out in the parks, we're looking forward to having that September 6th. Then WWE is returning back to the Coliseum again for Monday Night Raw on the 12th, which will be interesting again. I don't know whether Holt is coming this time. He's come back into the scene now, so we'll see. So I guess that puts us back to there. Any questions?"

Chairman Unruh said, "Thank you, Dave. Commissioners, are there any questions for Dave about the Coliseum report?"

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MOTION

Commissioner Winters moved to receive and file.

Commissioner Burtnett seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Next item please."

- L. SUPPLEMENTAL AGREEMENT WITH PARSONS BRINCKERHOFF QUADE & DOUGLAS, INC. FOR SEDGWICK COUNTY PROJECT NO. 628-22-140, BRIDGE REPLACEMENT ON MACARTHUR ROAD BETWEEN HOOVER AND RIDGE ROADS. CIP# B-426. DISTRICT #2.**

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item L we are requesting your approval of a supplemental agreement with Parsons, Brinckerhoff, Quade and Douglas for design of the bridge over the Cowskin on MacArthur Road designated as B-426 in the Capital Improvement Program. Due to the close proximity of the bridge with the Ridge Road intersection, we have determined that the bridge should be widened and the intersection constructed so that future 4 or 5 lane arterials in the area can be tied into the bridge without further modification. The supplemental agreement will increase the design contract by \$8,700. Funding for this increase was provided by your approval of the CIP amendment last week. We recommend that you approve the agreement and authorize the Chairman to sign."

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MOTION

Commissioner Norton moved to approve the Agreement and authorize the Chairman to sign.

Commissioner Winters seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thanks, David. Next item please."

M. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF JULY 21, 2005.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The meeting of July 21st results in five items for consideration.

**1) CARPET & INSTALLATION- FACILITY PROJECT SERVICES
FUNDING: FACILITY PROJECT SERVICES**

The first item, carpet and installation for Facility Project Services. The recommendation is to accept the low bid, meeting specifications, from Harry Street Carpet, establish contract pricing and execute a one-year contract with two one-year options to renew.

**2) INTERNET AUCTION SERVICES- DIVISION OF FINANCE
FUNDING: DIVISION OF FINANCE**

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Item two, Internet auction services for the Division of Finance. The recommendation is to accept the low proposal from Gov Deal Incorporated and establish contract pricing and execute a two-year contract with three one-year options to renew.

3) **A & E SERVICES FOR DOWNTOWN ARENA- FACILITY PROJECT SERVICES FUNDING: SPECIAL SALES TAX**

The third item is architectural and engineering services for the downtown arena for Facility Project Services and the recommendation is to accept the proposal from the Arena Design Consortium for a negotiated cost of \$7,200,000.

I'm going to go ahead and read the summary from the selection team into the record and then I stand for questions regarding any of the items listed in the minutes today.

A selection committee comprised of Ron Holt, Stephanie Knebel, Steve Claassen, Iris Baker, Bob Parnacott, John Nath, Larry Pecenka which is county staff, Ed Martin and Jim Armour of Wichita staff, John Schlegel with the Metropolitan Area Planning Department and Ed Wolverton with the Wichita Downtown Development Corporation reviewed proposals, interviewed all three responders, gathered legal information, additional work experience information, and checked references.

Upon completion of the evaluation process, the committee feels the Arena Design Consortium (ADC) has offered the best proposal because of their approach to the project and the strength and expertise of the proposed team members for a 15,000 basketball seating arena.

Some strengths that the Consortium team include: all lead team members have arena design and/ or renovation experience. Neither Law Kingdon or Schaefer, Johnson, Cox and Frey have specific arena design or renovation experience, though some of the team members do. Schaefer, Johnson, I want to note, has participated in a feasibility study with Leo Daly for a small events center.

The Consortium offers a former arena operations manager as part of the team. This expertise will assure critical operational elements are considered early in the process. The Consortium is the only firm to offer this role as a team member.

The Consortium is using the expertise of arena designers and engineers to drive the programming phase of the project. Law Kingdon and Schaefer,

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Johnson, Cox and Frey intended to use their staff for work and the arena expertise would be used in consulting roles to verify the work done by local staff.

The Consortium also provided the most number of team members who have worked together on previous arena projects. Law Kingdon and Schaefer, Johnson, Cox and Frey had some team members with previous working experience, but not to the degree that the Consortium has.

The approach offered by the Arena Design Consortium will utilize expertise at the beginning of the project for the programming phase, which establishes design criteria and requirements for the arena and the surrounding infrastructure. This approach is different from the other responses. The Consortium will also involve all experienced disciplines directly in the schematic design work. This approach provides front line experience in all areas of arena design including building design; electrical, mechanical and plumbing engineering; civil engineering, which includes traffic engineering, storm water drainage, and utility planning; urban planning, interior building design; signage; building security; networking and telecommunications design; and construction cost estimating.

The number of days to complete the project is within the County's project schedule and will probably be reduced once the final scope of work is determined.

Reference checks for all the proposal responders provided information on past performance, expertise, lessons learned and issues with firms and/ or projects. Legal information received from all responders identified routine litigation that is standard for similar types of projects, and Ellerbe Becket and HOK provided information regarding a lawsuit filed by Ellerbe Becket against HOK and five former employees of Ellerbe Becket who joined HOK. The selection committee reviewed the information, discussed the issue with both firms during the interview process and feel that this case will not have an impact on the arena project.

By utilizing the services of the Arena Design Consortium and involving the expertise of key team members early in the project, the selection team

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believes that for the additional 1.2 million dollar cost, the County will get more experience, more expertise, have better control of the project and benefit from 1) direct past experience in design, 2) experienced help with selection of economic, durable and functional equipment and materials, 3) arena expertise in cost control and 4) arena expertise in planning to assure that we get a first class arena and optimize long-term maintenance and operational costs for the facility.

The selection team feels the additional cost is an investment at the beginning of the project. Arena Design Consortium offers the best proposal to help us achieve goals in building efficiency, longevity of the building and operations, getting all we can for the dollars we are spending on the project, and making the arena project a successful one for the community.

And with that, I'd be happy to answer any questions that you have and recommend approval of these items."

Chairman Unruh said, "Okay, thank you Iris. Commissioners, any questions? We do have . . . Commissioner Sciortino."

Commissioner Sciortino said, "Well first a comment and I really appreciate you explaining in detail not only to us, but to the public, why the selection of the highest bidder, because I think that's going to be a question that we're going to be asked and you've explained it to my satisfaction.

The one question I do have, are we actually going to enter a contract with an entity called Arena Design Consortium?"

Ms. Baker said, "The contract will be entered into with Wilson, Darnell and Mann. They will be the architect of record on this project, they will lead the project."

Commissioner Sciortino said, "Then again, and this is just anticipating, because I really believe this is the largest public works project ever undertaken in Sedgwick County, it's going to be in the fishbowl, if something from one of the other members, if they don't do what they're alluding they will do, what recourse do we have back to them? What is the remedy if . . . I don't know what all they're going to do, but Turner Construction doesn't do what they've alluded they would do, what happens? Do we have any direct recourse back to them?"

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Ms. Baker said, "The recourse will be with Wilson, Darnell and Mann and the relationships that they have created with these consultants. They are here today."

Commissioner Sciortino said, "No I'm not . . ."

Ms. Baker said, "As lead architect, they are responsible."

Commissioner Sciortino said, "Okay. And what would that remedy be?"

Ms. Baker said, "The remedy could be in the way of a lawsuit, if it needed to be, to force them to do the work or to find another partner. They would be open to whatever it takes to get the work done, without adding harm to the project or additional costs to us."

Commissioner Sciortino said, "I assume, in the contract, there's some penalties for delays of the project lasting longer than it was supposed to."

Ms. Baker said, "There is language in contracts that reflect that."

Commissioner Sciortino said, "So that would be the incentive that Wilson, Darnell and Mann would have to make sure that the other team members are doing their job, so that they won't be faced with the penalty."

Ms. Baker said, "That's correct. That's one of the options."

Commissioner Sciortino said, "All right. Well, I'm very satisfied. I was at first hoping that you all would justify not only to us, but to the public, why were initially going to spend 1.2 million dollars more and you've satisfied me and you've satisfied that question and I'm excited to get it going forward. So that's all I have, thank you."

Chairman Unruh said, "Commissioner Winters."

Commissioner Winters said, "Thank you very much. Iris, thanks for your explanation and your detailed explanation of how we got to where we are. I do see that Ron Holt is in the room and I would like to ask Ron a question. Ron has been . . . you've been kind of the lead staff person, and I guess I'd kind of like to ask a question. I know you cannot necessarily speak for all the members of the selection committee, but as the selection committee worked through this process of interviewing are basically the representations that Iris gave, pretty much the whole group was in line with that thought process and the explanation, as Iris explained what the procedure was?"

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Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, “We had a very, very good selection review team. People were dedicated to the task, committed. They showed up for meetings. They did their homework, they asked questions, they gave us questions to include in the interviews for each of the teams. They participated in the interviews. They participated in the deliberations following each of the interviews and then we had another meeting to go back through deliberations again to come to . . . if we had other questions or come to a final conclusion.

We had full agreement from all of the members that this was the recommendation to go to the bid board and to come before you today.”

Commissioner Winters said, “And there were two members of City of Wichita staff on that, along with John Schlegel, who is kind of city and county person.”

Mr. Holt said, “There were of course the people from the county, myself, Stephanie Knebel, Iris Baker and Larry Pecenka as Iris noted. We had two folks from the City of Wichita who were excellent contributors to the committee, John Schlegel who was a city/ county, if you will, employee but is heavily involved in of course the arena neighborhood redevelopment plan, as well as overall planning for our community. And then Ed Wolverton, who is an outside committee members, who served very, very forthright on the committee, had a lot of good questions, a lot of good insight, information about what is anticipated and expected from at least the downtown business and property owners on this project and all were again . . . gave 110% and we’re all in agreement with the recommendation coming before you today.”

Commissioner Winters said, “All right, well I certainly would like to express my appreciation, our appreciation as a commission to that selection committee. I respect them as individuals and certainly believe they’ve come to a workable conclusion. Thank you, Mr. Chairman.”

Chairman Unruh said, “Commissioner Norton.”

Commissioner Norton said, “Well, one of the concerns that I have is that we are not encumbering in the contract all of the partners, and that was such a big part of the analysis of this, is that you look at all of the partners that are coming together, yet we’re really only contracting with the lead partner, so there is that understanding that those people will be at the table, they will be part of it, but is there an articulation agreement that really encumbers those folks to be part of this, because I have the greatest respect for all the local folks that bid on this. I mean, this is not a large community, so you know who is doing business, you know people that have bid on this. It makes it a very tough decision, but if you look at some of the partners, there’s great respect for some of the

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out-of-town partners too that get brought to the table, but if they're not part of the contract, they could go away pretty easily if they don't like what they see or they don't want to play in this consortium, because unless there's some kind of a contract or articulation, that could change the perspective. And since we put so much validity into what's on there, the power they bring of all of these partners, but they're really not partners, that worries me a little bit."

Ms. Baker said, "Well, they are partners in that each and every one of these firms listed is entering into individual contracts with Wilson, Darnell and Mann. So our primary contract, while our primary contract is with Wilson, Darnell and Mann, all of these other team members are going to have contracts, a sub-contracting relationship with Wilson, Darnell, Mann and that's a standard business practice. That's the way it's done in all of the projects that we looked at, so the commitment comes in those contracts."

Commissioner Norton said, "Well, just the idea of a re-designed consortium is who we're dealing with gives you the idea that that's an LLC or something that's been formed, other than a loose agreement with subcontracts. I just want to be sure that's on the record, that we've talked about that, because I think that's an important reason that bid board looked at to offer this suggestion to us."

Just on the record, the days are almost a third longer to complete a lot of the design work and different things, as I kind of mini-calculated. I wanted to have that on the record. It is 1.2 million dollars. That buys a lot of other things. I understand all of the narrative they've got here, but that is still 1.2 million dollars over and above the low bid and we want to be sure that, with our oversight committee and our design review committee, that we watch that very, very closely because that's a lot of money.

The final thing is, under the arena design consortium, they bring in the historical preservation services and we just paid \$8,000 to do that. Why?"

Ms. Baker said, "This would . . . well, the prettiest . . . the Brenda Spencer project is a project in which she will investigate and report on all of the buildings that are in this blue cloud that we have selected as potential arena area."

If in the event any of those buildings have the potential for historic preservation or those issues, then this group would become involved and finish that process. If there are buildings that have the potential to be on the register or have any type of historical significance, it can be a burden to the

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project and if that comes up, then these people will step in, and take care of those buildings and issues related. So there could be additional work beyond what Brenda Spencer would be doing.”

Commissioner Norton said, “Why would not all of that been put in the scope of this? I mean why do we have to . . .?”

Ms. Baker said, “Part of it is timing, the biggest part is timing. We need to get a head start on getting the surveys of all those properties done and get that report finalized so that we can know what our potential target areas are going to be.”

Commissioner Norton said, “That’s good but we did them on the same day. How do you get a head start?”

Ms. Baker said, “Brenda Spencer is already working on the project so she’s ahead.”

Chairman Unruh said, “The Manger approved that.”

Commissioner Norton said, “Oh, okay.”

Ms. Baker said, “She’s already working on the project, so she’s already ahead of it.”

Commissioner Norton said, “There’s no conversation to be had. If she’s already working on it, I’m done with asking questions on that.”

Mr. Buchanan said, “Well, I think . . . Commissioners, if it would please you, I think it’s important to continue this discussion a little bit. In our experience, in and around this complex with some historical buildings, we’ve had delays and we’ve had some difficulty going through that process. At the recommendation of John Schlegel suggested to us that we take a very active role in examining all the buildings in the area, going through a historical assessment.

If you recall, Waterwalk was delayed for months while that process wasn’t followed and those buildings sat on Main Street while the state reviewed that process. We are . . . during this process, we are hoping to avoid that kind of delay in construction or demo, demolition and construction. We think this approach that Schlegel has recommended made sense. The steering committee debated long and hard on this issue. It was never my intent to go to the state if it’s not necessary to do that. I was convinced, in conversations with Schlegel and after he brought some other information from other parts of the country about how successful this program can be, if done right, so we think this is a way in which to spend a few thousand dollars, it’s going to save us lots of time and money later.

Now, once and if buildings are identified as being historic and we need to do some additional work

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with the state, that's when the second consultant, under the Wilson, Darnell, Mann contract will come into play. But we need to do that initial survey and get that done now. That's in progress."

Commissioner Norton said, "And that's all included under the contract, if much more needs to be done."

Ms. Baker said, "Correct."

Commissioner Norton said, "That's all the questions I had."

Chairman Unruh said, "All right, thank you. Well, I had a couple of questions or comments. The actual contract that we're signing is with Wilson, Darnell and Mann."

Ms. Baker said, "Correct."

Chairman Unruh said, "And so the fact that it's called the Arena Design Consortium just helps with our visibility and the exposure and the transparency of this whole process, and so you all decided who was going to be the lead guy and I don't know, Wes, you got the short straw, however this worked out, I don't know, but at any rate, I think this does provide a transparency and an opportunity for us to see all the partners, even though it's just a legitimate, normal contract for us. So, I appreciate Jeff VanSickle, and Bill Livingston and you all working together to get this done for the benefit of the community.

I also though would like to recognize Rich Kirshen and the folks at Law Kingdon and Joe Johnson at Schaefer, Johnson, Frey and Cox for their willingness to participate in this process. They didn't ultimately end up winning the contract, but they are great community partners and are interested in the good of our community and appreciate your participation in the process.

And to you all who have gone through this process and been approved by the selection committee and have been approved by the Board of Bids and Contracts and now it's up to us, but I think an exciting day, a landmark day, a watershed day for our community and I think this is a good choice for us and I'm ready to go forward, so we need a motion."

MOTION

Commissioner Winters moved to approve the recommendations of the Board of Bids and Contracts.

Commissioner Burtnett seconded the Motion.

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There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Thank you, Iris. Congratulations, gentlemen. I mean, somebody even started to applaud. I'm ready to do that. All right, next item please."

CONSENT AGENDA

N. CONSENT AGENDA.

- 1. Two Temporary Construction Easements for Sedgwick County Drainage Project 648-24; 119th Street South between West Street and Meridian near Peck. District #2.**
- 2. Notices of Hearing (two) for September 28, 2005 to hold post annexation public hearings for annexation numbers 99-31 and 00-11.**
- 3. Resolution temporarily suspending the Sedgwick County Zoological Society, Inc.'s cereal malt beverage license.**
- 4. Assignment of contract rights and responsibilities for the Resident Opportunity and Self-sufficiency Grant Resident Service Delivery Model from Riverside Health System to the Mental Health Association of South Central Kansas.**
- 5. Plats.**

Approved by Public Works. The County Treasurer has certified that taxes for the year 2004 and prior years have been paid for the following plats:

Timber Hill Addition
Sunset Estates Addition

- 6. Applications for License to Retail Cereal Malt Beverages.**

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<u>Applicant Name</u>	<u>Business Name</u>
Mark C. Reed	Sedgwick County Zoological Society, Inc.

7. **Order dated July 20, 2005 to correct tax roll for change of assessment.**
8. **General Bills Check Register(s) for the week of July 20 – 26, 2005.**

Mr. Buchanan said, “Commissioners, you have the consent agenda before you and I recommend you approve it.”

MOTION

Commissioner Sciortino moved to approve the consent agenda as presented.

Commissioner Norton seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Commissioners, we do need a fire district meeting, but before we adjourn this meeting and call that meeting to order, this is the appropriate time, if there is any other discussion. Commissioner Winters was first. Commissioner Winters.”

O. OTHER

Commissioner Winters said, “All right, thank you. I just wanted to acknowledge that we apparently have a young Boy Scout in the audience who has sat through our entire meeting and I wondered if you would just stand and introduce himself and tells us if he’s here on a Scout project.”

Boy Scout in audience said, “I here to go to a meeting at the county or the city for a merit badge.”

Commissioner Winters said, “Well thank you very much. We’re glad you’re here and hope you

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enjoyed our meeting. I know these meetings can get kind of long, but thank you very much. And Kristi, maybe if you could see if you could get him some information about Sedgwick County that he could include in his project work.”

Commissioner Sciortino said, “Boy Scouts have to be truthful right? This was real exciting, wasn’t it?”

Chairman Unruh said, “Very good, and then you’ll meeting with Kristi for your test, it’s a written test, short one. Anything else Commissioner?”

Commissioner Winters said, “Nope, that’s it.”

Chairman Unruh said, “Commissioner Norton.”

Commissioner Norton said, “Just two things. Last weekend, on Friday night, I went to the Wheatland Jam out at our Lake Afton and participated with I couldn’t tell you how many people. I think they talked about 7,500 to 9,000, they couldn’t really gage it particularly, because there were people out in the park that could hear the music but didn’t buy the ticket right into the event, so I mean you could hear it. It was loud enough that you could hear it, great atmosphere, different than last year. They had dry weather, relatively warm during the day, but beautiful at night, great crowd. I went to see Journey and 38 Special. Not everybody will know who they are. I think the next night they have Aaron Tippin and John Michael Montgomery, a little more country flavor, but they had great crowds, it was a wonderful event and I kind of represented Sedgwick County, although I saw several people out there, Greg Lathrop with the Sheriff’s Department and Stephanie Knebel and I think there were quite a few other Sedgwick County employees that participated. Pretty good event and I know we had some struggles. We helped them get their event put together, but I think it did add value to the community and a lot of folks participated. The crowds looked like they were behaving themselves for the most part and having a good time.

The second thing I did was Sunday I went to Exploration Place for the Super Sunday Sundae, they gave away 2,500 ice cream sundaes and ran out by about 2:00 because they ended up having almost 4,100 people that came to enjoy Exploration Place. So if you know your old marketing strategies, it’s about place, product, promotion and price. And the price was free and a lot of people came, so somewhere between what we charge now and free is part of the solution for Exploration Place, but it was a wonderful day, kids were having a great time, people lined up and actually waited for 30-40 minutes to get in, but were undeterred and made it a wonderful event and they’re going to do it again on August 21st so if you drove by that day and the lines looked long and you just kept driving and didn’t want to put your family through the heat, we’re going to do it again and I would urge people to support Exploration Place, as we try to understand that public facility, it’s mission and

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how we preserve that for the quality of life of Sedgwick County and the region. Thank you.”

Chairman Unruh said, “All right, thank you. Commissioner Sciortino.”

Commissioner Sciortino said, “Well, the only thing I want to comment on is yesterday we had the . . . as you know and I know two of you had to be out of town at a meeting, but we had our first meeting of the tax oversight committee and the other three of us were there and I have to tell you, as an individual commissioner, I’ve never been so proud to be associated with Sedgwick County as I was when Chris Chronis was making that presentation to our oversight committee. First, the members of that committee are blue ribbon. I mean, CPAs, accountants, business people, bankers, these people know numbers and they can’t be snowed when it comes to reading financial statements and balance sheets.

Chris Chronis, I was impressed by the work that the Finance Department has already done, to be able to give this oversight committee the data they’re going to need to properly audit this process as it goes through. And in essence, not to make it too simplistic, but they had to get it down for me to understand it, it’s going to be like balancing your checkbook. They’re going to be able to authenticate exactly the amount of money the state says that they’re giving us on a monthly basis to ensure the fact that it went into the proper account, and that when the money starts getting expended or committed, that it goes into the proper funding categories that pay for this project, as voted on by the public.

And I think the . . . I could look into the eyes of some of those members that signed up for it, and they were really, I think, impressed with Chris because they were talking accountant language back and forth and communicating and in essence, they’re going to be our auditors. We’re not going to rely, although I have no dispersions on staff, on staff telling us everything is okay. They’re going to review what staff has presented and then they’re going to tell us whether or not it’s being proper. They’ve been encouraged if they see anything that they question, to bring it to our attention and like I say, it was . . . I was very impressed with what we’ve done so far, I was impressed by the committee and the public can be assured that every dollar that is supposed to come in because of this tax, will be in the proper account and every dollar expended will be expended properly, as voted on by the citizens. Very proud that this is happening to Sedgwick County and that I am a member of this board at this time. Thank you.”

Chairman Unruh said, “All right, thank you. Commissioners, anything else to come before this meeting? Mr. Manager?”

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Mr. Buchanan said, “Mr. Chairman, if it would please this board, I would request that you would recess this meeting. There’s a new issue that . . . customer services.”

Chairman Unruh said, “Customer service is what we’re all about here at Sedgwick County government, so I will, on that recommendation, recess the regular meeting of the Board of County Commissioners.”

The County Commission recessed the Regular Meeting at 11:09 a.m. and returned at 11:17 a.m.

Chairman Unruh said, “I will call back to order the regular meeting of the Board of County Commissioners and we have an Off Agenda item to consider.”

Mr. Buchanan said, “Mr. Chairman, I would request to take an Off Agenda item to appoint an individual to the Aging Advisory Board.”

MOTION

Commissioner Winters moved to consider an Off Agenda.

Commissioner Norton seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

OFF AGENDA ITEM

Mr. Buchanan said, “Commissioners, we have today Frances Seidl, who is Commissioner Winters’ appointee to the Aging Advisory Board and we’ve got our communications messed up and we’re sorry for that and we apologize to Ms. Seidl. She is here and rather than have it on the agenda, it didn’t get on and I would recommend that you make that appointment by resolution and Brent Shelton, the Deputy Clerk, is here to swear her in.”

MOTION

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Commissioner Winters moved to adopt the resolution.

Commissioner Norton seconded the Motion.

There was no discussion on the Motion, the vote was called.

VOTE

Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye
Commissioner Sciortino	Aye
Chairman Unruh	Aye

Chairman Unruh said, “Thank you. Well, Francis if you’d want to step forward. Assistant County Clerk Brent Shelton will go ahead with the swearing in.”

Mr. Brent Shelton, Chief Deputy County Clerk, said, “Please raise your right hand.

I do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Aging Advisory Board, so help me God.

Ms. Frances Seidel, member, Sedgwick County Aging Advisory Council, said, “I do.”

Mr. Shelton said, “Congratulations.”

Chairman Unruh said, “Frances, if you’d like to say something.”

Ms. Seidel said, “Well I just wanted to say, you know, there’s an old saying, where there’s a will, there’s a way and I really appreciate the opportunity to be in the process of making this a community that is very supportive of life satisfaction for old people. And whether people believe it or not, they do get old and so it’s talking about being proactive. It’s a good deal that we’re proactive in trying to decide what can we do. There is the will, but sometimes the way gets a little bit rocky.”

Chairman Unruh said, “Well, we do have a comment, Frances.”

Commissioner Winters said, “And Frances, I thank you very much for your willingness to serve and I would assure you that many times during the year, when we’re talking about various issues, this commission says what does the Advisory Board on Aging have to say about this topic, and so

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we are interested in what advisory boards recommend to our commission, so thank you very much for your willingness to participate in those discussions at that council level. So, thank you again.”

Chairman Unruh said, “And thanks for your patience today. I know you’ve been here the entire meeting.”

Ms. Seidel said, “It’s been very interesting.”

Chairman Unruh said, “It has been an interesting meeting, so thank you very much. Commissioners, is there anything else to come before the board? Seeing none, we are adjourned.”

P. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 11:21 a.m.

**BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS**

DAVID M. UNRUH, Chairman,
First District

BEN SCIORTINO, Chair Pro Tem
Fifth District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

LUCY BURTNETT, Commissioner
Fourth District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2005