

MEETING OF THE BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

August 30, 2006

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, August 30, 2006 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman Ben Sciortino, with the following present: Chair Pro Tem Lucy Burnett; Commissioner David M. Unruh; Commissioner Tim R. Norton; Commissioner Thomas G. Winters; Mr. William P. Buchanan, County Manager; Mr. Rich Euson, County Counselor; Mr. Ron Holt, Assistant County Manager; Mr. Chris Chronis, Chief Financial Officer; Mr. Colin McKenney, Director, Community Developmental Disability Organization; Ms. Claudia Blackburn, Director, Health Department; Ms. Jo Templin, Director, Division of Human Resources; Mr. Mike Pepoon, Assistant County Counselor; Mr. David Spears, Director, Bureau of Public Works; Ms. Iris Baker, Director, Purchasing Department; Ms. Kristi Zukovich, Director, Communications; and, Ms. Lisa Davis, Deputy County Clerk.

GUESTS

Mr. Kelly Wendeln, Box 1817, Wichita, Ks.
Mr. Wes Darnell, Arena Design Consortium.

INVOCATION

The Invocation was led by Reverend Sherdeill Breathett, Sr. of St. Mark United Methodist Church, Wichita.

FLAG SALUTE

ROLL CALL

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

CONSIDERATION OF MINUTES: Regular Meeting, August 9, 2006

The Clerk reported that all Commissioners were present at the Regular Meeting of August 9, 2006.

Chairman Sciortino said, "Thank you. Commissioners, I believe you've had a chance to review the Minutes of the August 9th meeting. What is your will?"

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MOTION

Commissioner Burtnett moved to approve the Minutes of the Regular Meeting of August 9, 2006.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Sciortino said, "Next item please."

CITIZEN INQUIRY

A. REQUEST TO ADDRESS THE BOARD OF COUNTY COMMISSIONERS REGARDING SEDGWICK COUNTY ZONING, JAIL AND SALES TAX.

Chairman Sciortino said, "Mr. Wendeln, just as a reminder, if you'd give us your name and address and you are limited to five minutes for your presentation."

Mr. Kelly Wendeln, Box 1817, Wichita, Ks., greeted the Commissioners and said, "I want to thank the county commissioners, who finally took care of that problem employee three years ago, in September 2003, in the Zoning Department. But why did it take so long?"

I first told the Sedgwick County Commission about this situation three and a half years earlier, on March 22, 2000. The president of KARZ, Kansans Advocating Responsible Zoning, told me it wouldn't do any good way back then and I had the same feeling. It also didn't do any good for Park City women to complain to that city's city council about Dennis Rader. History repeats itself.

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I have noticed these two men have a lot in common: both did a stint in the Air Force; both were long-time government employees; both worked in government compliance with the power to harass people; both lived near 61st Street and North Seneca; both were married; both had two children; both were involved in Boy Scouts; both enjoyed harassing people; their elected bosses ignored multiple complaints about them. Would you believe one of them is now the Goddard Chief of Police and, true to form, the Goddard City Council unanimously ignored warnings about this man? History repeats itself, again.

Your jail population is mushrooming from about 400 twenty years ago to almost 2,000 in the near future. What is the reason for this? I know of one case 20 years ago, primarily because a defendant requested his right to a jury trial, the last judge Robert Helsel jailed a man for 30 days. That cost this county's taxpayers over \$1,000, which didn't accomplish a thing. To his credit, the late judge Russell Cranmer showed more understanding and did not exhibit arrogance. He handled a similar case correctly with the same defendant and did not waste the expense of jailing.

The arena sales tax is supposed to expire just over one year from now. Knowing how government is loathe to give up any source of money, I can safely predict that someone soon will invent an excuse to extend this one cent county sales tax and make it permanent. Remember, I told you that first. Thank you."

Chairman Sciortino said, "Thank you, Mr. Wendeln. Next item please."

NEW BUSINESS

B. PRESENTATION REGARDING THE SEDGWICK COUNTY ARENA.

POWERPOINT PRESENTATION

Mr. Ron Holt, Assistant County Manager, greeted the Commissioners and said, "We're going to do a tag-team here this morning. I wanted to do a quick introduction to the presentation, about three or four minutes and then I want to call on Wes Darnell from Arena Design Consortium to give you the overview, review of the schematic design phase of the arena project that we are just completing. Also like to acknowledge this morning that along with Wes Darnell is Dan Wilson and Bill Livingston, again local architects, Dan and Wes with Wilson, Darnell, Mann and Bill Livingston with Gossen Livingston, who are partners together to make up the Arena Design Consortium.

Again, each time we get up here, we just say again, remind ourselves and remind the community

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that we, Sedgwick County, committed to build a modern, first-class sports and entertainment venue and arena in downtown Wichita that seats 15,000 for basketball. That started as our goal and continues to be our goal as we work through this process.

Just quickly, again, the completed steps, we started developing or did develop the arena plan back in the summer of 2004. You can see there, we went through the 'Vote Yea' campaign, approval by the legislature last November, November 2005. We had the final site selection, we've gone through architectural preliminary programming, September '05 through February '06 we went through a considerable public process for the exterior design concepts that ended in May of '06. We are also continuing with real estate appraisals, acquisitions, relocation and all of that will be followed with some demolition, we hope, in the next 45 to 60 days. Completing all of that, it is our hope and intent, by February 2007.

We are engaged in making contacts in the community to do naming rights, sponsorship and premium seating evaluation, what will this community support and what number of seats should we have in the arena that would be designated as premium seating and what kind of costs would go along with those. We're also in the process of looking at and evaluating public versus private management. We hope to have a recommendation to you on that by the end of the year, hopefully late November, early December. The city's arena neighborhood redevelopment plan is continuing. Right now there's . . . they found much more involvement at one time. They talked about having that plan completed by the end of summer '06. That time has been extended to December '06 so that a number of different scenarios could be worked through.

There's also been a considerable amount of public process involved in that plan. We are working with various departments in the city, looking at an integrated comprehensive mobility, a parking plan for downtown Wichita. We've started some work on that. We will be going through some public process and on or before and it looks like maybe even before December, 2007 we can have a really comprehensive plan before you for your consideration.

Naming rights, sponsorships and premium seating marketing, once we do the evaluation, then the actual marketing or selling of those sponsorships, naming rights and premium seating would occur and we would start that process, we're still on target to do that starting October this 2006.

The design process, I mentioned we had gone through the preliminary programming and that we've gone now the exterior concept design. We're now, as this slide shows, in the schematic design phase. In fact, completing the schematic design phase and the focus of our presentation today will be on what occurred during that phase, what the outcome was and we will be asking for your authorization to move forward.

I might just mention, and Wes will be presenting this, we have . . . that's as you might suspect, the floor plans and so forth, a lot of detail. When we get to that presentation, Wes is going to do that

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more in a concept so that you'll see the process that's going through there, rather than being able to focus on what space is where. But it will be a more general, conceptional review and you have received a narrative explaining much of that and any other details would be available through our county team or the Arena Design Consortium.

The following phase, the phase following the schematic design would be design development phase. If you approve us moving forward, we would begin that phase immediately and hopefully by mid-November, if not earlier, be completed with that phase. I might indicate to you that while we have been looking at and continually to look at cost with our Turner Construction, who is our cost estimator, as a part of the Arena Design Consortium, it is really following that design development phase where we get into kinds of materials and those sorts of things that we will then have and be ready to come back and talk about a more detailed project budget. We are, in looking at it from a general point of view, still assured that we can deliver this first-class arena within the budget, the 1% sales tax for 30 months will provide for us.

After the design development phase, we would move into the construction documents phase. Right now, that's scheduled to begin in November and would go through May. Again, as we get into these more intricate details, we may need to expand that timeframe a little bit, but we'll be talking about that, if we do need to, we'll be talking about that in more detail when we come back to you following that design development phase.

All of these phases are very important. All of them come together as pieces of the puzzle. Certainly, from a construction point of view, the construction documents phase probably becomes, in some folks mind, the most important phase, but in my view it's the design development phase, where we start putting meat on the bones, fleshing out the floor plan and really being able to do a cost estimate that's more based on what's going to be in the arena, rather than taking some dollars applied to square footage within the arena. I see this, the design development phase, the next phase as being a very important and critical phase in the design process.

Beyond the design development then, we get to arena construction. Right now we're looking at that. I say May there. We're probably talking about summer 2007 at the earlier that will start and we're still looking at an 18-month build time. Again, I would just always add the qualified or the caveat schedule and budget. While we've got good people taking a look at these, we really . . . you get it fleshed out when you do the bid, so I just keep raising that as a point that we need to share with you.

And as you see there, we're looking at the construction bid process summer of '07 with construction starting August '07, late summer '07 and again we're still looking at an early 2009 for an arena opening.

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I might just mention to you, yesterday in your staff meeting we talked about the Pavilion renovation timeline. As you know, the pavilions at the Kansas Coliseum complex are part of the downtown arena project and, as we discussed yesterday, we have upgraded the scope of work there. We would look at going for construction bids in October, late this fall, having a contractor selected by the end of the year, a number of the material items there have long lead times and that's why we would want to get those bids out on the street and have a contractor selected before the end of the year, so that we could begin, have all the staging done and begin construction done in earnest May 2007. Those pavilions then would be shut down across the summer months and at the end of August, 2007 we would be ready to reopen. We do have an event scheduled in an annual event, the Kansas Junior Livestock Show scheduled in the pavilions for I think it's August 8th or 9th or September 8th and 9th 2007, so it's critical that we have everything ready to go May, shut down and get the work done so that we can be reopened by September 1, 2007.

Very quickly, the schematic design phase, as I mentioned, is the process we've gone through now, May . . . started that in May, after you approved the exterior design concepts. The primary objective is to develop a clearly designed floor plan and site plan. Included in this are schematic level drawings from all disciplines and we do have those drawings again. Conceptually, we're going to show you that today, rather than getting into the intricate detail of what's in between every line on those drawings. It is an opportunity to refine the information that was developed during the preliminary programming phase and we did take a general review again of the project budget and have assurances that we are still on target.

There's been some construction increases, but we believe there's also some opportunities to do some, if you will, savings to make all of that work out within that budget and a more detailed budget we'll have available late November, early December.

As a part of this phase as well was to further develop the site plan. The site was selected, as you know, last November but we, during the development of site plan, needed to look at the placement of the building on the site, parking, green space, plaza areas and that sort of thing. While that's still being developed in detail, we have though a general plan that will be presented for your consideration today.

And then, as we mentioned back in May, that as we selected option B that it would blossom and part of that has to do with the elevations on the south side, the north entrance and again a couple of those, the loge box, premium seating we've presented to you, you've seen this. We're just going to remind you of it again as we go through the presentation today.

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You had received a narrative, which was called the schematic design, some middle narrative, this just outlines the table of contents there. It outlined the project team, introduction and overview, architectural narrative, finished legend, program update, structural narrative, mechanical narrative, electrical narrative, technology narrative, sound distributed TV, acoustical and broadcast system. The point here is in the schematic design is where you really lay out parts and pieces of the entire floor plan and what goes where and how those various aspects of the plan fit together to begin to not only make the building functional, but also to begin to address the fan experience-related issues.

After this phase, we would move into the design development phase. This is the last opportunity during this phase for major changes to the preliminary programming document without significant impact on the schedule and the budget and it is generally moving from the exterior of the building to the interior. What's included, time will be spent in further defining the building structure, systems and main elements, interior materials will be selected, signage and graphics determined, a lot more hands-on kind of work here. Other specific decisions made so a comprehensive definition of project scope and budget of each bid package is determined. Life cycle cost analysis on building systems and value analysis of materials will be conducted.

I think I've told this story before, once in my life I was the head of a church building project and the most contentious time during that period was selecting what color carpet and what color the pews cushions were going to be. We're moving into that phase, and so we will have . . . on this project, so we'll have a lot of opportunity for discussion about what hues and colors and kinds of materials we ought to be looking at here.

We also, during this phase, the design will be reviewed with local representatives of community groups with expertise regarding accessibility, local law enforcement will be talked to in regard to reducing crime potential, what they call a CEPTED review and terrorism threats, homeland security review. We will be talking to representatives, folks of the Area Agency on Aging regarding user-friendliness for that population and we'll be talking to other groups as possible. We're going to try to bring all of those groups together in a huge meeting about mid-October to begin that discussion and to get their feedback and input.

After I'm done here, this is my last slide, we're asking you to receive and file the schematic design report and authorize the A and E team to proceed with the design development phase of the project. Before we do that, we're going to call on Wes for us to present more details and without further ado, I will just call on Wes and then I'll be available to answer . . . both of us will be available to answer questions that you may have of us at the end of his presentation. Wes."

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Mr. Wes Darnell, Arena Design Consortium, greeted the Commissioners and said, “This morning we’re going to kind of touch on some of the things Ron has already alluded to. We began this process, the schematic design process basically right after your May 24th direction to us to proceed, based on the selection of concept B. At that time, we had already received approval of the programming information and of course we had a budget already in place, so we began with those elements and proceeded through the schematic design process.

At the point that we began that process, we were presented with a short list of some issues that both us asked us to resolve, as well as some came from staff. You asked that we look at ways to integrate the ADA, handicapped ramp that was being shown in concept B at the main entrance that would make it seem more a part of entry, as opposed to being a separate ramp. You wanted us to study how the main entrance could have a more direct relationship with the street, as option A at that time had had. The fact that we had a great deal of parking south of the building entrance kind of positions the building back behind that parking and you asked if we could study ways to bring that to a more direct relationship.

You wanted a more prominent north entry and you wanted to see if we could align that entry with St. Francis Street, so there would be a straight view into the building entrance, down St. Francis from the north. At the time that we presented option B, which put little emphasis on the north entrance, the building was placed very tightly at the north end of the site, close to the loft garages and you asked if we could look at a way to move that building away from the loft garages so as to give more spatial relationship on that side of the building.

You also asked if we could find some orientation down English Street, that was considered to be a linking corridor with the future development of Century II and wanted to make a connection through that corridor and that was also an agenda for the Arena Neighborhood Redevelopment group.

And finally, you asked in respond to the north, east and west elevations on the option B, that featured very simple masonry faces, without much detail and a great deal of massing, you asked if we could study ways to break that massing down and make it relate a little more to buildings in the Old Town area and in the surrounding neighborhood of the arena project. And the implied emphasis there was to break down that massing.

So we took those elements, along with the approved items, and we began our study and our work through the schematic design. Of course through that entire process we’ve met with groups, as Ron alluded to, the Arena Neighborhood Redevelopment group, among others and worked with those people to arrive at some of the solutions and things that have come about.

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We have also of course reviewed some of these things along the way with you, back on July 25 at the BoCC meeting on that date, just to update you and some of those images will be repeated today, just to kind of bring everything together in one package.

As Ron also alluded to, you see that we get more technical as we go along here. We'll be increasingly looking at more kind of black and white images and we'll be moving along to getting to more technical kind of information and more detailed things, as Ron alluded to, colors, selection of materials and things like that. We'll be moving away from, if you will, the big picture items and moving to the small, micro kind of detailing in the next phase.

On August the 7th, which was our deadline for the schematic package we delivered to the county a set of documents which included 127 sheets of drawings, which in our opinion is a very complete set at the schematic level. Ron has already alluded to some of their content, that included site plan, which we'll be looking at in a few moments, floor plans, again you'll be looking at simplified copies of those, but they were indicated a good deal of detailed information that reflected the programming information that you've given us, building cross-sections, which spoke to the structure of the building, assured us that the elevations of the floors and things were all as they were supposed to be, elevations showing the exterior materials. Structural framing has gone a long ways, as far as assuring us we've got a structural grid and structural system that works for this building. Mechanical concepts showing equipment sizes, diagrams showing smoke evacuation concepts even, very important part of this building design.

Electrical power distribution plans and one-line diagrams, diagrams of other support systems, as Ron already alluded to, includes seating diagrams for the various configurations, including end stage, center stage, side stage, basketball and hockey seating arrangements. All this to give you assurance that we're meeting the program requirements that were put before us. In addition, as Ron already related, we've provided a narrative, a booklet of information that went through all the systems. That was a booklet of about 113 pages, again a very complete document.

If we could move to looking at the plans, . . . this is the site plan that reflects the commentaries that you asked us to address. As you can see, we've position the building further away from the loft garages, moved it south on the site. We've eliminated the parking south of the building, to give it more of a street presence.

Currently, we've positioned the building so that the main entrance off of the southwest corner of the building is 165 feet off of Waterman, so that creates what we believe is a very nice plaza area, very similar in size to what you would see at Century II on the Kennedy Plaza, the distance off of Douglas. We believe that's a very comfortable relationship, creates a nice gathering space at the entrance of the building, gives good orientation yet from the street to the entrance, so people clearly perceive where the entry to the building is located.

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It might be difficult to perceive on this slide, and we'll see in more detail as we get into the floor plans, but we've eliminated the raised stair that was at the entrance. We've eliminated that raised platform after design considerations. We've determined that instead of trying to bring people up on a ramp, it was easier just to bring them in at grade level off the street, so we've dropped the entry lobby down to grade level. That solved some other problems internally of the building as well, moving from that space into other back-house spaces. This is greatly simplified by that approach.

We've moved the building so that it aligns with St. Francis. You can see that the entry, which is in this area right here, up on the building, is aligned down St. Francis. We've created an entry plaza in front of that area that again relates, as the view comes down St. Francis would come across that plaza and to the entry of the building.

The position of the building right now is about 96 feet from the entrance to the back of the loft garages, which we think is a very nice dimension, creates a very nice space on the north side of the building and make a nice entry into the building on the north side.

We have positioned the building so that as you look down English Street you would be able to perceive the building nicely. At that position we think we may, since we couldn't really position the building back in a good relationship with the loft without pushing it further north, and we did study various positions, we do believe that when you come down English Street you will be able to come right around the corner and be at the entry to the building.

To give a visual line to the building down English, we perceive the ability to put some signage on the building here, with probably some electronic signage to create an image down English Street to the building, so there will be that connection will be maintained.

We also have worked with county staff and have assured ourselves that the service yard is adequately designed to hold all the trucks, allow all the movements that are perceived as necessary on the east side of the building and we are convinced that the circulation around the building works very well right now. You can see that we've created an area south of the building for a pull-off location. This will be an unloading area, in a controlled way, that would allow people who need to be dropped off at this location, near the entry off of Waterman, and there is some . . . we're showing some handicapped parking at this same location, but yet we are creating a very nice landscaped area

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that's the gray shaded areas would be suggested landscaping areas, to present the buildings with a very nice image from the south side.

I want to tell you that we really will be developing the north plaza and the south plaza further, during the design development phase to come. Those areas are basically laid out here to designate areas, but we really haven't gone so far as to develop the paving and the landscaping patterns that we would want to have in those courtyards, as they would I think we're beginning to use this word repeatedly, as they begin to blossom further in design development.

Let's move into the building plans now, and as I said they'll get increasingly technical and I'm going to move pretty quickly through this portion. I know that again we reviewed these with you on July 25 and they've changed in some subtle ways, but for the most part these plans pretty much reflect what you've been seeing before.

At this level, which is the event floor level, we've got the main entry to the building, which is in this area right here, where you come into the main south lobby. You can also come in off the southeast corner of the building into that same lobby and at the north side we've got an entry lobby over there. All the rest of this floor level is dedicated to what we refer to as back-of-the-house functions. That includes operations, administration, dressing and locker rooms, storage areas over here and the marshalling area at the east end of the building, off of the dock area.

Just to kind of buzz through these plans, just to give you an idea about the level of detail that's already been generated, showing relationships of all the rooms, the rooms that square footages from the program and you know the orientation spatial relationships have all been developed, which we think has been pretty successful, as far as going through this with staff, everything seems to be working out very nicely for this plan.

Stepping up to the main concourse level, this is the first concourse if you will, 24 feet off of the level below and this level gets up to the concourse where we go all the way around the building, able to circle the whole building. We have areas up on this level that include the club lounge, the restaurant area for general patrons and of course entrance into the lower seating bowl from this level. Just again buzzing through these, you can see that the . . . all our concessions, restroom areas are inboard on this level, with mechanical spaces in the outboard corners.

The upper concourse is the next level up. At this level, the concessions and restrooms move to the

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outer portion of the ring, because we're up under the seating rakers, so we have limited space around the inside ring. This is the level that we see our first suites, on the south side of the building there, and in this case the seating bowls outside the . . . the premium seating area is about a 270 degree circle around the arena and the . . . with the suite areas making up the rest of the bowl on the south side. Just going around that, space by space.

Now the final piece is the upper deck. The upper deck includes the upper suites, which is what you see across the bottom of this plan on the south side, and then the upper bowl seating all the way around the rest of the circle there.

Okay, let's move on to something a little more colorful here. This . . . again reviewing the seating that we discussed with you all back in July, we made some changes at that time, as you'll recall. Whereas we previously, in the May approach had the loge seating down each side of the clubs, the club being right here in the middle of 300 seats, we had loge seating down each side of this. From studies and site lines and considerations for ADA access into the loge boxes, you'll recall we changed to a configuration where the loge boxes were placed at the top edge of the seating bowl, as opposed to in those spaces down each side. Otherwise, we'd stay pretty much with the programmed approach to seating throughout the building and just want to kind of touch on a couple of images for that.

This shows how the cross-section of the building works, again with the lower bowl housing the premium seating on the south side, with the lounge behind that, the suites stacked on the two levels on the south side above that. And then on the other side of the building on the north side, the east side and the west side we'd have general patron seating connecting to a concourse that feeds that and then up on the upper concourse, which is up here, feeds to the upper bowl seating around the two-thirds portion of the bowl. Again just flashing through some images, you've already seen, but refreshing your memory about the configuration of the premium seating on that side of the building.

Okay, again a little discussion about the south elevation, this is the same as what you saw on July 25th. This was a little blossoming again here, were we did some refining above the entry. We changed the post rock form, which was a very vertical form and a very simple piece. We decided that it should include some stair exiting that we needed off that side of the building, we wanted to make it more of a pronounced part of the design, so that piece has been enlarged, still have our vertical piece here, and then the top of this we still envision having the light cannons that were talked about on scheme B. You can see that we've added an outside deck here at the south entry. We've got a deck at both concourse, that go outside and look down over the entry to the building. The glass used to extend to this point and we pulled it back so that those decks could be exposed on

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the outside of the building. We're still bringing the shading devices, those horizontal lines you see across the glazing there, on across that space to maintain the continuity of that feel.

This is shot at pretty much the same level, and line of sight, as was the previous B option, so you can begin to appreciate the contrast or the changes that have taken place. We still are showing the limestone at the base of the building that was suggested back at option B and the masonry as you can see off the southeast corner over here. And you can see also that the glass wraps around the end of the building, with vertical shading factors on it, off the west side."

Chairman Sciortino said, "And Wes, before you . . . what's the little brick outbuilding there? What is that?"

Mr. Darnell said, "Well, it maybe is more pronounced in this view, but that's always been there. That's just the corner of the building that juts out. I can go back on the plan here and show you. That really is this corner of the building right here and that wraps around in brick to this point."

Chairman Sciortino said, "Now that's the south . . .?"

Mr. Darnell said, "That's the southeast corner, right. Yeah."

Chairman Sciortino said, "Okay. Well, go back to the pretty picture. Okay, it's probably just this angle, but it sort of seems out of place, sitting there, the brick and everything else."

Mr. Darnell said, "It emphasizes that angle a little more than it probably should. It just so happens that we look right straight at that angled wall there and it makes it seem pretty prominent from this angle."

Chairman Sciortino said, "And what is the function for that?"

Mr. Darnell said, "That's just the space at the base level is where the commissary functions are in there, above that is mechanical space, that's why there's a louver off that corner, and at the upper level again more mechanical and support function. That's where . . . like concessions are in front of that and restrooms are in that corner."

Chairman Sciortino said, "Okay, thank you."

Mr. Darnell said, "Sure. Moving around to the north face of the building, this is one where you asked us to do some more study and look at the massing, look at ways to break that down and make

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it relate more. And this is where we're at on that, this shows a masonry detailing here that breaks, instead of having a monolithic wall here, has elements that are vertical that break this up and incorporate some stone trim pieces, that's the white or the lighter color that you're seeing. We're also suggesting two colors of brick here to kind of give that facade a differentiation. In terms of creating some panels here, that are then accentuated by these columns. The metal banding that you see around the top is a material that's used on the south side of the building and in order to be able to tie this building together and make it seem sensible in having continuity on all sides, we brought this metal panel around, wrapped around the top of the building in an effort to give a sense of that.

And we responded to something else. We heard various comments about the rounded roof form over the top of the seating bowl, which is what you see up here. And we decided that we'd like to refine that a little bit and put a little more of an edge up there, so that's why you're seeing this different form that has more of a hard edge against the sky, makes the top edge of the seating bowl more defined as an element.

You asked us to make the north entry more prominent and we felt that it needed to be more reflective of the south entry again, so that the building had a sense of continuity or connection from side to side, so what you're seeing here is a projected glass box down at the entry level. And then the very simple canopy sign, a canopy here that provides some shelter for people approaching the building that stretches from this pier and this pier and then above that, at the upper levels, back at the face of the building is a glass wall that lets there be a connection between the concourses and the buildings and things to the north, so that there's both the visual line into the building to sense activity from the north side as you approach, and of course the ability to look back at the city that is reflecting north of the building.

That pretty well completes what we had for you this morning. Would be ready for any questions or comments."

Chairman Sciortino said, "Well, we do have a few. Commissioner Winters."

Commissioner Winters said, "Thank you. Wes, I think this really looks like it's coming together well and I . . . you know, the schematic drawings were kind of putting me to sleep at first, but the more you look at them, I mean you can really tell that on one hand this is not as complicated when you see the specific seating and arrangements of restrooms and everything, it really is the first time to me that it's really just pulled itself all together. So I think you're on the right track. Just two quick questions. One, I believe I heard you say earlier in your presentation that even at this stage, as we look at that south side and particularly the entrance and that north side and the entrance that there will continue to be design work done on those, so we shouldn't necessarily be thinking that this exact presentation is cut in the rough, hard stone as we proceed through the next stages."

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Mr. Darnell said, “Well we certainly, you know, anticipate not overwork that word ‘blossoming’ but we are you know hoping that this is close to a sense of where we’d like to head with these elements.”

Commissioner Winters said, “All right, well I think it’s a very good direction. Then is this the stage of the planning process too where all of the site lines would be reviewed and analyzed? It’s always amazing to me how when you think about the site angle from each individual seat or section how things can be wrong with that if it’s not done correctly and properly. Is this the stage where you have rectified all of those issues about how patrons will view the events?”

Mr. Darnell said, “Yes. All those things have already been reviewed and we feel assured that there is a good view from every seat in the house.”

Commissioner Winters said, “Okay. Thank you. That’s the only thing I had right now.”

Chairman Sciortino said, “Commissioner Burtnett.”

Commissioner Burtnett said, “I just had one question. When we were talking about the south entrance off Waterman Street, I know there’d been a lot of discussion about how many feet back. What did this end up being, because it doesn’t show on here?”

Mr. Darnell said, “It’s 165 feet from the street edge to the entrance.”

Commissioner Burtnett said, “Okay, because we were talking about a 75 foot from the street to the . . .”

Mr. Darnell said, “Well, that was actually 75 feet additional to the 90 feet that already was, so that’s why we get to 165 feet.”

Commissioner Burtnett said, “Okay. I just wanted to make sure we’re on the same page. Okay, thank you.”

Chairman Sciortino said, “Commissioner Unruh.”

Commissioner Unruh said, “Thank you, Mr. Chair. Wes, I just want to say that, I mean, this looks to me very promising at this stage and I just want to express our appreciation for the fact that you addressed our concerns from the last stage of this presentation, where we look at distances from Waterman and distances from the north entrance to those loft apartments and how you dressed that up. The removal of the stairs I think was a very smart thing to do, back on the south side so all

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these things that we had particular concern about, it seems like you all have worked on them and where we are right now, looks to me like this is a very good solution and I'm ready to move . . . tell you all to keep going full speed. That's all I had, Mr. Chair."

Chairman Sciortino said, "And also I want to compliment you, Wes and your team, for working with the Downtown . . . the Arena Redevelopment Team and Downtown Wichita Development because once again, you know, the only reason we're here is because of their requesting us to do this as they really feel that they can redevelop this entire core and given what you've made in your presentation, it looks like you've addressed most of their concerns, if not all of them, so I really thank you for working with them on that. I don't . . . yes sir."

Mr. Holt said, "Our request this morning commissioners is that you receive and file the schematic design report and authorize the A and E team to proceed with the design development phase of the project."

Chairman Sciortino said, "Well you're asking an awful lot."

MOTION

Commissioner Winters moved to receive and file and authorize the A & E team to proceed with the next phase of development.

Commissioner Norton seconded the motion.

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

VOTE

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

Chairman Sciortino said, "Thank you very much. Next item."

C. RESOLUTION ADOPTING A FUND BALANCE POLICY.

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Mr. Chris Chronis, Chief Financial Officer, Division of Finance, greeted the Commissioners and said, “The resolution that’s before you today would approve a formal fund balance and cash balance policy for the county, in other words it would set the county’s expectations for what constitutes appropriate levels of cash balance and fund balance.

This would be the first time that the county has ever had a formal policy, however our practices in the recent past anyway have been very similar to what is depicted in this policy, and so in a sense it institutionalizes what has been our practice and what we believe is good financial management.

The policy sets out to do several things. First regarding cash balance, which is intended to assure that we have adequate liquidity to pay the county’s bills as they come due. The policy establishes a target at the end of each calendar quarter of cash balance in the general fund of 10%, equal to 10% of budgeted expenditures and transfers and in most other county funds equal to 5% of budgeted expenditures and transfers. And I say most other funds because there are some grant funds where the conditions of the grant don’t allow us to maintain balances of particular levels and so another feature of the policy is that it authorizes the CFO to designate which funds are covered under this policy and we expect that those designations will change over time, as the county receives new grants and as grant conditions change. And so we do think that it’s preferable to authorize the CFO to make those designations, rather than put ourselves in a position of having to readopt the policy or amend the policy every time a grant condition changes or the county obtains a new grant.

Regarding capital funds, the policy merely requires that we maintain a position cash balance at the end of each calendar quarter. As you know, the way we fund capital projects in most instances is by transferring to the capital project account the amount of money necessary to pay the bills of that project and the funding of the project, the primary funding of the project, whether it’s county cash or bond proceeds remains in the originating fund until it’s needed to pay a particular capital project’s bill, so we don’t want to maintain a cash balance in the capital project funds but we do want the balance to be positive at the end of each calendar quarter. That is, we don’t want to be running operating deficits.

Regarding fund balance, which is as you know different than cash balance, the fund balance establishes the . . . effectively the operating reserves of the county. The policy would set targets for unreserved fund balance in the general fund equal to 20% of budgeted expenditures and transfers

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and in most other county funds equal to 7% of budgeted expenditures and transfers. Again, this is consistent with what our past practice is and we believe that what we're doing with this formal policy is institutionalizing that practice and we think that that constitute good financial management.

The policy goes on to specify what we do when fund balance exceeds the required amounts and what the policy says is, if required, those balances may be used for certain kinds of expenditures. For everything except internal service funds, and I'll get to those in a second, the policy says that those excesses if spent should be spent only for debt reduction, for one-time expenditures that do not create recurring operating costs for the establishment of or increases in various reserve accounts or for start-up expenditures for programs where the commission has clearly designated the use of those balances as start-up expenditures and only start-up expenditures and has identified an ongoing funding source for those programs.

Regarding internal service funds, which are the business operations of the county that serve county departments, like the Fleet Management fund for example, the policy says that excess balances that might accrue in those funds should be used only to reduce the changes of the customers of those funds. That is, to reduce the operating expenses of the county departments that are paying for those services.

And finally, the policy provides that in the event we should ever fall below the targets at the end of a calendar quarter, it's the responsibility of the Finance Division to develop and implement a plan to restore the balances to the targeted levels within six calendar quarters. If there are any questions about any of this information that I've just related or the policy itself, I'll be happy to attempt to answer them. If there are no questions, then I would recommend that you adopt the policy that approves the attached policy."

Chairman Sciortino said, "That was wishful thinking on your portion. We do have some questions or comments. Commissioner Winters."

Commissioner Winters said, "Thank you. Well, I don't think these will be too difficult, just a couple. Chris, I did hear you say at least two or perhaps three times that this is not a huge difference in the way that we've been conducting business for the last several years and that basically we should really find no changes in our budgeting procedures or the way we conduct business. This is, we've been following these guidelines, basically, for several years."

Mr. Chronis said, "That's correct."

Commissioner Winters said, "And then the only other thing is that you had indicated, in some of

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the backup material that you had reviewed this policy with the county's financial advisor and you have visited with at least two bond credit rating representatives and they all believe that this is a good policy to adopt."

Mr. Chronis said, "Yes."

Commissioner Winters said, "Thank you. That's the only two questions I had."

Chairman Sciortino said, "Commissioner Burtnett."

Commissioner Burtnett said, "Well my question is you have here that all targets are to be measured as of the last day of each calendar quarter. When of course we want the balance to exceed, that's great, but if you find in one calendar quarter that we've gone under, just out of curiosity, why would it take possibly six calendar quarters to make up for that, if you find it right away? I guess I just don't understand why it might take six calendar quarters?"

Mr. Chronis said, "It depends on the nature and the size of the deficit, below the amount that we're below the target. For example, if we were to have some crisis that hit the county, causing us to incur extraordinary expenditures that reduced our general fund balance below the target by a significant amount, we would be talking about multiple millions of dollars. And while as your CFO, my objective would be to restore that balance as quickly as possible, as a practical matter, if we're talking about multiple billions of dollars, to do that quickly would require an extraordinary tax increase and so we're establishing a longer time period, six calendar quarters, a year and a half to allow us the flexibility to get back to the norm, the target in an orderly fashion without causing extraordinary peaks in tax rates or user fees that we might have to impose."

Commissioner Burtnett said, "Okay. I was just going to ask what would an example be of trying to restore that? Would it be cutting some programs, cutting staff?"

Mr. Chronis said, "It could be those. It could be in the subsequent year's budget that we adopt. We force reductions. That is we anticipate that we would collect revenues that wouldn't be budgeted for current expenditures in that year, but rather would go to restore fund balance."

Commissioner Burtnett said, "Well, over the past couple of years that I've been on the commission, we've talked about this and I understand this and I'm going to be very supportive of it. I am just kind of curious as to why now are we finally adopting this formally, and it's taken so long."

Mr. Chronis said, "The main impetus at this point is a new program that has been adopted by

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Standard and Poors, one the three credit rating agencies. We have known all along that the three credit rating agencies consider financial management practices to be a significant factor in the establishment of a credit rating for a jurisdiction, but the agencies have never said specifically what constitutes good financial management. And so we have kind of been playing a guessing game, as we go along. The county traditionally had been credited with having good financial management in the credit rating reports. Now, S & P for the first time has said that it's going to institute a program of formally evaluating financial management and issuing a financial management score, in addition to a credit rating on any bond issue that we issue.

The purpose of that is so that potential investors who are reading those credit rating reports have a much clearer idea of what the competence is of a particular jurisdiction to manage its finances and thus reduce the risk to those bond holders. One of the considerations that S & P has defined as a factor in its evaluation of financial management is the existence of a formal fund balance policy and so we've been operating with an informal policy for a number of years and S & P has known that but now they are saying very clearly that if we don't have a formally adopted policy then that's a tick off of the very best financial management score."

Commissioner Burtnett said, "Okay. That's what I needed to know."

Chairman Sciortino said, "Chris, let me see if I can't filter this down to Kansas kitchen English. It's where you and I have an agreement and we verbalize what we're going to do and somebody says 'well, why don't you reduce it to writing'. Isn't that basically it? I mean, we've been doing this but there's been no policy that forces us to do it, we've just been doing it voluntarily and we're saying well why don't just obligate ourselves to do it by putting it in writing. Is that basically it?"

Mr. Chronis said, "Yes, but it took me 10 minutes to say that."

Chairman Sciortino said, "That's right, okay, thank you very much. Commissioners, anything else that we need to ask of Chris? If not, what's the will of the board on this item?"

MOTION

Commissioner Unruh moved to adopt the Resolution.

Commissioner Burtnett seconded the motion.

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

VOTE

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

Chairman Sciortino said, “Thank you, Chris. Next item please.”

Chairman Sciortino left the meeting room at 10:09 a.m.

**DIVISION OF HUMAN SERVICES
COMMUNITY DEVELOPMENTAL DISABILITY ORGANIZATION**

D. CONTRACT WITH STATE OF KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO PROVIDE DEVELOPMENTAL DISABILITY SERVICES.

Mr. Colin McKenney, Director, Community Developmental Disability Organization, greeted the Commissioners and said, “Once again this year, we have a contract for your consideration between Sedgwick County and the State Department of Social and Rehabilitation Services to provide developmental disability services in our county for state fiscal year 2007.

Total funding that may be accessed through this agreement, either directly by Sedgwick County or through our affiliate service providers will likely exceed \$44,000,000 this year. We’re presently tracking eligibility for about 2,000 persons with mental retardation and developmental disabilities in our community.

I wanted to point out a couple of the more significant things, it’s a significant contract but pleased to announce to you that we did receive a reimbursement rate increase this year of about 4.3% of all the (*microphone bumped*) and a number of previous years indicate that once again, in those years, there was no rate increase, so our providers will hopefully be able to help build some capacity and cover costs that they were not able to cover in previous years without rate adjustments.

I would also let you know that we’ve received, just in Sedgwick County, about 1.9 million dollars from the Kansas legislature for waiting list services. That will allow us to hopefully fund services for about 85 to 90 people in our community who have been waiting for services. We’re very enthusiastic about that and hope that our providers can build that capacity to provide those services.

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Unfortunately, we will still have several hundred people, perhaps in excess of 700 in Sedgwick County, who will still be waiting for services after we've spent this 1.9 million dollars, so our task continues to continue to advocate for funding for all of those who have immediate need for these services, but this is definitely a step in the right direction.

As you're aware, this contract become the basis for our annual affiliation agreements with our numerous community service providers. Those agreements are currently circulating and they will come for your consideration in the next few weeks. We are enthusiastic about the progress we made through this agreement and recommend it for your approval. I'd be happy to answer any questions you may have."

Chair Pro Tem Burtnett said, "Commissioners, are there any questions of Colin? Seeing none, what's the will of the Board?"

MOTION

Commissioner Winters moved to approve the Contract and authorize the Chairman to sign.

Commissioner Unruh seconded the motion.

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

Chairman Sciortino returned to the meeting room at 10:11 a.m.

VOTE

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

Chairman Sciortino said, "Thank you very much Colin. Next item please."

E. DIVISION OF INFORMATION & OPERATIONS – HEALTH DEPT.

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1. AGREEMENT WITH KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT (KDHE) TO PROVIDE FUNDING FOR ONE FULL-TIME DEDICATED CHILDHOOD LEAD POISONING PREVENTION NURSE.

Ms. Claudia Blackburn, Director, Health Department, greeted the Commissioners and said, “The agreement before you this morning is between Sedgwick County and the Kansas Department of Health and Environment to fund one blood lead nurse, who is a case manager, to assure lead screening, diagnosis and effective treatment for children that have elevated lead levels in Sedgwick County.

Shannon Steinbauer, our blood lead nurse, assists with the screening program and follow up on all children who have elevated levels of lead in their blood. Last year, over 4,000 children were screened and 83 had elevated blood lead levels and required case management. Actually 27 of those 83 were confirmed as true elevations, once they were re-tested and they needed continuing treatment and follow-up care.

Lead poisoning can affect every system in the body. It can result in developmental delays, behavioral problems and if it is not treated it can cause seizures, comas and even death. It’s frequently an undetected cause of some of the problems that we see in children. It’s real important that we find these children early and get them . . . get care for them. Last month, three cases were identified through our WIC program. Our lead nurse goes out to the WIC program and screens children and two of those kids didn’t have health care providers, they had not been screened, they were behind on their immunizations, so she was able to plug all three of these children into the appropriate community resources. One of them was referred to Head Start because of developmental delays, so really some good outcomes from this program. This grant award is for \$52,000 and there’s no match required and I recommend approval of the request.”

Chairman Sciortino said, “Commissioner Burtnett.”

Commissioner Burtnett said, “Claudia, I do have a question. Is this still . . . over the years I’ve heard from paint . . . from lead poisoning from paint. Is this still what this is mostly about? And what kinds of levels would a child have to eat the flakes of paint in order to be affected by this?”

Ms. Blackburn said, “You mean how much paint would they have to eat? That’s a good question and I don’t know the answer. I can find out. They have lowered the level that we have to follow up on now to 10 micrograms of lead, so I guess they’ve decided that even at the lower level it is a problem and we need to follow up.

One of the stories that the blood lead nurse told me was about a really nice older home that had

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been renovated but there was an area in the home that was exposed and it was that old paint and you know, enough of it could have been outside, in the soil for the child to be exposed and develop an elevation.”

Commissioner Burnett said, “Well I’m just curious if the rate is going up in children or if it’s finally leveling off or going down, with people repainting, remodeling, new houses with new paint that doesn’t have the lead in it. I’m just curious if it’s . . .”

Ms. Blackburn said, “That’s a really good question. I’ll be happy to do some research and find out what our trends are. It probably has to do with how much screening is done, how much you’re actually finding, and then when they change the levels. So if they lower the levels, then you’re going to have more children that are considered positive, but I can get an answer for your question.”

Commissioner Burnett said, “I’d appreciate getting that information, if you don’t mind. Thank you, that’s all I have.”

Chairman Sciortino said, “Claudia, and please don’t take me wrong here, because I’m certainly not an expert in healthcare and what have you, but this screening process, is that a blood test?”

Ms. Blackburn said, “Yes.”

Chairman Sciortino said, “Okay, so we don’t need a dedicated lead poisoning prevention nurse to do the initial screening, do we?”

Ms. Blackburn said, “She actually does the case management on children that have been screened. I believe she also is involved with doing the blood tests.”

Chairman Sciortino said, “Okay, but I mean isn’t that a more general skills that any nurse could take blood? I mean, you don’t have to have . . . and I’m trying to get my hands around if last year we found initially 83, but then on retesting, which I assume is another blood test, it got down to, what did you say, 20 . . .?”

Ms. Blackburn said, “27.”

Chairman Sciortino said, “Okay, so that’s like a little over two a month, and we’re going to have a full-time, dedicated nurse to handle two cases a month?”

Ms. Blackburn said, “A lot of what she does is outreach to populations that are at risk to get them screened.”

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Chairman Sciortino said, “Okay but again, why do we need a dedicated lead nurse if she’s going out? Couldn’t almost anybody go out and get blood samples?”

Ms. Blackburn said, “Well, she goes out and does education with group of high-risk . . . parents of high-risk children and she goes to places where these high-risk children are and she does education and encourages them to get screened.”

Chairman Sciortino said, “And I understand there’s no match requirement, but it’s still tax dollars and it’s maybe not directly from Sedgwick County, but Sedgwick County people spent the money. Again, if someone is going out to educate somebody, you don’t have to be a registered nurse to make a presentation about the dangers of lead poisoning. You could be a layperson that would do that too, I would assume, or do they have to be . . .?”

Ms. Blackburn said, “It’s a requirement of the grant that we have an RN.”

Chairman Sciortino said, “Okay, well okay. That’s all I have. What is the will of the board on this item?”

MOTION

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

Chairman Sciortino said, “Next item.”

2. AGREEMENT WITH KDHE TO PROVIDE SUPPORT FOR THE CONTROL OF TUBERCULOSIS IN SEDGWICK COUNTY.

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Ms. Blackburn said, "This agreement before you is with KDHE and Sedgwick County to support the control of tuberculosis in Sedgwick County. Communicable disease control is a core public health function for the Health Department and this grant assists us to assure that we are controlling active cases of TB in our community and preventing potential cases by funding staff who provide direct services to treat active cases of tuberculosis and find exposed citizens, get them tested and treated if they are positive.

This grant is for \$72,600. It provides partial support of a nurse and a case manager and that case manager is a medical assistant, it's not an RN. This grant was for slightly less this year than it was last year and we are paying the difference with salary savings from a short term vacancy that we have had.

Recently, one of the hospitals picked up an active case of TB and within the family we found two additional active cases of TB and we're now investigating those cases. We investigate first the people that are closest to the case and then if there are positives there, we move out. We're in the second ring on all of the cases and so we have had lots of positives as a result. So that is an example of why we need to continue this.

We have brought our numbers down, but right now we're at about the same level we were last year at this time, so they're working hard over there and I do recommend approval of this agenda item."

Chairman Sciortino said, "Okay. Any comments or questions? I see none, so what is the will of the board on this item?"

MOTION

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

Chairman Sciortino seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye

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Commissioner Winters	Aye
Commissioner Burtnett	Aye
Chairman Sciortino	Aye

Chairman Sciortino said, "Thank you. Next item please."

F. ESTABLISHMENT OF A SEDGWICK COUNTY ADA COORDINATOR POSITION.

Ms. Jo Templin, Director, Division of Human Resources, greeted the Commissioners and said, "Sedgwick County is dedicated to provide public programs, activities and services which are free of discrimination based upon disabilities. Sedgwick County applies the same dedication to all employees, including pre-employment, post-employment processes, policies and benefits. We are currently working with Kent Johnson from the disability management consulting group to update our self evaluation and transition plan as required by Title II of the Americans with Disabilities Act and section 504 of the rehabilitation act. This ADA coordinator position is a full-time position to provide leadership and focus on the multi-disciplinary efforts of compliance of the Americans with Disabilities Act and other related laws and regulations.

In the past, the ADA compliance has been coordinated through a cross-functional effort between many departments within the county. This position would provide a focused effort, as we are working to update our self-evaluation and transition plan. The major functions of this position will be to work closely with the ADA consultant in the review of all county programs and services, policies and facilities to develop, prioritize and implement the transition plan.

This position will work closely with the future established access advisory board to respond to ongoing questions or recommendations from that body regarding our facilities, programs and policies. This position will work with county departments and staff as a technical expert and be an educational resource on ADA issues, as well as developing solutions to any accommodation or accessibility issue. The position will also coordinate a dispute resolution process and a communication plan. This position will assist in the review of building plans and projects for accessibility compliance.

And then we'll also use the position to also work on other project management investigation fact finding processes, mediation or other county issues as required. The ADA position will be placed at a B-325 of the county's pay scale. The 2006 costs with salary and benefits is \$21,199. 2007 costs of salary and benefits is \$64,910. I will answer questions if you have them, but I would recommend and ask your approval of the ADA coordinator position for the county's staffing table."

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Chairman Sciortino said, “Thank you Jo. I don’t see that there’s any questions. Basically, if I understand this, with this individual dedicated to really looking at ADA needs, it’s going to allow us to be more proactive as opposed to just reactive. Right? I mean we can start aggressively looking at ‘well, you know maybe we ought to change this or maybe we ought to change that’ and not just wait until somebody complains. I mean, as I understand it, that’s basically what that’s going to allow us to do.”

Ms. Templin said, “Yes, sir.”

Chairman Sciortino said, “Okay, great. Commissioners, if you don’t have any other questions . . . your lights not on. Oh, now it is.”

Commissioner Unruh said, “This position is provided for in our budget. I mean, this is not an addition for our staffing table.”

Ms. Templin said, “Yes, sir. The money is in the budget, right.”

Commissioner Unruh said, “All right, thank you. That’s all I had.”

Chairman Sciortino said, “Commissioners, what’s the will of the board on this item?”

MOTION

Commissioner Winters moved to approve the ADA Coordinator Position.

Commissioner Unruh seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye

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Chairman Sciortino

Aye

Chairman Sciortino said, "Jo, thank you very much. Next item please."

G. ESTIMATE FROM AQUILA NETWORKS FOR RELOCATION OF A PIPELINE IN CONNECTION WITH SEDGWICK COUNTY PROJECT 789-G-3960; BRIDGE REPLACEMENT ON 247TH STREET WEST BETWEEN 69TH AND 77TH STREETS NORTH. CIP# B-423. DISTRICT #3.

Mr. David Spears, P.E., Director/County Engineer, Public Works, greeted the Commissioners and said, "Item G is an estimate from Aquila Networks for relocation of a pipeline in connection with the bridge project on 247th Street West between 69th and 77th Streets North designated as B-423 in the Capital Improvement Program. Their line is located in a private easement. The cost will not exceed \$14,565. I recommend that you approve the estimate."

Chairman Sciortino said, "Thank you. Commissioners, any comments? I don't see that there's any questions or comments, so what is your will on this item?"

MOTION

Commissioner Winters moved to approve the estimate.

Commissioner Burtnett seconded the motion.

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

VOTE

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

Chairman Sciortino said, "Thank you, David. Next item please."

H. REPORT OF THE BOARD OF BIDS AND CONTRACTS' REGULAR MEETING OF AUGUST 24, 2006.

Ms. Iris Baker, Director, Purchasing Department, greeted the Commissioners and said, "The

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meeting of August 24th results in five items for consideration today.

**1) PATROL CARBINES- SHERIFF'S OFFICE
FUNDING: FEDERAL ASSET FORFEITURE**

The first item, patrol carbines for the Sheriff's Office. Recommendation is the low proposal from OMB's Express Police Supply for an estimated initial purchase, including trade-ins of \$9,495 and to establish and execute contract prices for one year, with two one-year options to renew.

**2) DOUBLE MOUNT WEAPON SYSTEM- SHERIFF'S OFFICE
FUNDING: FEDERAL ASSET FORFEITURE**

Item two is a double mount weapons system for the Sheriff's Office. The recommendation is to accept the low bid meeting specification from Ed Roehr's Safety Products option 1 for an estimated initial purchase of \$3,858.30 and to establish and execute contract pricing for one year, with two one-year options to renew.

**3) CONSULTING SERVICES FOR A COUNTY WIDE ADA REVIEW- COUNTY
COUNSELOR'S OFFICE
FUNDING: EMPLOYEE RELATIONS**

Item three, consulting services for a county-wide ADA review for the County Counselor's Office. Recommendation is to accept the proposal from DMCG and execute a contract for a not to exceed cost of \$80,000.

**4) CUSTODIAL SERVICES FOR THE TAG OFFICES- TREASURER'S OFFICE
FUNDING: TAG OFFICES**

Item four, custodial services for the Tag Offices for the Treasurer's Office. Recommendation is to accept the low proposal from SK Janitorial Services for an annual cost of \$15,060 and execute a contract for one year, with two one-year options to renew.

**5) CONSULTING SERVICES FOR OPERATIONS MANAGEMENT FOR THE
COLISEUM- COUNTY MANAGER
FUNDING: ARENA SALE TAX**

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And the fifth item is consulting services for Operations Management for the Coliseum staff for the County Manager. And the recommendation is to accept the proposal from PA Sports and Entertainment for a costs of \$37,500.

Be happy to answer any questions and I recommend approval of these items.”

Chairman Sciortino said, “Thank you, Iris. I don’t see that there’s any questions or comments. Commissioners, . . . Commissioner Burnett.”

Commissioner Burnett said, “Okay, on number three, the consulting services for a county-wide ADA review, how is that going to work with the new ADA person we are just now hiring?”

Ms. Baker said, “This person will ultimately train that ADA coordinator. He’s going to come in, he’s going to do a review of current facilities. He’s going to write up recommendations and then he’s going to help county staff. He’s going to train county staff and help them with an implementation plan. That the coordinator would take over and then at that point the coordinator would be trained for future reviews, as we lease facilities or build facilities or remodel facilities.”

Commissioner Burnett said, “Okay. All right, that’s all.”

Chairman Sciortino said, “Okay. Commissioner Winters.”

Commissioner Winters said, “Thank you. On the same item, Iris, I don’t think I heard you mention that this is a joint contract that we have. The City of Wichita went through an extensive process of selecting somebody that is really confident, able to do this and so we kind of piggy-backed onto their work in this effort.”

Ms. Baker said, “That’s correct.”

Commissioner Winters said, “Thank you.”

Chairman Sciortino said, “Commissioner Norton.”

Commissioner Norton said, “Well, on item number three it just seems to me that a ceiling of \$80,000 is pretty excessive. I’d rather see a hard, fast contract for what that’s going to be and what services are going to be provided, as opposed to . . . it just seems like 80,000, they’ll end up spending 80,000 and it would be nice if it would be limited somewhere and had a hard, fast contract.”

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Ms. Baker said, "The contract is written, it equates to \$80,000. The cap is that anything else that comes up that is reasonable, that may have been missed or that needs to be considered will be considered at no additional cost."

Chairman Sciortino said, "Will be considered or will be done?"

Ms. Baker said, "He will do it for no additional cost, so it's not going to go beyond 80,000, but what has been scoped out in the contract is \$80,000."

Commissioner Norton said, "Well, I believe we need to move forward on our ADA issues that we have. Obviously, one of the things that got us into talking about Coliseum and pavilion renovations years ago had to do with ADA. Some of the issues we've talked about with the Election Commission office this year had to do with the HAVA, which was making sure that polling places were accessible and all of that ties together. It just seems like that's a lot of money."

The other part of it for me is what if we go out and as we do the hiring practice for that ADA coordinator, we find somebody that's experience and that has great ideas, doesn't need any training and could provide that in-house, without a consultant. It seems like we may find that person and we don't have to train them. I don't know if that person exists, but until we hire that person, we may not know that, that we're going to hire somebody that can deliver a lot of that for us."

Chairman Sciortino said, "Mr. Buchanan, did you want to respond to that?"

Mr. William P. Buchanan, County Manager, said, "I was kind of looking for Jo and Mike Pepoon. But it's been the City of Wichita's experience and they are several months ahead of us in this process, and it's been our experience that those kinds of people are really hard to find and that the consultant that we have chosen, who is the City of Wichita's, part of his duties is to make sure that when we have someone on board that they are trained to keep . . . the kind of training that he will provide us will assure us that we are kept out of trouble from these kinds of issues. So I think this is a plan that make sense to me, that we hire one of the best guys in the mid-west if not the county to help us and his job is to train the new person so that we stay out of trouble."

Commissioner Norton said, "Well, if there's more discussion on that, I have a little question on another item, but we can go ahead and finish this discussion first."

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Chairman Sciortino said, "Commissioner Winters, go ahead."

Commissioner Winters said, "Well, I don't know that this really adds anything I have to add, but Mike Pepoon and Jo Templin did come around and visit with me about this and the first thing I said was it seems like this is a lot of money. And again, I think we need to follow through with this for two reasons, one I think to make absolutely sure that for both our employees and our citizens we're ADA compliant and secondly, the exposure of not doing it is pretty great and there have been a number of local governments around the country that have paid significant money in actions because they didn't have the proper ADA compliance. And again, Mike stood up, I don't know if he would have something to add, but I am going to say that I think in my discussion I asked the exact question that you asked about the cost of this and I was convinced, at the end of the discussion, that this was the best procedure to take. Now again, that's really not very affirmative of having good facts, but the conversation was very helpful to me. Mike, did you have something?"

Mr. Mike Pepoon, Assistant County Counselor, greeted the Commissioners and said, "I think the county manager addressed the questions properly, but one aspect of Commissioner Norton's question I wanted to answer. The contract for Kent Johnson, not to exceed \$80,000, is for him to complete the self-evaluation of the transition plan. I mean, that is the main scope of his work. One of his just side services that he's providing is to help train our ADA coordinator if such training is needed, but the bulk of his work, by far the bulk of his work is to complete that plan and we never intended for this person that we're hiring to do the transition plan and self-evaluation, so that's the reason. And as Iris correctly stated, he gave us a bid, actually it would normally cost more, but he gave us a bid that he would do it with a not to exceed figure of \$80,000 but it was implied that he would do it for \$80,000 but anything else, any other work was needed, that was going to be a firm price on it and that's the way we're going to draw up the contract."

Commissioner Norton said, "Well, at the end of the day, I'm going to be supportive of this. A lot of these questions were things I had in the privacy of my office, and that's not out in the public so I wanted to be sure we at least had some dialogue about it, because that is, once again, a pretty good chunk of money. It is a very, very important issue to our county and to the community at large and we're probably not going to solve it without some experts that know the laws and while we'd like to have all those experts in-house, I don't know that we do on every category. So I'm going to be supportive, but some of the questions I thought of behind closed doors I thought needed to be out here in the public.

I don't have anything else on that. I do have something else on #5."

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Chairman Sciortino said, "I don't see that there's any other comments related to this one item, so go ahead."

Commissioner Norton said, "It's a lot of the same thought, \$37,000 a lot of money to provide a consultant. You know we always doubt, at least my constituents doubt why we continue to have consultants. You know we call consultants somebody that lives over 500 miles from here and can come in and tell us how to run our business. That's a lot of money. It's providing maybe a service that we've got some very, very smart people in our own house that might be able to help us with that, put that together. We've got some experts not only at the Coliseum, but experts in financing and running facilities and those kind of things in our own organization. As I talk to individuals and staff, I was supportive of this, but I think we need to have some dialogue about that and not just rubber stamp it, as we go through this process."

Chairman Sciortino said, "Okay. As I understand it, Mr. Holt would like to address us on that."

Mr. Holt said, "Thank you. John Nath and his staff at the Coliseum have done a superb job in delivering on expectations at the Coliseum. The Coliseum however is a 28, 29 year old facility. They've operated that under the challenges of as you know two or three or four different attempts at an arena downtown. Consequently, they've operated that . . . the point being, they've operated that under the challenge with little to no upgrades. The Coliseum doesn't have suites. The Coliseum doesn't have premium seating. The Coliseum is a 10,000 seat arena. We're talking about a 15,000 seat arena and I think as you have directed us, you want to make sure that in the management of this new arena that you have done your due diligence, that you've been prudent and that you've looked at all of the opportunities that may be to make sure that we reduce the county's exposure for risk, for additional tax funds that need to be put into the operations of this program.

So to do that, we need to look at private management. In doing so, we then challenge our internal existing staff to compete at that same level. I think it would be unfair to them to ask them to compete with these national firms, and we think we'll get probably four bids, SMG which runs a hundred or some facilities around the country, Global Spectrum, which runs in excess of 100 facilities around the country. Another group called Compass that runs something, 75 or 80 facilities around the country and then there's a smaller group out of Chicago I think called IFG to level the playing field. To give our employees an opportunity to make sure that they're on equal footing.

We advised you several months ago that we thought it was important to go out and to get a group of folks that could help put together a proposal from the Coliseum staff that would at least meet, if not exceed in my view, at least give them the opportunity to meet, if not exceed whatever outside proposals we will be getting. We will be releasing about late September a request for . . . I guess

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we're calling it information, request for proposal to ask these private groups to tell us what they would run the new arena, how they would run the new arena, what the financial aspects of running the new arena would be from their experience. We want to give the Coliseum staff an opportunity to compete with that and respond to that request for information as well. That's what this group does and it's very . . . we were very excited to be able to hire a couple of folks who, up until six months ago worked for Global Spectrum doing just this sort of kinds of proposals. So we think we're in the best interest of our employees, the Coliseum staff, the best interest of the long-term operation of the arena to make sure that we are able to evaluate private versus public management and to give you a recommendation come November, early December that has looked at all of the, from A to Z, about arena operations in a 15,000 modern facility."

Commissioner Norton said, "Well Mr. Chairman, for me that's the right answer and I wanted to be sure that it was . . . we didn't just gloss over this and it wasn't public, because people are going to ask 'why do you have a consultant to do this' why aren't you figuring it out and it is a very complicated issue. And as we move between us running it ourselves in-house and looking at these things, we want them comparable and you know, you have the tendency to say 'you know, we've got great people and they understand what it's going to be to run a 15,000, brand new arena with suites and all kind of naming rights' and we want to be sure that as we go through this process, their RFP bid looks the same as everybody else's so we don't end up comparing apples and oranges, we're comparing apples and apples and this will insure that that happens."

I mean, I think there's probably people in both camps, get the big guys that have connections to run it, but there's also something to be said for people that are loyal locally and understand our community and have done a pretty good job running the facility for a long time and we need to make sure those are comparable bids. So I think it's the right answer, but I want to be sure we addressed it in public."

Chairman Sciortino said, "Good question. Commissioner Burnett."

Commissioner Burnett said, "Well I agree with everything Commissioner Norton said, and I think this is . . . I'm personally very glad to see this, because I was afraid that the Coliseum staff would be kind of put off and not be able to compete with the private management companies, and I think this money, which is coming out of the arena sales tax fund, could pay back dividends later if they find out that they can do this job and save us money by not having the private management. So I'm very appreciative that we're doing this and I think it's great for the Coliseum staff to find out if they think they can too. I think this will be a great learning opportunity for them. So that's all I had. Thank you."

Chairman Sciortino said, "Okay. Well I'm going to support this because . . . one thing I really like is that we've hired as a consultant somebody that used to be on the other side trying to sell the

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services and you know, making the analogy of if somebody's trying to sell you a car, they don't then say 'well now, one thing I have to tell you is that even though it says it gets 18 miles to the gallon, it really only gets 12 and we have had a lot of trouble with the right underslung speed sync row, etcetera' so this fellow should know what all the negatives are to a management firm, which we're probably not going to hear from those people making a presentation.

In the final analysis, it's my strong sense that all of us are going to treat John Nath's presentation like the other people making a presentation, and evaluate what's in the best interest of the taxpayers. One hurdle that the management teams are going to have to do for me is impress me that they can get the revenues higher than we could do on ourselves to offset whatever charge they're going to make, because I don't think John Nath, he gets a salary but I don't think we have to pay him a premium for how many events he brings in or anything, so there is initially that little hurdle that the private management team will have to overcome and I just think it's good business practice to try to make sure that our in-house team is playing on a level playing field when they make a presentation, so I'm going to support the concept."

Commissioner Norton said, "Well, if I might Mr. Chairman, it may also make the big companies sharpen their pencil a little bit if they know that we've got, you know, pretty qualified people that are going to put in a bid and that we're loyal to and they may have to really come with their A game when they come to Wichita."

Chairman Sciortino said, "Very good. Okay, I don't see any other comments, so what's the will of the Board on this item . . . on the consent agenda, excuse me?"

MOTION

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

Commissioner Winters seconded the motion.

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

VOTE

Commissioner Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye

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Commissioner Burtnett	Aye
Chairman Sciortino	Aye

Chairman Sciortino said, "Thank you very much, Iris. Next item please."

CONSENT AGENDA

I. CONSENT AGENDA.

- 1. Order dated August 22, 2006 to correct tax roll for change of assessment.**
- 2. Payroll Check Register of August 25, 2006.**
- 3. General Bills Check Register(s) for the week of August 23 – 29, 2006.**

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

MOTION

Commissioner Unruh 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 Unruh	Aye
Commissioner Norton	Aye
Commissioner Winters	Aye
Commissioner Burtnett	Aye

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Chairman Sciortino

Aye

Chairman Sciortino said, "Anything 'other' to come before this board? Anything going on in the districts? Commissioner Norton."

J. OTHER

Commissioner Norton said, "I did want to let the commission know that we had our first meeting this morning for the Homeless Task Force, that county manager Buchanan and George Kobl put together and I think we had almost 100 percent participation from the appointees. We were pretty . . . really in the process of just getting started and getting acclimated to each other and starting to go through the data. It's going to be a very arduous, complicated process to get to February 25th and to have a solution for our community."

We're looking at not only chronic homeless, but folks that are on the edge of homelessness and how do you fix one issue and then get far enough upstream to start working on economy or affordable housing or mental health problems that get people into homelessness in the first place, so we're going to try to be working on both of those, but good dialogue today and I'll try to keep you posted, as we work on this pretty complicated issue for our community."

Mr. Buchanan said, "You might want to tell them the aggressive schedule."

Commissioner Norton said, "Well, we're going to be . . . we're meeting again next week, and then every two weeks after that we'll be meeting, until February 25th or what time we can come forward with recommendations on all the different levels of the playing field that we're going to have to deal with. And we're going to try to engage experts at some of our meetings. I think COMCARE is coming to the next one to talk about issues of mental health and drug addictions and disabilities on homelessness and then we'll move through housing and other things, as we go along. So it's a pretty critical dialogue in our community and I'm glad I'm working on it, but I think it's going to take a lot of homework and a lot of reading to get to the end process. I mean, the first book at 158 pages and that was the . . . what did they call it? The cleft notes of what we're going to deal with."

Chairman Sciortino said, "Well good luck on your process. Anything else to come before the board at this time? If not, this meeting is adjourned."

K. ADJOURNMENT

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There being no other business to come before the Board, the Meeting was adjourned at 10:44 a.m.

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

BEN SCIORTINO, Chairman
Fifth District

LUCY BURTNETT, Chair Pro Tem
Fourth District

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DAVID M. UNRUH, Commissioner,
First District

TIM R. NORTON, Commissioner
Second District

THOMAS G. WINTERS, Commissioner
Third District

ATTEST:

Don Brace, County Clerk

APPROVED:

_____, 2006