

DR 84-16 - DEVELOPMENT POLICY FOR  
PUBLIC IMPROVEMENTS

ACTION

DATE

COMMITTEE \_\_\_\_\_

M.A.P.C. Depend 12 days 11-1-84

~~M.A.P.C.~~ Approved 3-21-85

~~BCC~~ Depend to 4-16-85 4-2-85

~~BCC~~ Approved revised 4-16-85  
policy as recommended

Map No. \_\_\_\_\_  
Sec. \_\_\_\_\_  
Twp. \_\_\_\_\_  
Range \_\_\_\_\_

DATA SHEET

DR - 44-16 \_\_\_\_\_  
Filed 10-24-44 \_\_\_\_\_

APPLICATION REQUEST:

APPLICATION DATA:

1. Applicant: \_\_\_\_\_  
Address \_\_\_\_\_
2. Agent: \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_
3. General Location: \_\_\_\_\_ Phone \_\_\_\_\_
4. Proposed Use: \_\_\_\_\_

AREA DATA:

1. Acres: \_\_\_\_\_
2. Adjoining Zoning: E \_\_\_\_\_ ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)  
S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
3. Land Use: East \_\_\_\_\_ South \_\_\_\_\_  
West \_\_\_\_\_ North \_\_\_\_\_
4. Sketch Plan Land Use is for: \_\_\_\_\_
5. Present Land Use is for: \_\_\_\_\_
6. Area (is) (is not) platted. \_\_\_\_\_

PHOTO DATA:

Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

5B148  
Relinquish Fee  
Paid by  
KST 15-70 (1/4)

**Standard**  
No. 2153C  
HASTINGS IN  
LOS ANGELES, CHICAGO AND OMAHA, OK  
MEMPHIS, TX, LOCUST GROVE, GA  
U.S.A.

WICHITA-SEDGWICK COUNTY

March 25, 1985

METROPOLITAN AREA PLANNING DEPARTMENT

TO: Ray Trail, Assistant City Manager  
FROM: Robert A. Lakin, Director of Planning  
SUBJECT: DR 84-16 - Development Policy for Public Improvements

The Metropolitan Area Planning Commission, at its meeting on March 21, 1985, recommended that the City Commission adopt the revised Development Policy for Public Improvements as drafted by the EDC/MAPC Subcommittee at its meeting on February 13, 1985. The motion was made by Gardner, seconded by Hansen and approved unanimously; Moore was not present for the vote; Banzer, Chisholm and Goebel were absent.

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Robert A. Lakin  
Director of Planning

RAL:LO:rme

cc: E. H. Denton, City Manager  
Don Anderson, Director of Housing and Economic Development  
Russell Brenner, Director of Administration  
John Dekker, Director of Law  
John Wynkoop, Director of Water and Water Pollution Control  
Mike Lindebak, City Engineer  
Nelson Hall, Industrial Development Officer  
Joel Pollack, President, Economic Development Commission

RE: AGENDA ITEM NO. //

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

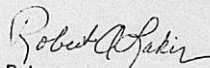
March 15, 1985

TO: Metropolitan Area Planning Commission  
FROM: Robert A. Lakin, Director of Planning  
SUBJECT: DR 84-16 - Development Policy for Public Improvements

Attached is the report and recommended action on the above subject. This report is the result of a Subcommittee (Economic Development Commission, Metropolitan Area Planning Commission and staff) meeting discussing and developing compromises on the various issues at hand.

The Economic Development Commission on March 14 has approved the suggested policy.

The MAPC is asked to approve together with such changes if any it deems appropriate and forward to the Board of City Commission.

  
Robert A. Lakin

RAL:sad

Attachment

cc: Joel Pollack, 331 North Waco, Wichita 67202  
E. H. Denton, City Manager  
Ray Trail, Assistant City Manager  
Russell Brenner, Director of Administration  
Don Anderson, Director of Housing & Economic Development  
Tom Powell, Senior Assistant City Attorney  
Mike Lindebak, Director of Engineering

**THE CITY OF WICHITA**

**OFFICE OF** Housing and Economic  
Development

**DATE** March 15, 1985

**TO** Ray Trail, Assistant City Manager

**FROM** Don E. Anderson, Director of Housing and Economic Development

**SUBJECT** Development Policy for Public  
Improvement

The Economic Development Commission, during their meeting of March 14, unanimously approved the draft AR-29 regarding the above subject.

This draft, incorporated the provisions agreed to during the meeting of the joint EDC/MAPC Sub-Committee held on February 13, 1985.

I would assume that Mr. Lakin will also have the MAPC review and approve this draft before you place this matter back before the City Commission for their consideration.

The EDC did request that we schedule a review of how the policy is working one year from now, and we have placed this matter in our EDC follow-up file for March, 1986.

Unless informed otherwise, this will conclude the work of this department on this project.



Don E. Anderson, Director  
Housing and Economic Development

DEA:NH:mw

cc: E. H. Denton, City Manager  
Robert Lakin, Director of Planning ✓  
Russell Brenner, Director of Administration  
John Dekker, Director of Law  
John Wynkoop, Director of Water & Water Pollution Control  
Mike Lindebak, City Engineer  
Nelson E. Hall, Industrial Development Officer

RE: AGENDA ITEM NO. 11

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

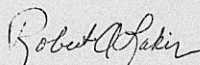
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Tom Powell, Senior Assistant City Attorney  
Mike Lindebak, Director of Engineering

THE CITY OF WICHITA  
OFFICE OF CITY MANAGER

DATE March 4, 1985

TO Economic Development Commission  
Metropolitan Area Planning Commission

FROM Joel Pollack, President, Economic Development Commission

SUBJECT Development Policy for Public  
Improvements

Members of the Economic Development Commission, Metropolitan Area Planning Commission and city staff met on February 13, 1985, to develop a consensus on the "Development Policy for Public Improvements." The discussion was spirited and the new draft policy attached along with this cover report represents an effort to strike a balance that continues to provide incentives for private development while protecting public funds from an undue burden. The draft policy is a compromise which meets that balancing test.

Highlighted below are some of the major aspects of the draft policy:

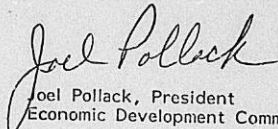
- (1) Guarantees must take the form of a financial assurance similar to those shown in the Subdivision Regulations (letter of credit, etc.).
- (2) The 35% of development rule is preserved both for the amount of the guarantee and the level of development necessary to seek release of the guarantee. A change was made to include estimated temporary note interest in the guarantee amount. Thirty-five percent (35%) of development for release of the guarantee is now to be measured by "certificates of occupancy."
- (3) The letter of credit or other financial guarantee will be used to pay delinquent special assessments and penalties.
- (4) Because this new policy will cover only projects initiated in the future, the policy retains the provision imposed initially by the City Commission on an interim basis that developers with delinquent special assessments on existing development will not be considered for a new development under the policy.
- (5) The Department of Planning <sup>name the Division</sup> will administer the policy to ensure the filing of financial guarantees prior to installation of public improvements. The Department of Administration (finance) will keep guarantees current, monitor special assessment delinquencies, and collect on guarantees when necessary.

In addition to the provisions outlined in the draft policy, the Director of Administration is developing, in conjunction with the Capital Improvement Program, a new schedule for debt service on special assessments to coordinate the revenue stream with debt payments. Administration will also examine whether a system can be developed to allow prepayment of special assessments without paying the full amount of interest.

Economic Development Commission  
Metropolitan Area Planning Commission  
March 4, 1985  
Page Two

This concludes the work of the subcommittee. It is important to remember that the draft policy is a compromise. Use of special assessment financing is important to the continued development of the community. The policy is supportive of special assessment financing while providing a reasonable level of assurance to the city at large that special assessments will be paid when due.

The subcommittee urges the Economic Development Commission and the Metropolitan Area Planning Commission to forward the policy to the City Commission with recommendations for its adoption.



Joel Pollack, President  
Economic Development Commission

JP/t

Attachment

cc: E. H. Denton, City Manager  
Robert A. Lakin, Director of Planning  
Russell L. Brenner, Director of Administration  
Don E. Anderson, Director of Housing and Economic Development  
Ray Trail, Assistant City Manager  
Tom Powell, Senior Assistant City Attorney

Date:

AR 29

Subject: Development Policy for Public  
Improvements

Supersedes: AR 31  
September 8, 1976

Statement of Policy

It is the policy of the City of Wichita to facilitate new development by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc.) upon petition, whenever reasonable assurances are provided by the developer or others that the special assessments will be paid when due.

Assurances are considered to be provided whenever the city has been furnished with a financial guarantee (irrevocable letter of credit, corporate completion bond, cashier's check, escrow account, or cash) on 35% of the estimated principal cost of the project (engineering design, construction, inspection, temporary note interest, and administration).

In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition and without guarantee, whenever it is determined that such action is in the public interest and when one or more of the following conditions exist:

- 1) Projects are ordered in by the Board of City Commissioners.
- 2) Projects that are infill in areas with multiple owners and where a majority of the benefit district (by square foot or lots) has development on it.
- 3) The majority of the benefit district is in public ownership.

The financial guarantee will be released upon request of the developer when certificates of occupancy are issued for at least 35% of the development that received the improvements.

Should special assessments on all or a portion of the properties not be paid, the financial guarantee will be applied annually to satisfy the costs of public improvements of such property.

Any developer with delinquent special assessments on existing development will not be considered for a new development under this policy. All developers filing an application under this policy will be required to certify, under oath, that no person having a financial interest in the lands in the benefit district is delinquent in special assessments for any city special assessment project within or without the city.

Development Guarantee Procedure

The Director of Planning shall be responsible for receiving requests and assurances and monitoring the implementation of this policy.

The Planning Department shall determine the cost of and receive the credit assurance which will include a list of the key numbers of properties to be developed. The assurance will be in one of the forms listed earlier in this policy.

AR 29  
Page 2

The development guarantees shall be submitted to the Departments of Law and Administration for review and approval as to legal and financial form, respectively.

At the time the assurances have been provided, the Director of Planning shall submit the requests for public improvements to the City Manager for presentation to the City Commission. Upon approval of the governing body, the City Engineer shall initiate action to install the public improvements.

The development guarantees, along with the list of key numbers on property to be developed, shall be filed with the City Controller. The Controller shall be responsible for (a) renewing the guarantees, when necessary, and (b) semi-annually comparing key numbers for property developed under this policy and property with delinquent special assessments. Any property having delinquent special assessments with development guarantees shall be referred to the City Treasurer (with copies to Law, Planning, and the City Manager) for collection of the guarantee and payment of the delinquent special assessment and penalty.

To seek release of a financial guarantee, the developer must file with the City Controller a written request accompanied by evidence that certificates of occupancy have been issued for at least 35% of the development on which the guarantee is filed.

E. H. Denton  
City Manager

**THE CITY OF WICHITA**

OFFICE OF Housing and Economic  
Development

DATE February 13, 1985

DR 84-16

TO Nelson E. Hall, Industrial Development Officer

FROM Karl J. Kennedy, Industrial Analyst

SUBJECT Sedgwick County Procedures  
Regarding Delinquent Taxes

The procedures employed by the Sedgwick County Tax Foreclosure Department regarding delinquent taxes, both ad valorem and special assessment, are outlined below. Mr. C. Robert Bell, Assistant County Counselor, provided an opinion which was given without benefit of researching the current state statutes on the subject that the state statutes pertaining to delinquent ad valorem taxes would also apply to ad valorem tax exempt property with special assessments spread against it and which were also delinquent in payment.

Real property is divided into two classifications for the purpose of processing foreclosure proceedings for the collection of delinquent taxes:

- a. One classification is that property which has only real estate taxes levied against it.
- b. The second classification is that property which has both real estate taxes and special assessments levied against it.

That property which has only real estate taxes levied against it can have up to three years of delinquent taxes before proceedings for foreclosure are initiated against it. That property which has both real estate taxes and special assessments levied against it can have only two years of delinquencies before foreclosure proceedings are initiated.

Delinquent taxes and specials collect interest at the rate of either 1-1/2% per month or 18% per year, depending on when the rate is applied. The county may enter into an agreement with the governing body of a city located within the county for the distribution of part or all of the interest paid on delinquent specials.

Attached are two forms that the Sedgwick County Tax Foreclosure Department utilizes to notify property owners of delinquent taxes. The information provided on the form labeled as 1st Notice assumes that the notice was prepared for 1982 delinquent property taxes only. The 1982 property taxes become subject to foreclosure proceedings if not paid by December 20, 1984 which is the third year they would be delinquent.

Nelson E. Hall, Industrial Analyst  
February 13, 1985  
Page 2

The effect of the procedures is to allow property taxes to be delinquent for over four years before a parcel of property is auctioned at a tax foreclosure sale. Special assessment taxes can be delinquent for over three years before the tax foreclosure sale is held.

The following information relates to tax foreclosure sales held by Sedgwick County and provides, in an overall aspect, information regarding the number of properties sold, the amount of taxes involved and the proceeds derived from the sale.

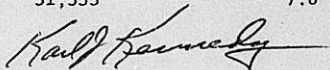
The County has conducted five tax sales since 1979. The dates of each sale and the number of parcels sold during the sale are:

<u>Date of Sale</u>	<u>No. of Parcels Sold</u>
4-3-79	22
4-14-81	35
9-28-82	35
8-30-83	53
7-31-84	118
1985 Sale	375 (Est. as of 1-29-85)

The number of parcels sold includes land located both in the City of Wichita and other areas of Sedgwick County.

The amount of delinquent taxes, the amount of proceeds collected from the tax sale which was paid to the County Treasurer and the percent of the sale proceeds to the delinquent taxes for the five tax sales are as follows:

<u>Year</u>	<u>Amt. of Delinquent Taxes</u>	<u>Amt. of Proceeds to County Treas.</u>	<u>Percent</u>
1979	\$12,879	\$ 5,817	45.2
1981	15,115	11,242	74.4
1982	19,622	6,830	34.8
1983	30,789	11,376	36.9
1984	401,277	31,333	7.8

  
Karl J. Kennedy  
Industrial Analyst

KJK/dh

Attachments



2nd Notice

*foreclosure  
notice*



**COUNTY OF SEDGWICK**  
TAX FORECLOSURE OFFICE  
Controller

ROOM 112

COUNTY COURTHOUSE, WICHITA, KANSAS 67203 • TELEPHONE 268-7482

November 16, 1984

Real Estate tax records for the property(ies) described on the attachment(s) hereto, as of November 2, 1984, show delinquent real estate taxes for the year(s) indicated. If you have paid 1981 and earlier taxes subsequent to November 2, 1984 but prior to the date of this letter, please disregard. If the taxes have not been paid, the property has been placed in tax foreclosure status. **THIS IS THE LAST NOTICE PRIOR TO TAX FORECLOSURE PROCEEDINGS.**

In 14 days from the date of this letter, tax foreclosure will proceed and procedure costs will be added. The ultimate result of tax foreclosure will be sale of the property at auction. Redemption after tax foreclosure sale is **NOT** possible.

Minimum payment acceptable to prevent tax foreclosure sale must include all delinquent taxes for 1981 and previous years, if any, plus applicable penalties and interest. Interest is applied daily.

Quotes for mail-in payments can be obtained by calling the Tax Foreclosure Office and providing the tax key number(s). Record the tax key number on any mail payment. Mailing address is: Tax Foreclosure Office, Room 112, Sedgwick County Courthouse, 525 North Main, Wichita, Kansas 67203.

Payments can be made in person at the Tax Foreclosure Office where interest will be computed at that time.

*Jeanne Lemon*  
Jeanne Lemon  
Tax Foreclosure Clerk

Attachment(s)

Tax Foreclosure Case No. 75-C-2300  
 Date of sale: April 3, 1979

Report on Treasurer's Office

131

Parcel Sold

Parcel No.	Key No.	Tax due at Judgment Includes - 1978	Total Int. due at Judgment	9 1/2% Int. at Judgment	Sale Price	Less Cost Allocation	Net Proceeds (See note on page 2)	Total Returned to Treasurer as			Losses In		
								Times	Int. Pen.	Total (Computation Enclosed on Forwarded Ex. 74 Judgment)	Taxes	Int. Pen.	Total
8	A-12924	1840 <sup>00</sup>	365 <sup>00</sup>	2205 <sup>00</sup>	975 <sup>00</sup>	182 <sup>00</sup>	792 <sup>00</sup>	—	—	792 <sup>00</sup>	1047 <sup>00</sup>	365 <sup>00</sup>	1412 <sup>00</sup>
9	A-13365	71 <sup>00</sup>	20 <sup>00</sup>	91 <sup>00</sup>	25 <sup>00</sup>	4 <sup>00</sup>	20 <sup>00</sup>	—	—	20 <sup>00</sup>	51 <sup>00</sup>	20 <sup>00</sup>	71 <sup>00</sup>
12	B-3055	337 <sup>00</sup>	99 <sup>00</sup>	438 <sup>00</sup>	600 <sup>00</sup>	161 <sup>00</sup>	337 <sup>00</sup>	99 <sup>00</sup>	438 <sup>00</sup>	—	0	0	0
13	B-3369	1669 <sup>00</sup>	421 <sup>00</sup>	2090 <sup>00</sup>	325 <sup>00</sup>	60 <sup>00</sup>	264 <sup>00</sup>	—	—	264 <sup>00</sup>	1404 <sup>00</sup>	421 <sup>00</sup>	1825 <sup>00</sup>
14	B-3403	344 <sup>00</sup>	72 <sup>00</sup>	416 <sup>00</sup>	200 <sup>00</sup>	37 <sup>00</sup>	162 <sup>00</sup>	—	—	162 <sup>00</sup>	181 <sup>00</sup>	72 <sup>00</sup>	253 <sup>00</sup>
16	B-3597	844 <sup>00</sup>	83 <sup>00</sup>	927 <sup>00</sup>	500 <sup>00</sup>	93 <sup>00</sup>	406 <sup>00</sup>	—	—	406 <sup>00</sup>	437 <sup>00</sup>	83 <sup>00</sup>	520 <sup>00</sup>
17	B-3752	901 <sup>00</sup>	172 <sup>00</sup>	1073 <sup>00</sup>	250 <sup>00</sup>	46 <sup>00</sup>	203 <sup>00</sup>	—	—	203 <sup>00</sup>	698 <sup>00</sup>	172 <sup>00</sup>	870 <sup>00</sup>
19	C-1043	245 <sup>00</sup>	62 <sup>00</sup>	308 <sup>00</sup>	225 <sup>00</sup>	42 <sup>00</sup>	182 <sup>00</sup>	—	—	182 <sup>00</sup>	62 <sup>00</sup>	62 <sup>00</sup>	125 <sup>00</sup>
24	C-2248	177 <sup>00</sup>	41 <sup>00</sup>	219 <sup>00</sup>	400 <sup>00</sup>	180 <sup>00</sup>	177 <sup>00</sup>	41 <sup>00</sup>	219 <sup>00</sup>	—	0	0	0
25	C-2357	190 <sup>00</sup>	46 <sup>00</sup>	237 <sup>00</sup>	200 <sup>00</sup>	37 <sup>00</sup>	162 <sup>00</sup>	—	—	162 <sup>00</sup>	28 <sup>00</sup>	46 <sup>00</sup>	74 <sup>00</sup>
26	C-3551	286 <sup>00</sup>	89 <sup>00</sup>	475 <sup>00</sup>	200 <sup>00</sup>	37 <sup>00</sup>	162 <sup>00</sup>	—	—	162 <sup>00</sup>	233 <sup>00</sup>	89 <sup>00</sup>	313 <sup>00</sup>
27	C-7597-2	1450 <sup>00</sup>	240 <sup>00</sup>	1691 <sup>00</sup>	250 <sup>00</sup>	46 <sup>00</sup>	203 <sup>00</sup>	—	—	203 <sup>00</sup>	1247 <sup>00</sup>	240 <sup>00</sup>	1487 <sup>00</sup>
28	C-11145	426 <sup>00</sup>	106 <sup>00</sup>	533 <sup>00</sup>	200 <sup>00</sup>	37 <sup>00</sup>	162 <sup>00</sup>	—	—	162 <sup>00</sup>	264 <sup>00</sup>	106 <sup>00</sup>	370 <sup>00</sup>
35	C-29197	156 <sup>00</sup>	36 <sup>00</sup>	193 <sup>00</sup>	420 <sup>00</sup>	231 <sup>00</sup>	156 <sup>00</sup>	36 <sup>00</sup>	193 <sup>00</sup>	—	0	0	0
39	C-32031	41 <sup>00</sup>	12 <sup>00</sup>	51 <sup>00</sup>	15 <sup>00</sup>	2 <sup>00</sup>	12 <sup>00</sup>	—	—	12 <sup>00</sup>	29 <sup>00</sup>	12 <sup>00</sup>	42 <sup>00</sup>
40	C-33370	1000 <sup>00</sup>	254 <sup>00</sup>	1254 <sup>00</sup>	150 <sup>00</sup>	28 <sup>00</sup>	121 <sup>00</sup>	—	—	121 <sup>00</sup>	878 <sup>00</sup>	254 <sup>00</sup>	1132 <sup>00</sup>
42	C-33905	12 <sup>00</sup>	7 <sup>00</sup>	20 <sup>00</sup>	10 <sup>00</sup>	1 <sup>00</sup>	8 <sup>00</sup>	—	—	8 <sup>00</sup>	4 <sup>00</sup>	7 <sup>00</sup>	11 <sup>00</sup>
43	C-35291	2004 <sup>00</sup>	256 <sup>00</sup>	4571 <sup>00</sup>	1850 <sup>00</sup>	346 <sup>00</sup>	1503 <sup>00</sup>	—	—	1503 <sup>00</sup>	500 <sup>00</sup>	256 <sup>00</sup>	306 <sup>00</sup>
50	D-19209-1	47 <sup>00</sup>	25 <sup>00</sup>	73 <sup>00</sup>	100 <sup>00</sup>	26 <sup>00</sup>	47 <sup>00</sup>	25 <sup>00</sup>	73 <sup>00</sup>	—	0	0	0
51	AT-182	165 <sup>00</sup>	28 <sup>00</sup>	133 <sup>00</sup>	400 <sup>00</sup>	396 <sup>00</sup>	105 <sup>00</sup>	28 <sup>00</sup>	133 <sup>00</sup>	—	0	0	0
54	SA-18-SB	609 <sup>00</sup>	137 <sup>00</sup>	746 <sup>00</sup>	8,200 <sup>00</sup>	7,453 <sup>00</sup>	609 <sup>00</sup>	137 <sup>00</sup>	746 <sup>00</sup>	—	0	0	0
56	AF-231-232	12 <sup>00</sup>	8 <sup>00</sup>	21 <sup>00</sup>	140 <sup>00</sup>	118 <sup>00</sup>	12 <sup>00</sup>	8 <sup>00</sup>	21 <sup>00</sup>	—	0	0	0
		12877 <sup>00</sup>	4879 <sup>00</sup>	17779 <sup>00</sup>	19340 <sup>00</sup>	3620 <sup>00</sup>	5817 <sup>00</sup>	377 <sup>00</sup>	6185 <sup>00</sup>		7061 <sup>00</sup>	4521 <sup>00</sup>	11583 <sup>00</sup>

Date of Sale: April 14, 1981  
 35 Parcels Sold - 2 Returns Required -

Parcel No.	Key No.	Invoice #80		Sale Date	Sale Price	Less Cost Allocated (Based on number) per Dealer Report	Returned to Trans-Union as			Losses		
		Invoice No.	Invoice Date				Taxes	Int. & Pen.	Total	Taxes	Int. & Pen.	Total
1	A-2223	1736	1978	459	800	453		70		125		
4	A-3978-39	49	19	62	1200		Purchase Price Refunded - incorrect legal Disc by L.A. City Clerk & Administrator.					
5	A-12302	179	26	236	400	110						
7	A-12989	321	12	41	1500	1245		255	110	45		
12	B-3057	189	52	26	800	621		179	52	21		
13	B-3181-2	755	42	1179	350	41		309	C		43	
14	B-3211-1-2	190	55	220	1100	841		259	55	22		710
15	B-3304	513	51	72	550	463		87	0	4		
16	B-3482	227	79	318	275	32		243	2	27		0
19	B-3483-1	325	12	57	900	387		513	12	57		
21	B-3992-1	402	12	52	3700	3170		530	12	52		
23	B-8508	154	46	200	500	270		230	66	20		
25	C-738	26	12	39	200	160		40	12	39		
26	C-834	1613	363	1975	850	1111		739	0	745		865
34	C-2760	589	266	850	300	32		268	0	264		264
35	C-3058	108	32	140	100	11		89	0	53		
37	C-3520	823	351	1170	700	83		616	0	216		216
38	C-3560	371	27	388	250	24		226	0	226		226
39	C-3574-3574	98	28	127	100	11		89	0	55		55
43	C-13490	199	24	260	500	236		264	6	258		700
49	C-29103	424	176	610	400	47		353	17	370		370
51	C-29115	792	432	1120	600	77		523	0	207		207
52	C-29115	417	173	590	505	65		440	4	211		211
Total		18650	4250	16490	23700	18630		5070	1274	10000		13274

Asset No.	Key No.	Date at Sale	Total Int. Plan. Sale Date	Int. Plan. + Rnd. at Sale Date	Sale Price	Less Cost Allocated (Actual/Estimated) per Distr. Report	Returned to Transferee			Losses in Taxes Int. Plan. Total		
							Taxes	Int. Plan.	Total	Taxes	Int. Plan.	Total
54	C-30911	11/12/55	3/9/56	150.00	100.00	11/12/55	88.00	0	88.00	24.00	0	24.00
55	C-31194	4/5/56	1/6/56	60.00	1150.00	5/27/56	40.00	10.00	50.00	1.00	0	1.00
56	C-312422	2/8/56	1/15/56	390.00	400.00	4/9/56	206.00	6.00	212.00	0	0	0
57	C-35291	4/1/56	1/5/56	540.00	2900.00	2/3/56	40.00	15.00	55.00	740.00	0	740.00
60	C-36554	5/5/56	6/2/56	12.00	40.00	2/7/56	5.00	6.00	11.00	0	0	0
64	D-1050	6/7/56	2/15/56	89.00	4500.00	5/6/56	67.00	7.00	74.00	740.00	0	740.00
65	D-4565	4/5/56	1/4/56	600.00	17500.00	1/6/56	710.00	19.00	729.00	740.00	0	740.00
73	D-24192	2/6/56	1/2/56	57.00	400.00	2/1/56	26.00	12.00	38.00	740.00	0	740.00
84	KE-284	3/3/56	1/9/56	14.00	50.00	2/5/56	3.00	10.00	13.00	740.00	0	740.00
89	R-14-136	4/18/56	5/2/56	9.00	3900.00	3/8/56	4.00	5.00	9.00	740.00	0	740.00
90	SA-HV-319	4/7/56	1/6/56	60.00	650.00	5/3/56	49.00	16.00	65.00	740.00	0	740.00
* 91	BNV-740 Sub 5021	6/12/56	10/2/56	16.00	400.00	Purchase Price Reduced - incorrect legal Disc. by both C/O's & Abstention						
	Grand Total	15,115.50	52,485.00	20,825.00	55,290.00	41,972.00	11,242.00	2,075.00	13,317.00	5,623.00	31,200.00	6,906.00
						41,972.00			13,317.00			56,289.00

In accordance with No. 31-C-2200  
 Date of Sale: Sept. 28, 1962  
 Parcels Sold

Report for Insurance's Office

1/1

Parcel No.	Key No.	Taxed Date at Total Int. Tax. Total Tax + Int. Tax			SALE PRICE	Less Cost Allocation (Excess of proceeds) per Debr. Report	Returned to Transwar-as			Losses IN -			
		Sale Date Includes 1951	Int. Tax at Sale Date	Total Tax + Int. Tax at Sale Date			Taxes	Int. Tax	Total	Taxes	Int. Tax	Total	
1	A-3181	1953 <sup>23</sup>	997 <sup>23</sup>	2,785 <sup>23</sup>	4,350 <sup>23</sup>	7	48.30	301 <sup>23</sup>	0	301 <sup>23</sup>	168 <sup>23</sup>	997 <sup>23</sup>	2,634 <sup>23</sup>
5	A-5104-1A	1957 <sup>23</sup>	262 <sup>23</sup>	749 <sup>23</sup>	350 <sup>23</sup>		48.30	301 <sup>23</sup>	0	301 <sup>23</sup>	155 <sup>23</sup>	262 <sup>23</sup>	497 <sup>23</sup>
8	A-1455-1	25 <sup>23</sup>	24 <sup>23</sup>	99 <sup>23</sup>	250 <sup>23</sup>		200.33	25 <sup>23</sup>	24 <sup>23</sup>	49 <sup>23</sup>	0	0	0
12	B-1647-1	1937 <sup>23</sup>	182 <sup>23</sup>	619 <sup>23</sup>	4,150 <sup>23</sup>		3,520.05	437 <sup>23</sup>	182 <sup>23</sup>	619 <sup>23</sup>	0	0	0
16	B-2784-1	1362 <sup>23</sup>	1197 <sup>23</sup>	2500 <sup>23</sup>	325 <sup>23</sup>		44.85	280 <sup>23</sup>	0	280 <sup>23</sup>	1622 <sup>23</sup>	1197 <sup>23</sup>	2,217 <sup>23</sup>
17	B-2811-2A	124 <sup>23</sup>	65 <sup>23</sup>	187 <sup>23</sup>	200 <sup>23</sup>		27.60	124 <sup>23</sup>	48 <sup>23</sup>	172 <sup>23</sup>	0	16 <sup>23</sup>	16 <sup>23</sup>
19	B-3134	2276 <sup>23</sup>	1103 <sup>23</sup>	3279 <sup>23</sup>	375 <sup>23</sup>		51.75	323 <sup>23</sup>	0	323 <sup>23</sup>	1952 <sup>23</sup>	1103 <sup>23</sup>	2,056 <sup>23</sup>
20	B-3409	1075 <sup>23</sup>	476 <sup>23</sup>	1571 <sup>23</sup>	225 <sup>23</sup>		31.05	193 <sup>23</sup>	0	193 <sup>23</sup>	831 <sup>23</sup>	496 <sup>23</sup>	1,327 <sup>23</sup>
23	B-3595	747 <sup>23</sup>	333 <sup>23</sup>	1080 <sup>23</sup>	14,000 <sup>23</sup>		12,994.14	747 <sup>23</sup>	333 <sup>23</sup>	1080 <sup>23</sup>	0	0	0
24	B-3636	1164 <sup>23</sup>	808 <sup>23</sup>	1973 <sup>23</sup>	250 <sup>23</sup>		34.50	215 <sup>23</sup>	0	215 <sup>23</sup>	949 <sup>23</sup>	808 <sup>23</sup>	1,757 <sup>23</sup>
30	B-3678-1	251 <sup>23</sup>	121 <sup>23</sup>	372 <sup>23</sup>	200 <sup>23</sup>		27.60	172 <sup>23</sup>	0	172 <sup>23</sup>	78 <sup>23</sup>	121 <sup>23</sup>	250 <sup>23</sup>
31	B-3877-1	215 <sup>23</sup>	108 <sup>23</sup>	327 <sup>23</sup>	225 <sup>23</sup>		31.05	193 <sup>23</sup>	0	193 <sup>23</sup>	24 <sup>23</sup>	108 <sup>23</sup>	133 <sup>23</sup>
33	C-749-A	167 <sup>23</sup>	75 <sup>23</sup>	240 <sup>23</sup>	325 <sup>23</sup>		84.77	164 <sup>23</sup>	75 <sup>23</sup>	240 <sup>23</sup>	0	0	0
39	C-1435-1	98 <sup>23</sup>	55 <sup>23</sup>	154 <sup>23</sup>	550 <sup>23</sup>		395.61	98 <sup>23</sup>	55 <sup>23</sup>	154 <sup>23</sup>	0	0	0
40	C-1436-1	178 <sup>23</sup>	216 <sup>23</sup>	694 <sup>23</sup>	1,500 <sup>23</sup>		805.60	478 <sup>23</sup>	216 <sup>23</sup>	694 <sup>23</sup>	0	0	0
41	C-2817	779 <sup>23</sup>	489 <sup>23</sup>	1,268 <sup>23</sup>	275 <sup>23</sup>		37.95	237 <sup>23</sup>	0	237 <sup>23</sup>	572 <sup>23</sup>	489 <sup>23</sup>	1,621 <sup>23</sup>
42	C-3571-A3571A	257 <sup>23</sup>	132 <sup>23</sup>	390 <sup>23</sup>	100 <sup>23</sup>		13.80	86 <sup>23</sup>	0	86 <sup>23</sup>	171 <sup>23</sup>	132 <sup>23</sup>	303 <sup>23</sup>
43	C-3602	1440 <sup>23</sup>	501 <sup>23</sup>	1,942 <sup>23</sup>	300 <sup>23</sup>		41.40	258 <sup>23</sup>	0	258 <sup>23</sup>	752 <sup>23</sup>	501 <sup>23</sup>	1,253 <sup>23</sup>
44	C-3618	142 <sup>23</sup>	75 <sup>23</sup>	217 <sup>23</sup>	650 <sup>23</sup>		432.05	142 <sup>23</sup>	75 <sup>23</sup>	217 <sup>23</sup>	0	0	0
47	C-11139-1	380 <sup>23</sup>	191 <sup>23</sup>	571 <sup>23</sup>	225 <sup>23</sup>		31.05	193 <sup>23</sup>	0	193 <sup>23</sup>	186 <sup>23</sup>	191 <sup>23</sup>	377 <sup>23</sup>
54	C-22744-2	5 <sup>23</sup>	16 <sup>23</sup>	22 <sup>23</sup>	150 <sup>23</sup>		127.64	5 <sup>23</sup>	16 <sup>23</sup>	22 <sup>23</sup>	0	0	0
57	C-33003	321 <sup>23</sup>	151 <sup>23</sup>	473 <sup>23</sup>	400 <sup>23</sup>		55.20	321 <sup>23</sup>	22 <sup>23</sup>	344 <sup>23</sup>	0	125 <sup>23</sup>	125 <sup>23</sup>
59	C-36750	60 <sup>23</sup>	38 <sup>23</sup>	99 <sup>23</sup>	20 <sup>23</sup>		2.76	17 <sup>23</sup>	0	17 <sup>23</sup>	43 <sup>23</sup>	38 <sup>23</sup>	51 <sup>23</sup>
Sub Totals		13829 <sup>23</sup>	7644 <sup>23</sup>	21473 <sup>23</sup>	25395 <sup>23</sup>		19,022.35	5321 <sup>23</sup>	1050 <sup>23</sup>	6372 <sup>23</sup>	8507 <sup>23</sup>	6593 <sup>23</sup>	15,109 <sup>23</sup>

Parcel No.	Key No.	Taxes Due at Sale			Sale Price	Lease Cost Allocation		Returned to Treasurer as			Lessee In -		
		Taxable 1951	Int. at Sale Date	Pen. at Sale Date		Rate	Per. Dirba. Report	Taxes	Int. & Pen.	Total	Taxes	Int. & Pen.	Total
62	D-622	16 <sup>25</sup>	20 <sup>25</sup>	36 <sup>25</sup>	110 <sup>25</sup>		73.39	16 <sup>25</sup>	20 <sup>25</sup>	36 <sup>25</sup>	0	0	0
69	D-13087-1	21 <sup>25</sup>	23 <sup>25</sup>	45 <sup>25</sup>	500 <sup>25</sup>		454.77	21 <sup>25</sup>	23 <sup>25</sup>	45 <sup>25</sup>	0	0	0
75	D-24620	358 <sup>25</sup>	289 <sup>25</sup>	678 <sup>25</sup>	20 <sup>25</sup>		2.76	17 <sup>25</sup>	0	17 <sup>25</sup>	357 <sup>25</sup>	289 <sup>25</sup>	676 <sup>25</sup>
79	D-30509	579 <sup>25</sup>	206 <sup>25</sup>	786 <sup>25</sup>	1,400 <sup>25</sup>		613.52	579 <sup>25</sup>	206 <sup>25</sup>	786 <sup>25</sup>	0	0	0
80	D-346-UP	606 <sup>25</sup>	236 <sup>25</sup>	842 <sup>25</sup>	225 <sup>25</sup>		31.05	193 <sup>25</sup>	0	193 <sup>25</sup>	412 <sup>25</sup>	236 <sup>25</sup>	649 <sup>25</sup>
81	DE-10562-1	4 <sup>25</sup>	14 <sup>25</sup>	18 <sup>25</sup>	30 <sup>25</sup>		11.30	4 <sup>25</sup>	14 <sup>25</sup>	18 <sup>25</sup>	0	0	0
82	ER-189-1	200 <sup>25</sup>	157 <sup>25</sup>	357 <sup>25</sup>	250 <sup>25</sup>		34.50	200 <sup>25</sup>	15 <sup>25</sup>	215 <sup>25</sup>	0	142 <sup>25</sup>	142 <sup>25</sup>
83	ER-189-2	196 <sup>25</sup>	127 <sup>25</sup>	323 <sup>25</sup>	275 <sup>25</sup>		37.95	196 <sup>25</sup>	40 <sup>25</sup>	237 <sup>25</sup>	0	57 <sup>25</sup>	57 <sup>25</sup>
84	GT-10-531	35 <sup>25</sup>	31 <sup>25</sup>	66 <sup>25</sup>	100 <sup>25</sup>		30.18	38 <sup>25</sup>	31 <sup>25</sup>	69 <sup>25</sup>	0	0	0
90	SA-1047	66 <sup>25</sup>	40 <sup>25</sup>	106 <sup>25</sup>	2,300 <sup>25</sup>		2,193.16	66 <sup>25</sup>	40 <sup>25</sup>	106 <sup>25</sup>	0	0	0
91	SA-1048	66 <sup>25</sup>	40 <sup>25</sup>	106 <sup>25</sup>	1,300 <sup>25</sup>		1,193.16	66 <sup>25</sup>	40 <sup>25</sup>	106 <sup>25</sup>	0	0	0
96	WA-163-9	166 <sup>25</sup>	117 <sup>25</sup>	283 <sup>25</sup>	5,100 <sup>25</sup>		4,932.51	166 <sup>25</sup>	61 <sup>25</sup>	227 <sup>25</sup>	0	0	0
Sub. Totals		5793 <sup>25</sup>	3852 <sup>25</sup>	9645 <sup>25</sup>	11,610 <sup>25</sup>		9,608.25	1507 <sup>25</sup>	493 <sup>25</sup>	2001 <sup>25</sup>	4234 <sup>25</sup>	5,356 <sup>25</sup>	7,443 <sup>25</sup>
Grand Totals		19622 <sup>25</sup>	11476 <sup>25</sup>	31118 <sup>25</sup>	37,065 <sup>25</sup>		28,630.60	6820 <sup>25</sup>	1,544 <sup>25</sup>	8,374 <sup>25</sup>	12,972 <sup>25</sup>	9,751 <sup>25</sup>	22,747 <sup>25</sup>

Form 1099-1000 Case No. 82-C-2800  
 Date of Sale: Aug. 20, 1982  
 parcels sold

Report for Insurance's Office

1/1

Parcel No.	Key No.	Taxes Due at Sale Date Include '82	Total Int. Pen. due at Sale Date	Total Tax + Int. Pen. due at Sale Date	Sale Price	Less Cost + Return (if on check) per Broker's Report	Returned to Treasurer as			Losses In -		
							Taxes	Int. Pen.	Total	Taxes	Int. Pen.	Total
3	A-3266	9 <sup>00</sup>	22 <sup>00</sup>	31 <sup>00</sup>	10 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>	25 <sup>00</sup>
4	A-3287	121 <sup>00</sup>	116 <sup>00</sup>	237 <sup>00</sup>	20 <sup>00</sup>	0 <sup>00</sup>	15 <sup>00</sup>	0 <sup>00</sup>	15 <sup>00</sup>	106 <sup>00</sup>	116 <sup>00</sup>	223 <sup>00</sup>
7	A-8089	726 <sup>00</sup>	359 <sup>00</sup>	1085 <sup>00</sup>	7000 <sup>00</sup>	1740 <sup>00</sup>	726 <sup>00</sup>	359 <sup>00</sup>	1085 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>
9	A-12977	650 <sup>00</sup>	327 <sup>00</sup>	977 <sup>00</sup>	4100 <sup>00</sup>	1019 <sup>00</sup>	650 <sup>00</sup>	327 <sup>00</sup>	977 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>
11	B-2819-1	274 <sup>00</sup>	123 <sup>00</sup>	397 <sup>00</sup>	375 <sup>00</sup>	93 <sup>00</sup>	274 <sup>00</sup>	397 <sup>00</sup>	274 <sup>00</sup>	0 <sup>00</sup>	90 <sup>00</sup>	90 <sup>00</sup>
12	B-2819-2, 2818	289 <sup>00</sup>	171 <sup>00</sup>	460 <sup>00</sup>	300 <sup>00</sup>	74 <sup>00</sup>	285 <sup>00</sup>	0 <sup>00</sup>	285 <sup>00</sup>	59 <sup>00</sup>	171 <sup>00</sup>	230 <sup>00</sup>
13	B-2818-2	378 <sup>00</sup>	289 <sup>00</sup>	667 <sup>00</sup>	225 <sup>00</sup>	55 <sup>00</sup>	169 <sup>00</sup>	0 <sup>00</sup>	169 <sup>00</sup>	789 <sup>00</sup>	289 <sup>00</sup>	779 <sup>00</sup>
14	B-2820-2	372 <sup>00</sup>	163 <sup>00</sup>	535 <sup>00</sup>	275 <sup>00</sup>	65 <sup>00</sup>	206 <sup>00</sup>	0 <sup>00</sup>	206 <sup>00</sup>	165 <sup>00</sup>	163 <sup>00</sup>	327 <sup>00</sup>
15	B-2853-2	739 <sup>00</sup>	377 <sup>00</sup>	1116 <sup>00</sup>	250 <sup>00</sup>	62 <sup>00</sup>	187 <sup>00</sup>	0 <sup>00</sup>	187 <sup>00</sup>	551 <sup>00</sup>	377 <sup>00</sup>	928 <sup>00</sup>
18	B-3276-1	243 <sup>00</sup>	136 <sup>00</sup>	379 <sup>00</sup>	525 <sup>00</sup>	130 <sup>00</sup>	243 <sup>00</sup>	151 <sup>00</sup>	394 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>
19	B-3284	897 <sup>00</sup>	466 <sup>00</sup>	1363 <sup>00</sup>	425 <sup>00</sup>	105 <sup>00</sup>	319 <sup>00</sup>	0 <sup>00</sup>	319 <sup>00</sup>	525 <sup>00</sup>	466 <sup>00</sup>	991 <sup>00</sup>
20	B-3653	730 <sup>00</sup>	560 <sup>00</sup>	1290 <sup>00</sup>	300 <sup>00</sup>	74 <sup>00</sup>	225 <sup>00</sup>	0 <sup>00</sup>	225 <sup>00</sup>	560 <sup>00</sup>	560 <sup>00</sup>	1165 <sup>00</sup>
24	B-7922-2	16 <sup>00</sup>	26 <sup>00</sup>	42 <sup>00</sup>	10 <sup>00</sup>	2 <sup>00</sup>	7 <sup>00</sup>	0 <sup>00</sup>	7 <sup>00</sup>	9 <sup>00</sup>	26 <sup>00</sup>	35 <sup>00</sup>
25	B-8678	1379 <sup>00</sup>	534 <sup>00</sup>	1913 <sup>00</sup>	25 <sup>00</sup>	6 <sup>00</sup>	182 <sup>00</sup>	0 <sup>00</sup>	182 <sup>00</sup>	1355 <sup>00</sup>	534 <sup>00</sup>	1940 <sup>00</sup>
32	C-727	677 <sup>00</sup>	461 <sup>00</sup>	1138 <sup>00</sup>	100 <sup>00</sup>	24 <sup>00</sup>	75 <sup>00</sup>	0 <sup>00</sup>	75 <sup>00</sup>	604 <sup>00</sup>	461 <sup>00</sup>	1065 <sup>00</sup>
37	C-2347	360 <sup>00</sup>	166 <sup>00</sup>	526 <sup>00</sup>	4300 <sup>00</sup>	1069 <sup>00</sup>	306 <sup>00</sup>	166 <sup>00</sup>	472 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>	0 <sup>00</sup>
40	C-2639	216 <sup>00</sup>	119 <sup>00</sup>	335 <sup>00</sup>	300 <sup>00</sup>	74 <sup>00</sup>	216 <sup>00</sup>	9 <sup>00</sup>	225 <sup>00</sup>	0 <sup>00</sup>	110 <sup>00</sup>	110 <sup>00</sup>
41	C-3038	77 <sup>00</sup>	54 <sup>00</sup>	131 <sup>00</sup>	50 <sup>00</sup>	12 <sup>00</sup>	39 <sup>00</sup>	0 <sup>00</sup>	39 <sup>00</sup>	40 <sup>00</sup>	54 <sup>00</sup>	94 <sup>00</sup>
44	C-3542	77 <sup>00</sup>	54 <sup>00</sup>	131 <sup>00</sup>	100 <sup>00</sup>	24 <sup>00</sup>	75 <sup>00</sup>	0 <sup>00</sup>	75 <sup>00</sup>	2 <sup>00</sup>	54 <sup>00</sup>	57 <sup>00</sup>
47	C-4490-1	38 <sup>00</sup>	39 <sup>00</sup>	77 <sup>00</sup>	10 <sup>00</sup>	2 <sup>00</sup>	7 <sup>00</sup>	0 <sup>00</sup>	7 <sup>00</sup>	31 <sup>00</sup>	39 <sup>00</sup>	65 <sup>00</sup>
50	C-8698	105 <sup>00</sup>	65 <sup>00</sup>	170 <sup>00</sup>	50 <sup>00</sup>	12 <sup>00</sup>	39 <sup>00</sup>	0 <sup>00</sup>	39 <sup>00</sup>	69 <sup>00</sup>	68 <sup>00</sup>	136 <sup>00</sup>
56	C-14058/4620-1	5 <sup>00</sup>	21 <sup>00</sup>	26 <sup>00</sup>	10 <sup>00</sup>	2 <sup>00</sup>	5 <sup>00</sup>	1 <sup>00</sup>	7 <sup>00</sup>	0 <sup>00</sup>	19 <sup>00</sup>	19 <sup>00</sup>
57	C-14154	2235 <sup>00</sup>	1727 <sup>00</sup>	3962 <sup>00</sup>	950 <sup>00</sup>	236 <sup>00</sup>	713 <sup>00</sup>	0 <sup>00</sup>	713 <sup>00</sup>	1520 <sup>00</sup>	1727 <sup>00</sup>	3247 <sup>00</sup>
		40753 <sup>00</sup>	6460 <sup>00</sup>	117313 <sup>00</sup>	117313 <sup>00</sup>	41899 <sup>00</sup>	4720 <sup>00</sup>	1201 <sup>00</sup>	5921 <sup>00</sup>	6021 <sup>00</sup>	52 <sup>00</sup>	1100 <sup>00</sup>

Parcel No.	Key No.	Invoice at Sale Date Includes %	Total Int. Bu. at Sale Date	Total Tax Int. Bu. at Sale Date	SALE PRICE	Less Cost Allocated (Based on Unenclosed) per Date Report	Return to Treasurer			League T.N.		
							Taxes	Int. Rev.	Total	Taxes	Int. Rev.	Total
59	C-16080	694 <sup>15</sup>	556 <sup>15</sup>	1244 <sup>15</sup>	300 <sup>15</sup>	74 <sup>15</sup>	225 <sup>15</sup>	0	225 <sup>15</sup>	467 <sup>15</sup>	556 <sup>15</sup>	1617 <sup>15</sup>
60	C-19658	9 <sup>15</sup>	19 <sup>15</sup>	23 <sup>15</sup>	60 <sup>15</sup>	14 <sup>15</sup>	4 <sup>15</sup>	18 <sup>15</sup>	23 <sup>15</sup>	0	0	0
62	C-25198	751 <sup>15</sup>	245 <sup>15</sup>	696 <sup>15</sup>	275 <sup>15</sup>	68 <sup>15</sup>	206 <sup>15</sup>	0	206 <sup>15</sup>	242 <sup>15</sup>	245 <sup>15</sup>	776 <sup>15</sup>
63	C-25199	299 <sup>15</sup>	169 <sup>15</sup>	469 <sup>15</sup>	175 <sup>15</sup>	43 <sup>15</sup>	131 <sup>15</sup>	0	131 <sup>15</sup>	169 <sup>15</sup>	169 <sup>15</sup>	335 <sup>15</sup>
64	C-25204	247 <sup>15</sup>	139 <sup>15</sup>	406 <sup>15</sup>	100 <sup>15</sup>	24 <sup>15</sup>	75 <sup>15</sup>	0	75 <sup>15</sup>	192 <sup>15</sup>	139 <sup>15</sup>	331 <sup>15</sup>
67	C-28875	538 <sup>15</sup>	341 <sup>15</sup>	880 <sup>15</sup>	100 <sup>15</sup>	24 <sup>15</sup>	75 <sup>15</sup>	0	75 <sup>15</sup>	462 <sup>15</sup>	341 <sup>15</sup>	804 <sup>15</sup>
68	C-30799	327 <sup>15</sup>	160 <sup>15</sup>	487 <sup>15</sup>	400 <sup>15</sup>	99 <sup>15</sup>	300 <sup>15</sup>	0	300 <sup>15</sup>	26 <sup>15</sup>	160 <sup>15</sup>	186 <sup>15</sup>
69	C-34154	21 <sup>15</sup>	31 <sup>15</sup>	54 <sup>15</sup>	20 <sup>15</sup>	4 <sup>15</sup>	15 <sup>15</sup>	0	15 <sup>15</sup>	12 <sup>15</sup>	31 <sup>15</sup>	44 <sup>15</sup>
73	C-39139	2837 <sup>15</sup>	912 <sup>15</sup>	3750 <sup>15</sup>	1350 <sup>15</sup>	334 <sup>15</sup>	1014 <sup>15</sup>	0	1014 <sup>15</sup>	1823 <sup>15</sup>	912 <sup>15</sup>	2735 <sup>15</sup>
74	C-39140	1599 <sup>15</sup>	817 <sup>15</sup>	3416 <sup>15</sup>	1000 <sup>15</sup>	248 <sup>15</sup>	751 <sup>15</sup>	0	751 <sup>15</sup>	1845 <sup>15</sup>	817 <sup>15</sup>	2662 <sup>15</sup>
75	C-35141	2523 <sup>15</sup>	790 <sup>15</sup>	3313 <sup>15</sup>	1000 <sup>15</sup>	248 <sup>15</sup>	751 <sup>15</sup>	0	751 <sup>15</sup>	1772 <sup>15</sup>	790 <sup>15</sup>	2563 <sup>15</sup>
78	N-2792-1	43 <sup>15</sup>	43 <sup>15</sup>	86 <sup>15</sup>	275 <sup>15</sup>	68 <sup>15</sup>	43 <sup>15</sup>	43 <sup>15</sup>	86 <sup>15</sup>	0	0	0
79	N-2795-1	43 <sup>15</sup>	40 <sup>15</sup>	83 <sup>15</sup>	275 <sup>15</sup>	68 <sup>15</sup>	43 <sup>15</sup>	43 <sup>15</sup>	86 <sup>15</sup>	0	0	0
80	D-2799-1	587 <sup>15</sup>	247 <sup>15</sup>	828 <sup>15</sup>	500 <sup>15</sup>	124 <sup>15</sup>	375 <sup>15</sup>	0	375 <sup>15</sup>	211 <sup>15</sup>	247 <sup>15</sup>	452 <sup>15</sup>
81	D-2099	46 <sup>15</sup>	61 <sup>15</sup>	127 <sup>15</sup>	225 <sup>15</sup>	105 <sup>15</sup>	66 <sup>15</sup>	49 <sup>15</sup>	115 <sup>15</sup>	0	12 <sup>15</sup>	12 <sup>15</sup>
84	D-4748	9 <sup>15</sup>	23 <sup>15</sup>	33 <sup>15</sup>	20 <sup>15</sup>	4 <sup>15</sup>	9 <sup>15</sup>	5 <sup>15</sup>	15 <sup>15</sup>	0	15 <sup>15</sup>	15 <sup>15</sup>
86	D-6796	110 <sup>15</sup>	78 <sup>15</sup>	188 <sup>15</sup>	1200 <sup>15</sup>	298 <sup>15</sup>	110 <sup>15</sup>	78 <sup>15</sup>	188 <sup>15</sup>	0	0	0
87	D-7332-N	49 <sup>15</sup>	41 <sup>15</sup>	90 <sup>15</sup>	3500 <sup>15</sup>	370 <sup>15</sup>	49 <sup>15</sup>	41 <sup>15</sup>	90 <sup>15</sup>	0	0	0
88	D-9026	33 <sup>15</sup>	35 <sup>15</sup>	68 <sup>15</sup>	175 <sup>15</sup>	43 <sup>15</sup>	33 <sup>15</sup>	35 <sup>15</sup>	68 <sup>15</sup>	0	0	0
91	D-19023	523 <sup>15</sup>	187 <sup>15</sup>	711 <sup>15</sup>	1150 <sup>15</sup>	285 <sup>15</sup>	523 <sup>15</sup>	187 <sup>15</sup>	711 <sup>15</sup>	0	0	0
92	D-19080	392 <sup>15</sup>	108 <sup>15</sup>	500 <sup>15</sup>	300 <sup>15</sup>	74 <sup>15</sup>	225 <sup>15</sup>	0	225 <sup>15</sup>	166 <sup>15</sup>	108 <sup>15</sup>	274 <sup>15</sup>
93	A-19155	523 <sup>15</sup>	323 <sup>15</sup>	852 <sup>15</sup>	1550 <sup>15</sup>	385 <sup>15</sup>	523 <sup>15</sup>	323 <sup>15</sup>	852 <sup>15</sup>	0	0	0
101	RT-00-137	40 <sup>15</sup>	37 <sup>15</sup>	78 <sup>15</sup>	325 <sup>15</sup>	80 <sup>15</sup>	40 <sup>15</sup>	37 <sup>15</sup>	78 <sup>15</sup>	0	0	0
Total		1369 <sup>15</sup>	2311 <sup>15</sup>	14711 <sup>15</sup>	11175 <sup>15</sup>	2798 <sup>15</sup>	5600 <sup>15</sup>	317 <sup>15</sup>	6163 <sup>15</sup>	946 <sup>15</sup>	4071 <sup>15</sup>	11701 <sup>15</sup>

Parcel No.	Key Number	Taxes Due		Total Int. Rev.		Total Price	Less + Retain. Dis. Report	Cost Allocation (if one sec) per Report	Return to Transmittal no.			Losses in		
		At Sale Date	Inc. 92	Chg. at Sale Date	Rev. at Sale Date				Taxes	Int. & Penalty	Total	Taxes	Int. & Pen.	Total
108	ME-4665	6460 <sup>00</sup>	2571 <sup>00</sup>	9332 <sup>00</sup>	950 <sup>00</sup>	236 <sup>00</sup>			713 <sup>00</sup>	0	713 <sup>00</sup>	5770 <sup>00</sup>	2571 <sup>00</sup>	8615 <sup>00</sup>
111	PK-549	83 <sup>00</sup>		56 <sup>00</sup>	140 <sup>00</sup>	2100 <sup>00</sup>	522 <sup>00</sup>		83 <sup>00</sup>	52 <sup>00</sup>	140 <sup>00</sup>	0	0	0
112	PK-MA-435	48 <sup>00</sup>		40 <sup>00</sup>	88 <sup>00</sup>	375 <sup>00</sup>	93 <sup>00</sup>		48 <sup>00</sup>	40 <sup>00</sup>	88 <sup>00</sup>	0	0	0
116	RT-4764	57 <sup>00</sup>		44 <sup>00</sup>	101 <sup>00</sup>	2400 <sup>00</sup>	576 <sup>00</sup>		57 <sup>00</sup>	44 <sup>00</sup>	101 <sup>00</sup>	0	0	0
119	Ro-67	3 <sup>00</sup>		25 <sup>00</sup>	28 <sup>00</sup>	1700 <sup>00</sup>	42 <sup>00</sup>		3 <sup>00</sup>	25 <sup>00</sup>	28 <sup>00</sup>	0	0	0
119	Ro-1688	122 <sup>00</sup>		76 <sup>00</sup>	199 <sup>00</sup>	800 <sup>00</sup>	198 <sup>00</sup>		122 <sup>00</sup>	76 <sup>00</sup>	199 <sup>00</sup>	0	0	0
125	Ro-MA-6091	19 <sup>00</sup>		29 <sup>00</sup>	48 <sup>00</sup>	2500 <sup>00</sup>	6 <sup>00</sup>		19 <sup>00</sup>	29 <sup>00</sup>	48 <sup>00</sup>	0	0	0
127	SA-318	6 <sup>00</sup>		20 <sup>00</sup>	27 <sup>00</sup>	150 <sup>00</sup>	39 <sup>00</sup>		6 <sup>00</sup>	20 <sup>00</sup>	27 <sup>00</sup>	0	0	0
<b>Grand Totals</b>		<b>30,789<sup>00</sup></b>	<b>14,972<sup>00</sup></b>	<b>45,761<sup>00</sup></b>	<b>92,685<sup>00</sup></b>	<b>10,611<sup>00</sup></b>			<b>1,1376<sup>00</sup></b>	<b>2,121<sup>00</sup></b>	<b>13,547<sup>00</sup></b>	<b>13,712<sup>00</sup></b>	<b>12,817<sup>00</sup></b>	<b>26,250<sup>00</sup></b>

100 Trans-Union Case No. 53 C-2111  
 Date of Sale 7-31-84  
 parcels sold

Adjunct Tax Commissioner's Office

19.1

Parcel No.	Key No.	Taxable at Sale		Total Taxable Parcels at Sale Date	Sale Price	Less Cost Allocation Refund (if one due) per Disbr. Report	Returned to Trans-Union as			Losses In-		Total
		Includes to Sale Date	Parcels at Sale Date				Taxes Int. Pen. Total	Tax Int. Pen.	Total			
2	A-1761	301 <sup>00</sup>	165 <sup>00</sup>	470 <sup>00</sup>	56 <sup>00</sup>	8.15	41 <sup>00</sup>	0	0	257 <sup>00</sup>	165 <sup>00</sup>	425 <sup>00</sup>
3	A-1724-1	111 <sup>00</sup>	23 <sup>00</sup>	34 <sup>00</sup>	5 <sup>00</sup>	8.21	0	0	0	7 <sup>00</sup>	23 <sup>00</sup>	30 <sup>00</sup>
5	A-12272	200 <sup>00</sup>	122 <sup>00</sup>	322 <sup>00</sup>	195 <sup>00</sup>	28.54	176 <sup>00</sup>	0	0	14 <sup>00</sup>	54 <sup>00</sup>	177 <sup>00</sup>
6	A-12455	193 <sup>00</sup>	168 <sup>00</sup>	361 <sup>00</sup>	5 <sup>00</sup>	8.21	4 <sup>00</sup>	0	0	0	16 <sup>00</sup>	357 <sup>00</sup>
8	B-1983	156 <sup>00</sup>	162 <sup>00</sup>	318 <sup>00</sup>	42 <sup>00</sup>	69.31	35 <sup>00</sup>	0	0	35 <sup>00</sup>	126 <sup>00</sup>	257 <sup>00</sup>
9	B-1534	365 <sup>00</sup>	378 <sup>00</sup>	743 <sup>00</sup>	233 <sup>00</sup>	377.14	194 <sup>00</sup>	0	0	144 <sup>00</sup>	162 <sup>00</sup>	547 <sup>00</sup>
10	B-1935	145 <sup>00</sup>	153 <sup>00</sup>	298 <sup>00</sup>	370 <sup>00</sup>	505.52	200 <sup>00</sup>	1185 <sup>00</sup>	0	259 <sup>00</sup>	400 <sup>00</sup>	659 <sup>00</sup>
11	B-1536	227 <sup>00</sup>	263 <sup>00</sup>	490 <sup>00</sup>	240 <sup>00</sup>	391.37	200 <sup>00</sup>	0	0	208 <sup>00</sup>	270 <sup>00</sup>	478 <sup>00</sup>
14	B-3369	363 <sup>00</sup>	144 <sup>00</sup>	507 <sup>00</sup>	50 <sup>00</sup>	8.15	41 <sup>00</sup>	0	0	41 <sup>00</sup>	321 <sup>00</sup>	362 <sup>00</sup>
16	B-3656	619 <sup>00</sup>	159 <sup>00</sup>	778 <sup>00</sup>	50 <sup>00</sup>	8.15	41 <sup>00</sup>	0	0	41 <sup>00</sup>	154 <sup>00</sup>	195 <sup>00</sup>
18	B-3754	242 <sup>00</sup>	99 <sup>00</sup>	341 <sup>00</sup>	16 <sup>00</sup>	16.31	83 <sup>00</sup>	0	0	83 <sup>00</sup>	156 <sup>00</sup>	199 <sup>00</sup>
19	B-6267	1183 <sup>00</sup>	575 <sup>00</sup>	1758 <sup>00</sup>	730 <sup>00</sup>	5,540.63	1153 <sup>00</sup>	575 <sup>00</sup>	1758 <sup>00</sup>	0	0	0
20	B-8411	221 <sup>00</sup>	103 <sup>00</sup>	324 <sup>00</sup>	700 <sup>00</sup>	319.10	221 <sup>00</sup>	107 <sup>00</sup>	328 <sup>00</sup>	0	0	0
21	B-8803	257 <sup>00</sup>	64 <sup>00</sup>	321 <sup>00</sup>	850 <sup>00</sup>	5,276.81	257 <sup>00</sup>	64 <sup>00</sup>	321 <sup>00</sup>	0	0	0
22	C-760	76 <sup>00</sup>	72 <sup>00</sup>	148 <sup>00</sup>	309 <sup>00</sup>	48.92	251 <sup>00</sup>	0	0	251 <sup>00</sup>	517 <sup>00</sup>	588 <sup>00</sup>
24	C-743-2	25 <sup>00</sup>	117 <sup>00</sup>	142 <sup>00</sup>	20 <sup>00</sup>	4.08	20 <sup>00</sup>	0	0	20 <sup>00</sup>	20 <sup>00</sup>	40 <sup>00</sup>
26	C-743-2	6 <sup>00</sup>	28 <sup>00</sup>	34 <sup>00</sup>	20 <sup>00</sup>	3.26	4 <sup>00</sup>	10 <sup>00</sup>	25 <sup>00</sup>	16 <sup>00</sup>	0	20 <sup>00</sup>
27	C-1625	749 <sup>00</sup>	620 <sup>00</sup>	1369 <sup>00</sup>	120 <sup>00</sup>	19.57	100 <sup>00</sup>	0	0	100 <sup>00</sup>	620 <sup>00</sup>	720 <sup>00</sup>
28	C-1643	215 <sup>00</sup>	316 <sup>00</sup>	531 <sup>00</sup>	25 <sup>00</sup>	4.08	20 <sup>00</sup>	0	0	20 <sup>00</sup>	194 <sup>00</sup>	214 <sup>00</sup>
29	C-112-2	643 <sup>00</sup>	304 <sup>00</sup>	947 <sup>00</sup>	150 <sup>00</sup>	2,446	125 <sup>00</sup>	0	0	125 <sup>00</sup>	517 <sup>00</sup>	642 <sup>00</sup>
31	C-1319	109 <sup>00</sup>	25 <sup>00</sup>	134 <sup>00</sup>	50 <sup>00</sup>	8.15	41 <sup>00</sup>	0	0	41 <sup>00</sup>	153 <sup>00</sup>	194 <sup>00</sup>
33	C-2683	65 <sup>00</sup>	350 <sup>00</sup>	415 <sup>00</sup>	100 <sup>00</sup>	16.31	83 <sup>00</sup>	0	0	83 <sup>00</sup>	567 <sup>00</sup>	650 <sup>00</sup>
36	C-2922	297 <sup>00</sup>	122 <sup>00</sup>	419 <sup>00</sup>	100 <sup>00</sup>	16.31	83 <sup>00</sup>	0	0	83 <sup>00</sup>	193 <sup>00</sup>	286 <sup>00</sup>
37	C-2537-2	26 <sup>00</sup>	11 <sup>00</sup>	37 <sup>00</sup>	50 <sup>00</sup>	8.15	41 <sup>00</sup>	0	0	41 <sup>00</sup>	223 <sup>00</sup>	264 <sup>00</sup>
38	C-2984	168 <sup>00</sup>	507 <sup>00</sup>	675 <sup>00</sup>	600 <sup>00</sup>	4,710.57	1081 <sup>00</sup>	507 <sup>00</sup>	1588 <sup>00</sup>	0	0	0
41	C-3551	254 <sup>00</sup>	166 <sup>00</sup>	420 <sup>00</sup>	75 <sup>00</sup>	12.23	62 <sup>00</sup>	0	0	62 <sup>00</sup>	177 <sup>00</sup>	243 <sup>00</sup>
42	C-3575	357 <sup>00</sup>	367 <sup>00</sup>	724 <sup>00</sup>	75 <sup>00</sup>	12.23	62 <sup>00</sup>	0	0	62 <sup>00</sup>	475 <sup>00</sup>	537 <sup>00</sup>
43	C-4496 A	34 <sup>00</sup>	43 <sup>00</sup>	77 <sup>00</sup>	18 <sup>00</sup>	19.28	39 <sup>00</sup>	0	0	39 <sup>00</sup>	0	39 <sup>00</sup>
44	C-7232-1	5 <sup>00</sup>	8 <sup>00</sup>	13 <sup>00</sup>	4 <sup>00</sup>	1.63	3 <sup>00</sup>	0	0	3 <sup>00</sup>	0	3 <sup>00</sup>
49	C-23644	3 <sup>00</sup>	26 <sup>00</sup>	29 <sup>00</sup>	10 <sup>00</sup>	14.29	5 <sup>00</sup>	0	0	5 <sup>00</sup>	0	5 <sup>00</sup>
61	C-25267	280 <sup>00</sup>	171 <sup>00</sup>	451 <sup>00</sup>	325 <sup>00</sup>	53.00	272 <sup>00</sup>	0	0	272 <sup>00</sup>	8 <sup>00</sup>	280 <sup>00</sup>
62	C-25268	280 <sup>00</sup>	171 <sup>00</sup>	451 <sup>00</sup>	325 <sup>00</sup>	53.00	272 <sup>00</sup>	0	0	272 <sup>00</sup>	8 <sup>00</sup>	280 <sup>00</sup>
63	C-25269	271 <sup>00</sup>	148 <sup>00</sup>	419 <sup>00</sup>	508 <sup>00</sup>	7,04.87	271 <sup>00</sup>	148 <sup>00</sup>	419 <sup>00</sup>	0	0	0
68	C-31079	648 <sup>00</sup>	310 <sup>00</sup>	958 <sup>00</sup>	175 <sup>00</sup>	28.54	146 <sup>00</sup>	0	0	146 <sup>00</sup>	501 <sup>00</sup>	648 <sup>00</sup>
64	C-31445-6	34 <sup>00</sup>	36 <sup>00</sup>	70 <sup>00</sup>	50 <sup>00</sup>	8.15	24 <sup>00</sup>	0	0	24 <sup>00</sup>	0	24 <sup>00</sup>
70	C-320311	44 <sup>00</sup>	34 <sup>00</sup>	78 <sup>00</sup>	50 <sup>00</sup>	8.15	41 <sup>00</sup>	0	0	41 <sup>00</sup>	3 <sup>00</sup>	44 <sup>00</sup>
73	C-33322	28 <sup>00</sup>	30 <sup>00</sup>	58 <sup>00</sup>	10 <sup>00</sup>	1.63	8 <sup>00</sup>	0	0	8 <sup>00</sup>	19 <sup>00</sup>	27 <sup>00</sup>
74	C-33305	7 <sup>00</sup>	10 <sup>00</sup>	17 <sup>00</sup>	5 <sup>00</sup>	8.21	4 <sup>00</sup>	0	0	4 <sup>00</sup>	2 <sup>00</sup>	6 <sup>00</sup>
75	C-33359	370 <sup>00</sup>	185 <sup>00</sup>	555 <sup>00</sup>	1100 <sup>00</sup>	79.38	920 <sup>00</sup>	0	0	920 <sup>00</sup>	2780 <sup>00</sup>	3700 <sup>00</sup>
77	D-534	22 <sup>00</sup>	28 <sup>00</sup>	50 <sup>00</sup>	26 <sup>00</sup>	3.26	16 <sup>00</sup>	0	0	16 <sup>00</sup>	5 <sup>00</sup>	21 <sup>00</sup>
78	D-6065	32 <sup>00</sup>	36 <sup>00</sup>	68 <sup>00</sup>	50 <sup>00</sup>	8.15	41 <sup>00</sup>	0	0	41 <sup>00</sup>	4 <sup>00</sup>	45 <sup>00</sup>
81	D-16735	1193 <sup>00</sup>	950 <sup>00</sup>	2143 <sup>00</sup>	325 <sup>00</sup>	53.00	272 <sup>00</sup>	0	0	272 <sup>00</sup>	92 <sup>00</sup>	364 <sup>00</sup>
89	D-18867	304 <sup>00</sup>	128 <sup>00</sup>	432 <sup>00</sup>	110 <sup>00</sup>	1.63	83 <sup>00</sup>	0	0	83 <sup>00</sup>	295 <sup>00</sup>	375 <sup>00</sup>
90	D-18883	172 <sup>00</sup>	84 <sup>00</sup>	256 <sup>00</sup>	10 <sup>00</sup>	1.63	8 <sup>00</sup>	0	0	8 <sup>00</sup>	144 <sup>00</sup>	152 <sup>00</sup>
91	D-5881A-1	350 <sup>00</sup>	95 <sup>00</sup>	445 <sup>00</sup>	10 <sup>00</sup>	1.63	8 <sup>00</sup>	0	0	8 <sup>00</sup>	342 <sup>00</sup>	350 <sup>00</sup>
92	D-19033	174 <sup>00</sup>	79 <sup>00</sup>	253 <sup>00</sup>	10 <sup>00</sup>	1.63	8 <sup>00</sup>	0	0	8 <sup>00</sup>	162 <sup>00</sup>	178 <sup>00</sup>

Report on the measurements

1913

Pencil No.	Key Number	Transit at Hotel School		Zulu Price	Gen. Cont. Allocation & Refund (F.P. and L.P.) per Distribution Report	Returns to Treasurer		Less I.N.			
		Sale Date	Sale Price			Taxes	Inc. in Value	Net	Net		
93	N-2919	35.00	37.00	76.00	1.63	0.00	0.00	8.00	30.00	37.00	65.00
94	N-175-40	621.75	685.00	1307.75	456.00	234.00	0.00	234.00	387.00	685.00	10,735.00
96	E-1-E-324	5.00	20.00	25.00	52.00	4.00	0.00	4.00	1.00	2.00	21.00
105	S-4-70-1	1.00	15.00	16.00	260.00	16.00	0.00	16.00	0.00	0.00	21.00
114	M-1-163	45.00	31.00	76.00	226.36	43.00	0.00	43.00	0.00	0.00	21.00
115	M-1-443	578.00	405.00	983.00	57.07	28.00	0.00	28.00	57.00	426.00	9,555.00
116	M-1-5391	3774.00	1340.00	5114.00	57.07	251.00	0.00	251.00	3473.00	1374.00	4,590.00
118	" 5293	1853.00	650.00	2503.00	57.07	292.00	0.00	292.00	1560.00	650.00	2,210.00
120	" 5295	1853.00	650.00	2503.00	46.77	209.00	0.00	209.00	1644.00	650.00	2,294.00
124	" 5297	4302.00	1793.00	6095.00	32.61	169.00	0.00	169.00	4182.00	1793.00	5,975.00
128	" 5299	4295.00	1792.00	6087.00	25.04	146.00	0.00	146.00	4141.00	1792.00	5,933.00
130	" 5305	1862.00	662.00	2524.00	53.00	275.00	0.00	275.00	1596.00	662.00	2,258.00
132	" 5307	2449.00	753.00	3202.00	27.87	280.00	0.00	280.00	2217.00	753.00	2,970.00
136	" 5311	426.00	176.00	602.00	8.15	41.00	0.00	41.00	421.00	176.00	597.00
139	" 5314	426.00	176.00	602.00	15.32	72.00	0.00	72.00	418.00	176.00	594.00
142	" 5317	229.00	72.00	301.00	24.46	125.00	0.00	125.00	215.00	72.00	287.00
144	" 5319	61.00	19.45	80.45	32.61	167.00	0.00	167.00	644.20	19.45	575.75
146	" 5321	61.00	19.83	80.83	44.57	220.00	0.00	220.00	637.70	19.83	517.87
149	" 5323	67.11	17.72	84.83	65.23	334.00	0.00	334.00	645.00	17.72	527.28
152	" 5327	36.22	27.89	64.11	57.07	292.00	0.00	292.00	371.60	27.89	1,103.00
153	" 5329	90.30	29.09	119.39	61.15	313.00	0.00	313.00	371.60	29.09	1,026.00
154	" 5331	79.51	33.08	112.59	57.07	292.00	0.00	292.00	76.50	33.08	1,096.00
155	" 5336	85.64	27.93	113.57	16.31	83.00	0.00	83.00	37.50	27.93	1,107.00
152	" 5334	87.78	28.15	115.93	8.15	41.00	0.00	41.00	37.50	28.15	1,057.00
166	" 5344	85.64	176.00	1033.00	8.15	41.00	0.00	41.00	352.70	176.00	1,029.00
168	" 5346	66.11	90.00	156.11	48.92	251.00	0.00	251.00	63.60	90.00	72.60
171	" 5349	66.80	174.45	241.25	16.31	83.00	0.00	83.00	66.00	174.45	550.00
174	" 5353	468.00	84.45	552.45	48.92	251.00	0.00	251.00	442.80	84.45	527.25
117	M-1-5292	1552.00	650.00	2202.00	28.54	146.00	0.00	146.00	1707.00	650.00	2,357.00
119	" 5294	1853.00	707.00	2560.00	40.77	209.00	0.00	209.00	1644.00	707.00	2,351.00
121	" 5296	1853.00	707.00	2560.00	36.69	188.00	0.00	188.00	1644.00	707.00	2,351.00
122	" 5297	1860.00	661.00	2521.00	44.84	230.00	0.00	230.00	1630.00	661.00	2,291.00
123	" 5298	2305.00	126.00	2431.00	46.77	209.00	0.00	209.00	315.00	126.00	441.00
125	" 5300	4293.00	1792.00	6085.00	38.54	146.00	0.00	146.00	4182.00	1792.00	5,974.00
126	" 5301	4298.00	1792.00	6090.00	38.96	125.00	0.00	125.00	4173.00	1792.00	5,965.00
127	" 5302	4298.00	1792.00	6090.00	20.38	104.00	0.00	104.00	4174.00	1792.00	5,966.00
129	" 5304	6312.00	2535.00	8847.00	44.84	230.00	0.00	230.00	6082.00	2535.00	8,617.00
131	" 5306	2294.00	64.00	2458.00	44.84	230.00	0.00	230.00	2069.00	64.00	2709.00
133	" 5308	2332.00	73.00	2405.00	48.92	251.00	0.00	251.00	2082.00	73.00	2,155.00
134	" 5309	475.00	123.00	598.00	57.07	292.00	0.00	292.00	916.00	123.00	577.00
135	" 5310	631.20	253.50	884.70	20.38	104.00	0.00	104.00	620.80	253.50	874.30
137	" 5312	42.61	176.00	602.00	8.15	41.00	0.00	41.00	421.90	176.00	597.90
138	" 5313	42.61	176.00	602.00	12.23	62.00	0.00	62.00	419.90	176.00	595.90
140	" 5315	42.61	176.00	602.00	24.46	125.00	0.00	125.00	418.00	176.00	594.00
141	" 5316	42.61	176.00	602.00	20.38	104.00	0.00	104.00	419.40	176.00	595.40
143	" 5318	475.00	123.00	598.00	24.46	125.00	0.00	125.00	432.90	123.00	555.90

Parcel No.	Tract	Original		Total		Total	Low Cost Allocation	Payments			Receipts	
		Sale Price	Per. of Int.	Sale Price	Per. of Int.			Tract	Int. Pcty	Total	Tract	Total
145	Mt-5220	66.54	1752	84.62	200	48.92	251	0	251	64.03	1752	8150
147	" 5322	64.90	1758	84.49	250	57.07	292	0	292	63.97	1758	8160
149	" 5324	67.42	1767	85.09	300	48.42	251	0	251	64.91	1767	8200
151	" 5326	87.64	2816	11581	425	64.21	355	0	355	84.05	2816	11200
155	" 5333	80.56	3247	11309	350	57.07	292	0	292	77.63	3247	11010
154	" 5334	84.66	2945	11412	200	56.49	188	0	188	82.78	2945	11200
157	" 5335	85.69	3043	11613	195	25.54	146	0	146	84.22	3043	11700
159	" 5337	85.69	2783	11552	50	8.15	41	0	41	85.27	2783	11200
160	" 5338	86.52	2783	11488	50	8.15	41	0	41	86.14	2783	11200
161	" 5339	87.78	2793	11571	50	8.15	41	0	41	87.36	2793	11200
163	" 5341	86.60	1793	10445	50	8.15	41	0	41	86.15	1793	10700
164	" 5342	85.69	2792	11353	50	8.15	41	0	41	85.27	2792	11200
165	" 5343	85.69	2792	11352	100	8.15	82	0	82	85.27	2792	11200
167	" 5345	84.66	2989	11456	250	16.31	209	0	209	83.33	2989	11300
169	" 5347	66.07	1794	83.51	250	40.77	209	0	209	63.97	1794	8170
170	" 5348	67.59	1794	83.51	150	24.46	125	0	125	66.37	1794	8200
172	" 5350	65.71	1743	83.16	160	16.31	85	0	85	67.52	1743	8200
173	" 5351	65.04	1775	85.52	300	43.82	251	0	251	65.05	1775	8200
175	" 5354	66.88	1762	84.31	275	44.54	230	0	230	64.33	1762	8200
177	" 5356	67.71	1762	84.72	500	81.54	418	0	418	67.79	1762	8200
180	" 5357	84.43	1984	84.31	400	65.33	327	0	327	84.12	1984	8200
183	" 5359	84.43	1180	84.31	300	43.82	251	0	251	84.72	1180	8200
181	71-21-306	2282	8475	2130	12000	9869.38	2282	8475	3130	0	0	0
186	RE-1221	58	42	101	75	12.23	58	42	62	0	0	35
187	RE-396-35	596	287	884	1200	315.93	596	287	884	0	0	0
189	RS-HV-740	10	35	45	10	1.63	10	35	45	0	0	30
		401237	145965	547243	68575	32,750.08	31333	4491	35824	370320	141754	511505

THE CITY OF WICHITA

OFFICE OF CITY MANAGER

DATE January 23, 1985

TO Economic Development Commission

FROM E. H. Denton, City Manager

*DR 84-16*  
SUBJECT Development Policy for  
Public Improvements

The Economic Development Commission (EDC), in cooperation with the Metropolitan Area Planning Commission (MAPC) and city administrative staff, has been charged with reviewing and recommending changes in the city's development policy for public improvements. The EDC has conducted one public hearing, plans a second hearing on January 24, 1985, followed by a working session of EDC and MAPC members with city staff to prepare proposed revisions to the development policy for City Commission consideration.

The purpose of this memorandum is to state the city staff position on the current policy and proposals made to date for its revision. Rather than prepare another draft policy, our comments are grouped into general areas of concern. Underlying our comments on the policy is the belief that the use of special assessments is a valuable financing tool that should continue to be used to promote development in the community while still protecting the general taxpayers and special assessment taxpayers from an unnecessary liability or burden when some do not pay their special assessments when they become due annually.

#### General Debt and Interest Fund Cash Flow

Information and testimony presented to the EDC indicates that the current timing of receipt of special assessment payments and the payment of special assessment bonds can be modified so that funds are on-hand to pay bonds when due. The city staff supports exploration of bond payment schedule changes to correct this problem. Such a change, however, should not be used to permit some to continue carrying past due special assessments. This would mean that the many are continuing to subsidize the few who do not pay on time and can be detrimental to the city's ability to fund an adequate capital improvement program.

The 1985-1990 Capital Improvement Program which will shortly be presented to the City Commission will include a modified schedule matching future special assessment bond payments with the revenue stream.

#### Policy Administration

We are in agreement with comments that the city's administrative procedures need major revisions to better track development guarantees so that any letters of credit are enforceable and are collected when special assessments are not paid. The proposals submitted to the EDC reflect efforts to centralize policy administration and provide for accountability.

Policy Revisions

The current policy is also in need of revision in several key areas. The use of special assessment financing is based on the city's assuming a portion of the "risk" in new development. We believe that it is in this policy arena where the City Commission is seeking the input of the EDC and MAPC. The city's risk is whether the special assessments will be paid and on time. To ensure payment, the policy stipulates that "reasonable assurances" be given to the city that special assessment payments will be made by the developer. The policy decisions before the EDC/MAPC are:

- (1) What type of guarantee meets the "reasonable assurances" criteria? The current policy allows building permits and initial construction activity on 35% of the benefitted properties, land sales agreements on 35% of the benefitted properties, and letters of credit or other financial guarantees. The city staff is proposing that only irrevocable letters of credit be accepted in the future. L
- (2) What dollar or percentage amount of guarantee should be required? The current policy requires 35% of the construction cost. This results in an approximate 17% guarantee of the total cost of the public improvements. A "no risk" guarantee for the city would be 100% of the principal and interest. The city staff proposes retention of the 35% guarantee, but that estimated interest costs be included so that the 35% guarantee more fully reflects the city's cost. It is estimated that a guarantee of 35% will cover exposure on approximately the first five years of special assessment payments. — 35%  
w/ CBO
- (3) How can a guarantee be released? The current policy permits release of any letter of credit or other financial guarantee after construction has been initiated on 35% or more of the benefitted properties. The city staff is proposing release of letters of credit on an incremental basis -- as special assessments are paid annually or when a home is built and the property sold to a individual home buyer. This permits the developer to seek relief from liability as property is built and sold and permits the city to seek payment of special assessments if they are past due. A full release of the balance of an outstanding letter of credit may be made after five years from the date of the first special assessment payment. — 35%  
w/ CBO
- (4) When a letter of credit is called, is the money applied to the past due special assessments or collected as a penalty? The concept of penalty collection on letters of credit was not included in the original staff proposal. After considering the comments offered at the first EDC public hearing, it is the city staff position that penalty collection is unduly harsh and that any monies collected on letters of credit should be applied to the payment of the past due special assessments.

*Lower  
34% of P&I*


*Staff  
w/ 35%  
3 years from  
1st special assessment*

*G. [Signature]*

Economic Development Commission  
January 23, 1985  
Page Three

- (5) When will guarantees not be required? The city staff supports a provision based on specific criteria. Criteria suggested are projects ordered in by the City Commission, projects that are infill with multiple ownerships and existing development, and projects where the benefit district is in public ownership. *OK*
- (6) Should the city participate with a developer in additional projects when that developer is past due on special assessments from a previous project? The City Commission initially proposed the rule not to proceed with new special assessment projects with developers who are delinquent on earlier projects. The city staff strongly supports continuation of this provision in the policy. *OK*

The city staff welcomes the opportunity to work with members of the EDC and MAPC in formulating a consensus on changes in the "Development Policy for Public Improvements." Our goals are to continue to foster development in the community and provide "reasonable assurance" that special assessments are paid when due and do not become a liability of the city at large or of those who do pay on time. Based on comments made before the EDC, we believe that developers in the community share these goals. The proposals outlined in this memorandum attempt to strike a balance between continued promotion of development and protection of city taxpayers from undue risk.



E. H. Denton  
City Manager

EHD/t

Distribution

The Honorable Board of City Commissioners  
James C. Wilson, MAPC  
James L. Gardner II, MAPC  
William J. Goebel, MAPC  
Robert G. Finch, Deputy City Manager  
John Dekker, Director of Law  
Russell L. Brenner, Director of Administration  
Robert A. Lakin, Director of Planning  
John Wynkoop, Director of Water and Water Pollution Control  
Don E. Anderson, Director of Housing and Economic Development  
Ray Trail, Assistant City Manager

RECEIVED

JAN 23 1985

METROPOLITAN PLANNING

ROUTE

**THE CITY OF WICHITA**

**OFFICE OF** Housing & Economic Development      **DATE** March 8, 1985

*checked  
JLH  
DN 8-4-16*

**TO**            Distribution  
**FROM**        Don Anderson, Director

**SUBJECT**    Development Policy for Public  
                 Improvements

With the exception of Jim Wilson, who is out-of-town, my staff has contacted the development policy subcommittee members regarding Joel Pollack's memorandum dated March 4, 1985, and the draft policy submitted to the Economic Development and Metropolitan Area Planning Commissions.

The members said they do not think another subcommittee meeting is necessary and that EDC and MAPC should review the draft policy and submit their recommendations to the City Commission.

*Don E. Anderson*

Don E. Anderson  
Director

/MJW

Distribution:  
Joel Pollack, Economic Development Commission  
Ernestine Henderson, Economic Development Commission  
Linda Ayala, Economic Development Commission  
James Wilson, Metropolitan Area Planning Commission  
James Gardner II, Metropolitan Area Planning Commission  
William Goeble, Metropolitan Area Planning Commission ✓  
E. H. Denton, City Manager  
Ray Trail, Assistant City Manager  
Robert Lakin, Director of Planning  
Russell Brenner, Director of Administration  
John Dekker, Director of Law  
John Wynkoop, Director of Water and Water Pollution Control.  
Mike Lindebak, City Engineer  
Nelson Hall, Industrial Development Officer

**RECEIVED**

MAR 11 1985

METROPOLITAN PLANNING

ROUTE

THE CITY OF WICHITA

RECEIVED

FEB 04 1985

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_



DEPARTMENT OF HOUSING AND  
ECONOMIC DEVELOPMENT  
ECONOMIC AND INDUSTRIAL DEVELOPMENT DIVISION  
CITY HALL — ELEVENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4436

February 4, 1985

TO: See Distribution

FROM: Don E. Anderson, Director of Housing and Economic Development

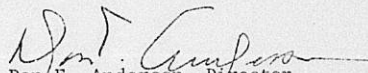
SUBJECT: Notice of Meeting

Due to a number of schedule conflicts, it has become necessary to delay the first meeting of the EDC/MAPC Joint Sub-Committee Re: Development Policy for Public Improvements to Wednesday, February 13, 1985. The meeting will be held in the Planning Department's large conference room on the 10th Floor at City Hall starting at 3:30 in the afternoon.

During their meeting of November 6th, the City Commission did grant a 120 day extension to the EDC for detailed consideration of this matter, which means the Sub-Committee will need to finish its work and have recommendations adopted by the Economic Development and Planning Commissions, as a whole, in time to place this matter back on the City Commission agenda for their meeting of March 5th.

EDC Chairman, Joe Pollack, feels that we can still live with this schedule provided the meeting of the 13th is well attended and the majority of the Sub-Committee work can be completed that day.

I would, therefore, like to emphasize the importance of your attendance at this meeting; each of you have been individually contacted by phone, however, should you have a change in schedule, please contact De Hylton, Secretary HED, at 268-4436, so that we can arrange for an alternate to attend in your place.

  
Don E. Anderson, Director  
Housing and Economic Development

DEA/NEH/dh

DISTRIBUTION:

MAPC:

James C. Wilson  
James L. Gardner II  
William J. Goebel

EDC:

Joel Pollack  
Stephen Clark  
Linda Ayala  
Rod Stewart (Alternate)  
Ernestine Henderson (Alternate)

STAFF:

Robert G. Finch  
Ray Trail  
Russell L. Brenner  
John Dekker  
Robert A. Lakin  
Michael Lindebak  
Don E. Anderson  
Nelson E. Hall

**DRAFT**

THE CITY OF WICHITA  
OFFICE OF CITY MANAGER

DATE January 23, 1985

TO Economic Development Commission  
FROM E. H. Denton, City Manager

SUBJECT Development Policy for  
Public Improvements

The Economic Development Commission (EDC), in cooperation with the Metropolitan Area Planning Commission (MAPC) and city administrative staff, has been charged with reviewing and recommending changes in the city's development policy for public improvements. The EDC has conducted one public hearing, plans a second hearing on January 24, 1985, followed by a working session of EDC and MAPC members with city staff to prepare proposed revisions to the development policy for City Commission consideration.

The purpose of this memorandum is to state the city staff position on the current policy and proposals made to date for its revision. Rather than prepare another draft policy, our comments are grouped into general areas of concern. Underlying our comments on the policy is the belief that the use of special assessments is a valuable financing tool that should continue to be used to promote development in the community while still protecting the general taxpayers and special assessment taxpayers from an unnecessary liability or burden when some do not pay their special assessments when they become due annually.

General Debt and Interest Fund Cash Flow

Information and testimony presented to the EDC indicates that the current timing of receipt of special assessment payments and the payment of special assessment bonds can be modified so that funds are on-hand to pay bonds when due. The city staff supports exploration of bond payment schedule changes to correct this problem. Such a change, however, should not be used to permit some to continue carrying past due special assessments. This would mean that the many are continuing to subsidize the few who do not pay on time and can be detrimental to the city's ability to fund an adequate capital improvement program.

The 1985-1990 Capital Improvement Program which will shortly be presented to the City Commission will include a modified schedule matching future special assessment bond payments with the revenue stream.

Policy Administration

We are in agreement with comments that the city's administrative procedures need major revisions to better track development guarantees so that any letters of credit are enforceable and are collected when special assessments are not paid. The proposals submitted to the EDC reflect efforts to centralize policy administration and provide for accountability.

Policy Revisions

The current policy is also in need of revision in several key areas. The use of special assessment financing is based on the city's assuming a portion of the "risk" in new development. We believe that it is in this policy arena where the City Commission is seeking the input of the EDC and MAPC. The city's risk is whether the special assessments will be paid and on time. To ensure payment, the policy stipulates that "reasonable assurances" be given to the city that special assessment payments will be made by the developer. The policy decisions before the EDC/MAPC are:

- (1) What type of guarantee meets the "reasonable assurances" criteria? The current policy allows building permits and initial construction activity on 35% of the benefitted properties, land sales agreements on 35% of the benefitted properties, and letters of credit or other financial guarantees. The city staff is proposing that only irrevocable letters of credit be accepted in the future.
- (2) What dollar or percentage amount of guarantee should be required? The current policy requires 35% of the construction cost. This results in an approximate 17% guarantee of the total cost of the public improvements. A "no risk" guarantee for the city would be 100% of the principal and interest. The city staff proposes retention of the 35% guarantee, but that estimated interest costs be included so that the 35% guarantee more fully reflects the city's cost. It is estimated that a guarantee of 35% will cover exposure on approximately the first five years of special assessment payments.
- (3) How can a guarantee be released? The current policy permits release of any letter of credit or other financial guarantee after construction has been initiated on 35% or more of the benefitted properties. The city staff is proposing release of letters of credit on an incremental basis -- as special assessments are paid annually or when a home is built and the property sold to a individual home buyer. This permits the developer to seek relief from liability as property is built and sold and permits the city to seek payment of special assessments if they are past due. A full release of the balance of an outstanding letter of credit may be made after five years from the date of the first special assessment payment.
- (4) When a letter of credit is called, is the money applied to the past due special assessments or collected as a penalty? The concept of penalty collection on letters of credit was not included in the original staff proposal. After considering the comments offered at the first EDC public hearing, it is the city staff position that penalty collection is unduly harsh and that any monies collected on letters of credit should be applied to the payment of the past due special assessments.

- (5) When will guarantees not be required? The city staff supports a provision based on specific criteria. Criteria suggested are projects order in by the City Commission, projects that are infill with multiple ownerships and existing development, and projects where the benefit district is in public ownership.
- (6) Should the city participate with a developer in additional projects when that developer is past due on special assessments from a previous project? The City Commission initially proposed the rule not to proceed with new special assessment projects with developers who are delinquent on earlier projects. The city staff strongly supports continuation of this provision in the policy.

The city staff welcomes the opportunity to work with members of the EDC and MAPC in formulating a consensus on changes in the "Development Policy for Public Improvements." Our goals are to continue to foster development in the community and provide "reasonable assurance" that special assessments are paid when due and do not become a liability of the city at large or of those who do pay on time. Based on comments made before the EDC, we believe that developers in the community share these goals. The proposals outlined in this memorandum attempt to strike a balance between continued promotion of development and protection of city taxpayers from undue risk.

E. H. Denton  
City Manager

EHD/t  
Distribution

The Honorable Board of City Commissioners  
James C. Wilson, MAPC  
James L. Gardner II, MAPC  
William J. Goebel, MAPC  
Robert G. Finch, Deputy City Manager  
John Dekker, Director of Law  
Russell L. Brenner, Director of Administration  
Robert A. Lakin, Director of Planning  
John Wynkoop, Director of Water and Water Pollution Control  
Don E. Anderson, Director of Housing and Economic Development  
Ray Trail, Assistant City Manager

THE CITY OF WICHITA  
OFFICE OF CITY MANAGER

DATE January 22, 1985

TO Economic Development Commission  
FROM E. H. Denton, City Manager

SUBJECT Development Policy for  
Public Improvements

The Economic Development Commission, in cooperation with the Metropolitan Area Planning Commission and city administrative staff, has been charged with reviewing and recommending changes in the city's development policy for public improvements. The EDC has conducted one public hearing, plans a second hearing on January 24, 1985, followed by a working session of EDC and MAPC members with city staff to prepare proposed revisions to the development policy for City Commission consideration.

The purpose of this memorandum is to state the city staff position on the current policy and proposals made to date for its revision. Rather than prepare another draft policy, our comments are grouped into general areas of concern. Underlying our comments on the policy is the belief that the use of special assessments is a valuable financing tool that should continue to be used to promote development in the community while still protecting the general taxpayers and special assessment taxpayers from an unnecessary liability or burden when some do not pay their special assessments when they become due annually.

#### General Debt and Interest Fund Cash Flow

Information and testimony presented to the EDC indicates that the current timing of receipt of special assessment payments and the payment of special assessment bonds can be modified so that funds are on-hand to pay bonds when due. The city staff supports exploration of bond payment schedule changes to correct this problem. Such a change, however, should not be used to permit some to continue carrying past due special assessments. This would mean that the many are continuing to subsidize the few who do not pay on time and can be detrimental to the city's ability to fund an adequate capital improvement program.

#### Policy Administration

We are in agreement with comments that the city's administrative procedures need major revisions to better track development guarantees so that any letters of credit are enforceable and are collected when special assessments are not paid. The proposals submitted to the EDC reflect efforts to centralize policy administration and provide for accountability.

### Policy Revisions

The current policy is also in need of revision in several key areas. The use of special assessment financing is based on the city assuming a portion of the "risk" in new development. We believe that it is in this policy arena where the City Commission is seeking the input of the EDC and MAPC. The city's risk is whether the special assessments will be paid and on time. To ensure payment, the policy stipulates that "reasonable assurances" be given to the city that special assessment payments will be made by the developer. The policy decisions before the EDC/MAPC are:

- (1) What type of guarantee meets the "reasonable assurances" criteria? The current policy allows building permits and initial construction activity on 35% of the benefitted properties, land sales agreements on 35% of the benefitted properties, and letters of credit or other financial guarantees. The city staff is proposing that only <sup>insurable</sup> letters of credit be accepted in the future.
- (2) What dollar or percentage amount of guarantee should be required? The current policy requires 35% of the construction cost. If interest is included, this results in an approximate 17% guarantee of the total cost of the public improvements. A "no risk" guarantee for the city would be 100% of the principal and interest. The city staff proposed earlier a 100% of the construction cost guarantee which is an approximate 50% of total cost guarantee. Any amount selected is somewhat arbitrary. The city staff's proposal was based on a relatively equal sharing of the risk between the city and developer.  
*Amount of 35% + int P&I*
- (3) How can a guarantee be released? The current policy permits release of any letter of credit or other financial guarantee after construction has been initiated on 35% or more of the benefitted properties. The city staff is proposing release of letters of credit on an incremental basis -- as special assessments are paid annually or when a home is built and the property sold to a bona fide individual home buyer. This permits the developer to seek relief from liability as property is developed and sold and permits the city to seek payment of special assessments if they are past due.
- (4) When a letter of credit is called, is the money applied to the past due special assessments or collected as a penalty? The concept of penalty collection on letters of credit was not included in the original staff proposal. After considering the comments offered at the first EDC public hearing, it is the city staff position that penalty collection is unduly harsh and that any monies collected on letters of credit should be applied to the payment of the past due special assessments.
- (5) What type of provision should be made for ~~waiver~~ of the development policy guarantees? The city staff supports a waiver provision based on specific criteria. Criteria suggested are projects ordered by the City Commission, projects that are infill with multiple ownerships and existing development, projects where the benefit district is in public ownership, and projects where the city is an active partner with other community groups in promoting development in a particular area.

- (6) Should a staff committee be established to administer the development policy? At this time, it is the general staff position that the policy should be written so as to not require substantive interpretation by the city staff. Any modifications in the policy should be approved by the City Commission after staff review, industry input, and advisory board recommendations. A standing staff committee may not be needed.
- (7) Should the city participate with a developer in additional projects when that developer is past due on special assessments from a previous project? The City Commission initially proposed the rule not to proceed with new special assessment projects with developers who are delinquent on earlier projects. The city staff strongly supports continuation of this provision in the policy.

The city staff welcomes the opportunity to work with members of the EDC and MAPC in formulating a consensus on changes in the "Development Policy for Public Improvements". Our goals are to continue to foster development in the community and provide "reasonable assurance" that special assessments are paid when due and do not become a liability of the city-at-large or of those who do pay on time. Based on comments made before the EDC, we believe that developers in the community share these goals. Our initial proposals, outlined in this memorandum are starting points for the city staff.

E. H. Denton  
City Manager

EHD/t  
Distribution  
Finch  
Dekker  
Brenner  
Lakin  
Wynkoop  
Anderson  
Trail

THE CITY OF WICHITA  
OFFICE OF Administration

DATE January 10, 1985

TO Joel Pollack, EDC Chairman  
FROM Russell L. Brenner, Director of Administration  
SUBJECT Request for Information

On November 6, 1984 you requested certain information from Don Anderson, Director of Housing and Economic Development. The information provided herewith is, I hope, the appropriate background and technical information you requested.

Your questions and my responses are as follows.

1. The amount and extent of excess cost that has occurred by virtue of delinquent specials.

To my knowledge there has been no "excess cost." There is a cash flow problem which results because of the rapidly increasing special assessments certified to the County and the flow of delinquencies generally one to three years later. This results in the necessity to temporarily finance those delinquencies through the mill levy.

2. Details of delinquent special assessments over the past 5 to 7 years.

Attached please find special assessments levied and collections for the years 1974-1984. Since 1984 is the year just completed, there may be some adjustments to the figures presented herein.

3. Details of total special assessments over the past 5 to 7 years.

Attached please find special assessment bonds payable as of December 31, 1974-1984. The schedule shows the increase of special assessment bonds payable from \$19,444,752 to \$174,543,604 in 1984. Also attached is the special assessment bonds payable schedule as of 12/1/84, showing the principal, interest and total debt payable by year, 1985-1999.

4. Details of bonds issued relating to special assessments over the past 5 to 7 years.

Attached please find a list of special assessment bond issues from 1977-1984.

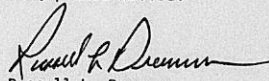
5. Any actual losses incurred by the city on special assessments.

To be best of my knowledge, the overall loss on special assessments after all bonds have been paid averages from 1% to 2%. This is an estimate of the amount of special assessment taxes on properties that were sold for taxes that the City did not recover - the amount outstanding at the time of sale.

TO: Joel Pollack, EDC Chairman  
SUBJECT: Request for information  
DATE: January 10, 1985  
PAGE: Two

6. Any other information appropriate to helping us make a stronger and better policy for the benefit of the city, the private sector and the citizens of the city of Wichita.
  - A. The Board may want to consider the risk on the front side of special assessment bonds as part of their considerations. Generally there is very little risk on special assessments after a house has been built on the lot and sold to an individual buyer.
  - B. The debt limits of the City on General Obligation Bonds is 17% of the assessed value of all tangible property. Certain bonds are excluded from the debt limitation, including sewer assessments levied. All other special assessment bonds are considered a part of the debt within the limit. Currently, the legal debt margin is \$25,697,742. Continued growth of specials could have an impact on major capital improvement projects in future years.

Should you need any additional information, please advise.

  
Russell L. Brenner  
Director of Administration

RLB:cs  
Attachments

SPECIAL ASSESSMENT LEVIES AND COLLECTIONS

<u>Year</u>	<u>Assessments Certified To County</u>	<u>Current Assessment Collections</u>	<u>Delinquencies</u>
1974	\$ 3,100,389	\$ 2,889,802	\$ 210,587
1975	3,205,937	2,958,520	247,417
1976	3,659,372	3,375,976	283,396
1977	4,011,295	3,605,247	406,048
1978	4,565,557	4,155,551	410,006
1979	4,761,885	4,392,891	368,994
1980	4,978,765	4,548,069	430,696
1981	5,529,817	5,117,809	412,008
1982	7,150,486	6,406,819	743,667
1983	12,848,736	11,635,597	1,213,139
1984	15,012,225	13,552,965	1,459,260

SPECIAL ASSESSMENT BONDS PAYABLE  
AS OF DECEMBER 31, 1974 THROUGH 1984

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
1974	\$ 16,514,322	\$ 2,930,430	\$ 19,444,752
1975	18,814,726	3,607,693	22,422,419
1976	21,733,002	4,247,556	25,980,558
1977	24,159,407	4,659,138	28,818,545
1978	26,599,747	6,223,010	32,822,757
1979	30,611,059	8,896,894	39,507,953
1980	42,223,121	17,666,114	59,889,235
1981	76,918,179	54,274,766	131,202,945
1982	100,751,212	74,170,346	174,921,558
1983	104,880,522	74,415,386	178,295,908
1984	104,869,988	69,673,616	174,543,604

SPECIAL ASSESSMENT BONDS PAYMENT SCHEDULE  
AS OF 12/31/84

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
1985	\$6,874,989	\$9,682,547	\$16,557,536
1986	6,766,414	8,819,409	15,585,823
1987	6,608,595	8,219,493	14,828,088
1988	6,555,812	7,619,735	14,175,547
1989	6,967,280	6,988,236	13,955,516
1990	7,428,911	6,318,793	13,747,704
1991	7,949,036	5,594,801	13,543,837
1992	8,503,618	4,824,807	13,328,425
1993	9,141,177	4,006,348	13,147,525
1994	9,377,868	3,142,188	12,520,056
1995	9,511,201	2,252,939	11,764,140
1996	9,801,987	1,327,758	11,129,745
1997	6,519,148	597,667	7,116,815
1998	1,776,979	218,794	1,995,773
1999	1,088,973	60,101	1,149,074

SPECIAL ASSESSMENT BOND ISSUES

<u>Series No.</u>	<u>Date</u>	<u>Amount</u>
658	6/77	\$ 1,100,000
660	12/77	<u>475,000</u>
Total		\$ 1,575,000
662	6/78	\$ 2,970,000
665	12/78	<u>2,775,000</u>
Total		\$ 5,745,000
668	6/79	\$ 3,260,000
671	12/79	<u>4,930,000</u>
Total		\$ 8,190,000
674	6/80	\$ 5,275,000
677	12/80	<u>9,625,000</u>
Total		\$14,900,000
680	6/81	\$ 8,300,000
683	10/81	18,050,000
685	12/81	<u>16,665,000</u>
Total		\$43,015,000
688	6/82	\$16,260,000
691	12/82	<u>13,285,000</u>
Total		\$29,545,000
694	6/83	\$ 7,840,000
697	12/83	<u>3,090,000</u>
Total		\$10,930,000
699	6/84	\$ 6,586,256
	12/84	<u>-0- *</u>

\*State law changed approximately \$5,000,000 in projects were deferred to 6/85 for bond issue.

**THE CITY OF WICHITA**

**OFFICE OF** Housing and Economic  
Development

**DATE** January 7, 1985

**TO** The Economic Development Commission

**FROM** Don E. Anderson, Director of Housing and Economic Development

**SUBJECT** Development Policy for  
Public Improvements

Background

The Board of City Commissioners was asked to reconsider its development policy for public improvements because of difficulties that were being encountered relative to delinquent special assessments and subsequent debt service on special assessment bonds.

The City of Wichita averages approximately 10% delinquency rate on its outstanding special assessments, and it is calculated that the overall loss on special assessments, after all the bonds have been paid off, averages less than 1%. This is an estimate that has been provided by our Controller's office.

In order to eliminate any possible cost to the City of Wichita on special assessments it is necessary that the current procedures in issuing of special assessment bonds be changed in order to meet the revenue collections from special assessment payments. With these changes and with the investment income that can be generated from special assessment cash-flow it is possible that the City of Wichita could eliminate any loss on special assessments and actually show a surplus cash which could be used to offset any general administrative cost that the City might incur in the overall special assessment program.

It is proposed to issue special assessment bonds so that debt service will not fall within a time period when no special assessment payments are being received by the City. The City would defer principal and interest payment to the second year and make a double payment of principal and interest.

Attached is a computer printout which illustrates how a special assessment bond issue of \$10 million would work over a 15 year period. The years are illustrated showing beginning cash balances and the special assessment revenues received by month as well as the debt service requirements. The delinquent specials have been calculated into these cash projections; and if our net cash-flow is invested on a monthly basis there is a positive return to the City which over the total period of the bond issue could possibly benefit the City in the amount of \$181,776. This would eliminate any cost of special assessments to the City and actually would pay for some administrative costs that are not now being covered on special assessment bond projects. These administrative costs are basically for CIP planning which occurs in our Planning Department as well as in other management offices throughout the City.

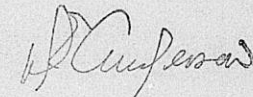
The Economic Development Commission  
January 7, 1985  
Page 2

Conclusion

It appears that the City can establish new procedures for the issuance of special assessment bonds which will totally eliminate any cost to the City relative to the issuance of special assessment bonds. In fact, it may be possible to cover certain administrative costs which are currently not being financed through the special assessment bonds.

Steps should be taken as soon as possible to put into effect the plan to issue bonds and establish debt service requirements which would allow for the synchronization of revenues and debt service payments and to maximize investment earnings on special assessment bond issues.

It is also concluded that the improvements which could be made in the development policy would allow for further improved collections in delinquent special assessments and could even improve the cash-flow projections which were shown in the attached typical bond issue.



Don E. Anderson, Director  
Housing and Economic Development

DEA:mw

Enclosure

cc: E. H. Denton, City Manager  
Russell Brenner, Director of Administration  
Bob Lakin, Director of Planning  
Mike Lindebak, City Engineer

	BEG CASH BALANCE	JAN.	FEB.	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT.	OCT.	NOV.	DEC.	NET INTEREST COSTS
YEAR	BEG. BAL. (IND.)		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
	S/A REVENUES													
	DEBT SERVICE													
	NET CASH FLOW	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
YEAR	BEG. BAL. (IND.)		\$0	\$553,770	\$261,135	\$261,135	\$261,135	\$300,690	\$300,690	\$617,130	(\$146,500)	(\$146,500)	(\$146,500)	
	S/A REVENUES	\$0	\$553,770	\$352,770	\$382,365	\$39,555	\$300,690	\$300,690	\$316,440	\$26,370				
	DEBT SERVICE			\$675,000						\$790,000				
	NET CASH FLOW	\$0	\$0	\$553,770	\$261,135	\$261,135	\$300,690	\$300,690	\$617,130	(\$146,500)	(\$146,500)	(\$146,500)	(\$146,500)	\$14,775
YEAR	BEG. BAL. (IND.)	(\$146,500)	(\$146,500)	\$352,758	\$262,784	\$262,784	\$262,784	\$278,445	\$278,445	\$563,736	(\$197,190)	(\$197,190)	(\$197,190)	
	S/A REVENUES		\$499,258	\$344,726	\$349,090	\$349,430	\$329,430	\$275,542	\$285,290	\$23,774				
	DEBT SERVICE			\$434,700						\$684,700				
	NET CASH FLOW	(\$146,500)	(\$146,500)	\$352,758	\$262,784	\$262,784	\$262,784	\$278,445	\$298,445	\$583,736	(\$197,190)	(\$197,190)	(\$197,190)	\$10,399
YEAR	BEG. BAL. (IND.)	(\$197,190)	(\$197,190)	\$308,389	\$239,430	\$239,430	\$239,430	\$275,542	\$275,542	\$564,445	(\$229,530)	(\$229,530)	(\$229,530)	
	S/A REVENUES		\$505,579	\$349,090	\$349,090	\$329,430	\$275,542	\$275,542	\$288,902	\$24,075				
	DEBT SERVICE			\$418,050						\$818,050				
	NET CASH FLOW	(\$197,190)	(\$197,190)	\$208,389	\$239,430	\$239,430	\$239,430	\$275,542	\$275,542	\$564,445	(\$229,530)	(\$229,530)	(\$229,530)	\$7,702
YEAR	BEG. BAL. (IND.)	(\$229,530)	(\$229,530)	\$287,903	\$245,128	\$245,128	\$245,128	\$282,087	\$282,087	\$577,763	(\$237,647)	(\$237,647)	(\$237,647)	
	S/A REVENUES		\$517,433	\$357,275	\$357,275	\$336,959	\$282,087	\$282,087	\$295,676	\$24,840				
	DEBT SERVICE			\$400,050						\$840,050				
	NET CASH FLOW	(\$229,530)	(\$229,530)	\$287,903	\$245,128	\$245,128	\$245,128	\$282,087	\$282,087	\$577,763	(\$237,647)	(\$237,647)	(\$237,647)	\$7,388
YEAR	BEG. BAL. (IND.)	(\$237,647)	(\$237,647)	\$284,251	\$264,360	\$264,360	\$264,360	\$301,638	\$301,638	\$599,866	(\$235,532)	(\$235,532)	(\$235,532)	
	S/A REVENUES		\$521,898	\$360,358	\$360,358	\$337,278	\$301,638	\$301,638	\$298,228	\$24,852				
	DEBT SERVICE			\$390,250						\$840,250				
	NET CASH FLOW	(\$237,647)	(\$237,647)	\$284,251	\$264,360	\$264,360	\$264,360	\$301,638	\$301,638	\$599,866	(\$235,532)	(\$235,532)	(\$235,532)	\$8,255
YEAR	BEG. BAL. (IND.)	(\$235,532)	(\$235,532)	\$284,223	\$284,452	\$284,452	\$284,452	\$321,578	\$321,578	\$618,581	(\$235,319)	(\$235,319)	(\$235,319)	
	S/A REVENUES		\$519,755	\$358,879	\$358,879	\$337,125	\$321,578	\$321,578	\$297,003	\$24,750				
	DEBT SERVICE			\$358,650						\$878,650				
	NET CASH FLOW	(\$235,532)	(\$235,532)	\$284,223	\$284,452	\$284,452	\$284,452	\$321,578	\$321,578	\$618,581	(\$235,319)	(\$235,319)	(\$235,319)	\$9,169
YEAR	BEG. BAL. (IND.)	(\$235,319)	(\$235,319)	\$285,602	\$310,035	\$310,035	\$310,035	\$347,244	\$347,244	\$644,913	(\$235,531)	(\$235,531)	(\$235,531)	
	S/A REVENUES		\$520,921	\$359,684	\$359,684	\$337,209	\$347,244	\$347,244	\$297,669	\$24,806				
	DEBT SERVICE			\$335,250						\$905,250				
	NET CASH FLOW	(\$235,319)	(\$235,319)	\$285,602	\$310,035	\$310,035	\$310,035	\$347,244	\$347,244	\$644,913	(\$235,531)	(\$235,531)	(\$235,531)	\$10,333
YEAR	BEG. BAL. (IND.)	(\$235,531)	(\$235,531)	\$284,959	\$334,745	\$334,745	\$334,745	\$371,923	\$371,923	\$669,346	(\$235,469)	(\$235,469)	(\$235,469)	
	S/A REVENUES		\$520,470	\$359,386	\$359,386	\$337,178	\$371,923	\$371,923	\$297,423	\$24,785				
	DEBT SERVICE			\$309,600						\$924,600				
	NET CASH FLOW	(\$235,531)	(\$235,531)	\$284,959	\$334,745	\$334,745	\$334,745	\$371,923	\$371,923	\$669,346	(\$235,469)	(\$235,469)	(\$235,469)	\$11,457

		BEG CASH BALANCE	JAN.	FEB.	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT.	OCT.	NOV.	DEC.	NET INTEREST COSTS
YEAR	BEG. BAL. (MD.)			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	S/A REVENUES														
	DEBT SERVICE							\$0							
	NET CASH FLOW	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
YEAR	BEG. BAL. (MD.)		\$0	\$0	\$533,770	\$261,135	\$261,135	\$261,135	\$300,690	\$300,690	\$617,130	(\$146,500)	(\$146,500)	(\$146,500)	
	S/A REVENUES		\$533,770		\$382,365		\$39,555		\$316,440		\$26,370				
	DEBT SERVICE				\$875,000						\$790,000				
	NET CASH FLOW	\$0	\$0	\$533,770	\$261,135	\$261,135	\$261,135	\$300,690	\$300,690	\$617,130	(\$146,500)	(\$146,500)	(\$146,500)	(\$146,500)	\$14,773
YEAR	BEG. BAL. (MD.)	(\$146,500)	(\$146,500)	\$352,758	\$262,784	\$262,784	\$262,784	\$298,445	\$298,445	\$298,445	\$583,736	(\$197,190)	(\$197,190)	(\$197,190)	
	S/A REVENUES		\$499,238		\$344,726		\$35,561		\$285,290		\$24,774				
	DEBT SERVICE				\$834,730						\$804,700				
	NET CASH FLOW	(\$146,500)	(\$146,500)	\$352,758	\$262,784	\$262,784	\$262,784	\$298,445	\$298,445	\$583,736	(\$197,190)	(\$197,190)	(\$197,190)	(\$197,190)	\$10,399
YEAR	BEG. BAL. (MD.)	(\$197,190)	(\$197,190)	\$308,389	\$239,430	\$239,430	\$239,430	\$275,542	\$275,542	\$275,542	\$564,445	(\$229,530)	(\$229,530)	(\$229,530)	
	S/A REVENUES		\$505,579		\$349,090		\$36,113		\$288,902		\$24,075				
	DEBT SERVICE				\$418,050						\$818,050				
	NET CASH FLOW	(\$197,190)	(\$197,190)	\$308,389	\$239,430	\$239,430	\$239,430	\$275,542	\$275,542	\$564,445	(\$229,530)	(\$229,530)	(\$229,530)	(\$229,530)	\$7,702
YEAR	BEG. BAL. (MD.)	(\$229,530)	(\$229,530)	\$287,903	\$245,128	\$245,128	\$245,128	\$282,087	\$282,087	\$282,087	\$577,763	(\$237,647)	(\$237,647)	(\$237,647)	
	S/A REVENUES		\$517,433		\$357,275		\$36,959		\$295,676		\$24,640				
	DEBT SERVICE				\$468,050						\$840,050				
	NET CASH FLOW	(\$229,530)	(\$229,530)	\$287,903	\$245,128	\$245,128	\$245,128	\$282,087	\$282,087	\$577,763	(\$237,647)	(\$237,647)	(\$237,647)	(\$237,647)	\$7,388
YEAR	BEG. BAL. (MD.)	(\$237,647)	(\$237,647)	\$284,251	\$264,360	\$264,360	\$264,360	\$301,638	\$301,638	\$301,638	\$599,866	(\$235,532)	(\$235,532)	(\$235,532)	
	S/A REVENUES		\$521,898		\$360,358		\$37,278		\$298,228		\$24,852				
	DEBT SERVICE				\$380,250						\$860,250				
	NET CASH FLOW	(\$237,647)	(\$237,647)	\$284,251	\$264,360	\$264,360	\$264,360	\$301,638	\$301,638	\$599,866	(\$235,532)	(\$235,532)	(\$235,532)	(\$235,532)	\$8
YEAR	BEG. BAL. (MD.)	(\$235,532)	(\$235,532)	\$284,223	\$284,452	\$284,452	\$284,452	\$321,578	\$321,578	\$321,578	\$618,581	(\$235,319)	(\$235,319)	(\$235,319)	
	S/A REVENUES		\$519,755		\$358,879		\$37,125		\$297,003		\$24,750				
	DEBT SERVICE				\$358,650						\$878,650				
	NET CASH FLOW	(\$235,532)	(\$235,532)	\$284,223	\$284,452	\$284,452	\$284,452	\$321,578	\$321,578	\$618,581	(\$235,319)	(\$235,319)	(\$235,319)	(\$235,319)	\$9,169
YEAR	BEG. BAL. (MD.)	(\$235,319)	(\$235,319)	\$285,602	\$310,035	\$310,035	\$310,035	\$347,244	\$347,244	\$347,244	\$644,913	(\$235,531)	(\$235,531)	(\$235,531)	
	S/A REVENUES		\$520,921		\$359,684		\$37,209		\$297,669		\$24,806				
	DEBT SERVICE				\$335,250						\$965,250				
	NET CASH FLOW	(\$235,319)	(\$235,319)	\$285,602	\$310,035	\$310,035	\$310,035	\$347,244	\$347,244	\$644,913	(\$235,531)	(\$235,531)	(\$235,531)	(\$235,531)	\$10,333
YEAR	BEG. BAL. (MD.)	(\$235,531)	(\$235,531)	\$284,959	\$334,745	\$334,745	\$334,745	\$371,923	\$371,923	\$371,923	\$669,346	(\$235,469)	(\$235,469)	(\$235,469)	
	S/A REVENUES		\$520,490		\$359,386		\$37,170		\$297,423		\$24,785				
	DEBT SERVICE				\$339,690						\$929,600				
	NET CASH FLOW	(\$235,531)	(\$235,531)	\$284,959	\$334,745	\$334,745	\$334,745	\$371,923	\$371,923	\$669,346	(\$235,469)	(\$235,469)	(\$235,469)	(\$235,469)	\$11,437

Data Documents

	BEG CASH BALANCE	JAN.	FEB.	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT.	OCT.	NOV.	DEC.	NET INTEREST COSTS
YEAR 19	NET CASH FLOW	(811,978)	(811,978)	(885,842)	(867,795)	(867,795)	(865,929)	(865,929)	(850,994)	(849,749)	(849,749)	(849,749)	(849,749)	(85,873)
	BEG. BAL. (INC.)		(849,749)	(849,749)	(834,073)	(823,250)	(823,250)	(822,130)	(822,130)	(813,172)	(812,426)	(812,426)	(812,426)	
	S/A REVENUES		\$15,676	\$10,824			\$1,120		\$8,958	\$746				
	DEBT SERVICE													
YEAR 20	NET CASH FLOW	(849,749)	(849,749)	(834,073)	(823,250)	(823,250)	(822,130)	(822,130)	(813,172)	(812,426)	(812,426)	(812,426)	(812,426)	(81,953)
	BEG. BAL. (INC.)		(812,426)	(812,426)	(87,207)	(83,604)	(83,604)	(83,604)	(83,231)	(83,231)	(82,497)	(80)	(80)	(80)
	S/A REVENUES		\$5,219	\$3,604			\$373		\$2,982	\$249				
	DEBT SERVICE													
YEAR 21	NET CASH FLOW	(812,426)	(812,426)	(87,207)	(83,604)	(83,604)	(83,231)	(83,231)	(82,497)	(80)	(80)	(80)	(80)	(8,279)
	BEG. BAL. (INC.)		(80)	(80)	(80)	(80)	(80)	(80)	(80)	(80)	(80)	(80)	(80)	
	S/A REVENUES		80	80			80		80	80				
	DEBT SERVICE													
	NET CASH FLOW	(80)	(80)	(80)	(80)	(80)	(80)	(80)	(80)	(80)	(80)	(80)	(80)	(80)

\$181,776

\$10,000,000 Special Assessment Bond Issue  
 15 Year Term  
 9% Interest

Prepared by The City of Wichita Controller's Office

# THE CITY OF WICHITA



DEPARTMENT OF HOUSING AND  
ECONOMIC DEVELOPMENT  
CITY HALL — ELEVENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202  
(316) 268-4631

January 4, 1985

TO: Developers, Realtors, Builders, Financial Institutions,  
Chamber of Commerce, Area Builders Association,  
Board of Realtors, et al

SUBJECT: Public Hearing, Economic Development Commission  
Re: Development Policy for Public Improvements  
January 10th & 24th, 9:30 A.M., 1st Floor,  
City Hall Board Room

The Economic Development Commission in cooperation with the Metropolitan Area Planning Commission, has been asked to review the city's current policies toward financing the installation of public improvements as these improvements relate to new land developments in the city.

The attached material will provide you with a thorough background as to how this matter has developed over the last several months. Attachment "F" is a draft policy which will be reviewed by the Economic Development Commission.

We would very much appreciate receiving your remarks at the public hearings on January 10th and 24th relative to this policy change and hope you will be able to schedule your time accordingly.

Mr. Marty Moody, a member of this department's staff, will be contacting you personally to determine whether or not you will be in attendance and whether you will be providing testimony regarding this matter.

Thank you for your cooperation.

Sincerely,

Don E. Anderson, Director  
Housing and Economic Development

DEA/NEH/dh

cc: Robert A. Lakin, Director of Planning  
James C. Wilson, Chairman, MAPC  
Joel Pollack, President, EDC  
Nelson E. Hall, Industrial Development Officer

**THE CITY OF WICHITA**  
Housing and Economic Development  
OFFICE OF

DATE December 12, 1984

TO Economic Development Commission  
FROM Don E. Anderson, Director of Housing and Economic Development  
SUBJECT Development Policy for Public  
Improvements

Attached is a draft Administrative Regulation, with cover memorandum from Nelson Hall, which I believe resolves in a comprehensive manner the revisions which currently need to be made in the above subject policy.

Mr. Hall will be available during your meeting of December 13 to answer any questions which the Commission may have relative to the new policy draft he has prepared.

I agree totally with Mr. Hall's summary remarks, particularly the fact that the principal problem which the 35% Development Policy has always had has had to do with the monitoring procedures which were set up for its administration. I believe this new Administrative Regulation solves that basic problem.

I will be prepared to make a more complete presentation to the Economic Development Commission relative to the economies which I believe can result from restructuring the way the City currently handles special assessment bond issues.

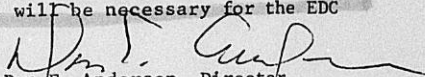
It is recommended that the EDC recommend to the City Commission:

1. Adoption of the attached draft Administrative Regulation.
2. Instruct the administrative staff to make certain changes in the phasing of the issuance of special assessment bonds deleting the first two interest payments and the first principal payment so that these costs will start to be borne by the payments from the special assessments and not by the General Debt and Interest Fund as a whole.

As I believe these two remedies will take care of most of the issues which have been raised relative to the development policy for public improvements, I do not feel that it will be necessary for the EDC to pursue this matter further.

DEA:mg  
c.c.

E. H. Denton, City Manager

  
Don E. Anderson, Director  
Housing and Economic Development

**THE CITY OF WICHITA**

**OFFICE OF Housing and Economic  
Development**

**DATE** December 12, 1984

**TO** Don Anderson, Director, Housing and Economic Development

**FROM** Nelson E. Hall, Industrial Development Officer

**SUBJECT** Development Policy for Public  
Improvements

Attached is a rough draft of a suggested Administrative Regulation regarding the above subject which corrects the problems existing in the old regulation and basically incorporates the ideas which were presented verbally to the EDC during their last meeting on November 29 and to the Deputy City Manager Bob Finch last Friday, December 7.

It is recognized that this draft contains a lot of background verbiage and explanation which would be unnecessary in the final draft; however, it has been included here in order to provide those who will be reviewing it some continuity between the old policy and the new. Important changes in comparing this policy to the old one are as follows:

1. The policy opens with a more general statement regarding the City's overall approach to development and incorporates by reference both state statute regarding the construction of public improvements and the MAPC's Subdivision Regulations which control both standards for the construction of new improvements and the actual mechanics of establishing new subdivisions.
2. The new policy establishes a new administrative committee (Development Policy Administrative Review Committee, DEPARC Committee) which will have important responsibilities for:
  - a. Administration of the new policy, including its further refinement as well as its expansion to cover other areas of the City's overall land development process which have not been identified herein.
  - b. Continual monitoring of the City's financial exposure as a result of its policy to finance public improvements for private developments in this fashion.
  - c. The establishment of a computerized land data system.

Don Anderson  
Page 2  
December 12, 1984

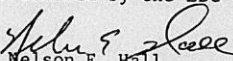
3. Due to the fact that the new "Affidavit Policy Regarding No Delinquent Specials" is currently only established by memorandum from the Manager's office it has been incorporated in the new regulation in its logical sequence.
4. Finally, starting on page 3, this new regulation addresses the 35% Development Policy, which of course is the main issue which needed attention. I have provided some background as to where the original policy came from and the actual new statement of policy is contained on page 4 followed by the procedures for its administration. It is important in reviewing this section of the regulation to review both Attachments B and C which are very important to understanding how this new regulation will be administered and how the 50% Letter of Credit deposit will be fractionalized against the lots in the benefitted district.

Don, as you know, for some time now I have been very interested in seeing the City move toward the development of a sophisticated computerized land data system which I believe is as important to the City's overall economic development interest today as the creation of fully developed industrial parks were during the early part of the 1970's.

As you know, I have suggested this as one of the committee assignments to be handled during the Economic Development Commission's review of our existing Economic Development Policy; however, we have simply never had time to pursue this as a project.

I would simply like to mention here that I feel such a system goes way beyond just providing us with the ability to administer the 35% Development Policy. While it is not relevant to cover all of the benefits the City would derive from such a system in this memorandum, I would at least like to point out that such a system would be tremendously helpful in the critical decisions which the City Commission is asked to make each year regarding the City's investment policy for capital improvements; in addition, it would allow us to know much more about absorption rates of various categories of property and also allow us to know much more about where this new property is being developed, the cost of its development, etc.; it would provide us with the type of hard data that most national firms collect and sell to companies making investment decisions on a national basis and finally, it would allow tremendous efficiencies to be developed regarding all kinds of information needs required by our City departments as well as developers, realtors, engineers, etc.

This office will be prepared to present the attached Administrative Regulation in any degree of detail desired by the EDC during their meeting tomorrow, December 13.

  
Nelson E. Hall  
Industrial Development Officer

NEH/abv  
cc: Karl Kennedy, Industrial Analyst

Administrative Regulation

DRAFT

(NEH - 12/11/84)

Date: December 1984

AR 29

Subject: Development Policy for Public  
Improvements

Supersedes: AR 31  
September 8, 1976

Statement of General Policy

It is the policy of the City of Wichita to require the installation of public improvements (streets, sanitary sewers, water mains and drainage structures) in conformance with the standards established by the Subdivision Regulations of Wichita-Sedgwick County Metropolitan Area Planning Commission.

While it is understood that there are certain older areas of the City where existing public improvements do not meet current standards and where waivers of new development standards may be allowed, the City will not allow new developments to occur without guarantees being provided that standard improvements will be installed.

To facilitate this general policy it is further provided that:

1. The City shall use the powers provided by state statute<sup>me</sup> (K.S.A. 12-601 and 12-6a01) to finance the construction of public improvements provided reasonable assurances, as defined below, are provided by the developer or others that the City's credit will not be adversely affected and provided that no cost will be incurred as a direct result of the installation and financing of these improvements which would result in an increase to the general tax levy.
2. That while for the purposes of the Subdivision Regulations, specifically Sec. 8-105(b), petitions shall be an acceptable means of guaranteeing public improvements so as to allow a plat to be registered that no building permits shall henceforth be issued for lots in newly platted subdivisions unless:
  - a. conditions are met as set out under Sec. 8-105(a) of the Sub-  
division Regulations, or *L with guarantee*
  - b. if petitions are being used a Letter of Credit has been deposited with the City in accordance with the below indicated procedures.  
(See Procedures, page 4)

*no im built up*

This policy, regarding building permits, heretofore not explicitly stated by the City is incorporated herein to prevent new developments being petitioned by a Land Developer who does not immediately put up financial guarantees for the improvements petitioned and then sells lots to a builder who could then conceivably "pull a building permit" and build a house on a lot which is platted that has no improvements to it, including streets, and then request the City to "grade in" a dirt street to serve the house so constructed.

While affidavits are on file with the Register of Deeds, flagging to the buyer of any newly platted lots, the fact that the improvement petitions exist and that the lot is subject to potential assessments, it is conceivable

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 2

that the builder might be buying the lot on contract and never require a title examination to be made.

It is suggested here that the City notify all those involved in the land development and construction business that a "buyer beware" policy exist regarding the purchase of newly platted lots and that the City will no longer issue building permits for new lots unless financial guarantees for the construction of the public improvements are on file.)

Establishment of Development Policy Administrative Review Committee

No further special assessment projects will be initiated by the City without specific City Commission hearing and approval; such hearing to be preceded by a staff review and recommendation from the Development Policy Administrative Review Committee. (DEPA Committee) This committee shall be comprised of the Directors of the Departments of Economic Development, Planning, Law, and Administration or their designated representatives with the City Clerk serving as Secretary.

This committee shall be responsible for:

1. Further refinement and definition of the City's Development Policy for recommendation to the City Commission. (This may require the committee to hold consultations with the "development community" including, but not limited to, land developers, platting engineers, builders, financial institutions, the Chamber of Commerce, and the Wichita Association of Home Builders, etc.)
2. Establishment and maintenance of a computerized Land Data System which will ultimately become the basis for the enforcement of this policy.
3. Review of all new special assessment projects and the preparation of a recommendation to the City Commission which will appear in a special section of the City Clerk's agenda.
4. Administration of the Affidavit Policy regarding delinquent specials.
5. Administration of the 35% Development Policy.

Affidavit Policy Regarding No Delinquent Specials

It is the policy of the City that it will no longer initiate any new special assessment improvement projects with any individual, parties or corporations unless an affidavit is filed (see Attachment A) which certifies under oath that no one having a direct or indirect beneficial interest in the proposed new special assessment project is not current in the payment of any other obligated special assessment taxes.

**Exceptions:** Affidavits will not be required for projects in fully developed areas where multiple owners have signed petitions for improvements or in instances where a project is ordered in by the City Commission.

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 3

Administration: The DEPA Committee shall require the filing of these affidavits at the same time that financial guarantees are being filed to ensure the installation of new special assessment projects and preceding any monetary commitment on the part of the City for engineering design or actual construction of the new special assessment improvements.

The City Clerk's agenda item regarding the new special assessment project will note, as standard form, whether an affidavit is being required and whether one is on file.

City Commission Action: Based on the advice of the DEPA Committee the City Manager and City Attorney the City Commission reserves to itself the prerogative of conducting a special hearing and granting a waiver from this policy.

If a land developer is requesting such a waiver it is his responsibility to make such a request in writing to the City Commission and such a hearing will be scheduled as part of the City Clerk agenda item regarding the new special assessment improvements being petitioned and financially guaranteed.

The DEPA Committee's recommendation regarding the land developer's request for waiver will be included as a part of the City Clerk's agenda item.

35% Development Policy

Background

For many years the City of Wichita has had in place what has come to be known as the "35% Development Policy." This policy originally established by the City Engineer in unwritten form provided that for the City to construct public improvements using special assessment financing as provided for under state law it was necessary that:

- See my memo.*
- (1) 35% of the land be developed (this reflects a day when oftentimes a developer would "grade in" his own dirt streets);
  - (2) that a cash guarantee be provided for the payment of 35% of the special assessments involved in the improvement until such time as 35% of the property had been developed at which time the cash guarantee was released.

?  
During the early 70's, at a time when a lack of fully platted ready-to-go industrial property was identified as a major detriment to this community's economic growth, it was decided that a procedure should be established by which the 35% Development Policy could be waived so as to encourage developers to fully develop industrial areas by platting and installing facilities. The waiver was an inducement to the land developers who claimed that due to the unpredictable market for industrial property they did not wish to tie up their money in paying for special assessments on improvements which might be several years "in the ground" prior to the land being sold.

In order to develop a waiver procedure for the 35% Development Policy it was first necessary to commit the 35% Development Policy to a written form.

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 4

Since early 1970 the written policy has been amended several times to its current form dating from September of 1976.

Many criticisms have been leveled against the existing policy among which are the following:

*Notes: Letter of Credit on project. Person handling?*

- (1) Difficult to administer (no way, except manually, to monitor the relationship between Letter's of Credit and special assessment tax payments).
- (2) Letter's of Credit were against total benefit district which are not always owned entirely by one owner in the beginning and once sales take place even further dilution occurs relative to the responsible party for the payment of special assessment taxes.
- (3) Claims have been made that the percentage of Letter of Credit is not sufficient to cover City's loss if property goes to tax sale.
- (4) Claims have been made that the refund of total cash guarantee, at 35% development level, is too early to cover City's risk.
- (5) *Lower on Owner's side, not total P+I expenses*

New 35% Development Policy Statement

The City reiterates its position that it generally feels that once <sup>50?</sup> 35% of the land in an existing plat has been developed with either residential structures, commercial or industrial buildings, the City no longer needs to protect its special assessment investment through the retention of financial guarantees for the payment of those special assessments and will therefore release the guarantees. *Should be a reason? Payment can be expected to be made.*

*Why*

Henceforth all financial guarantees for special assessment improvements will take the form of a Letter of Credit in an amount equaling 50% of the face amount of the petition plus any escalation resulting from the age of the petition calculated at 1 1/2% per month.

*How much at plat? City permit project initiated*

Procedures

*Mention Inv Est Rate of land bond*

- 1. The City Engineer shall be responsible for maintaining a record of, and the City Clerk will maintain a file of all outstanding special assessment improvement petitions being held for development.
- 2. No engineering over and above that amount initially necessary to the preparation of the estimate contained on the petition shall be done toward the design of the improvement until such time as the financial guarantees provided herein have been accepted by the City Commission as part of its approval to proceed with the special assessment project. A special section shall be established on the City Clerk's agenda, for these items.
- 3. The DEPA Committee shall review and prepare the agenda item for placement on the City Clerk's agenda for each special assessment improvement project; and while the policy guidelines identified above will generally govern, the DEPA Committee may recommend to the City Commission an increase in either the amount of development necessary to release the guarantee or an increase in the actual amount of the guarantee itself.

*Wants in Depla*

*Admin by one person - appears to a committee*

AR 29  
Page 5

4. All guarantees will take the form of a Letter of Credit. (See Attachment B) Letter's of Credit will not be considered as an alternate way of paying the taxes due on the property but will rather be considered as a penalty which will be collected by the City if any special assessment taxes are not paid when due and are allowed to go delinquent.

*NO  
must be  
credit of pay delinq.  
may be receiving  
penalty  
↓ Int 18/B.*

While each Letter of Credit will be based on a percentage (generally 50%) of the amount shown on the face of the petition plus escalation, once the improvement has been constructed and the engineer's final statement of cost has been established, including temporary note cost, the Letter of Credit will be spread against each benefitting lot based on the same fractionalization and pro rata percentage as is being used to prorate the cost of the improvement. (Please see Attachment C which provides a hypothetical example of how this process will work as well as indicates certain exceptions which may need to be dealt with administratively by the DEPA Committee.)

*All may be released  
in same amount*

In most cases, if it is assumed that a 50% deposit on the petition amount is collected, the final amount prorated against each lot should approximate an amount equal to the first four or five years of special assessments. (See Attachment C remarks)

*compute based  
on 1/3 of I payments  
@ 1% note 5 yr  
guaranteed in  
5 yr*

6. Refunds of letters of credit fractionalized in the manner indicated in the preceding paragraph will be as follows:

- a. As lots are developed <sup>+ sold</sup> (residential, commercial or industrial building ~~are built~~ <sup>is built</sup>) the developer may apply to the City Clerk for a release of that amount of the Letter of Credit fractionalized against that lot. A certificate would be issued which the developer could take to the bank which would amend the Letter of Credit and the certificate would be attached to the bank document.
- b. When the agreed-to percentage of development (normally <sup>50</sup> 35%) has occurred within a benefit district established for the improvement and for which the Letter of Credit is on file, the developer may apply for a release of the entire Letter of Credit.

*and completed*

*But we pay 3-4% P+I + increase will levy in some time.*

Note 1. Since the letter of credit will not be considered a payment of taxes if it is collected and cashed by the City, in the event the property should ever go to final tax sale (it is understood that tax sales have a minimum sale price equal to the outstanding taxes) the City would still receive the taxes due on the property with the remaining specials being outstanding against the new owner.

Note 2. It is conceivable that a developer could sell a block of lots to a builder who would then allow his taxes to go delinquent. This policy places responsibility on the initial developer to insure by separate contract with the buyer that if in the event the new buyer lets taxes go delinquent and causes the developer to lose his financial guarantee, reimbursement would have to come from the buyer, not from the City.

*orig. lt. can be replaced by new buyer. If not orig. in hold & need.*

Administrative Regulation

AR 29  
Page 6

Policy Implications

This policy is adopted by the City Commission in full recognition of the fact that the administration of this policy by that portion of the city organization which concerns itself with land development, will necessitate the development of a new computerized Land Data System. This system will provide routine development policy communication between the Current Plans Division (responsible for platting and zoning) and the Engineering Division of the Planning Department along with the Central Inspection Division of the Department of Housing and Economic Development, the City Clerk's office, as well as those county offices who are involved in the collection of special assessment taxes for the City.

+ Dept  
Admin  
Div  
City

At this time, and until such time as the new Land Data System has been installed, organizational responsibility for insuring communication between the various divisions and sections of the city organization which will be necessary to make this policy work is assigned to the Director of Planning who should report the method by which he will temporarily assure this policy's administration to the DEPA Committee and the City Commission.

The DEPA Committee should provide the City Commission with a report as soon as possible as to what will be required to install a computerized land data system and what its cost will be.

Summary Remarks

It should be noted that this new policy amends the old policy in four significant ways:

a problem

1. Guarantees will now be spread by lot instead of being held as financial guarantees against the total benefit district which will allow more effective administration of the policy.
2. It will now be possible for the developer to have his financial guarantees returned on the basis of each lot rather than waiting until a total of 35% development has occurred in the plat.   
OK
3. The guarantee on the petition amount has generally been increased from 35% to 50%.   
NE 25/10
4. Monitoring procedures will be established (both temporary and permanent) which will allow for effective policy administration. This has always been the major problem inherent in the old policy.

City of Wichita, Kansas

AFFIDAVIT

STATE OF KANSAS )  
                  ) ss:  
SEDMICK COUNTY )

COMES NOW \_\_\_\_\_ of lawful age, and  
being first duly sworn, on oath states:

No party having a beneficial interest in the property in the proposed  
improvement district for \_\_\_\_\_

\_\_\_\_\_

has a beneficial interest in any property that is currently delinquent in pay-  
ment of special assessments for the financing of a public improvement con-  
structed under the authority of the City of Wichita, Kansas or other govern-  
mental entities in the State of Kansas. The term party, as used herein, in-  
cludes individuals, partnerships, partners or general partners of any partner-  
ship holding a beneficial interest, corporations, officers of corporations  
holding a beneficial interest, and Trustees.

Attached is a list of all parties holding a beneficial interest in prop-  
erty in the proposed improvement district.

FURTHER AFFIANT SAITH NOT.

\_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Appointment Expires:  
\_\_\_\_\_

ATTACHMENT B

L/C No. 5000

Maturity 12/12/86

IRREVOCABLE LETTER OF CREDIT

Re: Penalty for non-payment of special assessments for the construction of streets  
(Type of Improvement)

Estate of William Levitt, deceased is the owner of  
(Name of Developer or Builder)

Lots 1 through 12 inclusive, Block 2; Lots 1 through 4 inclusive,  
(Legal Description - Lots, Blocks, Addition)  
the north half of Lot 5 and Lots 10 through 17 inclusive, all in  
Block 3; and Lots 1 through 19 inclusive, and Lot 25 in Block 4, all  
in Third Addition to Cherry Creek Hills

It is requested that: streets (1) Chalet Drive, from the west line of  
Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to west line of  
(Project Name and Project Number)  
Capri; (2) Chalet Court, from the south line Chalet Drive to and  
including Cul-de-sac; and (3) Rosalie Lane, from the north line Cherry  
Creek Drive to the south line Chalet Drive; No. 472-76-245-80775-000-  
000-001

be ~~installed~~ <sup>constructed</sup> prior to development on the lots.

*Total due on 12/12/2012*

*in total, Paul must then arrange delinquent for ref/3 part.*

Estate of William Levitt, deceased shall pay as a penalty on a per lot basis for nonpayment of special assessments for the above named improvement(s) to be levied against the above described property on which improvements have not been started an amount per lot as provided in Attachment A. Such penalty amount shall be payable the first year that said special assessments become delinquent. Such payment of penalty shall not relieve Estate of William Levitt, deceased of liability for payment of special assessments. In order to secure performance on the conditions stated above the sum of \$69,500 is being held in account by Union National Bank of Wichita, Kansas (Name of Bank or Association)

The undersigned guarantor will make disbursements by sight drafts upon the above mentioned account by notice from the City of Wichita that Estate of William Levitt, deceased (Developer or Builder) is in default of his promise to pay the special assessments levied upon the above described property and in the amount designated by the City as being due as penalty.

Prior to the maturity of this Letter of Credit, the City of Wichita, Kansas has the option to draw against this Letter of Credit or request a new Irrevocable Letter of Credit be issued.

The guaranty sum shall be maintained until notice by the City of Wichita that 35% of improvements have been started and guaranty released.

UNION NATIONAL BANK OF WICHITA, KANSAS

By: \_\_\_\_\_  
Signature of Guarantor

SCHEDULE OF PENALTIES FOR NON-PAYMENT OF SPECIAL ASSESSMENTS  
CHERRY CREEK HILLS 3RD ADDITION

<u>Lot</u>	<u>Block</u>	<u>Amount of Penalty</u>
	Chalet Drive	
1	2	\$ 1,500
2	"	1,500
3	"	1,500
4	"	1,500
5	"	1,500
6	"	1,500
7	"	1,500
8	"	1,500
9	"	1,500
10	"	1,500
11	"	1,500
12	"	1,500
	Flynn Lane	
1	3	1,200
2	"	1,200
3	"	1,200
4	"	1,200
5	"	650
	Rosalie Lane	
10	3	1,200
11	"	1,200
12	"	1,200
13	"	1,200
14	"	2,000
15	"	2,000
16	"	2,000
17	"	2,000
	Rosalie Lane	
1	4	2,000
2	"	2,000
3	"	2,000
4	"	2,000
5	"	1,150
6	"	1,150
7	"	1,150
	Chalet Court	
8	4	1,150
9	"	1,150
10	"	1,600
11	"	2,000
12	"	2,000
13	"	2,000
14	"	2,000
15	"	2,000
16	"	2,000
17	"	1,600
18	"	1,150
19	"	1,150
	Chalet Drive	
25	4	2,000
	Total	\$69,500

for yr?

NOTICE

Request for Payment of Penalty  
for  
Delinquent Special Assessments

To: Union National Bank of Wichita, Kansas  
(Name of Bank)

Dear Sir:

You are hereby notified that under the terms of the Irrevocable  
Letter of Credit, No. 5000, issued on behalf of:

Estate of William Levitt, Deceased  
(Name of Developer or Builder)

the City of Wichita, Kansas requests the payment of penalties  
in the amount of \$ 1,500 for delinquent specials in the

Third Addition to Cherry Creek Hills  
(Name of Addition)

for the following lots:

<u>Lot/Block</u>	<u>Amount</u>
1/1	\$1,500

Donald C. Gisick  
City Clerk

EXAMPLES AND EXPLANATION OF FRACTIONALIZATION  
OF LETTERS OF CREDITHypothetical Example

To demonstrate the use of a fractionalized Letter of Credit under the proposed development policy the following hypothetical example is provided.

A sewer service petition is presented to the City from a developer planning to develop 100 lots. The petition is estimated to have a \$100,000 cost, not including temporary financing. The petition has a 1½% escalation clause.

A Letter of Credit for fifty percent (50%) of the estimated cost of the improvement or in this case \$50,000 - there is no cost escalation since the deposit is made immediately.

The Letter of Credit is fractionalized or spread on the lots in the benefit district outlined on the petition. With the 100 lot development and the \$50,000 Letter of Credit, assuming an equal spread, the amount per lot is \$500.

After the project is built, the final statement of cost which includes temporary financing is determined to be \$80,000. Given current interest rates for special assessments, the interest costs on the bonds to finance the improvement will be about \$80,000 in this example. The total to be spread on the 100 lots is \$160,000.

For each lot \$1,600 is owed for the improvement, including financing, to be paid over 15 years. That is about \$107 a year. The \$500 Letter of Credit guarantee, therefore covers approximately more than four years of special assessments.

The proposed policy allows for each fraction of the Letter of Credit to be refunded once construction has started on the lot covered by that fraction. The proposed policy also allows for all lots to be refunded when 35% of the lots are developed.

Proposed Policy Affect on Actual Project

To further demonstrate the use of a fractionalized Letter of Credit under the proposed development policy an actual project was selected at random. The attached documents are copies of the relevant statements and memos of a paving improvement in the Third Addition to Cherry Creek Hills.

Petition - PAGES 1-4. The petition describes the public improvement (paving) presented to the City. It describes the benefit district in Lots and Blocks. The City Commission approved the petition on October 24, 1978.

The preliminary estimate, the engineer's "ballpark" estimate, is \$139,000.

Resolution - PAGES 5-6. The approved petition is followed up with a resolution approved by the City Commission on November 9, 1978.

Design/Letter of Credit - PAGES 7-9. With an approved resolution, the next step is the receipt of a Letter of Credit from the developer. The Letter of Credit triggers the design phase of the project. In the Cherry Creek example the Letter of Credit was for 35% of the petition estimate of \$139,000 or \$48,650. Under the proposed policy, 50% of the petition estimate would be \$69,500, and the Letter would be fractionalized.

The design of a project is accomplished by a private consultant, under the authority of the City. From the design, a preliminary estimate of the project is determined.

Preliminary Estimate - PAGE 10. The preliminary estimate chargeable to the benefit district is \$131,541.50. The petition estimate is generally higher than the preliminary estimate, as it is in this example.

Bid & Let. A contract for the construction of the public improvement is bid with the preliminary estimate as the maximum bid. The contract is let to the lowest bidder meeting specifications.

Construction/Statement of Cost - PAGE 11. The public improvement is inspected by City officials and financed from temporary notes. The statement of cost reflecting the final cost of the project is determined, in this example to be \$148,252.59.

Special Assessments - PAGES 12-17. The final statement of cost is used by the City Clerk to spread the special assessments for each piece of property in the benefit district.

Without driveway cost, the balance to be assessed the benefit district is \$134,166.91, to be assessed on the fractional basis. For example on Block 2, Lot 6, the \$134,166.91 divided by 1390, multiplied by 30, equals \$2895.69.

On Lot 1, with the \$544.67 driveway cost, the assessment equals \$3,440.31.

On PAGES 16-17, the 15 year spread on the \$3,440.31 special assessment is reflected with payments of principal and interest which equal \$497.59. Over 15 years the total cost of the \$3,440.31 assessment is \$7,463.85.

\* \* \* \* \*

WHAT IS THE IMPACT OF FRACTIONALIZING  
THE LETTER OF CREDIT?

The following demonstrates the fractionalizing of a \$69,500 Letter of Credit for this project.

Page 3

As noted earlier, under the proposed policy the Letter of Credit for 50% of the petition estimate would be fractionalized.

In the Cherry Creek example, the Letter of Credit would be \$69,500. Fractionalized (69,500 divided by 1390 and multiplied by 30 = 1500), the amount would be \$1500 per lot.

It is helpful to compare the \$1500 per lot to the special assessment payments required for Lot 1, PAGE 16.

	SA per year	Cumulative	Letter of Credit fraction for this lot
1982	\$497.59	-	
1983	\$497.59	\$995.18	
1984	\$497.59	\$1492.77	
1985	\$497.59	\$1990.36	\$1500
1986	\$497.59	\$2487.95	

As the above demonstrates, the \$1500 Letter of Credit fraction covers over the first three years of special assessment payments.

As the proposed policy states, the \$1500 fraction is a penalty for not paying special assessments as due. Given the choice of losing a costlier Letter of Credit, the developer will pay the special assessments.

ASPHALTIC CONCRETE  
PAVING PETITION

RECEIVED  
OFFICE OF CITY CLERK  
MAR 23 1979  
 DG  DR  
 Agenda  JE  
 File

To the Board of Commissioners,  
Wichita, Kansas

Dear Commissioners:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

Approved by Board of Commissioners  
this OCT 24 1979

Lots 1 through 12 inclusive, Block 2; Lots 1 through 4 inclusive, the North Half of Lot 5 and Lots 10 through 17 inclusive, all in Block 3; and Lots 1 through 19 inclusive, and Lot 25 in Block 4, all in Third Addition to Cherry Creek Hills

do hereby petition, pursuant to the provisions of K.S.A. 1974 Supp. 12-6a01. et seq., as follows:

(2)

(a) That there be constructed pavement on the following streets:

- (1) Chalet Drive, from the west line of Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to the west line of Capri;
- (2) Chalet Court, from the south line Chalet Drive to and including Cul-de-sac;
- (3) Rosalie Lane, from the north line Cherry Creek Drive to the south line Chalet Drive;

That said pavement between aforesaid limits be constructed for a width of 30 feet from gutter line to gutter line, cement combined curb and gutter to be 2 feet and 6 inches in width, making a total roadway of 34 feet; that said pavement shall consist of an asphaltic concrete base 6 inches in thickness, and an asphaltic concrete wearing surface 2 inches in thickness, composed of stone, sand, mineral filler, and asphalt according to specifications to be furnished by the City Engineer.

(b) That the estimated and probable cost of the foregoing improvement being \$139,000.00 payable by the improvement district and \$6,000.00 payable by the City of Wichita at large for intersections. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1% per month from and after the date of approval of this petition.

(c) That the land or area above described be constituted as an improvement district against which shall be assessed 100% of the total cost of the improvement for which the improvement district is liable.

(d) That the method of assessment of all costs for the improvements for which the improvement district shall be liable shall be on a fractional basis: Lots 1 through 12 inclusive, Block 2, 3rd Addition to Cherry Creek Hills shall each pay 30/1390 of the total cost payable by the improvement district. Lots 14 through 17 inclusive, Block 3, and Lots 1 through 4 inclusive; Lots 11 through 16 inclusive and Lot 25 in Block 4, 3rd Addition to Cherry Creek Hills shall each pay 40/1390 of the total cost payable by the improvement district. Lots 1 through 4 inclusive and Lots 10 through 13 inclusive in Block 3, 3rd Addition to Cherry Creek Hills shall each pay 24/1390 of the total cost payable by the improvement district. Lots 5 through 9 inclusive, and Lots 18 and 19, Block 4, 3rd Addition to Cherry Creek Hills shall each pay 23/1390 of the total cost payable by the improvement district. Lots 10 and 17, Block 4, 3rd Addition to Cherry Creek Hills shall each pay 32/1390 of the total cost payable by the improvement district. The North Half of Lot 5, Block 3, 3rd Addition to Cherry Creek Hills shall pay 13/1390 of the total cost payable by the improvement district, except when driveways are requested to serve a particular tract, lot or parcel, the cost of said driveway shall be a direct assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgewick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

2

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
-------------------	-----------	------

Lots 1 through 12 inclusive, Block 2;  
Lots 1 through 4 inclusive, the North  
Half of Lot 5 and Lots 10 through 17  
inclusive, all in Block 3; and Lots  
1 through 19 inclusive and Lot 25 in  
Block 4, all in Third Addition to Cherry  
Creek Hills.

ESTATE OF WILLIAM LEVITT, DECEASED

By *W. J. Leach* 7/16/28  
Co-Executor

AN ABSTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION

3

AFFIDAVIT

The undersigned, being first duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.

*Edythe S. Flynn*  
Name

P.O. Box 18185-SE 9  
Address

686-6693  
Telephone No.

Sworn to and subscribed before me this 23<sup>rd</sup> day of March  
1941.

*D. A. C. Dea*  
City Clerk

88714 PUBLISHED IN THE DAILY RECORD ON NOV 9 1978  
RESOLUTION

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING OF CHALET DRIVE FROM THE WEST LINE OF LOT 1, BLOCK 2, 3RD ADDITION TO CHERRY CREEK HILLS TO THE WEST LINE OF CAPRI; CHALET COURT FROM THE SOUTH LINE CHALET DRIVE TO AND INCLUDING CUL-DE-SAC ROSALIE LANE FROM THE NORTH LINE CHERRY CREEK DRIVE TO AND INCLUDING CUL-DE-SAC; CHALET COURT FROM THE SOUTH LINE CHALET DRIVE TO AND INCLUDING CUL-DE-SAC; ROSALIE LANE FROM THE NORTH LINE CHERRY CREEK DRIVE TO THE SOUTH LINE CHALET DRIVE IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING CHALET DRIVE FROM THE WEST LINE OF LOT 1, BLOCK 2, 3RD ADDITION TO CHERRY CREEK HILLS TO THE WEST LINE OF CAPRI; CHALET COURT FROM THE SOUTH LINE CHALET DRIVE TO AND INCLUDING CUL-DE-SAC; ROSALIE LANE FROM THE NORTH LINE CHERRY CREEK DRIVE TO THE SOUTH LINE CHALET DRIVE IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO

SECTION 1. That it is necessary and in the public interest to pave the following in the manner described:

That there be constructed pavement on Chalet Drive, from the west line of Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to the west line of Capri; Chalet Court, from the south line Chalet Drive to and including Cul-de-sac; Rosalie Lane from the north line of Cherry Creek Drive to the south line Chalet Drive.

That said pavement between aforesaid limits be constructed for a width of thirty (30) feet from gutter line to gutter line, cement combined curb and gutter to be two (2) feet and six (6) inches in width, making a total roadway of thirty-four (34) feet. That said pavement shall consist of an asphaltic concrete base six (6) inches in thickness, and an asphaltic concrete wearing surface two (2) inches in thickness, composed of stone, sand and mineral filler and asphalt.

SECTION 2. That the cost of said improvement provided for in Section 1 hereof is estimated to be One Hundred Thirty-Nine Thousand Dollars (\$139,000.00) payable by the improvement district and Six Thousand Dollars (\$6,000.00) payable by the City of Wichita at large for intersections. Said estimated cost as above set forth is hereby increased at pro-rata rate of 1% per month from and after the date of approval of this resolution.

SECTION 3. That the cost of said improvement, when ascertained, shall be assessed against the land lying within a benefit district described as follows:

Lots 1 through 12 inclusive, Block 2; Lots 1 through 4 inclusive, the North Half of Lot 5 and Lots 10 through 17 inclusive, all in Block 3; and Lots 1 through 19 inclusive, and Lot 25 in Block 4, all in Third Addition to Cherry Creek Hills

SECTION 4. The method of apportioning the cost of said improvement to the owners of land liable for assessment therefor shall be on a fractional basis. Lots 1 through 12 inclusive, Block 2, 3rd Addition to Cherry Creek Hills shall each pay 30/1390 of the total cost payable by the improvement district. Lots 14 through 17 inclusive, Block 3, and Lots 1 through 4 inclusive; Lots 11 through 16 inclusive and Lot 25 in Block 4, 3rd Addition to Cherry Creek Hills shall each pay 40/1390 of the total cost payable by the improvement district. Lots 1 through 4 inclusive and Lots 10 through 13 inclusive in Block 3, 3rd Addition to Cherry Creek Hills shall each pay 24/1390 of the total cost payable by the improvement district. Lots 5 through 9 inclusive, and Lots 18 and 19, Block 4, 3rd Addition to Cherry Creek Hills shall each pay 23/1390 of the total cost payable by the improvement district. Lots 10 and 17, Block 4, 3rd Addition to Cherry Creek Hills shall each pay 32/1390 of the total cost payable by the improvement district. The North Half of Lot 5, Block 3, 3rd Addition to Cherry Creek Hills shall pay 13/1390 of the total cost payable by the improvement district, except when driveways are requested to serve a particular lot or parcel, the cost of said driveway shall be a direct assessment to said tract, lot or parcel and shall be in addition to the assessment for other improvements.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral as defined in City of Wichita Ordinance 35-570 under the criteria established for "hardship deferral".

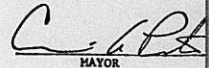
SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefor, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. The advisability of the improvements set forth above is hereby established as authorized by K.S.A. 1974 Supp. 12-6a01 et seq.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

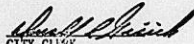
ADOPTED at Wichita, Kansas this 27 day of November



MAYOR

Connie A. Peters

ATTEST:



CITY CLERK

Donald C. Gisick

(SEAL)

IRREVOCABLE LETTER  
OF CREDIT

MAR 6 1974

Cherry Creek Hills

The following irrevocable letter of credit, presented:

From the Estate of William Levitt, Deceased, written on the Union National Bank of Wichita, Kansas, in the amount of \$48,650.00 covering the construction of street paving. (Chalet Drive, from the West line of Lot 1, Block 2, Third Addition to Cherry Creek Hills to the West line of Capri; Chalet Court, from the South line Chalet Drive to and including Cul-de-sac; Rosalie Lane, from the North line of Cherry Creek Drive to the South line of Chalet Drive, Third Addition to Cherry Creek Hills.)

Peters moved that the Letter of Credit be received and filed and the City Engineer be instructed to proceed with the project. Motion carried 5 to 0.

Motion --  
-- carried

THE CITY OF WICHITA  
OFFICE OF ENGINEERING

DATE

RECEIVED  
DECEMBER 7 1981  
OFFICE OF CITY CLERK

DEC 7 1981

DG  DR  
 JE  
 File



TO DONALD C. GISICK, CITY CLERK

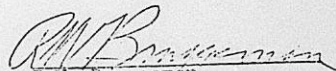
FROM R.W. BRUGGEMAN, DIRECTOR OF ENGINEERING  
CITY ENGINEER

SUBJECT: RELEASE OF IRREVOCABLE  
LETTERS OF CREDIT

Sufficient development has occurred for release of Irrevocable Letters of Credit on the following projects:

468 76 245 80645 000 000 001 - Lat.7, Main 21, War Industries Sewer

472 76 245 80775 000 000 001 - ✓ Chalet Drive from WL Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to WL Capri; Chalet Court from SL Chalet Drive to and including Cul-de-sac; Rosalie Lane from NL Cherry Creek Drive to SL Chalet Drive

  
R.W. Bruggeman  
Director of Engineering/  
City Engineer

MEL/dla

8

December 9, 1981

Union National Bank  
C/O R. F. Staats and Glenn Pyer  
150 N. Main  
Wichita, KS 67202

The Engineering Department has advised us that sufficient development has occurred on the following projects for the release of the letters of credit:

Lateral 7, Main 21, War Industries Sewer

Chalet Drive from WL Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to WL Capri; etc.

The letters of credit are enclosed.

Sincerely,

Donald C. Gisick  
City Clerk

DCC/ddf

enclosures

9

Wichita, Kansas  
 July 17, 1979  
 472 76 245 80775 000 000 001  
 Approved by Board of Commissioners  
 July 31 1979

To the Board of Commissioners  
 Wichita, Kansas

Dear Commissioners:

PRELIMINARY ESTIMATE of the cost of improving Chalet Drive from the West line of Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to the West line of Capri; Chalet Court from the south line Chalet Drive to and including Cul-de-sac; Rosalie Lane from north line Cherry Creek Drive to the South line Chalet Drive.

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

CHARGEABLE TO PROPERTY

6120 sq. yds. 8" Asphaltic Concrete Pavement (6" Bituminous Base)	@ 9.00	\$ 55,080.00	
1210 sq. yds. 3" Bituminous Base	@ 3.30	3,993.00	
3625 lin. ft. Standard Combined Curb and Gutter	@ 4.20	15,225.00	
13800 sq. ft. 6" Drive	@ 1.75	24,150.00	
960 lbs. Reinforcing Steel	@ .40	384.00	
5730 cu. yds. Excavation	@ 2.50	14,325.00	
630 cu. yds. Compacted Fill	@ 2.50	1,575.00	
7530 sq. yds. Manipulation	@ 1.15	8,659.50	
95 tons Lime or Cement	@ 80.00	7,600.00	
11 Inlet Hookups	@ 50.00	550.00	\$ 131,541.50

CHARGEABLE TO CITY

385 sq. yds. 8" Asphaltic Concrete Pavement (6" Bituminous Base)	@ 9.00	3,465.00	
30 sq. yds. 3" Bituminous Base	@ 3.30	99.00	
90 lin. ft. Standard Combined Curb and Gutter	@ 4.20	378.00	
260 cu. yds. Excavation	@ 2.50	650.00	
35 cu. yds. Compacted Fill	@ 2.50	87.50	
420 sq. yds. Manipulation	@ 1.15	483.00	
5 tons Lime or Cement	@ 80.00	400.00	5,562.50

Engineering	\$ 137,104.00
Administration	13,710.40
Publication	1,871.04
	200.00

Total Estimated Cost - \$ 152,885.44

CITY OF WICHITA)  
 STATE OF KANSAS) SS

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

*M. J. ...*  
 City Engineer

Sworn to and subscribed before me this 31st day of July

*Donald ...*  
 City Clerk

10

Wichita, Kansas  
April 21, 1981  
472-76 245 80775 000 000 001

Donald C. Gisick  
City Clerk  
Wichita, Kansas

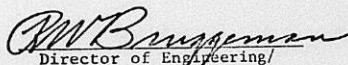
Approved by Board of Commissioners  
this APR 21 1981

Dear Sir:

Following is the cost of improving Chalet Drive from the West line of Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to the West line of Capri; Chalet Court from the South line Chalet Drive to and including Cul-de-sac; Rosalie Lane from the North line Cherry Creek Drive to the South line Chalet Drive.

6314.1 sq. yds. 8" Asphaltic Concrete Pavement (2" Asphaltic Concrete with 6" Bituminous Base)	@ 10.10	\$ 63,772.41
1200.4 sq. yds. 3" Bituminous Base	@ 3.79	4,549.52
3601.3 lin. ft. Standard Combined Curb and Gutter	@ 4.85	17,466.31
3980.1 sq. ft. 6" Drive	@ 1.75	6,965.18
210 lbs. Reinforcing Steel	@ .45	94.50
5440.3 cu. yds. Excavation	@ 2.21	12,023.06
7714.6 sq. yds. Manipulation	@ .50	3,857.30
90.69 tons Lime	@ 40.00	3,627.60
11 Inlet Hookups	@ 45.00	495.00
Engineering and Inspection		9,634.47
Administration		1,628.51
Publication		57.26
Street Signs		162.44
Abstract		11.25
Construction Cost		\$ 124,344.81
Temporary Note Interest		23,907.78
Total Cost -		\$ 148,252.59

Respectfully submitted,

  
Director of Engineering/  
City Engineer

PROPERTY: - \$141,225.73  
CITY: - \$ 7,026.86

10/81

//

100 26 25

PROPOSED ASSESSMENT ROLL

Proposed Assessment Roll for the cost of improving Chalet Drive from the west line of Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to the west line of Capri; Chalet Court from the south line Chalet Drive to and including cul-de-sac; Rosalie Lane from the north line Cherry Creek Drive to the south line Chalet Drive, as authorized by resolution adopted November 7, 1978.

The boundaries of the improvement district against which the cost of said improvement are to be assessed have been established and fixed as:

Lots 1 through 12, Block 2; Lots 1 through 4, the north half of Lot 5 and Lots 10 through 17, all in Block 3; and Lots 1 through 19, and Lot 25 in Block 4, all in Third Addition to Cherry Creek Hills.

No part of the cost of said improvement shall be charged against the City of Wichita at large except for the cost of intersections and other work that by statute is required to be paid for by the City.

The method of assessment of the costs apportioned to the improvement district, except for the cost of driveways, has been determined to be on a fractional basis as set forth in the petition and the resolution of findings and resolution authorizing improving, and the assessment of those costs as a special benefit on that basis.

The total cost of the improvement has been ascertained to be \$148,252.59, as shown by a Statement of Cost prepared by the City Engineer and approved by the Board of Commissioners of the City of Wichita, Kansas, on April 21, 1981, said total cost being apportioned \$141,225.73 to the improvement district and \$7,026.86 to the City at large for the cost of intersections and other work that by statute is required to be paid for by the City.

The total cost of driveways included in the \$141,225.73 to be assessed to the improvement district is \$7,058.82, leaving a balance of \$134,166.91 to be apportioned on the fractional basis. Where driveways were constructed to serve a particular tract, lot or parcel the cost of said driveway shall be a direct assessment to said tract, lot or parcel and shall be in addition to the assessment for its share of the paving costs.

The description of the lots, parcels and tracts of real property liable for assessment for the improvement (including driveways where applicable) and the proposed assessment on each is as follows:

12

Improving Chalet Drive from WL Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to WL Capri; Chalet Court from SL Chalet Drive to and including curbside; Rosalie Lane from NL Cherry Creek Drive to SL Chalet Drive.

LOT	EXHIBIT "A"	ASSESSMENT	FRACTIONAL	PROPERTY OWNER
	CHERRY CREEK HILLS 3RD ADDN. Block 2 Chalet Drive			12-10-80 C-40036 Bradley Bonstedt 8502 Chalet 07
1		3,440.31	30/1390 + 544.67	
2	"	3,440.48	30/1390 + 544.80	David Kennedy 8512 Chalet 07
3	"	3,437.51	30/1390 + 541.83	Michael Knapp 8520 Chalet 07
4	"	3,437.16	30/1390 + 541.48	Wilbur Fallow 8602 Chalet 07
5	"	3,434.72	30/1390 + 537.03	Michael Morris 8602 Chalet 07
6	"	2,895.69	30/1390	Nies Construction PO BOX 18212 17
7	"	2,895.69	30/1390	Estate of William 1812 Chalet 07
8	"	2,895.69	30/1390	" " " "
9	"	2,895.69	30/1390	Nies Construction PO BOX 18215 17
10	"	2,895.69	30/1390	Nies Construction 1704 Flynn Ln 07
11	"	2,895.69	30/1390	Nies Construction PO BOX 18212 18
12	"	3,443.02	30/1390 + 545.13	Richard Dwyer 8712 Chalet 07
	Block 3 Flynn Lane			Joyce Whiting 2012 S. Flynn 07
1		2,316.55	24/1390	
2	"	2,316.55	24/1390	Kat Alms 2018 Flynn Ln 07
3	"	2,316.55	24/1390	David Selznick 2024 Flynn Ln 07
4	"	2,316.55	24/1390	Steven Probst 2028 Flynn Ln 07
5 (part only)	"	1,254.80	13/1390	Richard Amos 2034 Flynn 07

13

X

10	Rosalie Lane	2,316.55	24/1390	Chalet Court 7825 Chalet Court 67
11	"	2,316.55	24/1390	"
12	"	2,316.55	24/1390	"
13	"	2,316.55	24/1390	"
14	"	3,860.92	40/1390	"
15	"	4,403.45	40/1390 + 547.53	7821 Rosalie Lane 67
16	"	3,860.92	40/1390	Vernie Clark 7825 Chalet Court 67
17	"	3,860.92	40/1390	Arthur Clark 7825 Chalet Court 67
Block 4 Rosalie Lane				
1	"	3,860.92	40/1390	Vernie Clark 7825 Chalet Court 67
2	"	4,402.92	40/1390 + 547.00	7821 Rosalie Lane 67
3	"	4,399.95	40/1390 + 539.00	L. F. Clark 7825 Chalet Court 67
4	"	3,860.92	40/1390	Nies Clark 8251 Chalet Court 67
5	"	2,220.03	23/1390	"
6	"	2,220.03	23/1390	Ernest Clark 7825 Chalet Court 67
7	"	2,763.26	23/1390 + 543.23	Arthur Clark 7825 Chalet Court 67
Chalet Court				
8	"	2,220.03	23/1390	Russell Clark 7825 Chalet Court 67
9	"	2,220.03	23/1390	The Clark 8251 Chalet Court 67
10	"	3,630.73	32/1390 + 547.00	David Clark 8621 Chalet Court 67

14

11	"	3,860.92	40/1390	Robert W. Hill 3621 Chalet Dr. 07
12	"	4,402.92	40/1390 + 571.00	Bd F Construction 2150 Lee Lane 07
13	"	3,860.92	40/1390	"
14	"	3,860.92	40/1390	Mies Construction PO Box 18215 12
15	"	4,409.05	40/1390 + 571.13	Robert W. Hill 3621 Chalet Dr. 07
16	"	3,860.92	40/1390	Hunter Construction 2150 Lee Lane 07
17	"	3,088.73	32/1390	Bonnet Construction 2150 Lee Lane 07
18	"	2,220.03	23/1390	"
19	"	2,220.03	23/1390	Robert W. Hill 3621 Chalet Dr. 07
25	Chalet Drive	3,860.92	40/1390	Robert W. Hill 3621 Chalet Dr. 07

134,126.  
 7,037.5  
 Property 141,225.7  
 City 7,026.5  
 148,252.  
 = 1790  
 96,522.45

15

C-40036  
BRADLEY L BONESTEEL

C CURB & GUTTER
D OTHER PAVING
E STREET OPENING
J SIDEWALK
K LATERAL SEWER
L TORM SEWER
M WATER
S SIDEWALK

KEY: -C-40036- 111578

ESTATE OF WILLIAM LEVITT, DECEASED  
RCSALIE KREITZER ETAL CO-EXECUTOR

PO BOX 18105 MC STATION  
WICHITA KS 67218 6701  
BLOCK 2  
CHERRY CREEK HILLS 2ND ADD

LOT 1  
BLOCK 2  
CHERRY CREEK HILLS 3rd ADD.

LN	PROJ NO	TOTAL ASSMT	ANN PRIN	INT RATE	INT 1 YR	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
1	82-346	1,390.96		10.00		15									
2														43.67	48.05
3														139.51	135.13
4	95-230	439.11	43.91	6.35	27.88	10						71.79	69.00	66.21	63.42
5	80-227	2,108.41	210.85	6.00	126.51	10						337.36	324.71	312.06	299.41
6	81-479	926.63		8.13		11							33.77	36.52	39.49
7													75.34	72.59	69.62
8	82-121	3,440.31		11.72		15								94.39	105.45
9														403.00	392.14
10	82-119	1,283.49		11.72										34.52	38.57
11														147.50	143.45
12															
YEARLY TOTALS													409.15	1350.18	

LN	PROJ NO	TOTAL ASSMT	ANN PRIN	INT RATE	INT 1 YR	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
1						52.87	58.17	64.00	70.42	77.49	85.26	93.81	103.22	113.57	124.96
2						130.31	125.01	119.18	112.76	105.69	97.92	89.37	79.96	69.61	58.22
3															
4						60.63	57.84	55.05	52.26	49.47	46.68				
5						286.76	274.11	261.46	248.81	236.16	223.51				
6						42.70	46.17	49.93	53.98	58.37	63.12				
7						66.41	62.94	59.18	55.13	50.74	45.99	68.25	73.80	79.60	86.29
8						117.81	131.61	147.04	164.27	183.52	205.03	229.06	255.91	285.90	319.41
9						372.78	365.28	350.55	333.32	314.07	292.36	268.31	241.68	211.99	178.71
10						43.09	48.14	53.78	60.09	67.13	75.00	83.79	93.61	104.56	116.83
11						138.93	133.55	128.24	121.93	114.89	107.02	98.23	88.41	77.44	65.19
12															
YEARLY TOTALS															

CITY OF WICHITA, KANSAS  
SPECIAL ASSESSMENT RECORD

16

PROJECT CODES

A	FRONT ST. PAVING
B	REAR ST. PAVING
C	CURB & GUTTER
D	OTHER PAVING
E	STREET OPENING
J	SURFACE SEWER
K	LATERAL SEWER
L	STORM SEWER
M	WATER
S	SIDWALK

LN	PROJ. NO.	TOTAL ASSMT	ANN PRIN	INT RATE	INT 1 YR	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
1						137.50	151.29	166.46							
2						45.68	31.89	16.72							
3															
4															
5															
6						93.30	100.89								
7						15.61	8.22								
8						356.84	398.66	445.39							
9						140.75	98.93	52.20							
10						130.53	145.83	162.92							
11						51.49	36.19	19.10							
12															
YEARLY TOTALS															

LN	PROJ. NO.	TOTAL ASSMT	ANN PRIN	INT RATE	INT 1 YR	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
1															
2															
3															
4															
5															
6															
7															
8															
9															
10															
11															
12															
YEARLY TOTALS															

THE CITY OF WICHITA

OFFICE OF MAPD-DESIGN

DATE November 20, 1984


TO Don Gisick, City Clerk

FROM Mike Lindebak, City Engineer

SUBJECT Letters of Credit

Attached is a listing of letters of credit that have been provided to the City of Wichita for projects processed through the City Engineer's Office. This listing is also being cross-checked against other records in our office. You will be advised of any additions.

Please advise if you have any questions.

  
\_\_\_\_\_  
Mike Lindebak  
City Engineer

ML:TC/ck

Attachment

cc: Ray Trail  
Robert Lakin ✓  
Don Anderson  
Russell Brenner  
John Wynkoop

PROJECTS WITH LETTERS OF CREDIT ISSUED AND STATEMENTS OF COST

AS OF NOVEMBER 19, 1984

468 76 245 80130 1 LATERAL 3, MAIN 20, SANITARY SEWER NO. 22  
Westport Industrial Park 2nd Addition (on Leonine Street and  
south of Pawnee)

LETTER OF CREDIT ISSUED: 83-03-11 EXPIRATION DATE: 85-03-11 RELEASED:

STATEMENT OF COST: 84-01-10 \$36,389.53

468 76 245 80442 1 LATERAL 34, SANITARY SEWER NO. 23  
part of Blocks 1 and 5, The Moorings Addition (west of Meri-  
dian and south of Milro).

LETTER OF CREDIT ISSUED: 83-06-22 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-09-25 \$82,489.38

468 76 245 80795 1 LATERAL 55, MAIN 1, SOUTHWEST INTERCEPTOR SEWER  
To serve all lots in Galyardt's 6th Addition (between  
Georgia and Alta east of Laura)

LETTER OF CREDIT ISSUED: 84-01-19 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-10-09 \$53,055.12

468 76 245 80980 1 LATERAL 2, MAIN 4, WESTLINK SEWER  
To serve an area between Murray and Tyler from 20th to 21st  
Street.

LETTER OF CREDIT ISSUED: 82-11-09 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 83-11-22 \$107,214.00

468 76 245 80984 1 STORM WATER SEWER NO. 198  
To serve the area between Murray and Westfield from 20th  
Street to 21st Street.

LETTER OF CREDIT ISSUED: 82-11-09 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-01-17 \$30,208.23

468 76 245 81012 1 LATERAL 68, WESTLINK SEWER  
To serve Lots 4 and 5, Block 1, Regency Plaza Addition (from  
Maize Road to Toh-N-Hah Trail.

LETTER OF CREDIT ISSUED: 82-03-09 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 82-10-05 \$20,479.55

468 76 245 81075 1 LATERAL 68, MAIN 17, SANITARY SEWER NO. 22  
To serve the east 80' of Lot 1, John Brewer Addition in an  
area south of 31st St. No. between Carlock and Charles.

LETTER OF CREDIT ISSUED: 82-07-28 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 82-12-21 \$7,918.63

468 76 245 81111 1 LATERAL 25, MAIN 7, SANITARY SEWER NO. 23 (PHASE II)  
Between 26th St. Court and Gouverneur from 26th to 27th St. No.

LETTER OF CREDIT ISSUED: 83-04-13 EXPIRATION DATE: RELEASED: 84-06-18  
STATEMENT OF COST: 84-01-10 \$52,273.96

468 76 245 81112 1 LATERAL 26, MAIN 7, SANITARY SEWER NO. 23  
Between Longfellow and Gouverneur near Oxford, PHASE III

LETTER OF CREDIT ISSUED: 82-11-15 EXPIRATION DATE: RELEASED: 84-06-01  
STATEMENT OF COST: 83-12-13 \$96,731.20

468 76 245 81113 1 STORM WATER SEWER NO. 230  
Between 26th St. Ct. & Gouverneur from 26th St. No. to 27th  
St. No., Phase II

LETTER OF CREDIT ISSUED: 83-04-13 EXPIRATION DATE: RELEASED: 84-06-18  
STATEMENT OF COST: 84-09-25 \$55,398.63

468 76 245 81114 1 STORM WATER SEWER NO. 231  
Between Longfellow and Gouverneur near Oxford, Phase III

LETTER OF CREDIT ISSUED: 82-11-15 EXPIRATION DATE: RELEASED: 84-06-01  
STATEMENT OF COST: 83-11-22 \$47,619.43

468 76 245 81149 1 LATERAL 43, MAIN 5, SANITARY SEWER NO. 23  
To serve Lots 3, 4, and 5, Block 1, G.P.-S. 3rd Addition.  
LETTER OF CREDIT ISSUED: 82-06-24 EXPIRATION DATE: 84-06-24 RELEASED: 82-09-13  
STATEMENT OF COST: 82-12-14 \$12,165.87

468 76 245 81177 1 STORM WATER SEWER NO. 238  
(Between Harry St. & Graff in the vicinity of vacated Rosalie).  
LETTER OF CREDIT ISSUED: 82-11-17 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 84-01-03 \$34,891.85

468 76 245 81179 1 LATERAL 12, MAIN 11, WAR INDUSTRIES SEWER  
To serve Lots 1-4, Block 1; Lots 1-14, Block 2; the North  
Half of Lot 15, Block 2.  
LETTER OF CREDIT ISSUED: 82-11-17 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 83-12-13 \$34,303.66

468 76 245 81186 1 LATERAL 175, SOUTHWEST INTERCEPTOR SEWER  
To serve Lots 1-7, Block 1; and Lots 1-22, Block 2; in  
Wheatland Place 4th Addition. (Outside corporate limits)  
LETTER OF CREDIT ISSUED: 82-08-04 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 82-12-14 \$33,217.98

468 76 245 81210 1 LATERAL 235, MAIN 5, SANITARY SEWER NO. 22  
To serve an area south of Robinson and east of Hoover  
LETTER OF CREDIT ISSUED: 84-04-30 EXPIRATION DATE: RELEASED: 84-08-09  
STATEMENT OF COST: 84-10-09 \$20,319.43

468 76 245 81225 1 LATERAL 236, MAIN 5, SANITARY SEWER NO. 22  
To serve the east 100' of Lot 1, Block 1, Miles Lakewood  
Living Addition, except south 400'.  
LETTER OF CREDIT ISSUED: 82-09-13 EXPIRATION DATE: 84-09-13 RELEASED: 84-07-18  
STATEMENT OF COST: 83-06-14 \$33,176.49

468 76 245 81226 1 LIFT STATION AND FORCE MAIN IN CONNECTION WITH CONSTRUCTING  
LATERAL 236, MAIN 5, SANITARY SEWER NO. 22  
To serve Lot 1, Block 1, Miles Lakewood Living Addition.  
LETTER OF CREDIT ISSUED: 82-09-13 EXPIRATION DATE: 84-09-13 RELEASED: 84-07-19  
STATEMENT OF COST: 83-11-15 \$99,022.26

468 76 245 81239 1 LATERAL 18, MAIN 22, WAR INDUSTRIES SEWER  
Penstemon Addition (So. of 29th St. No., east of Rock Rd.)  
LETTER OF CREDIT ISSUED: 82-11-29 EXPIRATION DATE: RELEASED: 83-10-05  
STATEMENT OF COST: 83-11-22 \$66,694.24

468 76 245 81259 1 LATERAL 3, MAIN 9, SANITARY SEWER NO. 23  
Northbrook Addition (east of Woodlawn, north of 37th St. No.)  
LETTER OF CREDIT ISSUED: 83-05-02 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 84-09-25 \$247,294.99

468 76 245 81269 1 LATERAL 20, MAIN 22, WAR INDUSTRIES SEWER  
To serve Lots in Blocks 1, 2, and 3, Woodspring Addition  
LETTER OF CREDIT ISSUED: 83-05-25 EXPIRATION DATE: RELEASED: 84-01-30  
STATEMENT OF COST: 84-09-25 \$101,631.64

468 76 245 81276 1 STORM WATER SEWER NO. 252  
To serve Lots 1, 3, 4, and 5, Tyler Acres 6th Addition; part  
of Lot 1 and all of Lots 4 and 5, Tyler Acres 5th Addition.  
LETTER OF CREDIT ISSUED: 84-01-30 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 84-10-09 \$60,855.20

468 76 245 81277 1 LATERAL 72, WESTLINK SANITARY SEWER  
To serve Lot 1, Tyler Acres 3rd Addition; Lot 2 and part of  
Lot 1, Tyler Acres 6th Addition.  
LETTER OF CREDIT ISSUED: 84-01-30 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 84-10-09 \$35,488.01

468 76 245 81291 1      STORM WATER SEWER NO. 253  
To serve Lots 13-53, Block 1, Penstemon 2nd Addition (east  
of Rock Road, south of 29th St. No.).

LETTER OF CREDIT ISSUED: 83-10-20      EXPIRATION DATE:      RELEASED:

STATEMENT OF COST:      84-10-16 \$91,482.35

468 76 245 81292 1      STORM WATER SEWER NO. 254  
To serve Lots 53-74, Block 1, and all Lots in Block 2, Pen-  
stemon 2nd Addition (East of Rock Rd., south of 29th St. No.)

LETTER OF CREDIT ISSUED: 83-12-06      EXPIRATION DATE:      RELEASED:

STATEMENT OF COST:      84-09-25 \$54,754.89

468 76 245 81293 1      LATERAL 23, MAIN 22, WAR INDUSTRIES SEWER  
To serve the east 150' of Lot 1, Block 1 and Lots 2-17,  
Block 1, Penstemon 2nd Addition (east of Rock Road, south of  
29th St. No.)

LETTER OF CREDIT ISSUED: 83-07-11      EXPIRATION DATE:      RELEASED: 84-03-28

STATEMENT OF COST:      83-12-13 \$40,318.79

468 76 245 81295 1      LATERAL 25, MAIN 22, WAR INDUSTRIES SEWER  
To serve Lots 26-47, Block 1, Penstemon 2nd Addition (east  
of Rock Road, south of 29th St. No.)

LETTER OF CREDIT ISSUED: 83-10-20      EXPIRATION DATE:      RELEASED:

STATEMENT OF COST:      84-10-09 \$48,673.57

468 76 245 81306 1      STORM WATER SEWER NO. 256  
Serving the Wilderness Addition and 3 unplatted tracts  
(south of 29th St. No., west of Webb).

LETTER OF CREDIT ISSUED: 83-08-17      EXPIRATION DATE:      RELEASED:

STATEMENT OF COST:      84-09-25 \$68,496.24

468 76 245 81307 1 LATERAL 27, MAIN 22, WAR INDUSTRIES SEWER  
Serving the Wilderness Addition and two unplatted tracts

LETTER OF CREDIT ISSUED: 83-08-17 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-09-25 \$129,154.34

468 76 245 81309 1 LATERAL 29, MAIN 22, WAR INDUSTRIES SEWER  
To serve Lots 12-18, Block 1, Bent Tree Addition.

LETTER OF CREDIT ISSUED: 83-11-18 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-09-25 \$19,923.24

468 76 245 81310 1 STORM WATER SEWER NO. 257  
Bent Tree Addition (No. of 21st St. No., west of Webb Rd.)

LETTER OF CREDIT ISSUED: 83-11-18 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-10-09 \$90,616.16

468 76 245 81311 1 LATERAL 30, MAIN 22, WAR INDUSTRIES SEWER  
To serve Executive Park at Tallgrass Addition (northeast corner of Rock Road and 22nd St. No.)

LETTER OF CREDIT ISSUED: 83-11-14 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-10-09 \$148,353.81

468 76 245 81312 1 STORM WATER SEWER NO. 258  
To serve Executive Park at Tallgrass Addition (northeast corner of Rock Road and 22nd St. No.)

LETTER OF CREDIT ISSUED: 83-11-14 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-10-16 \$58,456.26

468 76 245 81313 1 LATERAL 52, SANITARY SEWER NO. 23  
To serve Lots 1-29 inclusive, Block 1, The Moorings 3rd Addition (1/2 mile west of Meridian, south of Keywest)

LETTER OF CREDIT ISSUED: 83-11-09 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-09-25 \$39,281.72

468 76 245 81318 1 LATERAL 107, MAIN 2, SANITARY SEWER NO. 12  
To serve Lots 1-4 inclusive, Block 1 and Lots 1-16 inclusive  
Block 2, Georgetown II Addition (south of Harry and west of  
Oliver).

LETTER OF CREDIT ISSUED: 84-03-05 EXPIRATION DATE: RELEASED: 84-11-09

STATEMENT OF COST: 84-09-25 \$43,687.61

468 76 245 81320 1 LATERAL 44, MAIN 5, SANITARY SEWER NO. 23  
To serve Lot 1, Caliendo 9th Addition; Lots 1-3, Wichita  
Land Addition; and 2 unplatted tracts (north of 21st Street,  
east of Pinecrest)

LETTER OF CREDIT ISSUED: 84-01-19 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-10-09 \$42,793.97

468 76 245 81322 1 LATERAL 4, MAIN 9, SANITARY SEWER NO. 23  
To serve Lots 1-25, Block 2, Brush Creek Addition (southeast  
corner of 37th and Woodlawn).

LETTER OF CREDIT ISSUED: 84-03-20 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-10-09 \$68,477.88

468 76 245 81327 1 LATERAL 31, MAIN 22, WAR INDUSTRIES SEWER  
To serve Lot 1, Block 2, Tallgrass Commercial 2nd Addition  
(an area north of 21st St. No. between Rock Rd. and Tara)

LETTER OF CREDIT ISSUED: 84-05-17 EXPIRATION DATE: RELEASED:

STATEMENT OF COST: 84-10-09 \$21,734.75

468 76 245 81328 1 LATERAL 240, MAIN 5, SANITARY SEWER NO. 22  
To serve Lots 1-14, Block 2, Comfort West Addn.; Lots 1-8,  
Block A, West Forest 3rd Addn.; and a part of Lot 14, R. A.  
Morris Tracts (north of 9th, east of Hoover)

LETTER OF CREDIT ISSUED: 84-01-31 EXPIRATION DATE: RELEASED: 84-04-18

STATEMENT OF COST: 84-09-25 \$20,760.43

472 76 245 80337 1

8TH STREET NORTH

from the w.l. of Gilda Circle South to the e.l. of Gilda Circle North; Gilda Circle from the n.l. of 8th St. No. to and including cul-de-sac.

LETTER OF CREDIT ISSUED: 82-11-01      EXPIRATION DATE:      RELEASED: 84-07-18  
STATEMENT OF COST: 83-06-14 \$196,388.24

472 76 245 80599 1

COBBLESTONE

from the s.l. of Blk. 5, The Moorings Addn. to the s.l. of Milro; Driftwood Circle; Milro Circle; all in The Moorings Addn.

LETTER OF CREDIT ISSUED: 83-06-22      EXPIRATION DATE:      RELEASED:  
STATEMENT OF COST: 84-09-25 \$151,751.73

472 76 245 80743 1

SOCORA

from the n.l. 17th Street to the s.l. 19th Street

LETTER OF CREDIT ISSUED: 83-04-13      EXPIRATION DATE:      RELEASED: 84-02-17  
STATEMENT OF COST: 84-01-10 \$59,852.83

472 76 245 80870 1

GLENEAGLES DRIVE

Gleneagles Court; Prestwick; Prestwick Circle; Woodchuck; Muirfield; all in Gleneagles 2nd Addition

LETTER OF CREDIT ISSUED: 83-04-19      EXPIRATION DATE: 85-04-19      RELEASED:  
STATEMENT OF COST: 84-01-10 \$188,246.75

472 76 245 80912 1

O'NEIL AND O'NEIL COURT

from the easterly line of Willo-Esque Dr. to & including cul-de-sac; and O'Neil from the northeasterly line of O'Neil Ct to the northerly lines of Lot 30, Block B, and Lot 1, Block C, Willo-Esque Fourth Addition.

LETTER OF CREDIT ISSUED: 82-06-24      EXPIRATION DATE: 84-06-24      RELEASED: Yes  
STATEMENT OF COST: 84-01-03 \$235,967.63

472 76 245 80974 1 BYRON  
Byron; Murray and Murray Circle; Keith Circle; 20th Street;  
Keith; Westfield and Westfield Circle; all in Jamesburg Park  
LETTER OF CREDIT ISSUED: 82-11-09 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 84-09-25 \$279,980.40

472 76 245 81021 1 GOVERNEOUR ROAD  
from the n.l. of Waterford North Addition to the s.l. of  
29th St. No.  
LETTER OF CREDIT ISSUED: 84-01-30 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 84-10-09 \$216,742.77

472 76 245 81065 1 GOVERNEOUR  
26th Street; Oxford; 27th Street; Greenbriar Circle; 26th  
Street Court; all in Phase II, Waterford North Addition.  
LETTER OF CREDIT ISSUED: 83-04-13 EXPIRATION DATE: RELEASED: 84-06-18  
STATEMENT OF COST: 84-10-09 \$273,762.92

472 76 245 81114 1 SHADYBROOK  
from the e.l. of Beaumont to the w.l. of Woodlawn (G.P-S.  
3rd Addition) including sidewalk.  
LETTER OF CREDIT ISSUED: 82-05-06 EXPIRATION DATE: 84-05-06 RELEASED: 83-02-18  
STATEMENT OF COST: 83-06-14 \$112,465.84

472 76 245 81128 1 DALTON  
from the n.w. line of Parkmont Dr. to the n.l of Lot 1, B1k 6,  
5th Addn to Cherry Creek Hills; Hildreth; and White Cliff Lane.  
LETTER OF CREDIT ISSUED: 82-04-06 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 82-12-21 \$99,699.01

472 76 245 81143 1 BOSTON, CAPRI AND GRAIL  
from the e.l. of Lot 11, Block 2, Annamae Garvie Addn. and  
the e.l. of Lot 10, Block 1, Annamae Garvie 2nd Addn. to the  
w.l. of Rosalie; Rosalie; and the south half of Zimmerly

LETTER OF CREDIT ISSUED: 82-11-17 EXPIRATION DATE: 84-11-17 RELEASED: Yes  
STATEMENT OF COST: 84-09-25 \$98,786.63

472 76 245 81154 1 30TH STREET NORTH  
from the e.l. Longfellow to the w.l. Rock Road; Longfellow  
and Longfellow Courts.

LETTER OF CREDIT ISSUED: 82-05-05 EXPIRATION DATE: RELEASED: 84-04-17  
STATEMENT OF COST: 84-01-10 \$229,927.28

472 76 245 81192 1 EDMINSTER  
from the e.l. of Hoover to the s.l. of Robinson and Edmin-  
ster Court from the s.l. of Edminster to the e.l. of Edmin-  
ster.

LETTER OF CREDIT ISSUED: 84-03-13 EXPIRATION DATE: RELEASED: 84-06-18  
STATEMENT OF COST: 84-10-16 \$90,010.80

472 76 245 81299 1 NORTH HALF OF SUNCREST AVENUE  
from the easterly line of Northwest Parkway to the westerly  
line of Lot 10, Block 5, Westwood Heights 2nd Addition;  
NORTHWEST PARKWAY from the northerly line of existing pave-  
ment on Suncrest to the s.l. of Westport Ave.

LETTER OF CREDIT ISSUED: 84-03-13 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 84-10-09 \$79,495.04

472 76 245 81305 1 PENSTEMON CIRCLE  
from the s.l. of Lot 53, Block 1, Penstemon 2nd Addition to  
and including cul-de-sac.

LETTER OF CREDIT ISSUED: 84-02-29 EXPIRATION DATE: RELEASED:  
STATEMENT OF COST: 84-10-09 \$102,018.09

472 76 245 81306 1      PENSTEMON, TALLGRASS AND GREENBRIAR  
from the NE line of Lot 1, Blk. 2, Penstemon, an Addn. to  
Wichita, Sedg. Co., Ks. to the e.l. of Lot 18, Blk. 1, Pen-  
stemon, an Addn. to Wichita, Sedg. Co., Ks. and Penstemon  
Ct. from the SE line of Penstemon to & including cul-de-sac;

LETTER OF CREDIT ISSUED: 83-11-18      EXPIRATION DATE:      RELEASED:

STATEMENT OF COST:      84-10-09 \$167,346.77

472 76 245 81316 1      WILDERNESS  
Shadowridge, Cypress, Shadowridge Circle and Wilderness Ct.,  
Wilderness Addition

LETTER OF CREDIT ISSUED: 83-08-17      EXPIRATION DATE:      RELEASED:

STATEMENT OF COST:      84-09-25 \$339,617.72

472 76 245 81317 1      BENT TREE CIRCLE  
in Bent Tree Addition (north of 21st St. No., west of Webb Rd.)

LETTER OF CREDIT ISSUED: 83-11-18      EXPIRATION DATE:      RELEASED:

STATEMENT OF COST:      84-10-09 \$95,960.19

472 76 245 81321 1      KEYWEST  
from the w.l. of Keywest Court in The Moorings 3rd Addition  
to the e.l. of The Moorings 3rd Addition; Keywest Court in  
The Moorings 3rd Addition from the s.l. of Keywest to and  
including cul-de-sac.

LETTER OF CREDIT ISSUED: 83-11-09      EXPIRATION DATE:      RELEASED:

STATEMENT OF COST:      84-10-09 \$97,618.41

472 76 245 81338 1      RUSHWOOD  
from the s.l. of Lot 25, Blk 2, Brush Creek Addn. & the s.l.  
of Lot 4, Blk 1, Brush Creek Addn. to the s.l. of 37th St.  
No.; and Rushwood Courts (etc.).

LETTER OF CREDIT ISSUED: 84-03-20      EXPIRATION DATE:      RELEASED: 84-08-09

STATEMENT OF COST:      84-10-09 \$149,004.79

THE CITY OF WICHITA  
OFFICE OF WATER DEPARTMENT

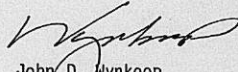
DATE November 19, 1984

*It is  
DR-  
Discharge Unassisted*

TO Don Gisick, City Clerk  
FROM John D. Wynkoop, Director of Water and Water Pollution Control  
SUBJECT Irrevocable Letters of Credit

Attached for your information is a list of water benefit districts, in which an irrevocable letter of credit is in your office depository.

The benefit districts identified by the name of the addition, are from 1982 to date.

  
John D. Wynkoop  
Director of Water and  
Water Pollution Control

JDW/b

cc: Ray Trail ✓  
Bob Lakin ✓  
Don Anderson  
Russell Brenner  
Mike Lindebak

RECEIVED

NOV 19 1984

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

## LETTERS OF CREDIT:

21

Project	BD No.	Proj. No.	Date Filed	Date Released	Copy to		LWS File
					Clerk	Admin	
Arbor Lakes Estates	504-77	925-80188	3-3-82		✓	✓	
Woodlands East	914-81	925-81203	4-30-82	6-18-83	✓	✓	
Deerlake Estates Phase I	756-80	925-80802	4-30-82	12-7-82	✓	✓	
Rainbow Lakes West 4th	693-79	925-80633	4-30-82		✓	✓	
Stonehedge	826-80	925-80947	4-30-82		✓	✓	
Lake Crest Estates	896-81	925-81162	6-22-82		✓	✓	
G.P.-S. 3rd	900-81	925-81173	6-24-82	2-17-83	✓	✓	
Wheatland Place 4th	922-81	925-81227	7-26-82		✓	✓	
Drairie Homestead Manor Apts.	950-82	925-81307	9-3-82	12-15-83	✓	✓	✓
Cherry Creek Hills 5th	801-80	925-80896	9-22-82	1-27-84	✓	✓	✓
Prairie Mobile Home Park Addn.	921-81	925-81217	10-26-82	6-11-84	✓	✓	✓
Willis Esque 4th Phase II	720-79	925-80711	6-24-82	6-13-83	✓	✓	✓
Waterford North Addition, Ph. 3	856-81	925-81032	11-16-82	6-4-84	✓	✓	✓
Quys Addition: Grail, Copie, Antea, Zimny	857-81	925-81033	11-16-82	11-15-84	✓	✓	✓
Penstemon Addition Phase I	957-82	925-81335	11-30-82	10-7-83	✓	✓	✓
Deer Lakes Estates Phase II	757-80	925-80803	12-09-82		✓	✓	✓
The Oaks Phase II	941-82	925-81274	12-16-82	1-18-84	✓	✓	✓
Eureka Addition (Florence St.)	918-81	925-81212	3-11-83	5-20-83	✓	✓	✓
Socarra from 17th to 19th	547-78	925-80293	4-18-83	2-17-84	✓	✓	✓
Waterford North, Phase 2	855-81	925-81031	4-18-83	6-19-84	✓	✓	✓
Formington Square End, Lots 10, 11, 12	781-83	925-81485	4-18-83	5-20-83	✓	✓	✓
Glenages End Phase 2	671-79	925-80570	4-18-83		✓	✓	✓
Northbrook (Woodlawn, 37th, 40th.)	982-83	925-81463	4-25-83		✓	✓	✓
Tallgrass Commercial	979-83	925-81447	5-27-83	7-27-84	✓	✓	✓
Woodspring	990-83	925-81489	5-27-83	1-23-84	✓	✓	✓
Westport Ind. Pl. 2nd	983-83	925-81464	6-22-83		✓	✓	✓
Mooring (Mitre & Driftwood Circle)	492-77	925-80167	6-22-83		✓	✓	✓
East Kellogg Mini-Storage	917-81	925-81210	8-6-83	8-10-84	✓	✓	✓
Galyardt 5th Addn (Lots 1-10, 11, 12)	682-79	925-80599	7-8-83		✓	✓	✓
Penstemon 2nd Phase I	998-83	925-81522	7-8-83	1-23-84	✓	✓	✓
Penstemon 2nd Phase 2	958-82	925-81336	7-8-83		✓	✓	✓
Renaissance Addition	993-83	925-81502	7-19-83		✓	✓	✓
Wilderness Addition	1004-83	925-81535	8-16-83		✓	✓	✓
Westwood Heights End	567-78	925-80345	8-16-83	6-6-84	✓	✓	✓
Westwood Heights 2nd	568-78	925-80346	8-16-83	6-6-84	✓	✓	✓
Westwood Heights 2nd	569-78	925-80347	8-16-83		✓	✓	✓
Woodspring 2nd Addn	1006-83	925-81544	9-16-83	1-23-84	✓	✓	✓
Riverwalk Addition (Good House)	827-80	925-80952	9-29-83		✓	✓	✓
Riverwalk Addition	827-80	925-80951	10-7-83		✓	✓	✓

## LETTERS OF CREDIT

P2

PROJECT	B.D. No.	Prod. No.	Date Filed	Date Released	Check	Admin	UD-File
Peristemon 2nd Phase 3	959-82	925-81337	10-24-83		✓	✓	✓
Moorings 3rd, Keywest & Court	1010-83	925-81549	11-4-83		✓	✓	✓
Executive Park at Tollgrass	967-82	925-81395	11-16-83		✓	✓	✓
Hedgecliff 3rd Addn. Phase 1	892-81	925-81156	12-7-83		✓	✓	✓
Nichita Land Addition	1013-83	925- <sup>81561</sup> <del>81320</del>	1-10-84	Proj. Not Let 1-27-84	✓	✓	✓
Tyler Acres 5th (6th)	965-82	925-81371	2-03-84		✓	✓	✓
Lot 1, Mobil Manor South	1011-83	925-81553	2-08-84		✓	✓	✓
Fifth Addn. to Cherry Creek Hills, Phase 1	800-80	925-80875	2-10-84		✓	✓	✓
Westwood Heights 2nd, NW Parking	562-78	925-80340	2-17-84		✓	✓	✓
Laura Circle in Galyardts 6th Addn.	650-79	925-80526	2-28-84		✓	✓	✓
Artie Circle in Galyardts 6th Addn.	651-79	925-80527	2-28-84		✓	✓	✓
Georgetown II	1061-83	925-81581	3-2-84		✓	✓	✓
Comfort West Addition	929-81	925-81243	3-13-84	6-15-84	✓	✓	✓
Floyd from 17th to 17th 1/2 Link 16th	546-78	925-80292	3-14-84		✓	✓	✓
Brushcreek Addn. Ph 1	1002-83	925-81533	3-17-84		✓	✓	✓
Cottonwood Square	938-82	925-81257	3-21-84 (4-21-84)	6-5-84	✓	✓	✓
Willowood Supply Line	1031-83	925-81628	4-17-84		✓	✓	✓
Willowood Addn. Ph. 1	1033-84	925-81637	4-17-84		✓	✓	✓
Fourth Addition to Cedar Ridge	1027-83	925-81618	4-25-84		✓	✓	✓
Villa-Esque Fourth, Ph 3	948-82	925-81300	5-1-84		✓	✓	✓
Tollgrass Inn Phase 1	1017-83	925-81574	5-2-84		✓	✓	✓
Tollgrass Comm. 2nd Addn.	1026-83	925-81615	5-31-84		✓	✓	✓
Lot 11, Block A, Jamesburg Park Addn.	1063-84	925-81719	6-14-84		✓	✓	✓
Briarwood Estates 4th	1036-84	925-81699	6-15-84		✓	✓	✓
Toben II Addition	1072-84	925-81727	6-28-84		✓	✓	✓
Northridge Industrial Park	1007-83	925-81546	7- <del>27</del> <sup>27</sup> -84	10-15-84	✓	✓	✓
Timber Grove Lake Addn. (Supp.)	1052-84	925-81690	7-27-84		✓	✓	✓
Northwest Village Lot 4 Block 1	1060-84	925-81707	8-3-84	10-15-84	✓	✓	✓
E.E. Jabes 2nd Addition	1054-84	925-81695	8-3-84		✓	✓	✓
Robins Farm 2nd Addition	685-79	925-80608	8-30-84		✓	✓	✓
Lakeside Mobile Home Park 2nd	1046-84	925-81676	8-31-84		✓	✓	✓
Elizabath Ann Section Addn.	1053-84	925-81692	8-13-84	10-8-84	✓	✓	✓
Walnut Creek	1037-84	925-81653	8-13-84		✓	✓	✓
Maxwell & Maxwell 2nd Addn's.	975-82	925-80925	8-16-84		✓	✓	✓
Cedar Ridge 2nd Phase 2	792-80	925-80884	9-7-84		✓	✓	✓
Prairie Park 2nd Phase 3	843-81	925-80988	9-12-84		✓	✓	✓
Nichita Land Addition	1013-83	925-81561	1-24-84		✓	✓	✓
Security Storage Properties	1055-84	925-81698	9-24-84		✓	✓	✓

LETTERS OF CREDIT:

P3

PROJECT	B.D. No.	Proj. No.	Date Filed	Date Released	Clerk	Admin	UC File
Silverleaf Phase 1	1079-84	925-81756	9-26-84		✓	✓	✓
Dickits Land Util. Fin. Hydt.	1035-84	925-81640	10-8-84	10-8-84	✓	✓	✓
Comstare Retirement Center	1083-84	925-81763	10-5-84		✓	✓	✓
Brushcreek Arden Phase 2	1003-84	925-81534	10-18-84		✓	✓	✓
Heathland Place 5th Ph 1	1073-84	925-81739	10-17-84		✓	✓	✓



ST. FRANCIS REGIONAL MEDICAL CENTER

NOV 8 1984

*Joe M. Pollack*

*David Peck*

DR 84-16

November 6, 1984

Don Anderson, Director  
Department of Economic Development  
City of Wichita  
455 N. Main  
Wichita KS 67202

Dear Don:

I recommend cancelling the November 8, 1984, Economic Development Commission meeting. I do not know of any pressing matters of Commission business that would occur during that period of time.

Assuming the City Commission does approve the requested extension of time for logical and reasonable approach to a revised "development policy for public improvements", I would hope that we could get the appropriate background and technical information to the EDC as soon as possible and no later than our next meeting of November 29, 1984. Specifically, the following items:

1. The amount and extent of excess cost that has occurred by virtue of delinquent specials.
2. Details of delinquent special assessments over the past 5 to 7 years.
3. Details of total special assessments over the past 5 to 7 years.
4. Details of bonds issued relating to special assessments over the past 5 to 7 years.
5. Any actual losses incurred by the city on special assessments.
6. Any other information appropriate to helping us make a stronger and better policy for the benefit of the city, the private sector, and the citizens of the city of Wichita.

Don, if we could receive the above data before our next meeting, it would help us to be informed for the public hearing which I would like to see held on December 13, 1984.

I will be out of the city from Thursday, November 8 thru November 22, 1984. Please call me if you have any questions.

Sincerely,

*Joel M. Pollack*

Joel M. Pollack

cc: EDC members

WICHITA-SEDGWICK COUNTY

November 2, 1984

METROPOLITAN AREA PLANNING DEPARTMENT

TO: E. H. Denton, City Manager  
FROM: Robert A. Lakin, Director of Planning  
SUBJECT: DR 84-16 - Development Policy for Public Improvement -  
City of Wichita

The Metropolitan Area Planning Commission, at its meeting of November 1, considered the City Commission request for input on the above matter. At the presentation by Ray Trail and discussion by the Commission, it was unanimously voted to request 90 to 120 days additional time (as requested by the Economic Development Commission) to work on this matter. The Planning Commission chairman will appoint three MAPC members to meet and work with three members of the Economic Development Commission on specific language and recommendations on the proposed development policy.

\_\_\_\_\_  
Robert A. Lakin  
Director of Planning

RAL:rme

cc: James C. Wilson, Chairman, Metropolitan Area Planning Commission  
Ray Trail, Assistant City Manager  
Don Anderson, Director, Department of Housing & Economic Development  
Joel M. Pollack, Jim Smith Realty, 331 North Waco, 67202

THE CITY OF WICHITA  
OFFICE OF City Engineer


DATE October 26, 1984

TO John Dekker, Director of Law  
FROM Mike Lindebak, City Engineer

SUBJECT Letter of Credit Forms

Yesterday, I met with Russ Brenner, Tom Powell, Don Gisick and Rob Younkin regarding the affidavit guaranteeing that developers are current on their special assessments. During this meeting, we discussed the need to review the current letter of credit forms to determine if they are truly adequate to protect the City's interest regarding special assessments.

The attached forms are the forms that have been used in the past. Please review them and make necessary changes to ensure that these instruments are enforceable.

  
Mike Lindebak  
City Engineer

ML:gr

Attachments

APPROVED:

  
Robert Lakin, Director of Planning ✓

RECEIVED

OCT 29 1984

CITY OF WICHITA PLANNING

JUL

*P.S. John - we need to look at a form that will work for the new dept AK also.*

IRREVOCABLE LETTER OF CREDIT

Re: Guarantee of payment of special assessments for the construction of sanitary sewer.

\_\_\_\_\_ is the owner of  
(Name of Developer or Builder)

\_\_\_\_\_  
(Legal Description - Lots, Blocks, Addition)

It is requested that sanitary sewer \_\_\_\_\_

\_\_\_\_\_  
(Sanitary Sewer Name, Project Number)

be installed prior to development on the lots.

\_\_\_\_\_ shall pay all special assessments for sanitary sewer to be levied against the above-described property on which improvements have not been started for a period of two years or until 35% of the above-described property has improvements started.

In order to secure performance on the conditions stated above, the sum of \$ \_\_\_\_\_ is being held in account by \_\_\_\_\_

\_\_\_\_\_  
(Name of Bank or Association)

The undersigned guarantor will make disbursements by sight drafts upon the above-mentioned account by notice from the City of Wichita that \_\_\_\_\_

\_\_\_\_\_  
(Developer or Builder)

is in default of his promise to pay the special assessments levied upon the above-described property and in the amount designated by the City as being in default.

Prior to the maturity of this Letter of Credit, the City of Wichita, Kansas has the option to draw against this Letter of Credit or request a new Irrevocable Letter of Credit be issued.

The guaranty sum shall be maintained until notice by the City of Wichita that 35% of improvements have been started and guaranty released.

\_\_\_\_\_  
Signature of Guarantor

**IRREVOCABLE LETTER OF CREDIT**

**Re: Guarantee of payment of special assessments for the construction of street paving.**

\_\_\_\_\_ is the owner of building  
(Name of Developer or Builder)

sites located on \_\_\_\_\_  
(Street Name, Limits of Construction, Project Number)

\_\_\_\_\_

It is requested that street paving be installed prior to development on the lots.

\_\_\_\_\_ shall pay all special assess-  
(Developer or Builder)

ments for street paving to be levied against the benefit district for the above-described project on which improvements have not been started for a period of two (2) years or until 35% of the above-described property has improvements started.

In order to secure performance on the conditions stated above, the sum of \$ \_\_\_\_\_ is being held in account by \_\_\_\_\_

\_\_\_\_\_  
(Name of Bank or Association)

The undersigned guarantor will make disbursements by sight drafts upon the above-mentioned account by notice from the City of Wichita that \_\_\_\_\_

\_\_\_\_\_  
(Developer or Builder)

is in default of his promise to pay the special assessments levied upon the above-described property and in the amount so designated by the City as being in default.

Prior to the maturity of this Letter of Credit, the City of Wichita, Kansas has the option to draw against this Letter of Credit or request a new Irrevocable Letter of Credit be issued.

The guaranty sum shall be maintained until notice by the City of Wichita that 35% of improvements have been started and guaranty released.

\_\_\_\_\_  
Signature of Guarantor

DR 84-16 - SA's.

10-25-84

E.D.C.

Don Anderson - change may be needed  
- have no position

Trail - strike balance between continuing to provide an  
incentive for development + collecting SA + providing  
collections to services D+I  
- ways to protect city financially

<sup>EHD memo</sup>  
- cite p 3 of ~~the~~ Draft policy -  
threat of changes

Stewart-

\* \* When tax sales occur - what is status  
of SA liens. called? paid?

Agala -

- needs more density in release  
- not clear 50%

→ on when cash in 12-22 does 18%  
become effective? Does guaranteed  
call include penalty.

~~\_\_\_\_\_~~ 

\* Paddock - "city has not lost one penny".  
what are incremental.

Paddock

Request extend to NOV 120 down  
+ with EDC to hold public hearing

35% of construction  
lost -  
5  
= 17% coverage

RE: AGENDA ITEM NO. 8

WICHITA-SEDGWICK COUNTY

October 24, 1984

METROPOLITAN AREA PLANNING DEPARTMENT

TO: Metropolitan Area Planning Commission

FROM: Robert A. Lakin, Director of Planning

SUBJECT: DR 84-16 - Development Policy for Public Improvements

The Subdivision Regulations provide that required installation of public improvements be guaranteed. Although bonds, letter of credit and actual installation are authorized, nearly all improvements are petitioned. The City's policy, over at least the last four decades, has been to not build the improvements unless at least 35 percent of the area was developed or had building permits. This was intended to prevent, what during the 1930's in other areas like Florida, et al, streets and hydrants in fields, and failed bonds. In recent years, the policy evolved allowing letters of credit to be filed in lieu of development and, under some conditions, the assignment of sales contracts of lots.

Recent budget discussions and delinquent assessments has resulted in a proposed update of the City's current policy. Attached is a copy of the report the City Manager sent to the Board of City Commissioners. The Board of City Commissioners in turn has asked the industry, Economic Development Commission and the MAPC to review and make recommendations. Both the old and new policy is attached to Denton's cover memorandum. Ray Trail, Assistant City Manager, will be present to review the draft policy. He may have additional information at that time.

  
Robert A. Lakin  
Director of Planning

RAL:rme  
Attachment

cc: E. H. Denton, City Manager  
Ray Trail, Assistant City Manager  
Russell Brenner, Director of Administration  
Don Anderson, Director of Housing & Economic Development  
Mike Lindebak, City Engineer  
John Oliphant, Wichita Area Home Builders, 730 N. Main, 67203

RAC

THE CITY OF WICHITA

OFFICE OF CITY MANAGER

DATE October 15, 1984

TO The Honorable Board of City Commissioners

FROM E. H. Denton, City Manager

SUBJECT Development Policy for Public Improvements

City Commissioner Albert Kirk has requested to discuss the status of the preparation of a report and proposed new policy on special assessment financing of new development and whether the City Commission should consider a moratorium on special assessment projects pending either revision or reaffirmation of the present policy. The present policy has been under detailed staff review for some time. Attached are copies of the present policy (AR 31 dated September 8, 1976) and the proposed new policy (AR 29 due to a renumbering of all regulations).

BACKGROUND

The issue in question is the degree of public participation and risk in the installation of improvement in new development in the community. Typically, developers desire that the city proceed with the installation of streets, sanitary sewers, storm drainage, and water lines at an early stage of development so that those facilities are available when houses are constructed and ready for sale and occupancy. To assist developers in providing such improvements, the city provides financing through special assessments. The cost of improvements is financed through an extension of the city's ability to borrow to private enterprise with the debt service spread over a fifteen-year period of time.

Financial risk and liability to the city arises when those private persons do not pay the special assessment debt service in a timely manner, or at all. When special assessments become delinquent city taxpayers must pay higher general taxes to continue the debt service and maintain the credit rating of the city. At the current time, delinquent special assessments account for approximately 10% of special assessments certified on an annual basis. With a volume of special assessment projects now exceeding \$15,000,000 annually, this delinquency rate translates into approximately \$1,500,000 in delinquencies which must be paid by the taxpayer. The drain on the city represents the equivalence of 1.5 mills in higher taxes or the lost ability to fund \$13,000,000 in additional capital improvements.

To address this problem, the city staff undertook to examine the "Development Policy for Public Improvements" which is the primary mechanism whereby new development occurs with the participation of the city in special assessment financed extension of improvements. Additionally, the City Commission has expressed its concern from the bench on the continued high rate of special assessment delinquency.

REFERENCE: ITEM #2-CC  
AGENDA FOR: OCT 16 1984

OPTIONS

The use of special assessments to finance private cost in the installation of improvements is common in Kansas. The state law provides the legal framework special assessment financing. Not only are special assessments used for new development, but infill in developed areas of the city also requires the use of special assessment financing. A wide range of policy options are available to the City Commission:

- (1) Phase-out Special Assessment Financing -- Special assessment financing of improvements need not be used by the city. While it is not recommended at this time, the City Commission may wish to investigate the ramifications of discontinuing the widespread use of special assessment financing in favor of requiring private developers to pay the cost as part of the price of development included in the sale price on individual houses or properties. This type of in-depth study would best be done through the retention of an independent consultant.
- (2) Full Guarantee of Special Assessment Costs -- If special assessments are to be used on a large scale for new developments, the City Commission may wish to insist on a full 100% guarantee of payment of those special assessments for the life bond issue. Again this option is stricter than that recommended in the draft regulation. However, the city's ability to meet the payment obligation on special assessments would be fully covered. It would be at the risk of stifled development.
- (3) Reasonable Assurance of Payment of Special Assessments -- This option is to seek to minimize the risk and liability of delinquent special assessments while continuing to provide an incentive to developers and a lower cost to the ultimate purchaser of the developed property, e.g., home buyer. The draft regulation represents the intent to strike a balance that will serve both development and the city's fiscal integrity.
- (4) Current 35% Development Policy -- Short of having no assurance on the payment of special assessments, the current policy represents nearly the lowest level of assurance possible. We have heard no dispute that the current policy has led unfortunately to abuse and to a very high cost to the taxpayers of Wichita. Further, the structure of the state law on recovery of penalties and interest on delinquent special assessments has resulted in payment of those penalties and interest to a unit of government other than the one which must pay the cost of delinquencies. The current policy is, however, a definite plus in terms of encouraging new development.

In examining options, the administrative staff has attempted to weigh an interest in continuing to encourage development while starting to curb the obvious abuse of the public's money by some private developers. Clearly, major changes are in order, but changes that are tempered.

PROPOSED NEW REGULATION

The current working draft of the new regulation is attached. Highlighted below are the major changes in the policy from the existing regulation:

- (a) Sets the city's level of acceptable risk at seeking coverage for 100% of the construction costs or 50% of the total cost for the life time of the debt service. Generally, the greatest risk to the city is during the first few years of a new development when the temptation of the developer is to use the city to carry the cost of special assessment pending sale of the property. Setting the level of guarantee at 50% assures payment of special assessments for the first 7-8 years of the project.
- (b) Stipulates that only guarantees that are convertible to cash for payment of special assessments constitute reasonable assurance that the city will not be faced with the prospect of incurring a burden due to delinquent special assessments. Again, the risk is shared equally between the city and developer in that only 50% or 7-8 years of the special assessments are covered.
- (c) Precludes developers who are delinquent on existing projects from special assessment financing on new developments. Due to the variety of corporate structures, it was felt that any checking process would meet with limited success. The suggested procedure is to require a certification under oath that no party in the new development is delinquent in existing special assessments.
- (d) Continues to provide a waiver procedure through the City Commission, but more clearly identifies what type of projects would be eligible for waiver consideration.
- (e) Restructures the staff review process to designate lead responsibility for monitoring the policy in Planning and to provide for an annual review of delinquent special assessments against development guarantees.

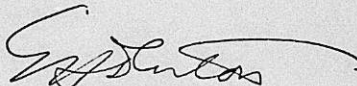
The proposed regulation is a working draft. It was our intent to refine the draft regulation through another internal review, provide it to the City Commission on an informational basis, and circulate it to interest persons and groups for review and comment prior to City Commission action. We would anticipate that could be accomplished and the matter returned to the City Commission in another 30 days.

RECOMMENDATION

It is requested that the City Commission provide preliminary comments to the administrative staff as to whether the draft regulation generally meets the policy direction desired by the City Commission. It is recommended that the Commission also authorize the circulation of the draft to interest persons and groups for review and comment and return to the City Commission in 30 days.

The Honorable Board of City Commissioners  
October 15, 1984  
Page 4

Commissioner Kirk has indicated an interest in imposing a moratorium on special assessment projects pending the approval of a final regulation. The administrative staff is prepared to examine all initiating petitions on new development public improvements and advise whether any participation by persons or corporations with currently delinquent special assessments can be identified. This would allow the City Commission to make a determination on whether to proceed in individual instances.



E. H. Denton  
City Manager

EHD/tpd  
Attachments

cc: Robert A. Lakin, Director of Planning  
Russell L. Brenner, Director of Administration  
John Dekker, Director of Law  
John Wynkoop, Director of Water and Water Pollution Control  
Don E. Anderson, Director of Housing and Economic Development



DEVELOPMENT POLICY  
FOR PUBLIC IMPROVEMENTS

Statement of Policy

It is the policy of the City of Wichita to facilitate new developments by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc.), upon petition, whenever reasonable assurances are provided by the developer or others that the City's credit will not be adversely affected by installing and financing such improvements.

Generally, "reasonable assurances" are considered to be provided whenever any of the following conditions exist:

1. Building permits have been issued and construction has begun (excavation commenced) on 35% of the benefitted properties.
2. Bona fide land sales agreements with a down payment equal to ten percent of the purchase price of the sales agreements, have been executed and assigned to the City on 35% of the benefitted properties which sales agreements specify that construction shall be started within six months of the date of such agreements.
3. The City has been provided with letters of credit, cashier's checks, bonds or other guarantees insuring payment of special assessments on 35% of the benefitted properties.
4. Any combination of two or more of the above resulting in a reasonable assurance that the City's credit will not be adversely affected by installing such improvements.

In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition, whenever it is determined that such action is overwhelmingly in the public interest and that the City's credit will not be adversely affected by installing and financing such improvements.

The assignment of sales agreements with the ten percent down payment and/or the guarantees provided to insure the payment of special assessments shall be released as soon as construction has begun (excavation commenced) on 35% of the properties benefitting from the public improvements.

Should development of the properties not occur, the assurances will be held by the City until such time as all special assessments for the cost of installing public improvements has been satisfied.

Attachment No. 1

In the event that the special assessments for the payment of public improvements become delinquent and liquidation of the properties becomes necessary to satisfy the payment of the special assessments, the assurances provided will be applied to satisfy any deficits between funds realized through the liquidation of the properties and the amount necessary to satisfy the balance due, if any, on the special assessments. Any funds remaining after the costs of special assessments have been met shall be returned to the party providing the assurances.

Procedures

Whenever a new development shall have been properly platted and zoned and petition for installation of public improvements have been submitted and approved, the City Commission shall instruct the City Manager to proceed to install such public improvements at such time as reasonable assurances are provided by the developer (s).

At the time that such reasonable assurances have been provided, the Director of Public Works shall initiate action to install the public improvements which are under the Public Works Department's jurisdiction. At such time as reasonable assurances have been provided, the Director of Water and Water Pollution Control shall proceed with the initiation of water main constructions.

Responsibilities

The Director of Public Works shall be responsible for implementation of the Development Policy as to streets, drainage, sanitary sewers and related improvements.

The Director of Water and Water Pollution Control shall be responsible for the implementation of the Development Policy as to water improvements.

The Director of Planning shall be responsible for assisting developers in the implementation of the Development Policy during the planning and platting phase of development.

The Director of Economic Development shall be responsible for assisting developers in the implementation of the Development Policy after planning and platting have occurred.

Procedure for Providing Reasonable Assurances

Public improvements shall be promptly initiated and installed upon submission to the appropriate Department Director of the following (or a combination thereof):

1. Certificate of Construction Initiation (substantially in the form attached hereto as Exhibit 1) attesting to the fact that building permits have been issued and construction has begun (excavation commenced) on at least 35% of the benefitted properties, OR

Administrative Regulation

AR 31-3 Revised  
September 8, 1976

2. Assignment of Sales Agreements (substantially in the form attached hereto as Exhibit II) pledging to the City all rights under bona fide sales contracts, including a ten percent (10%) down payment, and applying to at least 35% of the benefitted properties, OR
3. Development Guarantee(s) (substantially in the form attached hereto as Exhibit III) providing letter (s) of credit, cashier's check(s), surety bond(s) or other guarantee(s) insuring payment of special assessments on at least 35% of the benefitted properties.

The Assignment of Sales Agreements and/or Development Guarantee(s) are to be promptly released by the City as construction is begun (excavation commenced).

Development Waiver Petition Procedure

Public improvements shall be promptly initiated and installed upon approval and order of the City Commission provided that the developer has petitioned for a waiver of reasonable assurances whenever it is determined that such action would be overwhelmingly in the public interest and that the City's credit would not be adversely affected by installing and financing such improvements.

A petition for waiver of the 35% Development Requirement may be made by developers of residential, CUP, commercial, or industrial tracts. Such petition shall be referred to the Director of Economic Development for initiation. Petitions for waiver of this policy shall be submitted on Exhibit IV.

Approval or disapproval of the petition for waiver shall be by the Board of City Commissioners on the basis of information supplied by the applicant and on the recommendation of the City staff and the City Manager.

Responsibilities and procedures for processing of requests for waiver of the 35% Development Policy shall be as follows:

<u>Responsibility</u>	<u>Action</u>
Applicant	Will inquire of the Department of Economic Development on the procedure to petition for waiver of the Development Policy.
Director of Economic Development	Will provide Form 221-001 and assist applicant in preparing the petition
Applicant	Submits petition.
Director of Economic Development	Routes petition to various City Agencies.

Administrative Regulation

AR 31-4 Revised  
September 8, 1976

Director of Water

Reviews petition and if service is needed, studies the physical possibilities of a main extension to the area and makes an estimate of the cost of extension. Forwards to the Director of Public Works.

Director of Public Works

Reviews petition as to engineering feasibility of the project and whether or not the installation of the facilities would create other public works difficulties around the periphery of the plat. Forwards to the Director of Planning.

Director of Planning

Reviews petition as to its conformance with current land use plans and determines whether or not the development of the property is consistent with the orderly growth of the community. Forwards to the Director of Administration.

Director of Administration

Reviews petition with respect to statements and makes recommendations as to the ability of the applicant to pay the special assessment costs. Forwards to the City Manager. Copies of the completed form are sent to the Director of Economic Development, Director of Water, Director of Public Works and the Director of Planning.

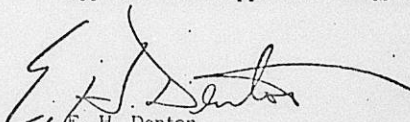
**NOTE:** If at any time any one of the department heads who must sign the application determines that the request should be denied, he must immediately direct a memo of explanation to the Office of the City Manager with a copy to the Director of Economic Development and to each Department required to review the application.

City Manager

Reviews completed form and makes recommendation to the City Commission.

City Commission

Approves or disapproves the application.

  
E. H. Denton  
City Manager

Attachments  
Exhibits I, II and III  
Form 221-001

City of Wichita, Kansas

CERTIFICATE OF CONSTRUCTION INITIATION

The undersigned hereby certifies that building permits have been secured and construction has begun (excavation commenced) on the following lots located in \_\_\_\_\_ (name of subdivision) in Wichita, Kansas.

Lot Number: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and that these lots constitute \_\_\_\_\_ percent ( \_\_\_ %) of the properties to be benefitted by the following public improvements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(list description of street, drainage, sewer and water improvements to be installed.)

It is requested that installation of said improvements be initiated in accordance with the City of Wichita Development Policy for Public Improvements.

\_\_\_\_\_  
Developer

STATE OF KANSAS) SS  
SEDGWICK COUNTY)

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

(One copy to be sent to the Director of Public Works, one copy to be sent to the Director of Water and Water Pollution Control and one copy to be sent to the Director of Economic Development.)

EXHIBIT II

ASSIGNMENT OF SALES AGREEMENTS

KNOW ALL MEN BY THESE PRESENTS, that \_\_\_\_\_ the undersigned, for value received, do hereby GRANT, ASSIGN, TRANSFER AND CONVEY unto the City of Wichita, Sedgwick County, Kansas, (a municipal corporation) \_\_\_\_\_ certain sales agreements attached hereto for the property listed and described in Attachment I to this assignment and which is hereby incorporated into this assignment as if fully set out herein, together with the sum of \_\_\_\_\_ and \_\_\_\_\_ dollars (\$ \_\_\_\_\_), said sum being equal to ten (10) percent of the purchase price of the aforementioned sales agreement(s), all of which is given to secure the cost of installing certain petitioned public improvements.

The properties so assigned constitute \_\_\_\_\_ percent ( \_\_\_ %) of the properties to be benefitted by the following public improvements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(list description of street, drainage, sewer and/or water improvements to be installed.)

It is requested that installation of said improvements be initiated in accordance with the City of Wichita Development Policy for Public Improvements.

STATE OF KANSAS) SS  
SEDGWICK COUNTY)  
Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

(One copy to be sent to the Director of Economic Development of the City of Wichita).

LISTING OF SALES AGREEMENTS  
in \_\_\_\_\_ Subdivision

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

DEVELOPMENT GUARANTEE

The undersigned hereby deposits with the City Clerk of the City of Wichita, Kansas, the following securities:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(itemize specific instruments, i.e. letters of credit, checks, surety bonds, etc.)

which securities are pledged to the City of Wichita to guarantee the prompt payment of \_\_\_\_\_ percent ( \_\_\_ %) of the special assessments to be assessed against the properties benefitted by the following public improvements.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

It is requested that installation of said improvements be initiated in accordance with the City of Wichita Development Policy for Public Improvements.

\_\_\_\_\_  
Developer

STATE OF KANSAS )  
SEDGWICK COUNTY )

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

(One copy to be filed with the City Clerk, one copy to be sent to the Director of Public Works, one copy to be sent to the Director of Water and Water Pollution Control and one copy to be sent to the Director of Economic Development).

PETITION FOR WAIVER OF DEVELOPMENT POLICY

INTRODUCTION

The Development Policy of the City requires that after property has been platted and the necessary petition filed with the City for the installation of streets, sewers, water mains, and drainage systems, the City will install these facilities using City credit on a special assessment basis whenever reasonable assurances have been provided by the developer that the City's credit will not be adversely affected by installing and financing such improvements.

This petition for waiver procedure, approved by the Board of City Commissioners, will be used in evaluating any requests from developers that public improvements be installed by the City in advance of 35% development and without the assurances that the City's credit will not be adversely affected whenever it is determined that such action is overwhelmingly in the public interest, such a criteria to include a review by the Department of Water, Department of Public Works, Planning Department, and Department of Administration.

PETITION

The Honorable Mayor and City Commissioners  
Wichita, Kansas

The undersigned hereby petition and request that the following public improvements be installed in the \_\_\_\_\_ (Subdivision) heretofore platted and recorded and that the assurances normally supplied by developer(s) under the City of Wichita Development Policy for public improvements be waived:

Description	Project No.	Estimated Cost
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_

STATE OF KANSAS )  
SEDGWICK COUNTY ) SS

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

PETITION SUPPORT INFORMATION

The undersigned hereby represents:

1. That the public improvements are in the public interest for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. That \_\_\_\_\_ (Telephone \_\_\_\_\_) is the owner(s) of record of the subdivision, and that \_\_\_\_\_ (Telephone \_\_\_\_\_) is authorized to represent the owner(s).

3. That it is intended that the subdivision will be developed in accordance with the following schedule and manner:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(type of construction, i. e., residential, commercial, industrial) units having a total estimated construction (sales) cost of \$ \_\_\_\_\_ are to be constructed in accordance with the following timetable:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby declare that the foregoing statements are true and correct to the best of my knowledge and belief:

Applicant \_\_\_\_\_  
 Owner of Record \_\_\_\_\_  
 Developer \_\_\_\_\_

STATE OF KANSAS )  
 SEDGWICK COUNTY ) SS

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
 Notary Public

Administrative Regulation

DRAFT

Date: October 15, 1984

AR 29

Subject: Development Policy for Public  
Improvements

Supersedes: AR 31  
September 8, 1976

Statement of Policy

It is the policy of the City of Wichita to facilitate new development by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc.) upon petition, whenever reasonable assurances are provided by the developer or others that the special assessments will be paid when due.

Reasonable assurances are considered to be provided whenever the city has been provided with a letter of credit, cashier's check, bond or other acceptable development guarantee insuring payment of special assessments on 100% of the construction costs of the benefitted properties. (This approximates 50% of the special assessment principal and interest.)

In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition and without guarantee, whenever it is determined that such action is in the public interest and when one or more of the following conditions exist:

- 1) Projects are ordered in by the Board of City Commissioners.
- 2) Projects that are infill in areas with multiple owners and where a majority of the benefit district (by square foot or lots) has development on it.
- 3) The project is part of development designed to increase economic activity (jobs) and where the city is a partner in the ownership of land with the Chamber of Commerce or other similar groups to entice development to a particular area.
- 4) The benefit district is in public ownership.

The credit assurances will be released as soon as the special assessments are paid annually or when a home is built on the property and sold to a bona fide individual home buyer.

Should development of the properties not occur and special assessments not paid by the developer, the credit assurances will be applied annually to satisfy the costs of public improvements of such property.

Any developer with delinquent special assessments on existing development will not be considered for a new development under this policy. All developers filing an application under this policy will be required to certify, under oath, that no person having a financial interest in the lands in the benefit district is delinquent in special assessments for any city special assessment project within or without the city.

Attachment No. 2

City of Wichita, Kansas

AR 29  
Page 2

Development Guarantee Procedure

The Director of Planning shall be responsible for receiving requests and assurances and monitoring the implementation of this policy.

The Planning Department shall determine the cost of and receive the credit assurance which will include a list of the key numbers of properties to be developed. The development guarantee (substantially in the form attached as Exhibit I) shall provide a letter of credit, cashier's check, surety bond or other guarantee equal to the estimated construction cost on 100% of the benefitted properties.

The development guarantees shall be submitted for review and approval to the Departments of Law and Administration for review as to legal and financial form, respectively.

At the time that reasonable assurances have been provided, the Director of Planning shall submit the requests for public improvements to the City Manager for presentation to the City Commission.

Upon approval of the governing body, the City Engineer shall initiate action to install the public improvements.

The development guarantees, along with a list of the key numbers on property to be developed, shall be filed with the City Clerk. The City Clerk shall be responsible for annually comparing key numbers for property developed under this policy and property with delinquent special assessments. Any matches in delinquent special assessments with development guarantees shall be referred to the Department of Law (with copies to Planning, Administration, and City Manager) for enforcement of the development guarantee.

Development Waiver Petition Procedure

Public improvements shall be promptly initiated and installed upon approval and order of the City Commission provided that the developer has petitioned for a waiver of reasonable assurances whenever it is determined that such action would be in the public interest.

A petition for waiver of the development requirement may be made by developers of residential, community unit plan, commercial, or industrial tracts. Such petition shall be submitted to the Director of Planning for initiation. Petitions for waiver of this policy shall be submitted on Exhibit II.

Approval or disapproval of the petition for waiver shall be by the Board of City Commissioners on the basis of information supplied by the applicant and on the recommendation of the city staff and the City Manager as to whether the petition for waiver meets the conditions outlined in the "Statement of Policy" section of this regulation.

Administrative Regulation

AR 29  
Page 3

Responsibilities and procedures for processing of requests for waiver of the development policy shall be as follows:

<u>Responsibility</u>	<u>Action</u>
Applicant	Will inquire of the Department of Planning on the procedure to petition for waiver of the development policy.
Director of Planning	Will provide Form 221-001 and assist applicant in preparing the petition.
Applicant	Submits petition.
Director of Planning	Routes petition to city agencies as outlined below.
City Engineer	Reviews petition as to engineering feasibility of the project and whether or not the installation of the facilities would create other public works difficulties around the periphery of the plat. Forwards to the Director of Administration.
Director of Administration	Reviews petition and makes recommendations as to the ability of the applicant to pay the special assessment costs. Forwards to the Director of Housing and Economic Development or Director of Planning, as required.
Director of HED	In the event that a petition for waiver of development guarantee is filed under the economic activity criterion, the Director of Housing and Economic Development will review and comment on the request. Forwards to the Director of Planning.
Director of Planning	Reviews petition as to its conformance with current land use plans and determines whether or not the development of the property is consistent with the orderly growth of the community. Forwards to the City Manager. Copies of the completed form are sent to the directors of the above departments.

NOTE: If at any time any one of the department directors who must sign the application determines that the request should be denied, he must immediately direct a memorandum of explanation to the City Manager's Office with a copy to the Director of Planning and to each department required to review the application.

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 4

Responsibilities

City Manager

City Commission

Action

Reviews completed form and makes recommendation to the City Commission.

Approves or disapproves the application.

E. H. Denton  
City Manager

EHD/cpd

City of Wichita, Kansas

WICHITA-SEDGWICK COUNTY

October 24, 1984

METROPOLITAN AREA PLANNING DEPARTMENT

TO: Metropolitan Area Planning Commission  
FROM: Robert A. Lakin, Director of Planning

SUBJECT: DR 84-16 - Development Policy for Public Improvements

The Subdivision Regulations provide that required installation of public improvements be guaranteed. Although bonds, letter of credit and actual installation are authorized, nearly all improvements are petitioned. The City's policy, over at least the last four decades, has been to not build the improvements unless at least 35 percent of the area was developed or had building permits. This was intended to prevent, what during the 1930's in other areas like Florida, et al, streets and hydrants in fields, and failed bonds. In recent years, the policy evolved allowing letters of credit to be filed in lieu of development and, under some conditions, the assignment of sales contracts of lots.

Recent budget discussions and delinquent assessments has resulted in a proposed update of the City's current policy. Attached is a copy of the report the City Manager sent to the Board of City Commissioners. The Board of City Commissioners in turn has asked the industry, Economic Development Commission and the MAPC to review and make recommendations. Both the old and new policy is attached to Denton's cover memorandum. Ray Trail, Assistant City Manager, will be present to review the draft policy. He may have additional information at that time.

\_\_\_\_\_  
Robert A. Lakin  
Director of Planning

RAL:rme  
Attachment

cc: E. H. Denton, City Manager  
Ray Trail, Assistant City Manager  
Russell Brenner, Director of Administration  
Don Anderson, Director of Housing & Economic Development  
Mike Lindebak, City Engineer  
John Oliphant, Wichita Area Home Builders, 730 N. Main, 67203  
bcc: Tim Witsman, County Administrator

RAC

THE CITY OF WICHITA

OFFICE OF CITY MANAGER

DATE October 15, 1984

TO The Honorable Board of City Commissioners

FROM E. H. Denton, City Manager

SUBJECT Development Policy for Public  
Improvements

City Commissioner Albert Kirk has requested to discuss the status of the preparation of a report and proposed new policy on special assessment financing of new development and whether the City Commission should consider a moratorium on special assessment projects pending either revision or reaffirmation of the present policy. The present policy has been under detailed staff review for some time. Attached are copies of the present policy (AR 31 dated September 8, 1976) and the proposed new policy (AR 29 due to a renumbering of all regulations).

BACKGROUND

The issue in question is the degree of public participation and risk in the installation of improvement in new development in the community. Typically, developers desire that the city proceed with the installation of streets, sanitary sewers, storm drainage, and water lines at an early stage of development so that those facilities are available when houses are constructed and ready for sale and occupancy. To assist developers in providing such improvements, the city provides financing through special assessments. The cost of improvements is financed through an extension of the city's ability to borrow to private enterprise with the debt service spread over a fifteen-year period of time.

Financial risk and liability to the city arises when those private persons do not pay the special assessment debt service in a timely manner, or at all. When special assessments become delinquent city taxpayers must pay higher general taxes to continue the debt service and maintain the credit rating of the city. At the current time, delinquent special assessments account for approximately 10% of special assessments certified on an annual basis. With a volume of special assessment projects now exceeding \$15,000,000 annually, this delinquency rate translates into approximately \$1,500,000 in delinquencies which must be paid by the taxpayer. The drain on the city represents the equivalence of 1.5 mills in higher taxes or the lost ability to fund \$13,000,000 in additional capital improvements.

To address this problem, the city staff undertook to examine the "Development Policy for Public Improvements" which is the primary mechanism whereby new development occurs with the participation of the city in special assessment financed extension of improvements. Additionally, the City Commission has expressed its concern from the bench on the continued high rate of special assessment delinquency.

REFERENCE: ITEM #2-CC

AGENDA FOR: OCT 16 1984

OPTIONS

The use of special assessments to finance private cost in the installation of improvements is common in Kansas. The state law provides the legal framework special assessment financing. Not only are special assessments used for new development, but infill in developed areas of the city also requires the use of special assessment financing. A wide range of policy options are available to the City Commission:

- (1) Phase-out Special Assessment Financing -- Special assessment financing of improvements need not be used by the city. While it is not recommended at this time, the City Commission may wish to investigate the ramifications of discontinuing the widespread use of special assessment financing in favor of requiring private developers to pay the cost as part of the price of development included in the sale price on individual houses or properties. This type of in-depth study would best be done through the retention of an independent consultant.
- (2) Full Guarantee of Special Assessment Costs -- If special assessments are to be used on a large scale for new developments, the City Commission may wish to insist on a full 100% guarantee of payment of those special assessments for the life bond issue. Again this option is stricter than that recommended in the draft regulation. However, the city's ability to meet the payment obligation on special assessments would be fully covered. It would be at the risk of stifled development.
- (3) Reasonable Assurance of Payment of Special Assessments -- This option is to seek to minimize the risk and liability of delinquent special assessments while continuing to provide an incentive to developers and a lower cost to the ultimate purchaser of the developed property, e.g., home buyer. The draft regulation represents the intent to strike a balance that will serve both development and the city's fiscal integrity.
- (4) Current 35% Development Policy -- Short of having no assurance on the payment of special assessments, the current policy represents nearly the lowest level of assurance possible. We have heard no dispute that the current policy has led unfortunately to abuse and to a very high cost to the taxpayers of Wichita. Further, the structure of the state law on recovery of penalties and interest on delinquent special assessments has resulted in payment of those penalties and interest to a unit of government other than the one which must pay the cost of delinquencies. The current policy is, however, a definite plus in terms of encouraging new development.

In examining options, the administrative staff has attempted to weigh an interest in continuing to encourage development while starting to curb the obvious abuse of the public's money by some private developers. Clearly, major changes are in order, but changes that are tempered.

PROPOSED NEW REGULATION

The current working draft of the new regulation is attached. Highlighted below are the major changes in the policy from the existing regulation:

- (a) Sets the city's level of acceptable risk at seeking coverage for 100% of the construction costs or 50% of the total cost for the life time of the debt service. Generally, the greatest risk to the city is during the first few years of a new development when the temptation of the developer is to use the city to carry the cost of special assessment pending sale of the property. Setting the level of guarantee at 50% assures payment of special assessments for the first 7-8 years of the project.
- (b) Stipulates that only guarantees that are convertible to cash for payment of special assessments constitute reasonable assurance that the city will not be faced with the prospect of incurring a burden due to delinquent special assessments. Again, the risk is shared equally between the city and developer in that only 50% or 7-8 years of the special assessments are covered.
- (c) Precludes developers who are delinquent on existing projects from special assessment financing on new developments. Due to the variety of corporate structures, it was felt that any checking process would meet with limited success. The suggested procedure is to require a certification under oath that no party in the new development is delinquent in existing special assessments.
- (d) Continues to provide a waiver procedure through the City Commission, but more clearly identifies what type of projects would be eligible for waiver consideration.
- (e) Restructures the staff review process to designate lead responsibility for monitoring the policy in Planning and to provide for an annual review of delinquent special assessments against development guarantees.

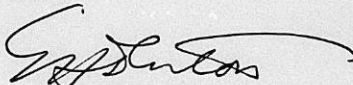
The proposed regulation is a working draft. It was our intent to refine the draft regulation through another internal review, provide it to the City Commission on an informational basis, and circulate it to interest persons and groups for review and comment prior to City Commission action. We would anticipate that could be accomplished and the matter returned to the City Commission in another 30 days.

RECOMMENDATION

It is requested that the City Commission provide preliminary comments to the administrative staff as to whether the draft regulation generally meets the policy direction desired by the City Commission. It is recommended that the Commission also authorize the circulation of the draft to interest persons and groups for review and comment and return to the City Commission in 30 days.

The Honorable Board of City Commissioners  
October 15, 1984  
Page 4

Commissioner Kirk has indicated an interest in imposing a moratorium on special assessment projects pending the approval of a final regulation. The administrative staff is prepared to examine all initiating petitions on new development public improvements and advise whether any participation by persons or corporations with currently delinquent special assessments can be identified. This would allow the City Commission to make a determination on whether to proceed in individual instances.



E. H. Denton  
City Manager

EHD/tpd

Attachments

cc: Robert A. Lakin, Director of Planning  
Russell L. Brenner, Director of Administration  
John Dekker, Director of Law  
John Wynkoop, Director of Water and Water Pollution Control  
Don E. Anderson, Director of Housing and Economic Development



DEVELOPMENT POLICY  
FOR PUBLIC IMPROVEMENTS

Statement of Policy

It is the policy of the City of Wichita to facilitate new developments by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc.), upon petition, whenever reasonable assurances are provided by the developer or others that the City's credit will not be adversely affected by installing and financing such improvements.

Generally, "reasonable assurances" are considered to be provided whenever any of the following conditions exist:

1. Building permits have been issued and construction has begun (excavation commenced) on 35% of the benefitted properties.
2. Bona fide land sales agreements with a down payment equal to ten percent of the purchase price of the sales agreements, have been executed and assigned to the City on 35% of the benefitted properties which sales agreements specify that construction shall be started within six months of the date of such agreements.
3. The City has been provided with letters of credit, cashier's checks, bonds or other guarantees insuring payment of special assessments on 35% of the benefitted properties.
4. Any combination of two or more of the above resulting in a reasonable assurance that the City's credit will not be adversely affected by installing such improvements.

In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition, whenever it is determined that such action is overwhelmingly in the public interest and that the City's credit will not be adversely affected by installing and financing such improvements.

The assignment of sales agreements with the ten percent down payment and/or the guarantees provided to insure the payment of special assessments shall be released as soon as construction has begun (excavation commenced) on 35% of the properties benefitting from the public improvements.

Should development of the properties not occur, the assurances will be held by the City until such time as all special assessments for the cost of installing public improvements has been satisfied.

Attachment No. 1

City of Wichita, Kansas

Administrative Regulation

AR 31-2 Revised  
September 8, 1976

In the event that the special assessments for the payment of public improvements become delinquent and liquidation of the properties becomes necessary to satisfy the payment of the special assessments, the assurances provided will be applied to satisfy any deficits between funds realized through the liquidation of the properties and the amount necessary to satisfy the balance due, if any, on the special assessments. Any funds remaining after the costs of special assessments have been met shall be returned to the party providing the assurances.

Procedures

Whenever a new development shall have been properly platted and zoned and petitions for installation of public improvements have been submitted and approved, the City Commission shall instruct the City Manager to proceed to install such public improvements at such time as reasonable assurances are provided by the developer (s).

OFM At the time that such reasonable assurances have been provided, the Director of Public Works shall initiate action to install the public improvements which are under the Public Works Department's jurisdiction. At such time as reasonable assurances have been provided, the Director of Water and Water Pollution Control shall proceed with the initiation of water main constructions.

Responsibilities

The Director of Public Works shall be responsible for implementation of the Development Policy as to streets, drainage, sanitary sewers and related improvements.

The Director of Water and Water Pollution Control shall be responsible for the implementation of the Development Policy as to water improvements.

The Director of Planning shall be responsible for assisting developers in the implementation of the Development Policy during the planning and platting phase of development.

The Director of Economic Development shall be responsible for assisting developers in the implementation of the Development Policy after planning and platting have occurred.

Procedure for Providing Reasonable Assurances

Public improvements shall be promptly initiated and installed upon submission to the appropriate Department Director of the following (or a combination thereof):

1. Certificate of Construction Initiation (substantially in the form attached hereto as Exhibit I) attesting to the fact that building permits have been issued and construction has begun (excavation commenced) on at least 35% of the benefitted properties, OR

City of Wichita, Kansas

Administrative Regulation

AR 31-3 Revised  
September 8, 1976

2. Assignment of Sales Agreements (substantially in the form attached hereto as Exhibit II) pledging to the City all rights under bona fide sales contracts, including a ten percent (10%) down payment, and applying to at least 35% of the benefitted properties, OR
3. Development Guarantee(s) (substantially in the form attached hereto as Exhibit III) providing letter (s) of credit, cashier's check(s), surety bond(s) or other guarantee(s) insuring payment of special assessments on at least 35% of the benefitted properties.

The Assignment of Sales Agreements and/or Development Guarantee(s) are to be promptly released by the City as construction is begun (excavation commenced).

Development Waiver Petition Procedure

Public improvements shall be promptly initiated and installed upon approval and order of the City Commission provided that the developer has petitioned for a waiver of reasonable assurances whenever it is determined that such action would be overwhelmingly in the public interest and that the City's credit would not be adversely affected by installing and financing such improvements.

A petition for waiver of the 35% Development Requirement may be made by developers of residential, CUP, commercial, or industrial tracts. Such petition shall be referred to the Director of Economic Development for initiation. Petitions for waiver of this policy shall be submitted on Exhibit IV.

Approval or disapproval of the petition for waiver shall be by the Board of City Commissioners on the basis of information supplied by the applicant and on the recommendation of the City staff and the City Manager.

Responsibilities and procedures for processing of requests for waiver of the 35% Development Policy shall be as follows:

<u>Responsibility</u>	<u>Action</u>
Applicant	Will inquire of the Department of Economic Development on the procedure to petition for waiver of the Development Policy.
Director of Economic Development	Will provide Form 221-001 and assist applicant in preparing the petition
Applicant	Submits petition.
Director of Economic Development	Routes petition to various City Agencies.

Administrative Regulation

AR 31-4 Revised  
September 8, 1976

Director of Water

Reviews petition and if service is needed, studies the physical possibilities of a main extension to the area and makes an estimate of the cost of extension. Forwards to the Director of [Public Works.]

Director of Public Works

Reviews petition as to engineering feasibility of the project and whether or not the installation of the facilities would create other public works difficulties around the periphery of the plat. Forwards to the Director of Planning.

Director of Planning

Reviews petition as to its conformance with current land use plans and determines whether or not the development of the property is consistent with the orderly growth of the community. Forwards to the Director of Administration.

Director of Administration

Reviews petition with respect to statements and makes recommendations as to the ability of the applicant to pay the special assessment costs. Forwards to the City Manager. Copies of the completed form are sent to the Director of Economic Development, Director of Water, Director of Public Works and the Director of Planning.

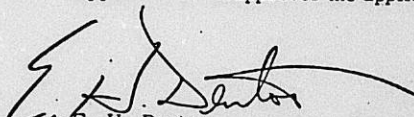
**NOTE:** If at any time any one of the department heads who must sign the application determines that the request should be denied, he must immediately direct a memo of explanation to the Office of the City Manager with a copy to the Director of Economic Development and to each Department required to review the application.

City Manager

Reviews completed form and makes recommendation to the City Commission.

City Commission

Approves or disapproves the application.

  
E. H. Denton  
City Manager

Attachments  
Exhibits I, II and III  
Form 221-001

City of Wichita, Kansas

**CERTIFICATE OF CONSTRUCTION INITIATION**

The undersigned hereby certifies that building permits have been secured and construction has begun (excavation commenced) on the following lots located in \_\_\_\_\_ (name of subdivision) in Wichita, Kansas.

Lot Number: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and that these lots constitute \_\_\_\_\_ percent ( \_\_\_ %) of the properties to be benefitted by the following public improvements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(list description of street, drainage, sewer and water improvements to be installed.)

It is requested that installation of said improvements be initiated in accordance with the City of Wichita Development Policy for Public Improvements.

\_\_\_\_\_  
Developer

STATE OF KANSAS) SS  
SEDGWICK COUNTY)

Sworn to and subscribed before me this \_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

(One copy to be sent to the Director of Public Works, one copy to be sent to the Director of Water and Water Pollution Control and one copy to be sent to the Director of Economic Development.)

EXHIBIT II

ASSIGNMENT OF SALES AGREEMENTS

KNOW ALL MEN BY THESE PRESENTS, that \_\_\_\_\_ the undersigned, for value received, do hereby GRANT, ASSIGN, TRANSFER AND CONVEY unto the City of Wichita, Sedgwick County, Kansas, (a municipal corporation) \_\_\_\_\_ certain sales agreements attached hereto for the property listed and described in Attachment I to this assignment and which is hereby incorporated into this assignment as if fully set out herein, together with the sum of \_\_\_\_\_ and \_\_\_\_\_ dollars (\$ \_\_\_\_\_), said sum being equal to ten (10) percent of the purchase price of the aforementioned sales agreement(s), all of which is given to secure the cost of installing certain petitioned public improvements.

The properties so assigned constitute \_\_\_\_\_ percent ( \_\_\_\_\_ %) of the properties to be benefitted by the following public improvements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(list description of street, drainage, sewer and/or water improvements to be installed.)

It is requested that installation of said improvements be initiated in accordance with the City of Wichita Development Policy for Public Improvements.

STATE OF KANSAS) SS  
SEDGWICK COUNTY)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

(One copy to be sent to the Director of Economic Development of the City of Wichita).

**LISTING OF SALES AGREEMENTS**  
in \_\_\_\_\_ Subdivision

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

DEVELOPMENT GUARANTEE

The undersigned hereby deposits with the City Clerk of the City of Wichita, Kansas, the following securities:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(itemize specific instruments, i. e. letters of credit, checks, surety bonds, etc.)

which securities are pledged to the City of Wichita to guarantee the prompt payment of \_\_\_\_\_ percent (\_\_\_\_%) of the special assessments to be assessed against the properties benefitted by the following public improvements.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

It is requested that installation of said improvements be initiated in accordance with the City of Wichita Development Policy for Public Improvements.

STATE OF KANSAS )  
SEDGWICK COUNTY )

\_\_\_\_\_  
Developer

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

(One copy to be filed with the City Clerk, one copy to be sent to the Director of Public Works, one copy to be sent to the Director of Water and Water Pollution Control and one copy to be sent to the Director of Economic Development).

PETITION FOR WAIVER OF DEVELOPMENT POLICY

INTRODUCTION

The Development Policy of the City requires that after property has been platted and the necessary petition filed with the City for the installation of streets, sewers, water mains, and drainage systems, the City will install these facilities using City credit on a special assessment basis whenever reasonable assurances have been provided by the developer that the City's credit will not be adversely affected by installing and financing such improvements.

This petition for waiver procedure, approved by the Board of City Commissioners, will be used in evaluating any requests from developers that public improvements be installed by the City in advance of 35% development and without the assurances that the City's credit will not be adversely affected whenever it is determined that such action is overwhelmingly in the public interest, such a criteria to include a review by the Department of Water, Department of Public Works, Planning Department, and Department of Administration.

PETITION

The Honorable Mayor and City Commissioners  
Wichita, Kansas

The undersigned hereby petition and request that the following public improvements be installed in the \_\_\_\_\_ (Subdivision) heretofore platted and recorded and that the assurances normally supplied by developer(s) under the City of Wichita Development Policy for public improvements be waived:

Description	Project No.	Estimated Cost
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_

STATE OF KANSAS )  
SEDGWICK COUNTY ) SS

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

PETITION SUPPORT INFORMATION

The undersigned hereby represents:

1. That the public improvements are in the public interest for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. That \_\_\_\_\_ (Telephone \_\_\_\_\_) is the owner(s) of record of the subdivision, and that \_\_\_\_\_ (Telephone \_\_\_\_\_) is authorized to represent the owner(s).

3. That it is intended that the subdivision will be developed in accordance with the following schedule and manner:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(type of construction, i.e., residential, commercial, industrial) units having a total estimated construction (sales) cost of \$ \_\_\_\_\_ are to be constructed in accordance with the following timetable:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby declare that the foregoing statements are true and correct to the best of my knowledge and belief:

Applicant \_\_\_\_\_  
 Owner of Record \_\_\_\_\_  
 Developer \_\_\_\_\_

STATE OF KANSAS )  
 SEDGWICK COUNTY ) SS

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
 Notary Public

My Commission expires \_\_\_\_\_

Administrative Regulation

DRAFT

Date: October 15, 1984

AR 29

Subject: Development Policy for Public  
Improvements

Supersedes: AR 31  
September 8, 1976

Statement of Policy

It is the policy of the City of Wichita to facilitate new development by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc.) upon petition, whenever reasonable assurances are provided by the developer or others that the special assessments will be paid when due.

Reasonable assurances are considered to be provided whenever the city has been provided with a letter of credit, cashier's check, bond or other acceptable development guarantee insuring payment of special assessments on 100% of the construction costs of the benefitted properties. (This approximates 50% of the special assessment principal and interest.)

In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition and without guarantee, whenever it is determined that such action is in the public interest and when one or more of the following conditions exist:

- 1) Projects are ordered in by the Board of City Commissioners.
- 2) Projects that are infill in areas with multiple owners and where a majority of the benefit district (by square foot or lots) has development on it.
- 3) The project is part of development designed to increase economic activity (jobs) and where the city is a partner in the ownership of land with the Chamber of Commerce or other similar groups to entice development to a particular area.
- 4) The benefit district is in public ownership.

The credit assurances will be released as soon as the special assessments are paid annually or when a home is built on the property and sold to a bona fide individual home buyer.

Should development of the properties not occur and special assessments not paid by the developer, the credit assurances will be applied annually to satisfy the costs of public improvements of such property.

Any developer with delinquent special assessments on existing development will not be considered for a new development under this policy. All developers filing an application under this policy will be required to certify, under oath, that no person having a financial interest in the lands in the benefit district is delinquent in special assessments for any city special assessment project within or without the city.

Attachment No. 2

City of Wichita, Kansas

AR 29  
Page 2

Development Guarantee Procedure

The Director of Planning shall be responsible for receiving requests and assurances and monitoring the implementation of this policy.

The Planning Department shall determine the cost of and receive the credit assurance which will include a list of the key numbers of properties to be developed. The development guarantee (substantially in the form attached as Exhibit I) shall provide a letter of credit, cashier's check, surety bond or other guarantee equal to the estimated construction cost on 100% of the benefitted properties.

The development guarantees shall be submitted for review and approval to the Departments of Law and Administration for review as to legal and financial form, respectively.

At the time that reasonable assurances have been provided, the Director of Planning shall submit the requests for public improvements to the City Manager for presentation to the City Commission.

Upon approval of the governing body, the City Engineer shall initiate action to install the public improvements.

The development guarantees, along with a list of the key numbers on property to be developed, shall be filed with the City Clerk. The City Clerk shall be responsible for annually comparing key numbers for property developed under this policy and property with delinquent special assessments. Any matches in delinquent special assessments with development guarantees shall be referred to the Department of Law (with copies to Planning, Administration, and City Manager) for enforcement of the development guarantee.

Development Waiver Petition Procedure

Public improvements shall be promptly initiated and installed upon approval and order of the City Commission provided that the developer has petitioned for a waiver of reasonable assurances whenever it is determined that such action would be in the public interest.

A petition for waiver of the development requirement may be made by developers of residential, community unit plan, commercial, or industrial tracts. Such petition shall be submitted to the Director of Planning for initiation. Petitions for waiver of this policy shall be submitted on Exhibit II.

Approval or disapproval of the petition for waiver shall be by the Board of City Commissioners on the basis of information supplied by the applicant and on the recommendation of the city staff and the City Manager as to whether the petition for waiver meets the conditions outlined in the "Statement of Policy" section of this regulation.

Administrative Regulation

AR 29  
Page 3

Responsibilities and procedures for processing of requests for waiver of the development policy shall be as follows:

<u>Responsibility</u>	<u>Action</u>
Applicant	Will inquire of the Department of Planning on the procedure to petition for waiver of the development policy.
Director of Planning	Will provide Form 221-001 and assist applicant in preparing the petition.
Applicant	Submits petition.
Director of Planning	Routes petition to city agencies as outlined below.
City Engineer	Reviews petition as to engineering feasibility of the project and whether or not the installation of the facilities would create other public works difficulties around the periphery of the plat. Forwards to the Director of Administration.
Director of Administration	Reviews petition and makes recommendations as to the ability of the applicant to pay the special assessment costs. Forwards to the Director of Housing and Economic Development or Director of Planning, as required.
Director of HED	In the event that a petition for waiver of development guarantee is filed under the economic activity criterion, the Director of Housing and Economic Development will review and comment on the request. Forwards to the Director of Planning.
Director of Planning	Reviews petition as to its conformance with current land use plans and determines whether or not the development of the property is consistent with the orderly growth of the community. Forwards to the City Manager. Copies of the completed form are sent to the directors of the above departments.

NOTE: If at any time any one of the department directors who must sign the application determines that the request should be denied, he must immediately direct a memorandum of explanation to the City Manager's Office with a copy to the Director of Planning and to each department required to review the application.

Administrative Regulation

AR 29  
Page 4

Responsibilities

City Manager

City Commission

Action

Reviews completed form and makes recommendation to the City Commission.

Approves or disapproves the application.

E. H. Denton  
City Manager

EHD/cpd

City of Wichita, Kansas

THE CITY OF WICHITA  
OFFICE OF City Engineer


DATE October 24, 1984

TO E. H. Denton, City Manager  
FROM Mike Lindebak, City Engineer

SUBJECT Affidavit of No Delinquent  
Special Assessments

Attached for your information is a copy of the above-referenced document in final form.

This affidavit, which incorporates a number of minor modifications recommended by the Department of Law, replaces the affidavit that you were previously provided. No further changes are anticipated.

  
Mike Lindebak  
City Engineer

ML:mgr

Attachment

cc: Russell L. Brenner, Director of Administration  
John Dekker, Director of Law  
Don Anderson, Director of Housing and Economic Development  
Don Gisick, City Clerk

APPROVED:

  
Robert Lakin, Director of Planning ✓

RECEIVED

OCT 29 1984

METROPOLITAN PLANNING

ROUTE

AFFIDAVIT

STATE OF KANSAS )  
                  ) ss:  
SEDGWICK COUNTY )

COMES NOW \_\_\_\_\_ of lawful age, and  
being first duly sworn, on oath states:

No party having a beneficial interest in the property in the proposed  
improvement district for \_\_\_\_\_

\_\_\_\_\_

has a beneficial interest in any property that is currently delinquent in pay-  
ment of special assessments for the financing of a public improvement con-  
structed under the authority of the City of Wichita, Kansas or other govern-  
mental entities in the State of Kansas. The term party, as used herein, in-  
cludes individuals, partnerships, partners or general partners of any partner-  
ship holding a beneficial interest, corporations, officers of corporations  
holding a beneficial interest, and Trustees.

Attached is a list of all parties holding a beneficial interest in prop-  
erty in the proposed improvement district.

FURTHER AFFIANT SAITH NOT.

\_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Appointment Expires:  
\_\_\_\_\_

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

October 22, 1984

TO: E. H. Denton, City Manager  
FROM: Robert A. Lakin, Director of Planning  
SUBJECT: Certification Special Assessments

Attached is an affidavit developed by my staff and <sup>The</sup> Law Department based on language included in Commissioner Kirk's motion. These affidavits will be required on all special assessment projects at the point when guarantees are required. This will normally mean at any time we enter into engineering contracts or for those when engineering has been done prior to our bidding the project and landing the contract. They will not be required at petition time because the petitions often lay several months or years and conditions change. I also assume the affidavit will not be required for fully developed areas. Where we have multi-owners such as on our sidewalks and alleys and streets like Dellrose a couple of weeks ago.

If there is any other information needed, please advise.

Robert A. Lakin

RAL:sad

Attachment

cc: Russell Brenner, Director of Administration  
John Dekker, Director of Law  
Don Anderson, Director of Housing & Economic Development  
John Wynkoop, Director of Water Department  
Mike Lindebak, Director of Engineering  
Don Gisick, City Clerk

AFFIDAVIT

The undersigned, being first duly sworn on his/her oath, states:

No party having a direct or indirect beneficial interest in the property in the improvement district for Paving Streets in Walnut Creek Addition (Proj. No. 412-76-245-81377-000-000-001)

has a direct or indirect beneficial interest in any property that is currently delinquent in payment of special assessments for the financing of any public improvements constructed under the authority of the City of Wichita, Kansas.

Further affiant saith not.

Witness my signature this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_

Suscribed and sworn to me, a Notary Public in and for the county and state aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

WICHITA-SEDCWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

October 22, 1984

TO: E. H. Denton, City Manager  
FROM: Robert A. Lakin, Director of Planning  
SUBJECT: Certification Special Assessments

Attached is an affidavit developed by my staff and thue Law Department based on language included in Commissioner Kirk's motion. These affidavits will be required on all special assessment projects at the point when guarantees are required. This will normally mean at any time we enter into engineering contracts or for those when engineering has been done prior to our bidding the project and landing the contract. They will not be required at petition time because the petitions often lay several months or years and conditions change. I also assume the affidavit will not be required for fully developed areas. Where we have multi-owners such as on our sidewalks and alleys and streets like Dellrose a couple of weeks ago.

If there is any other information needed, please advise.

Robert A. Lakin

RAL:sad

Attachment

cc: Russell Brenner, Director of Administration  
John Dekker, Director of Law  
Don Anderson, Director of Housing & Economic Development  
John Wynkoop, Director of Water Department  
Mike Lindebak, Director of Engineering  
Don Gisick, City Clerk

AFFIDAVIT

The undersigned, being first duly sworn on his/her oath, states:

No party having a direct or indirect beneficial interest in the property in the improvement district for Paving Streets in Walnut Creek Addition (Proj. No. 472-76-245-81377-000-000-001)

has a direct or indirect beneficial interest in any property that is currently delinquent in payment of special assessments for the financing of any public improvements constructed under the authority of the City of Wichita, Kansas.

Further affiant saith not.

Witness my signature this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_

Suscribed and sworn to me, a Notary Public in and for the county and state aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

THE CITY OF WICHITA

OFFICE OF CITY MANAGER

DATE October 17, 1984

TO Robert A. Lakin, Director of Planning

FROM Robert G. Finch, Deputy City Manager

SUBJECT Certification -- Delinquent  
Special Assessments


On October 16, 1984, the City Commission directed that no more special assessment projects be initiated for those developers who are delinquent on payments for existing special assessments without hearing and waiver by the Commission.

Applicants will be required to provide certification, under oath, that no party in the new development is delinquent on existing special assessment payments.

The Commission's direction in effect provides a procedure for the applicant to have a hearing before the City Commission should the applicant so desire.

Pursuant to our discussion, please develop a standard certificate and procedure applicable to those projects which have already been initiated but not bid and for those future project petitions.

Please work with John Wynkoop to assure that the certification procedure is also extended to water projects.



Robert G. Finch  
Deputy City Manager

RGF/pd

cc: John Wynkoop, Director of Water and Water Pollution Control

RECEIVED

OCT 18 1984

METROPOLITAN PLANNING

ROUTE

**THE CITY OF WICHITA**

**OFFICE OF ADMINISTRATION**

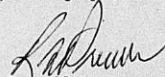
**DATE** October 9, 1984

**TO** Robert Finch, Deputy City Manager

**FROM** Russell L. Brenner, Director of Administration

**SUBJECT** Proposed Development Policy  
for Public Improvements  
(Draft AR 29)

Attached please find a "new" draft AR 29 incorporating my comments and thoughts on the development policy.



Russell L. Brenner  
Director of Administration

RLB/gt

Attachments

Distribution:

Robert A. Lakin, Director of Planning ✓  
Don E. Anderson, Director of Housing and Economic Development  
John Wynkoop, Director of Water and Water Pollution Control  
John Dekker, Director of Law



DRAFT

Date: October 9, 1984

AR 29

Subject: Development Policy for Public Improvements

Supersedes: AR 31  
September 8, 1976

Statement of Policy

It is the policy of the City of Wichita to facilitate new development by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc) upon petition, whenever reasonable assurances are provided by the developer or others that the City's credit will not be adversely affected by installing and financing such improvements.

Reasonable assurances are considered to be provided whenever the City has been provided with letters of credit, cashier's checks, bonds or other acceptable development guarantees insuring payment of special assessments on 100% of the construction costs of the benefitted properties. (This approximates 50% of the Special Assessment principal and interest.)<sup>Annual 50% C</sup> In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition, whenever it is determined that such action is overwhelmingly in the public interest and that the City's credit will not be adversely affected by installing and financing such improvements.

*should be  
P of P+I  
as we will  
have trouble  
making down  
down to cover  
Dis non  
payment.*

↳ Define condition

The credit assurances will be released as soon as the special assessments are paid annually or when a home is built on the property and has been sold to a bonifide individual home buyer.

Should development of the properties not occur and special assessments not be paid by the developer, the credit assurances will be applied annually to

↳ 1/15<sup>th</sup> of construction?

satisfy the costs of public improvements of such property.

Any developer with delinquent special assessments on existing development will not be considered for a new development under this policy.

*self certification  
along w/ assessments*

Responsibilities

The Director of Planning will be responsible for determining the cost of and receipt of a signed letter of credit, cashiers checks, bonds or other acceptable development guarantees for all projects to be completed on a new development.

The Director of Law and the Director of Administration shall review and approve the development guarantees. The development guarantee, along with a list of the Key numbers on property to be developed shall be sent to the City Clerk for recording and filing.

At the time that reasonable assurances have been provided, the Director of Planning shall submit the requests for public improvements to the City Commission through the City Manager.

At the time that reasonable assurances have been provided, the Director of ~~Operations and Maintenance~~ shall initiate action to install the public improvements which are under the Operations and Maintenance Department's jurisdiction. At such time as reasonable assurances have been provided, the Director of Water and Water Pollution Control shall proceed with the installation of water main constructions.

The City Clerk shall be responsible for the monitoring of this policy. Monitoring shall include comparison of key numbers for property developed under this policy and property with delinquent special assessments.

DRAFT  
Page 3

When delinquent special assessments accrue on property that have developer guarantees, the City Clerk shall notify the Director of Administration and Director of Law to proceed with draw down on the guarantees. Once the draw down on developer guarantee has occurred, the City Clerk will notify the County that the specials have been paid.

Development Waiver Petition Procedure

Public improvements shall be promptly initiated and installed upon approval and order of the City Commission provided that the developer has petitioned for a waiver of reasonable assurances whenever it is determined that such action would be overwhelmingly in the public interest and that the city's credit would not be adversely affected by installing and financing such improvements.

*take all these out*  
A petition for waiver of the development requirement may be made by developers of residential, community unit plan, commercial, or industrial tracts. Such petition shall be referred to the Director of Planning for initiation. Petitions for waiver of this policy shall be submitted on Exhibit III.

Approval or disapproval of the petition for waiver shall be by the Board of City Commissioners on the basis of information supplied by the applicant and on the recommendation of the city staff and the City Manager.

DR 84-16

**THE CITY OF WICHITA**

**OFFICE OF** Housing and Economic  
Development


**DATE** October 3, 1984

**TO** Robert G. Finch, Deputy City Manager

**FROM** Don E. Anderson, Director of Housing and Economic Development

**SUBJECT** Proposed Development Policy  
for Public Improvements  
(Draft AR-29)

I have provided my comments relative to the proposed AR-29, but I have one more suggestion and that is that this department be included in the check-off procedure as it relates to reviewing waivers as well as implementation of the general rules of this AR-29. Our previous involvement has given the kind of input that is necessary in reviewing the public improvements from a development aspect.



Don E. Anderson, Director  
Housing and Economic Development

DEA/st

cc: Russell L. Brenner, Director of Administration  
Robert A. Lakin, Director of Planning  
John Wynkoop, Director of Water and Water Pollution Control  
David Stowe, Director of Operations & Maintenance  
Mike Lindebak, City Engineer

**RECEIVED**

OCT 4 1984

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

September 17, 1984

PROPOSED DEVELOPMENT POLICY FOR PUBLIC IMPROVEMENTS

I. Major Changes to Policy:

- A. Paragraph 2a, Appears the 50% minimum is as arbitrary as 35%. I have seen no evidence where one percent is any better than another where it comes to actual construction being started prior to the installation of improvements.
- B. Paragraph 2c, This increases the cost to the developer by three times what it is now. In all probability, this will only eliminate more of the smaller developers from being able to develop a tract of land.
- C. Paragraph 2d, Does this mean that if a developer has delinquent specials in a given subdivision that he automatically will not be able to finalize a plat on a second subdivision?

II. Policy Statement:

- + A. The first condition for reasonable assurances should better define the start of construction. Maybe define it as framing having started. It is easy and inexpensive to just dig a hole for the basement.
- + (twice) B. The second condition for reasonable assurances should be restated so that letters of credit, etc. pertains to 100% of the cost of the special assessments rather than 100% of the benefitted properties.
- + C. The paragraph after the second condition for reasonable assurances is a restatement of the opening paragraph. Perhaps since this section deals with "policy" the words "...and without reasonable assurances being provided..." should be inserted after the phrase "upon petition" setting the policy statement for waiver of guarantees or development.
- D. The paragraph regarding the condition of non-development should be more explicit. What if development stops, but the developer continues to pay the special assessments? The question is: What constitutes development not occurring?
- + E. The last paragraph under "Policy" has already been questioned. That is, does this mean a developer cannot plat a second subdivision if there are delinquent specials on a prior one?

Don

III. Procedures

- A. Central Inspection needs Lot & Block numbers or street address to work from and not key numbers. Either of these can be provided by the developer in addition to the key number for purposes of verifying the start of construction on various lots.
- B. The next to last paragraph deals with timing of submitting requests for public improvements to the City Commission. It appears that the petitions will be held until "reasonable assurances" are submitted instead of being submitted along with the plat and then held for development.

WICHITA-SEDCWICK COUNTY

October 1, 1984

METROPOLITAN AREA PLANNING DEPARTMENT

TO: Robert Finch, Deputy City Manager  
FROM: Robert A. Lakin, Director of Planning

SUBJECT: Proposed Development Policy for Public Improvements  
(Draft AR 29)

In general I support the direction of the draft AR. In presenting this to the Board of City Commissioners, I think the degree to which the public is protected needs to be presented as an option, (35%, 50% and 100%). Early on in the AR, what we are protecting needs to be defined. My view is the protection should be for an amount to cover our debt service on that project for the life of the debt service. A compromise of seven years (nearly 50%) would give us substantial coverage if you assume that most subdivisions get built out in 5 to 10 years. For the ones that do not, you still have a problem. If the Commission wants protection against bad debt, then we should not rely on a 35% or 50% "development" rule. We have had periods where many houses remain unsold and taxes and SA's unpaid.

*Are we talking about % development expense to commission?*

As to what amount is covered, the amount should be equal to the SA percentages of the engineers' preliminary estimate which includes construction, design costs, inspection and administration. Also included should be interest at a rate which it is assumed the bonds will be sold. Since the guarantee is to be done prior to levying the SA, the guarantee would have to be for all SA. For those who pay the SA in cash, the guarantee could be reduced by that amount. The guarantee should also be reduced by 1/7 (or 1/15, whatever the time of guarantee) following each year's levy after all claims for delinquent payments have been satisfied.

*Time consuming & expensive to administer*

The issue of waivers concern me. As loose as the draft is, everyone will want and may be eligible for a waiver, e.g., the cost it adds to housing. It seems to me waivers should be considered only where:

- 1) Projects are ordered in by Board of City Commissioners.
- 2) Projects that are infill in areas with multiple owners and where a majority of the benefit district (by square foot or lots) has development on it.

*5/10*

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OCT 11 1984  
JFL

Robert Finch, Deputy City Manager  
October 1, 1984  
Page 2

- 3) The project is in the enterprise zone.
- 4) *Comptroller* The project is part of development designed to increase economic activity (jobs) and where the City is a partner with the Chamber of Commerce or other similar groups to entice development to a particular area.
- 5) *Finance* The benefit district is in public ownership.

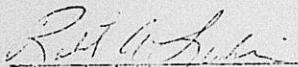
From a procedural standpoint, it should be made clear that petitions from developers or others will be processed as we do now, without guarantees. Petitions would be approved and the City Engineer ordered to withhold preparation of plans, etc., until we have a guarantee. This AF should spell out how to bring in your guarantee (and how to determine development if that is left in).

Also from a procedural standpoint, only Water and MAPD Design let projects, therefore OEM would not be the initiating department and need not be involved in the check off procedure.

We need to add a procedure directing someone (MAPD, Law, Clerk) to review unpaid specials each year after the second half is due and collect on all bonds in hand for the amount due.

*Penalty* As to the issue of not building improvements for those delinquent, I would suggest that any checking process we might use is doomed to failure. Most delinquencies seem to be corporations. Unless we track down all corporations and stockholders (I know of no record only when they incorporated and their officers) and all partnerships (many are not recorded), we will never know who is involved. I would suggest as an alternate, that the person(s) submitting the guarantee submit under oath an affidavit or other appropriate instrument certifying that no one having a financial interest in the lands in the benefit district is delinquent in special assessments for any city SA project within or without the City.

*Write to you from AF* Some of my earlier thoughts are noted on the attached xerox of draft AR 29. If there are conflicts between this memo and those notes, this memo controls.



Robert A. Lakin  
Director of Planning

RAL:rne  
Attachment

Robert Finch, Deputy City Manager  
October 1, 1984  
Page 3

cc: Russell Brenner, Director of Administration  
Don Anderson, Director, Housing & Economic Development  
John Wynkoop, Director, Water & Water Pollution Control  
John Dekker, Director of Law  
✓ Mike Lindebak, City Engineer

WICHITA-SEDGWICK COUNTY

October 1, 1984

METROPOLITAN AREA PLANNING DEPARTMENT

TO: Robert Finch, Deputy City Manager  
FROM: Robert A. Lakin, Director of Planning

SUBJECT: Proposed Development Policy for Public Improvements  
(Draft AR 29)

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- 2) Projects that are infill in areas with multiple owners and where a majority of the benefit district (by square foot or lots) has development on it.

Robert Finch, Deputy City Manager  
October 1, 1984  
Page 2

- 3) The project is in the enterprise zone.
- 4) The project is part of development designed to increase economic activity (jobs) and where the City is a partner with the Chamber of Commerce or other similar groups to entice development to a particular area.
- 5) The benefit district is in public ownership.

From a procedural standpoint, it should be made clear that petitions from developers or others will be processed as we do now, without guarantees. Petitions would be approved and the City Engineer ordered to withhold preparation of plans, etc., until we have a guarantee. This AR should spell out how to bring in your guarantee (and how to determine development if that is left in).

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As to the issue of not building improvements for those delinquent, I would suggest that any checking process we might use is doomed to failure. Most delinquencies seem to be corporations. Unless we track down all corporations and stockholders (I know of no record only when they incorporated and their officers) and all partnerships (many are not recorded), we will never know who is involved. I would suggest as an alternate, that the person(s) submitting the guarantee submit under oath an affidavit or other appropriate instrument certifying that no one having a financial interest in the lands in the benefit district is delinquent in special assessments for any city SA project within or without the City.

Some of my earlier thoughts are noted on the attached xerox of draft AR 29. If there are conflicts between this memo and those notes, this memo controls.

---

Robert A. Lakin  
Director of Planning

RAL:rme  
Attachment

Robert Finch, Deputy City Manager  
October 1, 1984  
Page 3

cc: Russell Brenner, Director of Administration  
Don Anderson, Director, Housing & Economic Development  
John Wynkoop, Director, Water & Water Pollution Control  
John Dekker, Director of Law  
Mike Lindebak, City Engineer

Administrative Regulation

DRAFT

Attachment #2

Date: August 28, 1984

AR 29

Subject: Development Policy for Public Improvements

Supersedes: AR 31  
September 8, 1976

Statement of Policy

It is the policy of the City of Wichita to facilitate new development by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc.) upon petition, whenever reasonable assurances are provided by the developer or others that the city's credit will not be adversely affected by installing and financing such improvements.

Reasonable assurances are considered to be provided whenever any of the following conditions exist:

1. Building permits have been issued and construction has begun (excavation commenced) on 50% of the benefitted properties. *defined as # of lots, A B, B.D.?*
2. The city has been provided with letters of credit, cashier's checks, bonds or other acceptable development guarantees insuring payment of special assessments on 100% of the benefitted properties. *one year guarantee*

In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition, whenever it is determined that such action is overwhelmingly in the public interest and that the city's credit will not be adversely affected by installing and financing such improvements.

The credit assurances under Option 2 will be released as soon as the requirements of Option 1 have been satisfied.

Should development of the properties not occur, the credit assurances under Option 2 will be applied to satisfy the costs of public improvements of such property.

Any developer with delinquent special assessments on existing development will not be considered for a new development under this policy.

Responsibilities

The Director of Planning shall be responsible for receiving requests and assurances and monitoring the implementation of this policy.

At the time that reasonable assurances have been provided, the <sup>City of</sup> Director of ~~Operations and Maintenance~~ shall initiate action to install the public improvements which are under the ~~Operations and Maintenance Department's~~ jurisdiction. At such time as reasonable assurances have been provided, the Director of Water and Water Pollution Control shall proceed with the initiation of water main constructions.

*Depends on where H<sub>2</sub>O Eng works up.*

*30-100-1*

*P+I Submittal 15/9/84*

*100% released from the plan "Times"*

*Wich 100% in 2 weeks on Road Safety Department 9-10-20-84 for engineering department*

*Require any to be provided*

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 2

Procedures

Under Option 1, the Planning Department shall receive the Certificate of Construction Initiation which will include a list of the key numbers of the properties to be developed. The Certificate of Construction Initiation (substantially in the form attached as Exhibit I) will attest to the fact that building permits have been issued and construction has begun (excavation commenced) on at least 50% of the benefitted properties.

At the request of the Planning Department, the Central Inspection Division shall inspect the property to determine the extent of construction.

Under Option 2, the Planning Department shall receive the credit assurance which will include a list of the key numbers of properties to be developed. The Development Guarantee(s) (substantially in the form attached as Exhibit II) shall provide a letter(s) of credit, cashier's check(s), surety bond(s) or other guarantee(s) insuring payment of special assessments on 100% of the benefitted properties.

The credit assurance shall be submitted for approval to the Law Department.

At the time that reasonable assurances have been provided, the Director of Planning shall submit the requests for public improvements to the City Commission through the City Manager. *personally approved petition*

The Director of Planning shall be responsible for the monitoring of this policy. Monitoring shall include comparison of key numbers for property developed under this policy and property with delinquent special assessments. *Conflicts with Law Dept. & Basel.*

Development Waiver Petition Procedure *(after June 6)*

Public improvements shall be promptly initiated and installed upon approval and order of the City Commission provided that the developer has petitioned for a waiver of reasonable assurances whenever it is determined that such action would be overwhelmingly in the public interest and that the city's credit would not be adversely affected by installing and financing such improvements. *This procedure should be the exception not the rule.*

A petition for waiver of the 35% development requirement may be made by developers of residential, community unit plan, commercial, or industrial tracts. Such petition shall be referred to the Director of Planning for initiation. Petitions for waiver of this policy shall be submitted on Exhibit III. *50?*

Approval or disapproval of the petition for waiver shall be by the Board of City Commissioners on the basis of information supplied by the applicant and on the recommendation of the city staff and the City Manager.

*What grounds?*

*Y15 (P+5 (Conf. 4/15))*  
*7X J*  
*@ 4/15*  
*Y12*

Administrative Regulation

AR 29  
Page 3

Responsibilities and procedures for processing of requests for waiver of the 35% development policy shall be as follows:

<u>Responsibility</u>	<u>Action</u>
Applicant	Will inquire of the Department of Planning on the procedure to petition for waiver of the development policy.
Director of Planning	Will provide Form 221-001 and assist applicant in preparing the petition.
Applicant <i>City Eng/Dir BH 20</i>	Submits petition.
Director of Planning	Routes petition to various city agencies. <i>what?</i>
Director of Water	Reviews petition and if service is needed, studies the physical possibilities of a main extension to the area and makes an estimate of the cost of extension. Forwards to the Director of Operations and Maintenance.
Director of O&M <i>Result if this is need!</i>	Reviews petition as to engineering feasibility of the project <del>and</del> whether or not the installation of the facilities would create other public works difficulties around the periphery of the plat. Forwards to the Director of Administration.
Director of Administration <i>Review</i>	Reviews petition and <u>credit assurances</u> and makes recommendations as to the ability of the applicant to pay the special assessment costs. Forwards to the Director of Planning. <i>How should be checked</i>
Director of Planning	Reviews petition as to its conformance with current land use plans and determines whether or not the development of the property is consistent with the orderly growth of the community. Forwards to the City Manager. Copies of the completed form are sent to the directors of the above departments.

NOTE: If at any time any one of the department directors who must sign the application determines that the request should be denied, he must immediately direct a memorandum of explanation to the City Manager's Office with a copy to the Director of Planning and to each department required to review the application.

*why should we explain for why we follow policy!*

Administrative Regulation

AR 29  
Page 4

Responsibilities

City Manager

City Commission

Action

Reviews completed form and makes recommendation to the City Commission.

Approves or disapproves the application.

E. H. Denton  
City Manager

EHD/cpd

City of Wichita, Kansas

Bob,

Arnold referred me to the Co. Controller who said they use the "Debt Management Policy" in regard to Special Assessments.

Items VIII and IX of the Policy were referred to in particular. The Controller said that if more information was needed to let him know.

Mark

Latest  
11/83

SEDGWICK COUNTY  
DEBT MANAGEMENT POLICY

SEDGWICK COUNTY, KANSAS  
DEBT MANAGEMENT POLICY

PURPOSE

The purpose of the Sedgwick County Debt Management Policy is to set guidelines for management and control of debt financing by the County. As the County continues to grow, many different demands are placed upon the services the County provides. Therefore, it is necessary to ensure the demand for debt-financed projects does not outrun the County's legal and fiscal capability to finance projects. Specifically, the Debt Management Policy establishes:

- 1) How projects are to be initiated
- 2) Controls timing of projects and completion
- 3) Aggregates debt financing to achieve certain economies

POLICY STATEMENTS

I. Total Debt Limit

Sedgwick County shall not incur a total debt, including debt issued under statutory debt limits, of more than 5% of the assessed valuation of all tangible taxable property within the County. This policy is an administrative limit to insure that the County will not issue debt of any kind greater than 5% of the assessed value of County property.

II. Statutory Debt Limits

In accordance with K.S.A. 10-306, the authorized and outstanding bonded indebtedness of Sedgwick County shall not exceed 1% of the assessed value of all tangible taxable property within the County. The following bond issues are exempt from this computation:

- 1) In accordance with K.S.A. 10-307, refunding bonds and bonds issued for certain public improvements which are paid off by special taxes.
- 2) In accordance with Chapter 229 of the 1983 Session laws, bonds issued for the construction and maintenance of roads and bridges.

III. Annual Debt Issuance Limits

In any one year, Sedgwick County will not issue bonded debt in any amount exceeding 1% of the assessed valuation of all tangible taxable property within the County. Furthermore, bond issues for road and bridge improvements will not exceed  $\frac{1}{2}$  of 1% in any given year. Bond anticipation notes for improvements which are paid off by special taxes will not exceed in any given year .2 of 1% of all tangible taxable property within the County. This policy is designed to assure investors that the County has an administrative limit on the total amount of debt issued in any one year.

IV. Bond Rating

The Sedgwick County Controller will examine the County's credit rating annually, and will make recommendations to the Board of County Commissioners for ways to maintain and/or improve the rating.

V. Operations

Sedgwick County will not use long-term debt to finance current operations. Long-term borrowing will be confined to capital improvements with an extended life which cannot be financed from current revenues.

VI. Maturities

Sedgwick County will keep the maturity of general obligation bonds consistent with, or less than, the expected life of the project. In no case will the maturity of general obligation bonds be more than twenty years.

VII. Temporary Debt

Sedgwick County will retire temporary debt within six months of project completion. In no event will temporary debt be outstanding in excess of three years. Permanent financing will be obtained as soon as possible.

VIII. Delinquencies

X Sedgwick County will not issue bonds or temporary notes for any project involving a developer or to any partnership, corporation or association of which such developer is a member who has outstanding delinquent taxes.

IX. Guarantees

X Sedgwick County will facilitate new developments by providing installation of public improvements, upon petition, whenever reasonable assurances are provided by the developer, or others, that the County's credit will not be adversely affected by installing and financing such improvements. Sedgwick County defines reasonable assurances as letters of credit, cashier's checks, bonds or other guarantees insuring payment of special assessments in an amount representing 35% of the total project cost. If the assurance is a letter of credit, the same shall be in substantially the same form as "Exhibit A," attached hereto.

X. Timing

Sedgwick County will sell bonds in the first two quarters of the year. However, bonds to retire temporary financing may be issued in the last two quarters, if necessary, to retire temporary debt within six months of project completion. Sizes of issuances will be structured to achieve the largest market possible in order to obtain the most favorable rate of interest and minimize costs of issuance.

XI. Project Initiation

Projects will be initiated only upon prior approval of the timing, including start and complete dates, and upon acceptable incorporation of financing methods in conjunction with Policy Statement X. This approval will be accomplished through the use of CAPITAL BUDGET-PROJECT AUTHORIZATION FORM (PETITION).

XII. Exceptions

The Board of County Commissioners, at a regular or special meeting, may except annual debt issuance limits and total debt issuance limits at any time they should determine that such exception is warranted by extraordinary circumstances or operating requirements.

FROM \_\_\_\_\_ DATE \_\_\_\_\_

ADMINISTRATION	ADVANCE PLANS	CURRENT PLANS	ENGINEERING	GRAPHICS
<input checked="" type="checkbox"/> Lakin	<input type="checkbox"/> Stockwell	<input type="checkbox"/> Galbraith	<input checked="" type="checkbox"/> Landebak	<input type="checkbox"/> Pierce
<input type="checkbox"/> Walter	<input type="checkbox"/> Schwartz	<input type="checkbox"/> Lytle	<input checked="" type="checkbox"/> Cain	<input type="checkbox"/> Commer
<input type="checkbox"/> Doramus	<input type="checkbox"/> Leivo	<input type="checkbox"/> Young	<input type="checkbox"/> Ruiz	<input type="checkbox"/> Crook
<input type="checkbox"/> Eubanks	<input type="checkbox"/> Bechtel	<input type="checkbox"/> Chambers	<input type="checkbox"/> Henry	<input type="checkbox"/> Jones
<input type="checkbox"/> Hanson	<input type="checkbox"/> Clark	<input type="checkbox"/> Daniels	<input type="checkbox"/> Schneider	<input type="checkbox"/> Whitney
<input type="checkbox"/> Henderson	<input type="checkbox"/> Dudark	<input type="checkbox"/> Lahey	<input type="checkbox"/> _____	
<input type="checkbox"/> Scott	<input type="checkbox"/> Hart	<input type="checkbox"/> Nagley	<input type="checkbox"/> _____	
	<input type="checkbox"/> Kelley	<input type="checkbox"/> Olivarez	<input type="checkbox"/> _____	
	<input type="checkbox"/> Losew	<input type="checkbox"/> Shirkey	<input type="checkbox"/> _____	
	<input type="checkbox"/> Shen			
	<input type="checkbox"/> Vinson			

- Note & Return
- Handle
- All Staff
- Comment
- Signature
- Library
- Information
- Files
- Type

REMARKS Review. This should work  
w/o w/o new organization change  
I agree with the dedication

19-108

Administrative Regulation

Draft 10-1  
AR 7c

Date: March 14, 1984

Subject: Consultant Selection for Minor Projects

Supersedes: New

Statement of Policy

In order to provide for a fair and equitable procedure for selection of consulting firms to negotiate for the provision of design services on minor public works projects, a roster of qualified consultants will be developed and maintained by the City Engineer's Office. Selection of consultants for design of these projects will be on a rotation basis among the firms on the roster, except in those special cases identified herein below. *Any Department needing engineering services in the following category is to call the City Engineer who will assign the next consultant from the roster.*  
Definition of Minor Project. A minor project is any paving, sidewalk, sanitary sewer, storm water sewer, storm water drainage or any other public works construction project with a total estimated construction cost (including engineering and administrative costs) not exceeding \$75,000 or which falls in one of the following categories:

- a. A paving project with a length of 900 feet or less.
- b. A sanitary sewer project of 1500 feet or less of pipe.
- c. A sidewalk project with a length of 1800 feet or less.
- d. *A water-line with a length of 2400 or less.*

Qualification for Placement on Roster. Any consulting firm employing civil engineers licensed to practice in the State of Kansas and which maintains permanent staff in the City of Wichita may apply to the City Engineer for placement on the roster. The City Engineer shall make recommendations to the Selection Committee based upon the applicant's previous experience with public works projects and/or their qualifications to do such work. Upon approval by the Staff Screening and Selection Committee, the firm shall be added to the roster and shall immediately be eligible for appointment to perform design services.

Warrants for Disqualification. A consulting firm may be removed from the roster by action of the Staff Screening and Selection Committee as a result of one or more of the following occurrences:

1. Commission of substantial or gross engineering errors in performing work for the City of Wichita.
2. Any unjustified error in judgment or error of omission on minor projects which results in change orders or project cost overruns amounting to \$1,000 or 5 percent or more of the total construction contract amount, whichever is greater.
3. Failure to meet time limits specified in the contract for submission of plans or information.

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MAR 14 1984  
METROPOLITAN PLANNING

City of Wichita, Kansas ROUTE


Administrative Regulation

AR 7c  
Page 2

Exceptions to Selection by Rotation. Certain minor projects may be excluded from consultant selection on a rotation basis under the following conditions:

1. The selection of a consulting firm for a given minor project may be referred by the Director of Planning to the City Commission (Staff Screening and Selection Committee) at any time due to special considerations unique to that particular project.
2. Projects which are pursued as a result of new subdivision development may be assigned to the engineering firm responsible for the development of the plat rather than by rotation. (See AR 7a)
3. Any project requiring expertise in a specialized field in which only a limited number of consultants are qualified may be exempted from selection by rotation, and may be assigned to a qualified consultant.

Responsibility. The City Engineer shall be responsible for maintenance of the roster of consultants, and for the designation of consultants by rotation or exclusion. All disputes shall be referred to the Director of Planning for settlement. Any decision of the Director of Planning may be appealed to the City Manager.



E. H. Denton  
City Manager

EHD/pd

City of Wichita, Kansas

THE CITY OF WICHITA  
OFFICE OF CITY MANAGER

DATE September 20, 1984

TO Distribution

FROM Robert G. Finch, Deputy City Manager

SUBJECT Proposed Development Policy for  
Public Improvements

As follow-up to our staff meeting on the captioned subject, each of you is requested to submit your comments in writing to this office by October 3, 1984. This office will redraft the policy for a second discussion with the same principals.



Robert G. Finch  
Deputy City Manager

RGF/tpd

Distribution:

Russell L. Brenner, Director of Administration  
Robert A. Lakin, Director of Planning  
Don E. Anderson, Director of Housing and Economic Development  
John Wynkoop, Director of Water and Water Pollution Control  
John Dekker, Director of Law

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SEP 21 1984

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

**THE CITY OF WICHITA**  
**OFFICE OF CITY MANAGER**

**DATE** September 12, 1984

**TO** Distribution

**FROM** Robert G. Finch, Deputy City Manager

**SUBJECT** Proposed Development Policy for  
Public Improvements (35%  
Development Policy)

After consideration of the comments received from each of you on possible revisions to the "Development Policy for Public Improvements," this office has decided that a follow-up meeting of principal administrators is in order. To guide our discussion, attached are the following:

- 1) Staff comments have been summarized into a single comparative sheet to look for consensus as well as differences. While most of you have previously seen the commentaries of other administrators, we are transmitting those commentaries again.
- 2) A "draft" of a new "Development Policy for Public Improvements" has been prepared and is attached. The policy was written using many of your comments and proposals. Generally, the policy provides for the following major changes from the current policy:
  - a) Increases from 35% to 50% the minimum on which development has commenced before public improvements are installed. This change is occasioned from Administration and Water Department recommendations and what appeared to be a general consensus that a higher guarantee was in order.
  - b) Land sales agreements in any form would no longer be acceptable as a guarantee of development in the absence of 50% of development. This change is occasioned by the general consensus that such sales agreements are not an effective guarantee.
  - c) Letters of credit or other monetary guarantees will be for 100% of the special assessments. The guarantee would be held until either 50% development occurs or the specials are fully paid. Again, this change is proposed to address the general consensus that the city needs firm financial guarantees to cover our special assessment liabilities until sufficient development occurs.
  - d) Stipulates that any developer who is delinquent on special assessments of a current project is not eligible for consideration of a new project under the development policy. This is in response to staff and governing body concerns.
  - e) The policy designates Planning as the lead department in the administration of the policy. Several comments were made that a currently disjointed policy administration should be consolidated.

Distribution  
September 12, 1984  
Page 2

After review of the policy, each of you is invited to attend a staff meeting to discuss the proposed policy and/or to offer alternatives. If you plan substantive alternatives not previously discussed, it would be helpful to provide them in writing in advance of our meeting. The staff meeting is scheduled for 1:30 p.m., September 19, 1984, in the City Manager's small conference room.



Robert G. Finch  
Deputy City Manager

RGF/tpd  
Attachments  
Distribution:

Russell L. Brenner, Director of Administration  
Robert A. Lakin, Director of Planning  
Don E. Anderson, Director of Housing and Economic Development  
John Wynkoop, Director of Water and Water Pollution Control  
John Dekker, Director of Law

**RECEIVED**

SEP 12 1984

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

SUMMARY OF STAFF COMMENTS ON DEVELOPMENT POLICY FOR PUBLIC IMPROVEMENTS

Attachment #1

Reasonable Assurances for Public Improvements?	ADMINISTRATION	PLANNING	HOUSING AND ECONOMIC DEVELOPMENT	WATER	LAW
1. Building permits have been issued and construction begun (excavation commenced) on 35% of the benefitted properties.	* Increase the # of years for which SA's are guaranteed; increase % of property on which improvements started	* Ought to guarantee 100% of the SA's until 35% of the development has occurred	* Only larger and better financed developers use this option		
2. Bone fide land sales agreements with a down payment equal to 10% of the purchase price of the sales agreement assigned to the city on 35% of the benefitted properties which sales agreements specify that construction commence within 6 months of the date of agreements	* Law should review enforceability of all existing sales contracts in the event that the developer is delinquent on SA's	* Absolutely against continuing any reliance at all on sales contracts * Against idea of using appraisers to assess risk	* Sales agreements represent less than 35% in terms of City's risk; favor using appraisers to determine real risk and deciding whether the City will share in the risk or seek guarantees from the developer to cover the risk		* Land sales agreements assigned to City should be from an individual buying a lot, not a president of a corporation buying multiple lots from his own company
3. The City has been provided with letters of credit, cashier's checks, or other guarantees insuring payment of SA's on 35% of the benefitted properties	* Law should review enforceability of all existing letters of credit in the event that the developer is delinquent on SA's	* Only thing that makes sense over time is to have hard cash or letters of credit	* Letters of credit could be used to cover "risk" factor if the City determines that necessary	* Favor changes to require 2/3rds instead of 35% development before letter of credit cancelled	
4. Any combination of two or more of the above if City not adversely affected			* Not currently used as an option		
Other Comments and Suggestions	* Planning Design should be responsible for central administration of development policy			* Favor central policy administration in CID	

THE CITY OF WICHITA  
OFFICE OF WATER DEPARTMENT

DATE March 9, 1984

TO Robert G. Finch, Deputy City Manager  
FROM John D. Wynkoop, Director of Water and Water Pollution Control  
SUBJECT 35% Development Policy  
Status Report

The use of the city as a bank by developers in the construction of municipal services has become traditional. Whether good or bad, it is a tradition not likely to be changed by the City Commission.

In theory, the city's ability to secure low interest loans for the construction of these facilities reduces the overall costs of housing for the citizenry. On the other hand, our 35% Development Policy is such that when a developer overestimates the market and the special assessments become delinquent, the burden of payment falls on the city at large.

Obviously, we need to improve the policy so that it is still financially attractive to the developer, yet contains sufficient guarantees to the city that specials will be paid when due.

Attached for your information is a copy of the Irrevocable Letter of Credit used by the department and is similar to the one used by the engineering division.

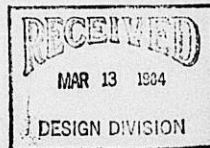
For the sake of discussion, I would suggest the following changes in the letter of credit and the attached form reflects those changes.

- 1) strike the phrase "for a period of two years or"
- 2) change 35% to 2/3

I would, however, recommend that the sum to be held in account remain at 35% of the total estimated cost. After all costs are in and specials are ready to be spread, the amount held in account could be reduced to 35% of the actual project costs. Considering that 15 year bonds are purchased, 35% held in account would assure the payment of 5 years of special assessments.

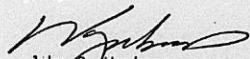
There are a number of combinations that are possible and I offer these only as a starting point in our deliberations.

I concur with Russ Brenner's recommendation that letters of credit be consolidated and administered by a single department. However, which department needs further examination. For example, the real problem is continued follow up after the project is completed. This might be more



Robert G. Finch  
March 9, 1984  
Page -2-

easily administered by the Division of Central Inspection through their building permit process.

  
John D. Wynkoop  
Director of Water and  
Water Pollution Control

JDM/b

attachment

cc: John Dekker, Director of Law  
Robert Lakin, Director of Planning ✓  
Russell Brenner, Director of Administration  
Don Anderson, Director of Housing & Economic Development

IRREVOCABLE LETTER CREDIT

Re: Guarantee of payment of special assessments for the construction of water mains and appurtenances.

\_\_\_\_\_ is the owner of  
(Name of Developer or Builder)

\_\_\_\_\_  
(Legal Description - Lots, Blocks, Addition)

It is requested that Water Main Benefit District No. \_\_\_\_\_

\_\_\_\_\_  
(Water Main Work Order Number)

be installed prior to development on the lots.

\_\_\_\_\_ shall pay all special assessments for water mains to be levied against the above-described property on which improvements have not been started ~~FOR A PERIOD OF TWO YEARS~~ until ~~75%~~ 2/3 of the above-described property has improvements started.

In order to secure performance on the conditions stated above, the sum of  
(1) 35% of total estimated costs  
\$ (2) 35% of actual costs \_\_\_\_\_ is being held in account by \_\_\_\_\_

\_\_\_\_\_  
(Name of Bank or Association)

The undersigned guarantor will make disbursements by sight drafts upon the above-mentioned account by notice from the City of Wichita that \_\_\_\_\_

\_\_\_\_\_  
(Developer or Builder)

is in default of his promise to pay the special assessments levied upon the above-described property and in the amount designated by the City as being in default.

Prior to the maturity of this Letter of Credit, the City of Wichita, Kansas has the option to draw against this Letter of Credit or request a new Irrevocable Letter of Credit be issued.

The guaranty sum shall be maintained until notice by the City of Wichita that 35% of improvements have been started and guaranty released.

2/3

Signature of Guarantor \_\_\_\_\_

\_\_\_\_\_  
DATE:

\_\_\_\_\_  
DATE:

THE CITY OF WICHITA  
OFFICE OF Administration

DATE March 8, 1984

*to mikel*  
**RECEIVED**

TO Robert G. Finch, Deputy City Manager  
FROM Russell L. Brenner, Director of Administration

MAR 8 1984  
METROPOLITAN PLANNING  
ROUTE

SUBJECT 35% Development Policy

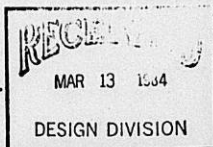
I have reviewed Don Anderson's report on the 35% development policy. I agree with Mr. Anderson's opinion that we need to initiate a new system. I spent about 4-6 hours researching the current system of tracking developments and the problems related thereto and have come to the following realizations.

1. There is no central administration of the 35% development policy. There are three different units administering certain segments of the policy: Housing & Economic Development has sales contracts; the Design Division and the Water Department have letters of credit. *Should be responsible if properly setting costs*
2. None of the above departments track delinquencies on special assessment projects to determine if the letters of credit should be drawn down on. There is no easy system by which delinquent special assessments can be linked to the letters of credit on developments, i.e. it may be possible to have four or five sales contracts and/or letters of credit on a development for different projects handled within the three departments. The delinquent specials are not identified by project; therefore, even though the specials are delinquent, there is no way to track them back to the specific projects on which we hold letters of credit or sales contracts. There is no common denominator throughout this process, such as a property tax key number.
3. The current letters of credit are for two years or until 35% of the property have improvements started. Assignment of sales agreements do not provide for a period of time or a percentage of development.

In other words, it appears no one know what the other one is doing and there is no coordination of anything on these projects.

From the above review, I came to the following conclusions.

1. There should be a central administration point for all letters of credit and sales contracts with a list of the key numbers of the properties to be developed and guaranteed.
2. A list of delinquent special assessments needs to be obtained by the City at least twice each year, probably in March in September.
3. The Law Department should be directed to review the existing letters of credit and sales contracts to ensure that both can be enforced should there be delinquent special assessments.

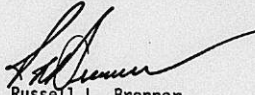


TO: Robert G. Finch, Deputy Cit. Manager  
SUBJECT: 35% Development Policy  
DATE: March 8, 1984  
PAGE: Two

4. There should probably be an increase in the number of years for which special assessments are guaranteed and the percentage of the property on which improvements are started.

I feel the Planning Department, with Design, probably would have the best situation for taking on this central administration responsibility, placing the information on a personal computer and possibly matching the key numbers of our guaranteed specials with the numbers of delinquent special assessments.

At this point, I only made a general review of the problems and the unmanageable system related to the 35% development policy and special assessments. The solutions stated herein are certainly not exhaustive.



Russell L. Brenner  
Director of Administration

RLB:cs

cc: John Dekker, Director of Law  
Robert Lakin, Director of Planning ✓  
John Wynkoop, Director of Water and Water Pollution Control

March 8, 1984

Robert G. Finch, Deputy City Manager

Robert A. Lakin, Director of Planning

35% Development Policy Status Report

I have reviewed the Development Policy Status Report, and although I am not quite sure of what initiated its reexamination, I do have some concerns about the things that we are doing to guarantee infrastructure. First of all, in relationship to the report, I am absolutely against continuing any reliance at all on sales contracts. Although we may not have been burned to this stage, if the market goes bad and we have sales contracts outstanding, there is no way that we can convert those sales contracts to ready cash to pay the debt and interest that will be required.

I also oppose initiating any new system requiring appraisals to identify risks. I am less than convinced the appraisal techniques will be fruitful to us based on the cost of acquiring appraisals. You still have the problem of converting the sales contracts to cash. It is suggested that the real question is, "are the improved lots in the subdivision worth the cost of the improvements?" I would suggest that a better question would be, "is the surety that we are holding sufficient to pay the debt and interest?" This speaks to the liquidity of the surety that we are using.

I have had at least two decades of experience in dealing with subdivision approval and guarantees of a number of minor development improvements, such as sidewalks, curb cuts, etc. I can assure you that the only thing that makes sense over time is to have hard cash or letters of credit that can be directly drawn on by the City of Wichita in the event of non-performance.

This brings me to a point that I think should be examined while we are looking at 35 percent development policy. The question has been bantered around for years as to what constitutes 35 percent development. Is it the number of lots that are involved as a percentage of lots to all lots assessed? Or is it square footage? Or, in a multiple family project, is it a percentage of dwelling units as against liable dwelling units? On commercial and industrial, is square footage ground developed as opposed to the number of lots? I have found confusion over years in Engineering on this subject. My understanding now is that the 35 percent guarantees are based on whether or not 35 percent of the specials are paid.

Robert G. Finch  
Deputy City Manager  
March 8, 1984  
Page 2

I think this is wrong. What we began to look at years ago in the late 50's was whether or not the land was developed to a sufficient state that the development impetus would carry forward and additional development would occur all with the assumption that once development occurs on land, there is a sufficient stake in the land that people will not let it go for taxes. A process which guarantees 35 percent of the special assessments without ever guaranteeing or insuring that one house is built on the property does nothing more than what it says it does, guarantees us 35 percent of the specials. It is my belief that what we ought to guarantee is 100 percent of the specials until 35 percent of the development has occurred. The thesis underlying this would be that once we have that amount of development there will be sufficient inertia to insure subsequent development, and to some reasonable degree, assure payment of the special assessments. I think we ought to have a serious discussion on what we are trying to guarantee.

An additional suggestion that I would make is that the surety that we are taking be done in such a fashion that the surety is collectible on a yearly basis and that we don't wait four years for the payment of special assessments to come due. If our surety is written at the end of each year and the specials are not paid, we draw down on that surety, pay it, and that is going to keep our delinquency rates down. It may raise the cost to developers to provide us this type of surety, but it will also cut our risk almost to zero, and for those who have viable organizations they will still be able to produce housing.

A number of the small communities around Wichita are beginning to look at withdrawing special assessments as a vehicle for guaranteeing infrastructure. Nearly all of these United States use a different procedure than special assessments, although I will admit special assessments are now being opted as an innovative way of dealing with public finance. With the degree of special assessments that we now have outstanding, the amount of delinquent debt that we have had in conjunction with this, and in looking at the other indicators that are our rating service of our debt, and based on comments that I have heard recently concerning that debt as analysed by outsiders, it may be appropriate for us to look at some method of phasing out special assessments and going to developer installed facilities. The thing that will occur is that we will have a more rational pattern of development, and more efficient use of basis infrastructure in similar resources of the City and County,

Robert G. Finch  
Deputy City Manager  
March 8, 1984  
Page 3

and the surpluses and shortages of the housing market will be better controlled because of the greater elements of risk assumed by the development community. When we begin looking at time value analysis of money and rolling those costs into housing payments over time, and begin to look at monthly payments for property owners, it may be that a developer installed facility program would not be detrimental to the market and may even facilitate development. Certainly the time elements involved for developer installed facilities versus those that are run through government regulated processes may be sufficient in terms of time savings to make the issue attractive. I think we ought to talk about it internally, and frankly it ought to be raised with the governing bodies and the development industry.

---

Robert A. Lakin  
Director of Planning

RAL:rme

cc: John Dekker, Director of Law  
Russell L. Brenner, Director of Administration  
John D. Wynkoop, Director of Water & Water Pollution Control  
Don Anderson, Director of Housing & Economic Development  
Mike Lindebak, City Engineer

THE CITY OF WICHITA  
OFFICE OF LAW DEPARTMENT

DATE February 24, 1984

TO Robert G. Finch, Deputy City Manager  
FROM John Dekker, Director of Law  
SUBJECT 35% Development Policy  
Status Report

With reference to your memo of February 23, 1984 and the captioned status report, I don't think the idea of an appraisal is very satisfactory. I am not certain that such costs could properly be included in the bond issue, and it would add cost to the sale of the houses. I favor option No. 2 with no waiver or exceptions.

John Dekker  
Director of Law

JD:cr

cc: ✓ Robert A. Lakin, Director of Planning  
Russell L. Brenner, Director of Administration  
John D. Wynkoop, Director of Water & Water Pollution Control

RECEIVED

FEB 28 1984

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

**THE CITY OF WICHITA**

**OFFICE OF CITY MANAGER**

**DATE** February 23, 1984

**TO** John Dekker, Director of Law  
Robert A. Lakin, Director of Planning  
Russell L. Brenner, Director of Administration  
John Wynkoop, Director of Water and Water Pollution Control

**FROM** Robert G. Finch, Deputy City Manager

**SUBJECT** 35% Development Policy Status Report

Attached is a report dated February 2, 1984, from Don Anderson on the above subject.

In this report Mr. Anderson makes certain recommendations for changes in the 35% Development Policy.

Please review this material and provide this office with your comments/recommendations by March 9, 1984.



Robert G. Finch  
Deputy City Manager

RGF/pd  
Attachment

**RECEIVED**

FEB 24 1984

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

**THE CITY OF WICHITA**

**OFFICE OF Housing & Economic Development**

**DATE February 2, 1984**

Office of the City Manager	
<input type="checkbox"/> EMP	<input type="checkbox"/> SH
<input type="checkbox"/> ENR	<input type="checkbox"/> IN
<input type="checkbox"/> P	<input type="checkbox"/> MCC
FEB 2 1984	
<input type="checkbox"/> Copy to _____	
<input type="checkbox"/> Send To _____	
<input type="checkbox"/> File _____	

**TO** Robert G. Finch, Deputy City Manager

**FROM** Don E. Anderson, Director

**SUBJECT** 35% Development Policy  
Status Report

This policy has evolved over a period of time since it was originally conceived and needs to be re-examined. The 35% Development Policy developed from two demands: one for residential development, the other for industrial. The policy directly relates to the timing of when City improvements are made in new subdivisions and was originally established as that point in time when 35% of the developments were built upon or construction had at least started. This was later modified to allow for a bond or a letter of credit in the amount of 35% of the cost of the public improvements. This proposition was further modified to allow for waivers of the 35% development policy in the case of industrial development and, specifically, back in 1970 when there were no existing developed subdivisions for industrial properties. Finally, the policy was further refined to allow for sales contracts on 35% of the benefited properties, with these sales agreements being assigned to the City along with the 10% downpayment. The argument for this approach was that, as soon as sales contracts were obtained, the building was assured and the public improvements needed to start. In some cases it was a chicken and egg situation with builders refusing to start before assurances that the public improvements would be in place by completion of the houses. These agreements specify that construction shall be started by the time public improvements are completed.

Of the twenty-one subdivisions that have used modified land sales agreements for 35% of the benefited properties, in ten of these subdivisions the owners also have direct interest in the companies buying these lots and signing these agreements. This is not an unusual condition since most developers also own building companies which may be their best customer for the lots developed. This is not a weakness in and of itself, but it simply points out that the sales agreements are of little collateral value in these transactions. For instance, most developers carry their builders; that is to say, they do not expect to be paid for the lot until such time as the builder has sold the house to the ultimate owner-occupant. Also, these builders are being carried by their material suppliers and subcontractors until the ultimate sale. Therefore, the sales agreements really rest on the solvency of the builders buying the lots, who normally are obligated by prior commitments and liens, and the sales agreement would be of little value in any major downturn in the economy because it is likely to be in a second or third position to prior liens against the buyer. Additionally, these sales agreements are not recorded and, at best, would probably be in the very last position.

Robert Finch  
35% development Policy  
February 2, 1984  
Page two

Many arguments can be presented both for and against the methods by which we are proceeding. For the sake of brevity, I will avoid outlining all of those. The policy needs to be revised so that the options it provides are roughly equal in cost and risk and easily understood. For example, "reasonable assurances" are considered to be provided when any of the following conditions exist:

1. building permits have been issued and construction has begun (excavation commenced) on 35% of the benefited properties;
2. modified land sales agreements, with a downpayment equal to 10% of the purchase price under the sales agreement, have been executed and assigned to the City on 35% of the benefited properties, which sales agreements specify that construction shall be started within six months of the date of such agreements;
3. that the City has been provided with letters of credit, cashiers checks, bonds, or other guarantees assuring payment of special assessments of 35% of the benefited properties; or
4. any combination of two or more of the above resulting in a reasonable assurance that the City's credit will not be adversely affected for installing such improvements.

Under Option number 1, when the developer starts construction on 35% of the lots, there is no additional cost to the developer except that he may risk some additional carrying costs by starting construction on that many sites all at one time. Additionally, he may also increase his risks because of starting that many units all at one time. Only large and better financed developers will be using this approach.

Option number 2, using the land sales agreements, may cost the developer more in out-of-pocket costs. Assuming that he was carrying his buyers and borrowed the 10%, this kind of loan would be 2% over prime.

Under Option number 3, providing a letter of credit, the cost of the letter of credit presently is \$100 plus 1½% per annum. If the developer is considered a high risk, he may be required to put up hard collateral (ie: certificate of deposit, stock, etc.).

I do not believe anyone has been using Option number 4.

Robert Finch  
35% development Policy  
February 2, 1984  
Page three

The option using land sales agreements is a bit of an administrative smoke screen in that it does not result in the same amount of collateral protection to the City as do the other options. For instance, without a strict arms-length transaction between a seller and a buyer who is credit worthy, this option represents substantially less than the 35% development policy in terms of the City's risk. Actually, the computations are complex and result in a range from 2.2% to a 12.2% high, with a median at 5% and an average of 5.9%. I mentioned that the cost may be higher to the developer under this option if he is providing his own 10% downpayment, but it has the attraction to the developer of not tying up any of his credit, nor requiring any collateral that would normally be useful in other transactions.

It is obviously time to make substantial revisions in this policy; however, it should be noted that, to date, these policies have not produced any major losses to the City or adversely affected the City's credit and, in fact, may have encouraged more affordable housing by increasing the competition between developers and thereby bringing the cost of the lots down.

The real question of risk to the City is simply: "Are the improved lots in this subdivision worth the cost of the improvements?" This risk could be defined by retaining the services of a professional appraiser. The cost of this appraisal could be spread along with the cost of the improvements. The second major area of risk relates to the marketability of the lots. This risk could also be defined. This question of marketability should also be addressed by a professional appraiser by comparing the subdivision to the standing inventory of unsold developed lots and to the market as it exists at that time and in that location. With the above appraisals in hand, it is possible to evaluate the real risk involved and decide whether the City will participate in that risk or require the developer to cover that risk by bond or letter of credit.

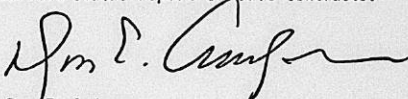
If it is determined that the developer should still be involved in some portion of the risk other than his equity in the land, I would suggest that we rely only on bonds or letters of credit, which removes the City from making decisions about the credit worthiness of particular developers and/or their buyers of lots, and removes the City from the position of extending credit.

Robert Finch  
35% Development Policy  
February 2, 1984  
Page four

At this point in our analysis, we believe there are at least two options. The first of these, and the one that we would recommend, is:

- Option 1. Initiate a new system requiring appraisals which would clearly identify the risk. The City could either share that risk with the developer or require the developer to cover that risk in excess of the appraised value of the developed lots; or
- Option 2. (This second option is the minimum change recommended.) Eliminate the developers option to use modified land sales agreements. This process requires a great deal of staff time to monitor and exposes the City to risks that are not comparable to the other options.

This has been a limited review of those responsibilities administered by this department specifically in the administration of the modified land sales agreements. Attached is a current status report on sale contracts.



Don E. Anderson  
Director

DEA/FS/mjw  
attachment

cc: Frank Smith  
Russell Brenner  
Nelson Hall  
Karl Kennedy

**THE CITY OF WICHITA**  
**OFFICE OF Housing and Economic**  
**Development**

**DATE February 2, 1984**

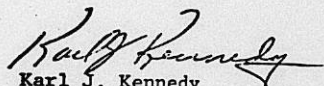
**TO Frank E. Smith, Housing Development Director**  
**FROM Karl J. Kennedy, Industrial Analyst**

**SUBJECT Status Report - 35% Development**  
**Policy - Sales Contracts as**  
**Guarantees for Installation of**  
**Public Improvements**

Since the implementation in August of 1976 of the use of sales contracts to guarantee the cost of installing public improvements in various subdivisions, developers of 21 subdivisions have used this tool 25 times. To date, seventeen of the subdivisions have met development requirements with actual construction on at least 35% of the lots benefitting from the public improvements that have been installed and/or guaranteed by the assignment of land sale contracts.

A total of \$395,950.75 has been deposited with the City which represents 10% of the purchase price of the lots assigned under the program. The City has refunded \$296,983.22 of this amount leaving a total of \$98,967.53 still on deposit with the City.

The attached table lists each addition that has utilized the program and provides the status of the program with respect to the number of lots assigned to the City, the number of lots with construction started on them and the number of lots remaining to meet development requirements. The table also reflects the status of the 10% deposit for each deposit.

  
Karl J. Kennedy  
Industrial Analyst

KJK/st  
Attachment

cc: Don E. Anderson, Director of Housing and Economic Development  
Nelson E. Hall, Policy & Special Projects Team

35% DEVELOPMENT POLICY  
Sales Contracts - Guarantees for Public Improvements

Addition	Lots Pledged			Amount	10% Deposit		Balance
	Number	With Construction	Remain		Refunded		
Echo Hills	71	71	--	\$ 24,850.00	\$ 24,850.00	--	
Gleneagles	10	10	--	5,996.00	5,996.00	--	
Gleneagles 2nd	34	34	--	23,450.00	23,450.00	--	
Hecox	15	15	--	6,000.00	6,000.00	--	
Jamesburg Park - Phase I	100	100	--	40,000.00	40,000.00	--	
Jamesburg Park - Phase II	26	5	21	7,800.00	--		\$ 7,800.00
Oak Knoll	47	47	--	16,450.00	16,450.00	--	
Oak Knoll 2nd	70	70	--	21,000.00	21,000.00	--	
The Park - Phase I	17	17	--	33,820.00	33,820.00	--	
The Park - Phases II & III	41	16	25	23,053.95	13,216.82		9,837.13
Palme Mesa	40	--	40	19,500.00	--		19,500.00
Prairie Park 2nd - Phase I	48	48	--	21,600.00	21,600.00	--	
Prairie Park 2nd - Phase II	14	11	3	4,480.00	3,520.00		960.00
Riverside 2nd	59	59	--	7,420.00	7,420.00	--	
Riverside 3rd	28	28	--	4,200.00	4,200.00	--	
Riverside 4th	41	--	41	12,025.40	--		12,025.40
Robbins Farm	31	31	--	10,010.40	10,010.40	--	
Sherwood Estates	3	3	--	2,500.00	2,500.00	--	
Sherwood Glen 4th	33	33	--	16,500.00	16,500.00	--	
Sherwood Glen 5th	6	6	--	5,300.00	5,300.00	--	
Westlink 15th	10	10	--	2,500.00	2,500.00	--	
Westlink 18th	43	--	43	20,425.00	--		20,425.00
Westlink 19th - Phase I	49	49	--	15,680.00	15,680.00	--	
Westlink 19th - Phase II	64	--	64	23,040.00	--		23,040.00
Westwood Village	8	5	3	8,400.00	3,020.00		5,380.00
	908	668	240	\$395,950.75	\$296,983.22		\$98,967.53

WICHITA-SEDGWICK COUNTY

March 25, 1985

METROPOLITAN AREA PLANNING DEPARTMENT

TO: Ray Trail, Assistant City Manager  
FROM: Robert A. Lakin, Director of Planning

*Refer to  
4-16-85*

SUBJECT: DR 84-16 - Development Policy for Public Improvements

The Metropolitan Area Planning Commission, at its meeting on March 21, 1985, recommended that the City Commission adopt the revised Development Policy for Public Improvements as drafted by the EDC/MAPC Subcommittee at its meeting on February 13, 1985. The motion was made by Gardner, seconded by Hansen and approved unanimously; Moore was not present for the vote; Banzer, Chisholm and Goebel were absent.

Robert A. Lakin  
Director of Planning

RAL:LO:rme

cc: E. H. Denton, City Manager  
Don Anderson, Director of Housing and Economic Development  
Russell Brenner, Director of Administration  
John Dekker, Director of Law  
John Wynkoop, Director of Water and Water Pollution Control  
Mike Lindebak, City Engineer  
Nelson Hall, Industrial Development Officer  
Joel Pollack, President, Economic Development Commission

THE CITY OF WICHITA  
OFFICE OF Housing and Economic  
Development

DATE March 15, 1985

TO Ray Trail, Assistant City Manager  
FROM Don E. Anderson, Director of Housing and Economic Development  
SUBJECT Development Policy for Public  
Improvement

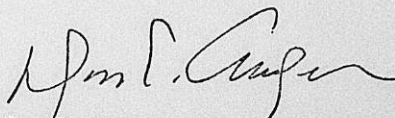
The Economic Development Commission, during their meeting of March 14, unanimously approved the draft AR-29 regarding the above subject.

This draft, incorporated the provisions agreed to during the meeting of the joint EDC/MAPC Sub-Committee held on February 13, 1985.

I would assume that Mr. Lakin will also have the MAPC review and approve this draft before you place this matter back before the City Commission for their consideration.

The EDC did request that we schedule a review of how the policy is working one year from now, and we have placed this matter in our EDC follow-up file for March, 1986.

Unless informed otherwise, this will conclude the work of this department on this project.



Don E. Anderson, Director  
Housing and Economic Development

DEA:NH:mw

cc: E. H. Denton, City Manager  
Robert Lakin, Director of Planning ✓  
Russell Brenner, Director of Administration  
John Dekker, Director of Law  
John Wynkoop, Director of Water & Water Pollution Control  
Mike Lindebak, City Engineer  
Nelson E. Hall, Industrial Development Officer

RE AGENDA ITEM NO. 11

WICHITA-SEDGWICK COUNTY

March 15, 1985

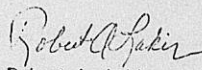
METROPOLITAN AREA PLANNING DEPARTMENT

TO: Metropolitan Area Planning Commission  
FROM: Robert A. Lakin, Director of Planning  
SUBJECT: DR 84-16 - Development Policy for Public Improvements

Attached is the report and recommended action on the above subject. This report is the result of a Subcommittee (Economic Development Commission, Metropolitan Area Planning Commission and staff) meeting discussing and developing compromises on the various issues at hand.

The Economic Development Commission on March 14 has approved the suggested policy.

The MAPC is asked to approve together with such changes if any it deems appropriate and forward to the Board of City Commission.

  
Robert A. Lakin

RAL:sad

Attachment

cc: Joel Pollack, 331 North Waco, Wichita 67202  
E. H. Denton, City Manager  
Ray Trail, Assistant City Manager  
Russell Brenner, Director of Administration  
Don Anderson, Director of Housing & Economic Development  
Tom Powell, Senior Assistant City Attorney  
Mike Lindebak, Director of Engineering

THE CITY OF WICHITA

OFFICE OF CITY MANAGER

DATE March 4, 1985

TO Economic Development Commission  
Metropolitan Area Planning Commission

FROM Joel Pollack, President, Economic Development Commission

SUBJECT Development Policy for Public  
Improvements

Members of the Economic Development Commission, Metropolitan Area Planning Commission and city staff met on February 13, 1985, to develop a consensus on the "Development Policy for Public Improvements." The discussion was spirited and the new draft policy attached along with this cover report represents an effort to strike a balance that continues to provide incentives for private development while protecting public funds from an undue burden. The draft policy is a compromise which meets that balancing test.

Highlighted below are some of the major aspects of the draft policy:

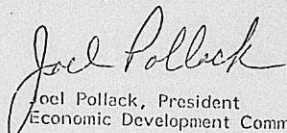
- (1) Guarantees must take the form of a financial assurance similar to those shown in the Subdivision Regulations (letter of credit, etc.).
- (2) The 35% of development rule is preserved both for the amount of the guarantee and the level of development necessary to seek release of the guarantee. A change was made to include estimated temporary note interest in the guarantee amount. Thirty-five percent (35%) of development for release of the guarantee is now to be measured by "certificates of occupancy."
- (3) The letter of credit or other financial guarantee will be used to pay delinquent special assessments and penalties.
- (4) Because this new policy will cover only projects initiated in the future, the policy retains the provision imposed initially by the City Commission on an interim basis that developers with delinquent special assessments on existing development will not be considered for a new development under the policy.
- (5) The Department of Planning <sup>name the Division</sup> will administer the policy to ensure the filing of financial guarantees prior to installation of public improvements. The Department of Administration (finance) will keep guarantees current, monitor special assessment delinquencies, and collect on guarantees when necessary.

In addition to the provisions outlined in the draft policy, the Director of Administration is developing, in conjunction with the Capital Improvement Program, a new schedule for debt service on special assessments to coordinate the revenue stream with debt payments. Administration will also examine whether a system can be developed to allow prepayment of special assessments without paying the full amount of interest.

Economic Development Commission  
Metropolitan Area Planning Commission  
March 4, 1985  
Page Two

This concludes the work of the subcommittee. It is important to remember that the draft policy is a compromise. Use of special assessment financing is important to the continued development of the community. The policy is supportive of special assessment financing while providing a reasonable level of assurance to the city at large that special assessments will be paid when due.

The subcommittee urges the Economic Development Commission and the Metropolitan Area Planning Commission to forward the policy to the City Commission with recommendations for its adoption.

  
Joel Pollack, President  
Economic Development Commission

JP/t

Attachment

cc: E. H. Denton, City Manager  
Robert A. Lakin, Director of Planning  
Russell L. Brenner, Director of Administration  
Don E. Anderson, Director of Housing and Economic Development  
Ray Trail, Assistant City Manager  
Tom Powell, Senior Assistant City Attorney

Date:

AR 29

Subject: Development Policy for Public  
Improvements

Supersedes: AR 31  
September 8, 1976

Statement of Policy

It is the policy of the City of Wichita to facilitate new development by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc.) upon petition, whenever reasonable assurances are provided by the developer or others that the special assessments will be paid when due.

Assurances are considered to be provided whenever the city has been furnished with a financial guarantee (irrevocable letter of credit, corporate completion bond, cashier's check, escrow account, or cash) on 35% of the estimated principal cost of the project (engineering design, construction, inspection, temporary note interest, and administration).

In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition and without guarantee, whenever it is determined that such action is in the public interest and when one or more of the following conditions exist:

- 1) Projects are ordered in by the Board of City Commissioners.
- 2) Projects that are infill in areas with multiple owners and where a majority of the benefit district (by square foot or lots) has development on it.
- 3) The majority of the benefit district is in public ownership.

The financial guarantee will be released upon request of the developer when certificates of occupancy are issued for at least 35% of the development that received the improvements.

Should special assessments on all or a portion of the properties not be paid, the financial guarantee will be applied annually to satisfy the costs of public improvements of such property.

Any developer with delinquent special assessments on existing development will not be considered for a new development under this policy. All developers filing an application under this policy will be required to certify, under oath, that no person having a financial interest in the lands in the benefit district is delinquent in special assessments for any city special assessment project within or without the city.

Development Guarantee Procedure

The Director of Planning shall be responsible for receiving requests and assurances and monitoring the implementation of this policy.

The Planning Department shall determine the cost of and receive the credit assurance which will include a list of the key numbers of properties to be developed. The assurance will be in one of the forms listed earlier in this policy.

AR 29  
Page 2

The development guarantees shall be submitted to the Departments of Law and Administration for review and approval as to legal and financial form, respectively.

At the time the assurances have been provided, the Director of Planning shall submit the requests for public improvements to the City Manager for presentation to the City Commission. Upon approval of the governing body, the City Engineer shall initiate action to install the public improvements.

The development guarantees, along with the list of key numbers on property to be developed, shall be filed with the City Controller. The Controller shall be responsible for (a) renewing the guarantees, when necessary, and (b) semi-annually comparing key numbers for property developed under this policy and property with delinquent special assessments. Any property having delinquent special assessments with development guarantees shall be referred to the City Treasurer (with copies to Law, Planning, and the City Manager) for collection of the guarantee and payment of the delinquent special assessment and penalty.

To seek release of a financial guarantee, the developer must file with the City Controller a written request accompanied by evidence that certificates of occupancy have been issued for at least 35% of the development on which the guarantee is filed.

E. H. Denton  
City Manager

THE CITY OF WICHITA  
OFFICE OF CITY MANAGER

DATE January 23, 1985

TO Economic Development Commission

FROM E. H. Denton, City Manager

SUBJECT Development Policy for  
Public Improvements

DR84-16

The Economic Development Commission (EDC), in cooperation with the Metropolitan Area Planning Commission (MAPC) and city administrative staff, has been charged with reviewing and recommending changes in the city's development policy for public improvements. The EDC has conducted one public hearing, plans a second hearing on January 24, 1985, followed by a working session of EDC and MAPC members with city staff to prepare proposed revisions to the development policy for City Commission consideration.

The purpose of this memorandum is to state the city staff position on the current policy and proposals made to date for its revision. Rather than prepare another draft policy, our comments are grouped into general areas of concern. Underlying our comments on the policy is the belief that the use of special assessments is a valuable financing tool that should continue to be used to promote development in the community while still protecting the general taxpayers and special assessment taxpayers from an unnecessary liability or burden when some do not pay their special assessments when they become due annually.

#### General Debt and Interest Fund Cash Flow

Information and testimony presented to the EDC indicates that the current timing of receipt of special assessment payments and the payment of special assessment bonds can be modified so that funds are on-hand to pay bonds when due. The city staff supports exploration of bond payment schedule changes to correct this problem. Such a change, however, should not be used to permit some to continue carrying past due special assessments. This would mean that the many are continuing to subsidize the few who do not pay on time and can be detrimental to the city's ability to fund an adequate capital improvement program.

The 1985-1990 Capital Improvement Program which will shortly be presented to the City Commission will include a modified schedule matching future special assessment bond payments with the revenue stream.

#### Policy Administration

We are in agreement with comments that the city's administrative procedures need major revisions to better track development guarantees so that any letters of credit are enforceable and are collected when special assessments are not paid. The proposals submitted to the EDC reflect efforts to centralize policy administration and provide for accountability.

Policy Revisions

The current policy is also in need of revision in several key areas. The use of special assessment financing is based on the city's assuming a portion of the "risk" in new development. We believe that it is in this policy arena where the City Commission is seeking the input of the EDC and MAPC. The city's risk is whether the special assessments will be paid and on time. To ensure payment, the policy stipulates that "reasonable assurances" be given to the city that special assessment payments will be made by the developer. The policy decisions before the EDC/MAPC are:

- (1) What type of guarantee meets the "reasonable assurances" criteria? The current policy allows building permits and initial construction activity on 35% of the benefitted properties, land sales agreements on 35% of the benefitted properties, and letters of credit or other financial guarantees. The city staff is proposing that only irrevocable letters of credit be accepted in the future.
- (2) What dollar or percentage amount of guarantee should be required? The current policy requires 35% of the construction cost. This results in an approximate 17% guarantee of the total cost of the public improvements. A "no risk" guarantee for the city would be 100% of the principal and interest. The city staff proposes retention of the 35% guarantee, but that estimated interest costs be included so that the 35% guarantee more fully reflects the city's cost. It is estimated that a guarantee of 35% will cover exposure on approximately the first five years of special assessment payments.  
*Con 24/2/85*
- (3) How can a guarantee be released? The current policy permits release of any letter of credit or other financial guarantee after construction has been initiated on 35% or more of the benefitted properties. The city staff is proposing release of letters of credit on an incremental basis -- as special assessments are paid annually or when a home is built and the property sold to a individual home buyer. This permits the developer to seek relief from liability as property is built and sold and permits the city to seek payment of special assessments if they are past due. A full release of the balance of an outstanding letter of credit may be made after five years from the date of the first special assessment payment. *35% 0000*
- (4) When a letter of credit is called, is the money applied to the past due special assessments or collected as a penalty? The concept of penalty collection on letters of credit was not included in the original staff proposal. After considering the comments offered at the first EDC public hearing, it is the city staff position that penalty collection is unduly harsh and that any monies collected on letters of credit should be applied to the payment of the past due special assessments.  
*4/2/85*

Economic Development Commission  
January 23, 1985  
Page Three

- (5) When will guarantees not be required? The city staff supports a provision based on specific criteria. Criteria suggested are projects ordered in by the City Commission, projects that are infill with multiple ownerships and existing development, and projects where the benefit district is in public ownership. OK
- (6) Should the city participate with a developer in additional projects when that developer is past due on special assessments from a previous project? The City Commission initially proposed the rule not to proceed with new special assessment projects with developers who are delinquent on earlier projects. The city staff strongly supports continuation of this provision in the policy. OK

The city staff welcomes the opportunity to work with members of the EDC and MAPC in formulating a consensus on changes in the "Development Policy for Public Improvements." Our goals are to continue to foster development in the community and provide "reasonable assurance" that special assessments are paid when due and do not become a liability of the city at large or of those who do pay on time. Based on comments made before the EDC, we believe that developers in the community share these goals. The proposals outlined in this memorandum attempt to strike a balance between continued promotion of development and protection of city taxpayers from undue risk.



E. H. Denton  
City Manager

EHD/t  
Distribution

The Honorable Board of City Commissioners  
James C. Wilson, MAPC  
James L. Gardner II, MAPC  
William J. Goebel, MAPC  
Robert G. Finch, Deputy City Manager  
John Dekker, Director of Law  
Russell L. Brenner, Director of Administration  
Robert A. Lakin, Director of Planning  
John Wynkoop, Director of Water and Water Pollution Control  
Don E. Anderson, Director of Housing and Economic Development  
Ray Trail, Assistant City Manager

RECEIVED

JAN 23 1985

METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_

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WICHITA-SEDGWICK COUNTY

December 19, 1984

METROPOLITAN AREA PLANNING DEPARTMENT

TO: James C. Wilson, Chairman, Metropolitan Area Planning  
Commission  
James Gardner, II, Planning Commissioner  
William J. Goebel, Planning Commissioner

FROM: Robert A. Lakin, Director of Planning

SUBJECT: Development Policy for Public Improvements

Attached is material provided by Don Anderson's office on the above subject. The EDC will be meeting January 10, 1985. After getting a chance to read the material, I will be calling you so that we can discuss it prior to the January 10 meeting.

\_\_\_\_\_  
Robert A. Lakin  
Director of Planning

RAL:rme  
Attachment

**THE CITY OF WICHITA**  
**OFFICE OF Housing and Economic**  
**Development**

**TO** MAPC Subcommittee Members Ja  
and William J. Goebel  
**FROM** Don E. Anderson, Director, H

**SUBJECT**

FOR LAKIN +

SUBCOMMITTEE

MEMBERS

PLEASE DISTRIBUTE

THANKS MARTY

Wilson,

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On October 16, 1984, the Wichita Ci and MAPC a suggested draft for a ne  
Improvements" requesting their comments. EDC

During the EDC meeting of October 25, following their review of the suggested draft, the EDC recommended that the City Commission grant a 120 day extension, so that they could give this matter a more in-depth review and in tandem with the MAPC make a consensus recommendation back to the City Commission.

The following background information is provided regarding this matter:

- Attachment A/Agenda Item Background - memo from Denton to Board of City Commissioners, dated October 15, draft policy attached.
- Attachment B/Questions addressed to City Commission during their meeting of October 16 from John Oliphant, Executive Vice President, Wichita Area Builders Association, and reply to Mr. Oliphant's questions, dated November 7, from the City Manager.
- Attachment C/Excerpts from the City Commission meetings wherein this matter was heard on October 16 and November 6.
- Attachment D/Excerpts from minutes of the EDC meetings wherein this matter was heard, dated October 25, November 29 and December 13.
- Attachment E/Excerpt from MAPC meeting wherein this matter was heard November 1, with Robert Lakin memo, dated November 2.
- Attachment F/Agenda Item packet for EDC meeting of December 13, dated December 12, with new revised draft of Administrative Regulation.

**THE CITY OF WICHITA**

**OFFICE OF** Housing and Economic  
Development

**DATE** December 17, 1984

**TO** MAPC Subcommittee Members James L. Gardner, II, James C. Wilson,  
and William J. Goebel  
**FROM** Don E. Anderson, Director, Housing and Economic Development  
**SUBJECT** Development Policy for Public  
Improvements

On October 16, 1984, the Wichita City Commission referred to the EDC and MAPC a suggested draft for a new "Development Policy for Public Improvements" requesting their comments.

During the EDC meeting of October 25, following their review of the suggested draft, the EDC recommended that the City Commission grant a 120 day extension, so that they could give this matter a more in-depth review and in tandem with the MAPC make a consensus recommendation back to the City Commission.

The following background information is provided regarding this matter:

Attachment A/Agenda Item Background - memo from Denton to Board of City Commissioners, dated October 15, draft policy attached.

Attachment B/Questions addressed to City Commission during their meeting of October 16 from John Oliphant, Executive Vice President, Wichita Area Builders Association, and reply to Mr. Oliphant's questions, dated November 7, from the City Manager.

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Attachment D/Excerpts from minutes of the EDC meetings wherein this matter was heard, dated October 25, November 29 and December 13.

Attachment E/Excerpt from MAPC meeting wherein this matter was heard November 1, with Robert Lakin memo, dated November 2.

Attachment F/Agenda Item packet for EDC meeting of December 13, dated December 12, with new revised draft of Administrative Regulation.

MAPC Subcommittee Members James L. Gardner, II,  
James C. Wilson, and William J. Goebel

Page 2

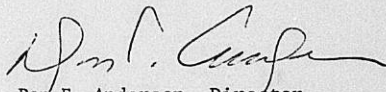
December 17, 1984

As a result of the last EDC meeting held December 13 on this subject, staff was requested to:

1. Reschedule this matter for hearing during the next EDC meeting January 10, 1985.
2. Advise the MAPC Subcommittee that such hearings were being arranged so they could set in with the EDC to hear testimony relative to this matter.
3. Instructed staff to notify the development, real estate, and building community of the fact that these hearings would be held in order that all interested parties could be present to testify.

During their meeting of November 6, the City Commission did grant a 120-day extension to the EDC for further consideration of this matter. It will, therefore, be necessary that a final recommendation be developed and placed back on the City Commission agenda for their meeting of February 26 or March 5, 1985.

A copy of the EDC agenda for its upcoming meeting January 10, 1985 will be mailed to each of you.



Don E. Anderson, Director  
Housing and Economic Development

DEA/NEH/abv

Attachments

cc: Joel Pollack, Economic Development Commission  
E. H. Denton, City Manager  
Robert Finch, Deputy City Manager  
Ray Trail, Assistant City Manager  
Bob Lakin, Director of Planning  
Nelson E. Hall, Industrial Development Officer



#### OPTIONS

The use of special assessments to finance private cost in the installation of improvements is common in Kansas. The state law provides the legal framework for special assessment financing. Not only are special assessments used for new development, but infill in developed areas of the city also requires the use of special assessment financing. A wide range of policy options are available to the City Commission:

- (1) Phase-out Special Assessment Financing -- Special assessment financing of improvements need not be used by the city. While it is not recommended at this time, the City Commission may wish to investigate the ramifications of discontinuing the widespread use of special assessment financing in favor of requiring private developers to pay the cost as part of the price of development included in the sale price on individual houses or properties. This type of in-depth study would best be done through the retention of an independent consultant.
- (2) Full Guarantee of Special Assessment Costs -- If special assessments are to be used on a large scale for new developments, the City Commission may wish to insist on a full 100% guarantee of payment of those special assessments for the life bond issue. Again this option is stricter than that recommended in the draft regulation. However, the city's ability to meet the payment obligation on special assessments would be fully covered. It would be at the risk of stifled development.
- (3) Reasonable Assurance of Payment of Special Assessments -- This option is to seek to minimize the risk and liability of delinquent special assessments while continuing to provide an incentive to developers and a lower cost to the ultimate purchaser of the developed property, e.g., home buyer. The draft regulation represents the intent to strike a balance that will serve both development and the city's fiscal integrity.
- (4) Current 35% Development Policy -- Short of having no assurance on the payment of special assessments, the current policy represents nearly the lowest level of assurance possible. We have heard no dispute that the current policy has led unfortunately to abuse and to a very high cost to the taxpayers of Wichita. Further, the structure of the state law on recovery of penalties and interest on delinquent special assessments has resulted in payment of those penalties and interest to a unit of government other than the one which must pay the cost of delinquencies. The current policy is, however, a definite plus in terms of encouraging new development.

In examining options, the administrative staff has attempted to weigh an interest in continuing to encourage development while starting to curb the obvious abuse of the public's money by some private developers. Clearly, major changes are in order, but changes that are tempered.

PROPOSED NEW REGULATION

The current working draft of the new regulation is attached. Highlighted below are the major changes in the policy from the existing regulation:

- (a) Sets the city's level of acceptable risk at seeking coverage for 100% of the construction costs or 50% of the total cost for the life time of the debt service. Generally, the greatest risk to the city is during the first few years of a new development when the temptation of the developer is to use the city to carry the cost of special assessment pending sale of the property. Setting the level of guarantee at 50% assures payment of special assessments for the first 7-8 years of the project.
- (b) Stipulates that only guarantees that are convertible to cash for payment of special assessments constitute reasonable assurance that the city will not be faced with the prospect of incurring a burden due to delinquent special assessments. Again, the risk is shared equally between the city and developer in that only 50% or 7-8 years of the special assessments are covered.
- (c) Precludes developers who are delinquent on existing projects from special assessment financing on new developments. Due to the variety of corporate structures, it was felt that any checking process would meet with limited success. The suggested procedure is to require a certification under oath that no party in the new development is delinquent in existing special assessments.
- (d) Continues to provide a waiver procedure through the City Commission, but more clearly identifies what type of projects would be eligible for waiver consideration.
- (e) Restructures the staff review process to designate lead responsibility for monitoring the policy in Planning and to provide for an annual review of delinquent special assessments against development guarantees.

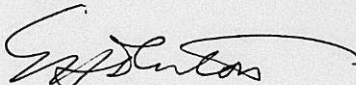
The proposed regulation is a working draft. It was our intent to refine the draft regulation through another internal review, provide it to the City Commission on an informational basis, and circulate it to interest persons and groups for review and comment prior to City Commission action. We would anticipate that could be accomplished and the matter returned to the City Commission in another 30 days.

RECOMMENDATION

It is requested that the City Commission provide preliminary comments to the administrative staff as to whether the draft regulation generally meets the policy direction desired by the City Commission. It is recommended that the Commission also authorize the circulation of the draft to interest persons and groups for review and comment and return to the City Commission in 30 days.

The Honorable Board of City Commissioners  
October 15, 1984  
Page 4

Commissioner Kirk has indicated an interest in imposing a moratorium on special assessment projects pending the approval of a final regulation. The administrative staff is prepared to examine all initiating petitions on new development public improvements and advise whether any participation by persons or corporations with currently delinquent special assessments can be identified. This would allow the City Commission to make a determination on whether to proceed in individual instances.



E. H. Denton  
City Manager

EHD/tpd  
Attachments

cc: Robert A. Lakin, Director of Planning  
Russell L. Brenner, Director of Administration  
John Dekker, Director of Law  
John Wynkoop, Director of Water and Water Pollution Control  
Don E. Anderson, Director of Housing and Economic Development



**DEVELOPMENT POLICY  
FOR PUBLIC IMPROVEMENTS**

Statement of Policy

It is the policy of the City of Wichita to facilitate new developments by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc.), upon petition, whenever reasonable assurances are provided by the developer or others that the City's credit will not be adversely affected by installing and financing such improvements.

Generally, "reasonable assurances" are considered to be provided whenever any of the following conditions exist:

1. Building permits have been issued and construction has begun (excavation commenced) on 35% of the benefitted properties.
2. Bona fide land sales agreements with a down payment equal to ten percent of the purchase price of the sales agreements, have been executed and assigned to the City on 35% of the benefitted properties which sales agreements specify that construction shall be started within six months of the date of such agreements.
3. The City has been provided with letters of credit, cashier's checks, bonds or other guarantees insuring payment of special assessments on 35% of the benefitted properties.
4. Any combination of two or more of the above resulting in a reasonable assurance that the City's credit will not be adversely affected by installing such improvements.

In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition, whenever it is determined that such action is overwhelmingly in the public interest and that the City's credit will not be adversely affected by installing and financing such improvements.

The assignment of sales agreements with the ten percent down payment and/or the guarantees provided to insure the payment of special assessments shall be released as soon as construction has begun (excavation commenced) on 35% of the properties benefitting from the public improvements.

Should development of the properties not occur, the assurances will be held by the City until such time as all special assessments for the cost of installing public improvements has been satisfied.

Attachment No. 1

Administrative Regulation

AR 31-2 Revised  
September 8, 1976

In the event that the special assessments for the payment of public improvements become delinquent and liquidation of the properties becomes necessary to satisfy the payment of the special assessments, the assurances provided will be applied to satisfy any deficits between funds realized through the liquidation of the properties and the amount necessary to satisfy the balance due, if any, on the special assessments. Any funds remaining after the costs of special assessments have been met shall be returned to the party providing the assurances.

Procedures

Whenever a new development shall have been properly platted and zoned and petition for installation of public improvements have been submitted and approved, the City Commission shall instruct the City Manager to proceed to install such public improvements at such time as reasonable assurances are provided by the developer (s).

OFM At the time that such reasonable assurances have been provided, the Director of [Public Works] shall initiate action to install the public improvements which are under the [Public Works] Department's jurisdiction. At such time as reasonable assurances have been provided, the Director of Water and Water Pollution Control shall proceed with the initiation of water main constructions.

Responsibilities

The Director of [Public Works] shall be responsible for implementation of the Development Policy as to streets, drainage, sanitary sewers and related improvements.

The Director of Water and Water Pollution Control shall be responsible for the implementation of the Development Policy as to water improvements.

The Director of Planning shall be responsible for assisting developers in the implementation of the Development Policy during the planning and platting phase of development.

The Director of Economic Development shall be responsible for assisting developers in the implementation of the Development Policy after planning and platting have occurred.

Procedure for Providing Reasonable Assurances

Public improvements shall be promptly initiated and installed upon submission to the appropriate Department Director of the following (or a combination thereof):

1. Certificate of Construction Initiation (substantially in the form attached hereto as Exhibit I) attesting to the fact that building permits have been issued and construction has begun (excavation commenced) on at least 35% of the benefitted properties, OR

Administrative Regulation

AR 31-3 Revised  
September 8, 1976

2. Assignment of Sales Agreements (substantially in the form attached hereto as Exhibit II) pledging to the City all rights under bona fide sales contracts, including a ten percent (10%) down payment, and applying to at least 35% of the benefitted properties, OR
3. Development Guarantee(s) (substantially in the form attached hereto as Exhibit III) providing letter (s) of credit, cashier's check(s), surety bond(s) or other guarantee(s) insuring payment of special assessments on at least 35% of the benefitted properties.

The Assignment of Sales Agreements and/or Development Guarantee(s) are to be promptly released by the City as construction is begun (excavation commenced).

Development Waiver Petition Procedure

Public improvements shall be promptly initiated and installed upon approval and order of the City Commission provided that the developer has petitioned for a waiver of reasonable assurances whenever it is determined that such action would be overwhelmingly in the public interest and that the City's credit would not be adversely affected by installing and financing such improvements.

A petition for waiver of the 35% Development Requirement may be made by developers of residential, CUP, commercial, or industrial tracts. Such petition shall be referred to the Director of Economic Development for initiation. Petitions for waiver of this policy shall be submitted on Exhibit IV.

Approval or disapproval of the petition for waiver shall be by the Board of City Commissioners on the basis of information supplied by the applicant and on the recommendation of the City staff and the City Manager.

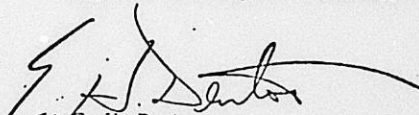
Responsibilities and procedures for processing of requests for waiver of the 35% Development Policy shall be as follows:

<u>Responsibility</u>	<u>Action</u>
Applicant	Will inquire of the Department of Economic Development on the procedure to petition for waiver of the Development Policy.
Director of Economic Development	Will provide Form 221-001 and assist applicant in preparing the petition
Applicant	Submits petition.
Director of Economic Development	Routes petition to various City Agencies.

Administrative Regulation

AR 31-4 Revised  
September 8, 1976

Director of Water	Reviews petition and if service is needed, studies the physical possibilities of a main extension to the area and makes an estimate of the cost of extension. Forwards to the Director of <u>Public Works.</u>
Director of <u>Public Works</u>	Reviews petition as to engineering feasibility of the project and whether or not the installation of the facilities would create other public works difficulties around the periphery of the plat. Forwards to the Director of Planning.
Director of Planning	Reviews petition as to its conformance with current land use plans and determines whether or not the development of the property is consistent with the orderly growth of the community. Forwards to the Director of Administration.
Director of Administration	Reviews petition with respect to statements and makes recommendations as to the ability of the applicant to pay the special assessment costs. Forwards to the City Manager. Copies of the completed form are sent to the Director of Economic Development, Director of Water, Director of Public Works and the Director of Planning.
<b>NOTE:</b> If at any time any one of the department heads who must sign the application determines that the request should be denied, he must immediately direct a memo of explanation to the Office of the City Manager with a copy to the Director of Economic Development and to each Department required to review the application.	
City Manager	Reviews completed form and makes recommendation to the City Commission.
City Commission	Approves or disapproves the application.

  
E. H. Denton  
City Manager

Attachments  
Exhibits I, II and III  
Form 221-001

City of Wichita, Kansas

**CERTIFICATE OF CONSTRUCTION INITIATION**

The undersigned hereby certifies that building permits have been secured and construction has begun (excavation commenced) on the following lots located in \_\_\_\_\_ (name of subdivision) in Wichita, Kansas.

Lot Number: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and that these lots constitute \_\_\_\_\_ percent ( \_\_\_ %) of the properties to be benefitted by the following public improvements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(list description of street, drainage, sewer and water improvements to be installed.)

It is requested that installation of said improvements be initiated in accordance with the City of Wichita Development Policy for Public Improvements.

\_\_\_\_\_  
Developer

STATE OF KANSAS) SS  
SEDGWICK COUNTY)

Sworn to and subscribed before me this \_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

(One copy to be sent to the Director of Public Works, one copy to be sent to the Director of Water and Water Pollution Control and one copy to be sent to the Director of Economic Development.)

EXHIBIT II

ASSIGNMENT OF SALES AGREEMENTS

KNOW ALL MEN BY THESE PRESENTS, that \_\_\_\_\_ the undersigned, for value received, do hereby GRANT, ASSIGN, TRANSFER AND CONVEY unto the City of Wichita, Sedgwick County, Kansas, (a municipal corporation) \_\_\_\_\_ certain sales agreements attached hereto for the property listed and described in Attachment I to this assignment and which is hereby incorporated into this assignment as if fully set out herein, together with the sum of \_\_\_\_\_ and \_\_\_\_\_ dollars (\$ \_\_\_\_\_), said sum being equal to ten (10) percent of the purchase price of the aforementioned sales agreement(s), all of which is given to secure the cost of installing certain petitioned public improvements.

The properties so assigned constitute \_\_\_\_\_ percent ( \_\_\_ %) of the properties to be benefitted by the following public improvements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(list description of street, drainage, sewer and/or water improvements to be installed.)

It is requested that installation of said improvements be initiated in accordance with the City of Wichita Development Policy for Public Improvements.

STATE OF KANSAS) SS  
SEDGWICK COUNTY)

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

(One copy to be sent to the Director of Economic Development of the City of Wichita).

**LISTING OF SALES AGREEMENTS**  
in \_\_\_\_\_ Subdivision

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

a. Lot \_\_\_\_\_  
b. Purchaser \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
c. Contract Sales Price \_\_\_\_\_  
d. Down Payment Assigned \_\_\_\_\_

EXHIBIT III

DEVELOPMENT GUARANTEE

The undersigned hereby deposits with the City Clerk of the City of Wichita, Kansas, the following securities:

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

(itemize specific instruments, i.e. letters of credit, checks, surety bonds, etc.)

which securities are pledged to the City of Wichita to guarantee the prompt payment of \_\_\_\_\_ percent (\_\_\_\_%) of the special assessments to be assessed against the properties benefitted by the following public improvements.

\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_

It is requested that installation of said improvements be initiated in accordance with the City of Wichita Development Policy for Public Improvements.

\_\_\_\_\_
Developer

STATE OF KANSAS )
SEDGWICK COUNTY )

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_
Notary Public

My Commission expires \_\_\_\_\_

(One copy to be filed with the City Clerk, one copy to be sent to the Director of Public Works, one copy to be sent to the Director of Water and Water Pollution Control and one copy to be sent to the Director of Economic Development).

PETITION FOR WAIVER OF DEVELOPMENT POLICY

INTRODUCTION

The Development Policy of the City requires that after property has been platted and the necessary petition filed with the City for the installation of streets, sewers, water mains, and drainage systems, the City will install these facilities using City credit on a special assessment basis whenever reasonable assurances have been provided by the developer that the City's credit will not be adversely affected by installing and financing such improvements.

This petition for waiver procedure, approved by the Board of City Commissioners, will be used in evaluating any requests from developers that public improvements be installed by the City in advance of 35% development and without the assurances that the City's credit will not be adversely affected whenever it is determined that such action is overwhelmingly in the public interest, such a criteria to include a review by the Department of Water, Department of Public Works, Planning Department, and Department of Administration.

PETITION

The Honorable Mayor and City Commissioners  
Wichita, Kansas

The undersigned hereby petition and request that the following public improvements be installed in the \_\_\_\_\_ (Subdivision) heretofore platted and recorded and that the assurances normally supplied by developer(s) under the City of Wichita Development Policy for public improvements be waived:

Description	Project No.	Estimated Cost
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_

STATE OF KANSAS )  
SEDGWICK COUNTY ) SS

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

PETITION SUPPORT INFORMATION

The undersigned hereby represents:

1. That the public improvements are in the public interest for the following reasons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. That \_\_\_\_\_ (Telephone \_\_\_\_\_) is the owner(s) of record of the subdivision, and that \_\_\_\_\_ (Telephone \_\_\_\_\_) is authorized to represent the owner(s).

3. That it is intended that the subdivision will be developed in accordance with the following schedule and manner:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(type of construction, i. e., residential, commercial, industrial) units having a total estimated construction (sales) cost of \$ \_\_\_\_\_ are to be constructed in accordance with the following timetable:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby declare that the foregoing statements are true and correct to the best of my knowledge and belief:

Applicant \_\_\_\_\_  
 Owner of Record \_\_\_\_\_  
 Developer \_\_\_\_\_

STATE OF KANSAS )  
 SEDGWICK COUNTY ) SS

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
 Notary Public

My Commission expires \_\_\_\_\_

Administrative Regulation

DRAFT

Date: October 15, 1984

AR 29

Subject: Development Policy for Public  
Improvements

Supersedes: AR 31  
September 8, 1976

Statement of Policy

It is the policy of the City of Wichita to facilitate new development by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc.) upon petition, whenever reasonable assurances are provided by the developer or others that the special assessments will be paid when due.

Reasonable assurances are considered to be provided whenever the city has been provided with a letter of credit, cashier's check, bond or other acceptable development guarantee insuring payment of special assessments on 100% of the construction costs of the benefitted properties. (This approximates 50% of the special assessment principal and interest.)

In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition and without guarantee, whenever it is determined that such action is in the public interest and when one or more of the following conditions exist:

- 1) Projects are ordered in by the Board of City Commissioners.
- 2) Projects that are infill in areas with multiple owners and where a majority of the benefit district (by square foot or lots) has development on it.
- 3) The project is part of development designed to increase economic activity (jobs) and where the city is a partner in the ownership of land with the Chamber of Commerce or other similar groups to entice development to a particular area.
- 4) The benefit district is in public ownership.

The credit assurances will be released as soon as the special assessments are paid annually or when a home is built on the property and sold to a bona fide individual home buyer.

Should development of the properties not occur and special assessments not paid by the developer, the credit assurances will be applied annually to satisfy the costs of public improvements of such property.

Any developer with delinquent special assessments on existing development will not be considered for a new development under this policy. All developers filing an application under this policy will be required to certify, under oath, that no person having a financial interest in the lands in the benefit district is delinquent in special assessments for any city special assessment project within or without the city.

Attachment No. 2

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 2

Development Guarantee Procedure

The Director of Planning shall be responsible for receiving requests and assurances and monitoring the implementation of this policy.

The Planning Department shall determine the cost of and receive the credit assurance which will include a list of the key numbers of properties to be developed. The development guarantee (substantially in the form attached as Exhibit I) shall provide a letter of credit, cashier's check, surety bond or other guarantee equal to the estimated construction cost on 100% of the benefitted properties.

The development guarantees shall be submitted for review and approval to the Departments of Law and Administration for review as to legal and financial form, respectively.

At the time that reasonable assurances have been provided, the Director of Planning shall submit the requests for public improvements to the City Manager for presentation to the City Commission.

Upon approval of the governing body, the City Engineer shall initiate action to install the public improvements.

The development guarantees, along with a list of the key numbers on property to be developed, shall be filed with the City Clerk. The City Clerk shall be responsible for annually comparing key numbers for property developed under this policy and property with delinquent special assessments. Any matches in delinquent special assessments with development guarantees shall be referred to the Department of Law (with copies to Planning, Administration, and City Manager) for enforcement of the development guarantee.

Development Waiver Petition Procedure

Public improvements shall be promptly initiated and installed upon approval and order of the City Commission provided that the developer has petitioned for a waiver of reasonable assurances whenever it is determined that such action would be in the public interest.

A petition for waiver of the development requirement may be made by developers of residential, community unit plan, commercial, or industrial tracts. Such petition shall be submitted to the Director of Planning for initiation. Petitions for waiver of this policy shall be submitted on Exhibit II.

Approval or disapproval of the petition for waiver shall be by the Board of City Commissioners on the basis of information supplied by the applicant and on the recommendation of the city staff and the City Manager as to whether the petition for waiver meets the conditions outlined in the "Statement of Policy" section of this regulation.

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 3

Responsibilities and procedures for processing of requests for waiver of the development policy shall be as follows:

<u>Responsibility</u>	<u>Action</u>
Applicant	Will inquire of the Department of Planning on the procedure to petition for waiver of the development policy.
Director of Planning	Will provide Form 221-001 and assist applicant in preparing the petition.
Applicant	Submits petition.
Director of Planning	Routes petition to city agencies as outlined below.
City Engineer	Reviews petition as to engineering feasibility of the project and whether or not the installation of the facilities would create other public works difficulties around the periphery of the plat. Forwards to the Director of Administration.
Director of Administration	Reviews petition and makes recommendations as to the ability of the applicant to pay the special assessment costs. Forwards to the Director of Housing and Economic Development or Director of Planning, as required.
Director of HED	In the event that a petition for waiver of development guarantee is filed under the economic activity criterion, the Director of Housing and Economic Development will review and comment on the request. Forwards to the Director of Planning.
Director of Planning	Reviews petition as to its conformance with current land use plans and determines whether or not the development of the property is consistent with the orderly growth of the community. Forwards to the City Manager. Copies of the completed form are sent to the directors of the above departments.

NOTE: If at any time any one of the department directors who must sign the application determines that the request should be denied, he must immediately direct a memorandum of explanation to the City Manager's Office with a copy to the Director of Planning and to each department required to review the application.

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 4

Responsibilities

City Manager

City Commission

Action

Reviews completed form and makes recommendation to the City Commission.

Approves or disapproves the application.

E. H. Denton  
City Manager

EHD/cpd

City of Wichita, Kansas



AFFILIATED WITH THE  
NATIONAL ASSOCIATION  
OF HOME BUILDERS

# THE WICHITA AREA BUILDERS ASSOCIATION

730 N. Main / Suite 1 / Wichita, Kansas 67203  
316-265-4226

ATTACHMENT B



## EXECUTIVE COMMITTEE

President  
Harold Holding  
First Vice President  
Donald Wood  
Second Vice President  
William J. Rothrock  
Third Vice President  
Stephen N. Critchfield  
Secretary/Treasurer  
Warner J. Bullock  
Past President  
Robert E. Muzzy  
Executive Vice President  
John H. Oliphant

## BOARD OF DIRECTORS

James W. Bily  
Michael Sibal  
Larry Peir  
W. E. Lusk, Jr.  
Keith Anderson  
George Morrison  
Brian K. Plumer  
Bill Butterworth  
Jeff Kutliek  
James G. Goentzel  
M. S. Mitchell  
E. George Fahnestock  
John Pearson  
James Franz  
Alexander Dean

## NAHB DIRECTORS

Dave Sproul  
James D. Miner  
S. H. Womer  
Harold Holding  
Harold Warner, Sr.

## HONORARY LIFE NAHB DIRECTORS

Willard Garvey  
J. A. Hendrickson  
Harold Warner, Sr.  
Robert E. Muzzy

## NAHB VICE PRESIDENT

AREA XI  
John McKay, Jr.

## NAHB STATE REPRESENTATIVE

James D. Miner

## STATE DIRECTORS

Harold Holding  
Harold Warner, Jr.  
Richard Bridgman  
Robert E. Muzzy  
Donald Wood

## PAST PRESIDENTS

### COUNCIL

Robert E. Muzzy  
Robert R. Fox  
Dave Sproul  
James D. Miner  
Harold Warner, Jr.  
Virgil Wooder  
John McKay, Jr.  
Jerry Don Andrews  
Bob Arnold  
Ron Lane  
Morris Stauffer  
Jim Olander  
Harold Warner  
L. E. Forsee  
S. H. Womer  
John S. Lawrence  
Forrest Weirick  
Gena Miles  
Roger Harter  
Donald Louis  
Jerald Jones  
Harold Bauer  
William Veitch  
D. G. Jones  
Earl T. Graves  
Erie W. Jennings  
Frank Kessler  
James L. Gardner  
Francis Harvey  
Ken Stowell

## APARTMENT COUNCIL

Steve Roe

## REMODELING COUNCIL

Eroy Smith

## SALES & MARKETING COUNCIL

Tamara Gross

## SPIKE CLUB

Eroy Smith

\*Deceased

1. WHO BENEFITS MOST?

DEVELOPER

BUILDER

HOMEBUYER

CITY

2. HOW MUCH PROPERTY TAX HAS BEEN GENERATED SINCE 1979 BECAUSE OF THE USE OF SPECIALS?

3. HOW MANY PEOPLE HAVE BEEN EMPLOYED TO DEVELOP AND BUILD HOMES BECAUSE OF THE USE OF SPECIALS?

4. WHAT IS THE DIFFERENCE BETWEEN 15 YEAR SPECIALS AND 30 YEAR HOME OWNER FINANCING?

5. QUALITY OF DEVELOPMENT STANDARDS ARE MAINTAINED THROUGH USE OF SPECIALS.

6. WHERE IS THE REVENUE TAKEN IN ON DELINQUENCIES REFLECTED IN THE CURRENT FINANCIAL REPORT? HOW MUCH OF THE 2.3 MILLION HAS BEEN COLLECTED?

7. WHY HAVE WE NOT CALLED THE 35% LETTERS OF CREDIT CURRENTLY REQUIRED BY THE CITY?

8. How much money has city lost on use of special assessments?

November 7, 1984

Mr. John Oliphant  
Executive Vice President  
Wichita Area Builders Association  
730 North Main - Suite 1  
Wichita, KS 67203

Dear Mr. Oliphant:

During the Wichita City Commission meeting of October 16, 1984, you presented a series of questions concerning the 35% development policy of the city. We have reviewed your questions as part of our review of possible changes to the policy. Our preliminary observations are as follows:

- 1) We believe that the use of special assessments to finance improvements in new developments benefits all those you listed: the developer and builder in reducing the need for up-front financing costs; the home buyer in a lower interest rate and total interest paid for such improvements; and the city in promoting greater developments and increasing the tax base.
- 2&3) It is not possible to definitively answer how much property tax revenue or employment was generated specifically because of the use of special assessments. With or without special assessment financing, houses would be built generating employment in the construction industry and taxes paid on those new houses. Whether the same or a lesser level of development activity would occur in the absence of special assessments is not fully demonstrable. We can agree, however, that special assessment financing is an incentive to some degree.
- 4) The differences between 15-year special and 30-year homeowner financing are (a) a lower interest rate for special assessments, (b) lower total interest paid with specials because of the lower interest rate and a shorter pay-back period, and (c) possibly lower annual payments. The degree of difference depends on the rate of interest for homeowner financing compared with the rate of interest for specials, both of which vary with the market. Assuming a total of \$10,000 in special assessments, 15-year specials at 9% interest, are paid back \$1,240.59 annually or \$18,608.83 total for 15 years. Conventional financing over 30 years at 14% interest results in \$1,428 annual payments and a total of \$42,840 for 30 years.

Mr. John Oliphant  
November 7, 1984  
Page Two

- 5) The standards for public improvements in new developments are set in the subdivision standards. Irrespective of the method of financing such improvements, we would expect the same high quality.
- 6) The annual financial report includes sections on "Special Assessment Levies and Collections." For the most recent report for 1983, these sections are on pages 65 and 121. The section on page 121 reports total assessments for the year and the amount and percent collected. Also shown are collections from prior years. All of the approximate 2.3 million dollars is delinquent and not collected. Approximately 1.45 million dollars is not collected from 1983 and the balance of approximately \$890,000 is delinquent from prior years. The county has paid the city approximately \$650,000 in delinquent special assessment taxes since the July 28, 1984, data processing run. The amount paid to the county and not paid to the city prior to the date of the data processing run is not available to the city.
- 7) The current policy included several options for satisfying the 35% criterion: construction activity on at least 35% of the lots, sales contracts on at least 35% of the lots, and letters of credit or other credit assurances covering at least 35% of the lots. We have judged the letters of credit on those developments for which we have them to be marginal in enforcement. One of the efforts we are making in our review of the policy is to revise our letters of credit to make them more enforceable. Because a principle concern of the city is to collect the money on special assessments when they are due, we are also seeking to revise the guarantees generally to directly relate the guarantee to the payment of special assessments. Hence our focus on eliminating construction activity and sales contracts as options.
- 8) You added a last question orally about the city's loss on special assessments. The answer here lies in relative terms on the time value of money. If a banker is not paid on time for a loan, the banker may eventually collect the actual principle and interest, but has lost the option to invest that money in other ventures. Similarly, the city is forced to pay the bonds on delinquent special assessments and must lose the time value of that money. The city's problem is compounded because another unit of government collects and keeps the interest and penalties imposed as a result of the delinquency. With 2.3 million dollars in delinquent special assessments, the city's loss is the cost to finance that delinquency until the responsible parties finally pay. One way to look at it might be to envision how much you could earn in interest if you invested 2.3 million dollars -- very substantial, no doubt. In addition to delinquencies on special assessments, the city is carrying the interest differential between the interest on the bonds payable and interest charged to property owners in the amount of \$287,480 in 1984 and an estimated \$350,000 for 1985. This differential is recovered in the 10th through 15th year.

Mr. John Oliphant  
November 7, 1984  
Page Three

We will continue to look at these issues you have raised as we continue to review possible policy changes. The Economic Development Commission has asked the City Commission for a 120-day period in which to fully examine the current policy, conduct public hearings, and suggest changes. That request was approved by the City Commission on November 6, 1984.

You and your association are invited to participate in the deliberations of the Economic Development Commission and other groups. We have a common interest in this matter to assist in the development of the community and keep the cost to new home buyers as low as possible while insuring the integrity of the public's tax funds. Together we can find a course of action acceptable to all.

Sincerely,

E. H. Denton  
City Manager

EHD/tpd

cc: The Honorable Board of City Commissioners  
Russell L. Brenner, Director of Administration  
Robert A. Lakin, Director of Planning  
Don E. Anderson, Director of Housing/Economic Development

## COMMISSIONERS PROCEEDINGS

JOURNAL 136

October 16, 1984

PAGE 54

DISCUSSION ON  
COLLECTION OF  
SPECIAL ASSESSMENTSDISCUSSION ON COLLECTION OF SPECIAL ASSESSMENTS.

54

Requested by Commissioner Albert J. Kirk.

- Comm. Kirk  
Commissioner Kirk stated that he was concerned with the collection of delinquent special assessments. He further stated that he felt that no definite steps were being taken to relieve the problem, and inquired if the will of the Commission was to put a moratorium on new projects until the City Commission had made a decision on what to do in regard to the problem of delinquent special assessments.
- Mayor Knight  
Considerable discussion was had in regard to various ways of assuring that the delinquent taxes would be paid.
- Mayor Knight  
Mayor Knight stated that as far as he could see, the August Financial Statement does not reflect a problem in the collection of special assessments.
- Russell Brenner  
The Director of Administration stated that approximately 100% of the special assessments that were budgeted have been collected to-date. He further stated that there was a 1.5 million dollar delinquency planned for this time of year, for 1984. Mr. Brenner further stated that approximately 2.3 million dollars was delinquent in special assessment taxes.
- John Oliphant  
Further discussion was had.
- John Oliphant  
John Oliphant, Executive Vice President, Wichita Area Builders Association, stated that the Wichita Area Builders were not interested in seeing this method of financing done away with. He further stated that the instrument has been a very valuable tool for the builder. He also stated that they are interested in seeing that those people who owe the bill, pay the bill. He recommended that the subject be put to an open discussion in order for a lot of these people to be able to present their case to the City Commission.
- Motion --  
Further discussion was had.
- Motion --  
Kirk moved that no further special assessment projects will be approved without specific City Commission hearing, unless there is a certification, under oath, that no one has a direct or indirect beneficial interest in the proposed project; who has a direct or indirect beneficial interest in a project which is not current in the special assessment payments; and that a complete report be brought back to the City Commission within five (5) weeks on a development policy for public improvements.
- Stan Issinghoff  
The First Assistant City Attorney, when asked by Commissioner Casado, stated that he felt that the Commission should make a provision for a public hearing in regard to anyone with delinquent specials prior to making a decision on future specials for that individual to determine the circumstances--it may be justified.
- Comm. Kirk  
Commissioner Kirk stated that the effect of his motion is that no more special assessment projects will be approved in those circumstances without a City Commission hearing and approval. Motion carried 5 to 0.
- carried

## COMMISSIONERS PROCEEDINGS

JOURNAL 136

November 6, 1984

PAGE 99

STATUS REPORT ON  
THE DEVELOPMENT  
POLICY FOR PUBLIC  
IMPROVEMENTS

### STATUS REPORT ON THE DEVELOPMENT POLICY FOR PUBLIC IMPROVEMENTS.

On October 16, 1984, the City Commission referred a draft of a new development policy for public improvements to the Economic Development Commission (EDC) and the Metropolitan Area Planning Commission (MAPC) for consideration and return to the City Commission in five weeks. The Commission also directed administrative staff to begin requiring an affidavit that project participants are not delinquent on any special assessments as a precondition for initiation of any new projects.

The EDC conducted an initial review of the policy on October 25, 1984. At that meeting, the EDC recommended that the City Commission allow EDC a period not to exceed 120 days in which to fully consider the development policy, conduct public hearings, and return with a consensus recommendation. The MAPC is scheduled to discuss the development policy on November 1, 1984.

Concurrently, the administrative staff has begun to flag all projects coming before the City Commission as to whether an affidavit is required and has (or has not) been filed.

The administrative staff had expected to conclude the development policy review and return the matter to the City Commission on November 20, 1984, with the comments of the EDC, MAPC and other interested parties in keeping with the original five-week period. The EDC feels that more time and public input may result in a consensus on changes in the policy. The administrative staff stands ready to fully cooperate and participate with the EDC in their review, if the additional time is granted by the Commission. In the interim, the administrative staff will continue the practice of requiring affidavits of no delinquencies on existing special assessments for any new projects.

E. H. Denton

The City Manager reviewed this matter with the Commission.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard, and no one appeared.

Motion --

Brown moved that the development policy be referred back to the EDC with the request that further consideration, public hearings, and a policy recommendation be returned to the City Commission within 120 days. Motion carried 5 to 0.

-- carried



Trail stated that the manager's office, as well as planning, law, administration and housing and economic development, had been working on this project for some time; that he felt that the use of special assessments had been an incentive for development in the community but that a balance had to be struck between continuing this type of financing and permitting the city to recoup the payments of those special assessments in order to fund the general debt and interest fund.

Upon inquiry by Curry, Pollack stated that delinquent specials were primarily a problem of single family housing - essentially a subdivision problem.

Upon inquiry by Henderson, Pollack stated that in most other states the developers were required to fund those improvements in advance. Lakin reiterated that 95% of the municipal-type jurisdictions used this process but that now beginning to appear in articles under innovative financing was the device of special assessments to make development more affordable. (The city has been using this device for years.)

Pollack stated that this was not a simple problem and was of major importance and that he felt that the EDC should have more time than the five weeks allotted to make its recommendation to the city commission; and that the matter deserved major input from the public with public hearings held, etc. Trail agreed with this and felt that he and Anderson should go back to city commission on their behalf and ask for an extension of time. Further discussion followed.

motion --

Pollack moved that the EDC respectfully request the city commission to allow EDC more time to develop recommendations for them on a modification to the development policy not to exceed 120 days which would include the assignment to EDC to conduct public hearings, taking back to city commission a full consensus with both staff and public recommendations; seconded by Henderson; motion carried unanimously.

-- carried

Trail stated that he would give the city commission a brief status report on the matter a week from next Tuesday and at that time present the EDC's request for an extension of time.

Frey felt it would be beneficial to ask the builders association to come up with their recommendations; Pollack stated that this had just been done with a nod from the back.

Meeting reconvened after a 10-minute break.

MINUTES

Economic Development Commission

November 29, 1984

Members Present: Joel Pollack Linda Ayala  
Tracy Burton Othello Curry  
Anita Frey Ernestine Henderson  
Morris Krouse Larry Payne  
Rod Stewart

Members Absent: Steve Clark

Also Present: Don Anderson, Lynda Tousley, Joseph Pajor, Nelson Hall,  
Bill Wommack, Karl Kennedy, Marla Wahl

SPECIAL  
ASSESSMENTS  
FOR  
RESIDENTIAL  
DEVELOPMENT

The matter of Special Assessments for Residential Development was presented (Item 4).

Anderson summarized some of the work needed to be done on this matter.

Discussion followed about special assessment delinquencies. Anderson told the board that the City did such a good job of developing the community that the principal and interest due on outstanding special assessments has increased from approximately \$3.2 million in 1974 to almost \$16 million in 1984.

Nelson Hall, Industrial Development Officer, reviewed state law authorizing us to subdivide and plat new land and install improvements. A developer must guarantee the installation of the improvements on his property before he can sell the lots. Developers currently guarantee 35% of the cost; 35% being considered the break-even point on a development.

Discussion followed about letters of credit - how can they be applied to specific lots and how much of the development should they guarantee?

Staff informed the board of specific problems they have in getting specific special assessment information on individual lots and discussed the need for a major land data system to coordinate special assessment information between departments and with the County.

Board members requested information on how delinquencies over the life of a bond issue affect the costs to the public and whether the development policy is abused.

Discussion followed about what happens to special assessments when tax foreclosures occur and property is sold. The board requested information on how much money these foreclosures have cost the City.

Anderson presented a hypothetical \$10 million, 15 year, bond issue and tracked the special assessments collections and payments over the life of the bonds.

Stewart requested information on what happens when a developer only sells a few of his lots and doesn't pay the special assessments. The board will receive substantial information on the special assessment matter prior to the December 13, 1984 EDC meeting.

Stewart requested that staff ask the legal department for answers on how we can get a bond or letter of credit cashed on a per-lot basis and how the City can get its fair share of delinquent penalties and interest from the county.

MINUTES

Economic Development Commission

December 13, 1984

Members Present:      Joel Pollack                      Steve Clark  
                                 Othello Curry                      Ernestine Henderson  
                                 Rod Stewart

Members Absent:      Linda Ayala                      Tracy Burton  
                                 Anita Frey                          Morris Krouse  
                                 Larry Payne

Also Present:              Don Anderson, Lynda Tousley, Joseph Pajor, Nelson Hall,  
                                 Karl Kennedy, Marla Wahl

SPECIAL  
ASSESSMENTS FOR  
RESIDENTIAL  
DEVELOPMENT

The matter of the Special Assessments for Residential Development was presented (Item 3).

Don Anderson, Director, reviewed the information provided to the board which he felt addressed the issues currently needed to be resolved in the City's development policy for public improvements. It is Mr. Anderson's opinion that the two remedies suggested within this material will take care of the major issues raised relative to the development policy.

Anderson discussed one remedy whereby the City would not make any special assessment payments in the first year when we have not yet collected any revenues. The material provided to the board included information from the Controller's Office which showed that special assessment projects were costing the City money. Anderson informed the board that the Controller's Office is now working on another run where the City would not make any payments in the first year and Mr. Anderson believes that run will show that this change would keep the City in the black on special assessment costs.

In response to previous questions asked by the board, Anderson stated that the City is averaging an overall aggregate delinquency of 10% and he does not expect this to change this year. The Controller's Office has indicated that we are averaging less than a 1% actual loss per year on the total program.

The board asked staff to provide the aggregate amount of special assessment bond issues.

Nelson Hall, Industrial Development Officer, reviewed the proposed Administrative Regulation provided to the board. Staff feel that the provisions in this regulation would reduce the amount and number of special assessment delinquencies. Hall stated that, in preparing the regulation, he tried to tie his policy into the City subdivision regulations and also tried to incorporate the affidavit used by the City Manager's Office that a developer signs when proposing a new project. This affidavit states that the developer has no delinquent special assessments. The proposed policy does three basic things:

- (1) it establishes a new administrative review committee that would look at each individual situation and keep the policy current;
- (2) it would continue to require that 35% of the improvements of a development be complete before the developer's deposit is refunded; but increases the deposit itself from 35% to 50% of the estimated cost of the improvements; and
- (3) it spreads the letter of credit, which acts as the deposit, over the lots in the development.

Staff has further suggested that, if a developer is delinquent in

paying special assessments, then the letter of credit would be cashed as a penalty and not as part of the special assessment payment.

As a benefit to developers, it may also be possible to reduce the amount of the letter of credit in proportion to the percentage of the development that has been completed.

Discussion followed about the suggested policy.

President Pollack requested staff to contact financial institutions, the Board of Realtors, the Chamber of Commerce, Wichita Area Builders Association members, and builders who are not members of the association and ask them to provide their comments, if any, at the EDC meeting of January 10, 1984. The board will hear from interested parties at that meeting and then President Pollack will appoint a three-member EDC task force to meet with staff, the City Manager's Office, and MAPC to review the policy before the board takes final action.

MINUTES

E

NOVEMBER 1, 1984

The regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission was held on Thursday, November 1, 1984, at 1:30 p.m., in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. The following members were present: James C. Wilson, Chairman; David Bayouth; David G. Crockett; James Gardner, II (late arrival); William J. Goebel; Maxine Hansen; John Terry Moore; and Elmer S. Peters. Jerry L. Banzer and Robert K. Chisholm were absent. Staff members present were: Robert A. Lakin, Secretary; Jack H. Galbraith, Assistant Secretary; and Louise Olivarez, Senior Planner. Recording Secretary, Ruby M. Eubanks.

11-1-84

Page 33

8. Case No. DR 84-16 - Discussion of Development Policy for Public Improvements - City of Wichita.

LAKIN stated that this item has been discussed at the City Commission level for some time concerning the delinquency in special assessments. As a result of the request from one of the City Commissioners, a draft of the policy that was being considered by staff was also being submitted to the Planning Commission, the Economic Development Commission, and representatives of the industry so that they might have an opportunity to review the material and provide comments. The Economic Development Commission heard this item a few weeks ago and took action to request a deferral for the due date on it. LAKIN said that he has asked Ray Trail, Assistant City Manager, to be present to review the draft of the policy with the Planning Commission. He said that, as a Department Head, he has had an opportunity to provide input into this draft policy. A number of things in the policy he agreed with, and there were a number of things that deserved some fine tuning. LAKIN said that, in principal, he was at the position of saying they should be adequately protected from the exposure involved in the delinquent special assessments.

RAY TRAIL, Assistant City Manager, stated that since the Commission has received a copy of the memorandum to the City Commission, as well as the existing policy and draft of a new development policy, he did not think it was necessary to go into a lot of detail. He said that they have reviewed this tentatively with the Economic Development Commission, and they have requested an extension of the time on the study so that they can get into it in more detail. They were interested in conducting one or more public hearings to hear from representatives of the development and building industries and also members of the public. The City Commission will consider that next Tuesday.

GARDNER asked Trail if the Planning Commission has the ability, if they defer consideration of this over the course of several days, 90 to 120, to adequately accommodate development in an ongoing process until they are able to reach some conclusion.

TRAIL said that as a supplemental action to the referral of this policy to the Planning Commission and to the Economic Development Commission, the City Commission implemented an interim practice to avoid additional liabilities or potential liabilities on delinquencies and special assessments of attempting to secure affidavits or assurances from developers on any new projects that they were not delinquent on any current special assessments, and that policy is now in place. He said that it was his opinion that it would serve satisfactorily on an interim basis pending any kind of additional review of this policy.

LAKIN commented that when that policy was adopted, the City Commission made a provision that if anyone has difficulties in meeting that, that those cases should be placed on their agenda for their determination. He related that in Engineering, not

counting water projects, they have about four million dollars worth of work in process in design, of which two million would be let before the end of the year. Of those they have dealt with and have asked people to get a certificate and sign it, all have been turned back. Only one water project has been pulled from a letting procedure. That one project has some difficulties. The procedure to bring it forth was simply to bring it to the City Commission, report their circumstances, and if it has merit, he assumed the City Commission would deal with it adequately.

HANSEN asked if Mr. Pollack would review the basic reasons for their going through the process that EDC recommended.

JOEL POLLACK, Economic Development Commission, stated that in going over this matter they felt that this was just not a simple item that could be dealt with in a one or two week time frame. He said that he has been aware that the City staff has been working on it and reviewing it for a year. He said that there were a lot of complex issues here. He also saw a lot of areas where there have developers running rampant getting away with murder. He felt those needed to be cleaned up and cleaned up well. At the same time he wanted to strike a balance too. He wanted to give the public and builders and everyone else a fair hearing and a good public hearing. He said that it stands to reason that if the staff could take a year to look at a policy, the builders ought to be able to take one month or two months to be able to have the public side of it heard or work on developing a policy and that was why he came up with a time frame of not to exceed 120 days.

HANSEN asked if Pollack perceived in his group being the hearing body.

POLLACK said yes he did because they had worked on this item before under the Board of Land Use Economics. They were the ones at that time who suggested that where a developer was delinquent on specials on one project, he should not be given approval on another project.

WILSON asked what was the public time going to do for them. The builders have known this existed which was the "public" Pollack referred to.

POLLACK said that he has been aware of the City under receivables, but did not think there had been a lot of awareness of the total change in policies being rewritten in the general public's eyes. He did not feel that people like the bankers, who are making the loans on the projects and dealing with the good loans that are paid off, the bankruptcies and foreclosures as well, they have not been heard from. Their point of view on credit and collection methods in the public area would help solve a problem like this. That is the primary thing that they are looking at, a valid credit and collection method to deal with

this, and at the same time develop property, increase the tax base and increase the growth of this city. He felt it was groups like that that need to be heard on this.

POLLACK felt a small nucleus needed to work with Lakin, Trail and EDC. He suggested three members from the Planning Commission and three members from the Economic Development Commission to get down to the actual writing of it with staff.

TRAIL related that they had anticipated a period of time where they would go out and solicit comments, and that was shortstopped somewhat by action of the City Commission itself. He felt that it was important to make a couple of observations. Sometimes it is a cash flow problem for the City, and buying somebody else's risks. He said that most developers and builders and other people in the community were interested in paying their bills and interested in everyone paying their bills fairly.

**MOTION:** That the Planning Commission adopt the Economic Development Commission's position of recommending a 120-day deferral of the recommendation, and in the interim the Planning Commission participate with the EDC in the discussions and hearings regarding the policies, and request the Chairman to poll the members as to interest in serving in that capacity. Gardner moved, Bayouth seconded and it carried unanimously. Banzer and Chisholm were absent.

WILSON stated that he would appoint three members of the Planning Commission to meet and work with three members of the Economic Development Commission on specific language and recommendations on the proposed development policy.

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NOV 2 1984

WICHITA-SEDGWICK COUNTY

November 2, 1984

METROPOLITAN AREA PLANNING DEPARTMENT


TO: E. H. Denton, City Manager  
FROM: Robert A. Lakin, Director of Planning  
SUBJECT: DR 84-16 - Development Policy for Public Improvement -  
City of Wichita

The Metropolitan Area Planning Commission, at its meeting of November 1, considered the City Commission request for input on the above matter. At the presentation by Ray Trail and discussion by the Commission, it was unanimously voted to request 90 to 120 days additional time (as requested by the Economic Development Commission) to work on this matter. The Planning Commission chairman will appoint three MAPC members to meet and work with three members of the Economic Development Commission on specific language and recommendations on the proposed development policy.

  
Robert A. Lakin  
Director of Planning

RAL:rme

cc: James C. Wilson, Chairman, Metropolitan Area Planning Commission  
Ray Trail, Assistant City Manager  
Don Anderson, Director, Department of Housing & Economic Development  
Joel M. Pollack, Jim Smith Realty, 331 North Waco, 67202

*Nelson*  
*See me in this.*  


ATTACHMENT  
F

**THE CITY OF WICHITA**

OFFICE OF Housing and Economic  
Development

DATE December 12, 1984

TO Don Anderson, Director, Housing and Economic Development

FROM Nelson E. Hall, Industrial Development Officer

SUBJECT Development Policy for Public  
Improvements

Attached is a rough draft of a suggested Administrative Regulation regarding the above subject which corrects the problems existing in the old regulation and basically incorporates the ideas which were presented verbally to the EDC during their last meeting on November 29 and to the Deputy City Manager Bob Finch last Friday, December 7.

It is recognized that this draft contains a lot of background verbiage and explanation which would be unnecessary in the final draft; however, it has been included here in order to provide those who will be reviewing it some continuity between the old policy and the new. Important changes in comparing this policy to the old one are as follows:

1. The policy opens with a more general statement regarding the City's overall approach to development and incorporates by reference both state statute regarding the construction of public improvements and the MAPC's Subdivision Regulations which control both standards for the construction of new improvements and the actual mechanics of establishing new subdivisions.
2. The new policy establishes a new administrative committee (Development Policy Administrative Review Committee, DEPA Committee) which will have important responsibilities for:
  - a. Administration of the new policy, including its further refinement as well as its expansion to cover other areas of the City's overall land development process which have not been identified herein.
  - b. Continual monitoring of the City's financial exposure as a result of its policy to finance public improvements for private developments in this fashion.
  - c. The establishment of a computerized land data system.

Don Anderson  
Page 2  
December 12, 1984

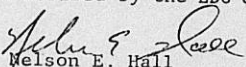
3. Due to the fact that the new "Affidavit Policy Regarding No Delinquent Specials" is currently only established by memorandum from the Manager's office it has been incorporated in the new regulation in its logical sequence.
4. Finally, starting on page 3, this new regulation addresses the 35% Development Policy, which of course is the main issue which needed attention. I have provided some background as to where the original policy came from and the actual new statement of policy is contained on page 4 followed by the procedures for its administration. It is important in reviewing this section of the regulation to review both Attachments B and C which are very important to understanding how this new regulation will be administered and how the 50% Letter of Credit deposit will be fractionalized against the lots in the benefitted district.

Don, as you know, for some time now I have been very interested in seeing the City move toward the development of a sophisticated computerized land data system which I believe is as important to the City's overall economic development interest today as the creation of fully developed industrial parks were during the early part of the 1970's.

As you know, I have suggested this as one of the committee assignments to be handled during the Economic Development Commission's review of our existing Economic Development Policy; however, we have simply never had time to pursue this as a project.

I would simply like to mention here that I feel such a system goes way beyond just providing us with the ability to administer the 35% Development Policy. While it is not relevant to cover all of the benefits the City would derive from such a system in this memorandum, I would at least like to point out that such a system would be tremendously helpful in the critical decisions which the City Commission is asked to make each year regarding the City's investment policy for capital improvements; in addition, it would allow us to know much more about absorption rates of various categories of property and also allow us to know much more about where this new property is being developed, the cost of its development, etc.; it would provide us with the type of hard data that most national firms collect and sell to companies making investment decisions on a national basis and finally, it would allow tremendous efficiencies to be developed regarding all kinds of information needs required by our City departments as well as developers, realtors, engineers, etc.

This office will be prepared to present the attached Administrative Regulation in any degree of detail desired by the EDC during their meeting tomorrow, December 13.

  
Nelson E. Hall  
Industrial Development Officer

NEH/abv  
cc: Karl Kennedy, Industrial Analyst

Administrative Regulation

DRAFT

(NEH - 12/11/84)

Date: December 1984

AR 29

Subject: Development Policy for Public  
Improvements

Supersedes: AR 31  
September 8, 1976

Statement of General Policy

It is the policy of the City of Wichita to require the installation of public improvements (streets, sanitary sewers, water mains and drainage structures) in conformance with the standards established by the Subdivision Regulations of Wichita-Sedgwick County Metropolitan Area Planning Commission.

While it is understood that there are certain older areas of the City where existing public improvements do not meet current standards and where waivers of new development standards may be allowed, the City will not allow new developments to occur without guarantees being provided that standard improvements will be installed.

To facilitate this general policy it is further provided that:

1. The City shall use the powers provided by state statute (K.S.A. 12-601 and 12-6a01 to finance the construction of public improvements provided reasonable assurances, as defined below, are provided by the developer or others that the City's credit will not be adversely affected and provided that no cost will be incurred as a direct result of the installation and financing of these improvements which would result in an increase to the general tax levy.
2. That while for the purposes of the Subdivision Regulations, specifically Sec. 8-105(b), petitions shall be an acceptable means of guaranteeing public improvements so as to allow a plat to be registered that no building permits shall henceforth be issued for lots in newly platted subdivisions unless:
  - a. conditions are met as set out under Sec. 8-105(a) of the Subdivision Regulations, or
  - b. if petitions are being used a Letter of Credit has been deposited with the City in accordance with the below indicated procedures.  
(See Procedures, page 4)

This policy, regarding building permits, heretofore not explicitly stated by the City is incorporated herein to prevent new developments being petitioned by a Land Developer who does not immediately put up financial guarantees for the improvements petitioned and then sells lots to a builder who could then conceivably "pull a building permit" and build a house on a lot which is platted that has no improvements to it, including streets, and then request the City to "grade in" a dirt street to serve the house so constructed.

While affidavits are on file with the Register of Deeds, flagging to the buyer of any newly platted lots, the fact that the improvement petitions exist and that the lot is subject to potential assessments, it is conceivable

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 2

that the builder might be buying the lot on contract and never require a title examination to be made.

It is suggested here that the City notify all those involved in the land development and construction business that a "buyer beware" policy exist regarding the purchase of newly platted lots and that the City will no longer issue building permits for new lots unless financial guarantees for the construction of the public improvements are on file.)

Establishment of Development Policy Administrative Review Committee

No further special assessment projects will be initiated by the City without specific City Commission hearing and approval; such hearing to be preceded by a staff review and recommendation from the Development Policy Administrative Review Committee. (DEPA Committee) This committee shall be comprised of the Directors of the Departments of Economic Development, Planning, Law, and Administration or their designated representatives with the City Clerk serving as Secretary.

This committee shall be responsible for:

1. Further refinement and definition of the City's Development Policy for recommendation to the City Commission. (This may require the committee to hold consultations with the "development community" including, but not limited to, land developers, platting engineers, builders, financial institutions, the Chamber of Commerce, and the Wichita Association of Home Builders, etc.)
2. Establishment and maintenance of a computerized Land Data System which will ultimately become the basis for the enforcement of this policy.
3. Review of all new special assessment projects and the preparation of a recommendation to the City Commission which will appear in a special section of the City Clerk's agenda.
4. Administration of the Affidavit Policy regarding delinquent specials.
5. Administration of the 35% Development Policy.

Affidavit Policy Regarding No Delinquent Specials

It is the policy of the City that it will no longer initiate any new special assessment improvement projects with any individual, parties or corporations unless an affidavit is filed (see Attachment A) which certifies under oath that no one having a direct or indirect beneficial interest in the proposed new special assessment project is not current in the payment of any other obligated special assessment taxes.

Exceptions: Affidavits will not be required for projects in fully developed areas where multiple owners have signed petitions for improvements or in instances where a project is ordered in by the City Commission.

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 3

**Administration:** The DEPA Committee shall require the filing of these affidavits at the same time that financial guarantees are being filed to ensure the installation of new special assessment projects and preceding any monetary commitment on the part of the City for engineering design or actual construction of the new special assessment improvements.

The City Clerk's agenda item regarding the new special assessment project will note, as standard form, whether an affidavit is being required and whether one is on file.

**City Commission Action:** Based on the advice of the DEPA Committee the City Manager and City Attorney the City Commission reserves to itself the prerogative of conducting a special hearing and granting a waiver from this policy.

If a land developer is requesting such a waiver it is his responsibility to make such a request in writing to the City Commission and such a hearing will be scheduled as part of the City Clerk agenda item regarding the new special assessment improvements being petitioned and financially guaranteed.

The DEPA Committee's recommendation regarding the land developer's request for waiver will be included as a part of the City Clerk's agenda item.

35% Development Policy

Background

For many years the City of Wichita has had in place what has come to be known as the "35% Development Policy." This policy originally established by the City Engineer in unwritten form provided that for the City to construct public improvements using special assessment financing as provided for under state law it was necessary that:

- (1) 35% of the land be developed (this reflects a day when oftentimes a developer would "grade in" his own dirt streets);
- (2) that a cash guarantee be provided for the payment of 35% of the special assessments involved in the improvement until such time as 35% of the property had been developed at which time the cash guarantee was released.

During the early 70's, at a time when a lack of fully platted ready-to-go industrial property was identified as a major detriment to this community's economic growth, it was decided that a procedure should be established by which the 35% Development Policy could be waived so as to encourage developers to fully develop industrial areas by platting and installing facilities. The waiver was an inducement to the land developers who claimed that due to the unpredictable market for industrial property they did not wish to tie up their money in paying for special assessments on improvements which might be several years "in the ground" prior to the land being sold.

In order to develop a waiver procedure for the 35% Development Policy it was first necessary to commit the 35% Development Policy to a written form.

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 4

Since early 1970 the written policy has been amended several times to its current form dating from September of 1976.

Many criticisms have been leveled against the existing policy among which are the following:

- (1) Difficult to administer (no way, except manually, to monitor the relationship between Letter's of Credit and special assessment tax payments).
- (2) Letter's of Credit were against total benefit district which are not always owned entirely by one owner in the beginning and once sales take place even further dilution occurs relative to the responsible party for the payment of special assessment taxes.
- (3) Claims have been made that the percentage of Letter of Credit is not sufficient to cover City's loss if property goes to tax sale.
- (4) Claims have been made that the refund of total cash guarantee, at 35% development level, is too early to cover City's risk.

New 35% Development Policy Statement

The City reiterates its position that it generally feels that once 35% of the land in an existing plat has been developed with either residential structures, commercial or industrial buildings, the City no longer needs to protect its special assessment investment through the retention of financial guarantees for the payment of those special assessments and will therefore release the guarantees.

Henceforth all financial guarantees for special assessment improvements will take the form of a Letter of Credit in an amount equaling 50% of the face amount of the petition plus any escalation resulting from the age of the petition calculated at 1½% per month.

Procedures

1. The City Engineer shall be responsible for maintaining a record of, and the City Clerk will maintain a file of all outstanding special assessment improvement petitions being held for development.
2. No engineering over and above that amount initially necessary to the preparation of the estimate contained on the petition shall be done toward the design of the improvement until such time as the financial guarantees provided herein have been accepted by the City Commission as part of its approval to proceed with the special assessment project. A special section shall be established on the City Clerk's agenda, for these items.
3. The DEPA Committee shall review and prepare the agenda item for placement on the City Clerk's agenda for each special assessment improvement project; and while the policy guidelines identified above will generally govern, the DEPA Committee may recommend to the City Commission an increase in either the amount of development necessary to release the guarantee or an increase in the actual amount of the guarantee itself.

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 5

4. All guarantees will take the form of a Letter of Credit. (See Attachment B) Letter's of Credit will not be considered as an alternate way of paying the taxes due on the property but will rather be considered as a penalty which will be collected by the City if any special assessment taxes are not paid when due and are allowed to go delinquent.
5. While each Letter of Credit will be based on a percentage (generally 50%) of the amount shown on the face of the petition plus escalation, once the improvement has been constructed and the engineer's final statement of cost has been established. including temporary note cost, the Letter of Credit will be spread against each benefitting lot based on the same fractionalization and pro rata percentage as is being used to prorate the cost of the improvement. (Please see Attachment C which provides a hypothetical example of how this process will work as well as indicates certain exceptions which may need to be dealt with administratively by the DEPA Committee.)

In most cases, if it is assumed that a 50% deposit on the petition amount is collected, the final amount prorated against each lot should approximate an amount equal to the first four or five years of special assessments. (See Attachment C remarks)

6. Refunds of letters of credit fractionalized in the manner indicated in the preceding paragraph will be as follows:
  - a. As lots are developed (residential, commercial or industrial building are built) the developer may apply to the City Clerk for a release of that amount of the Letter of Credit fractionalized against that lot. A certificate would be issued which the developer could take to the bank which would amend the Letter of Credit and the certificate would be attached to the bank document.
  - b. When the agreed-to percentage of development (normally 35%) has occurred within a benefit district established for the improvement and for which the Letter of Credit is on file, the developer may apply for a release of the entire Letter of Credit.

Note 1. Since the letter of credit will not be considered a payment of taxes if it is collected and cashed by the City, in the event the property should ever go to final tax sale (it is understood that tax sales have a minimum sale price equal to the outstanding taxes) the City would still receive the taxes due on the property with the remaining specials being outstanding against the new owner.

Note 2. It is conceivable that a developer could sell a block of lots to a builder who would then allow his taxes to go delinquent. This policy places responsibility on the initial developer to insure by separate contract with the buyer that if in the event the new buyer lets taxes go delinquent and causes the developer to lose his financial guarantee, reimbursement would have to come from the buyer, not from the City.

City of Wichita, Kansas

Administrative Regulation

AR 29  
Page 6

Policy Implications

This policy is adopted by the City Commission in full recognition of the fact that the administration of this policy by that portion of the city organization which concerns itself with land development, will necessitate the development of a new computerized Land Data System. This system will provide routine development policy communication between the Current Plans Division (responsible for platting and zoning) and the Engineering Division of the Planning Department along with the Central Inspection Division of the Department of Housing and Economic Development, the City Clerk's office, as well as those county offices who are involved in the collection of special assessment taxes for the City.

At this time, and until such time as the new Land Data System has been installed, organizational responsibility for insuring communication between the various divisions and sections of the city organization which will be necessary to make this policy work is assigned to the Director of Planning who should report the method by which he will temporarily assure this policy's administration to the DEPA Committee and the City Commission.

The DEPA Committee should provide the City Commission with a report as soon as possible as to what will be required to install a computerized land data system and what its cost will be.

Summary Remarks

It should be noted that this new policy amends the old policy in four significant ways:

1. Guarantees will now be spread by lot instead of being held as financial guarantees against the total benefit district which will allow more effective administration of the policy.
2. It will now be possible for the developer to have his financial guarantees returned on the basis of each lot rather than waiting until a total of 35% development has occurred in the plat.
3. The guarantee on the petition amount has generally been increased from 35% to 50%.
4. Monitoring procedures will be established (both temporary and permanent) which will allow for effective policy administration. This has always been the major problem inherent in the old policy.

City of Wichita, Kansas

AFFIDAVIT

STATE OF KANSAS )  
                  ) ss:  
SEDGWICK COUNTY )

COMES NOW \_\_\_\_\_ of lawful age, and  
being first duly sworn, on oath states:

No party having a beneficial interest in the property in the proposed  
improvement district for \_\_\_\_\_

\_\_\_\_\_

has a beneficial interest in any property that is currently delinquent in pay-  
ment of special assessments for the financing of a public improvement con-  
structed under the authority of the City of Wichita, Kansas or other govern-  
mental entities in the State of Kansas. The term party, as used herein, in-  
cludes individuals, partnerships, partners or general partners of any partner-  
ship holding a beneficial interest, corporations, officers of corporations  
holding a beneficial interest, and Trustees.

Attached is a list of all parties holding a beneficial interest in prop-  
erty in the proposed improvement district.

FURTHER AFFIANT SAITH NOT.

\_\_\_\_\_

SUBSCRIBED AND SHORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Appointment Expires:

\_\_\_\_\_

ATTACHMENT B

L/C No. 5000

Maturity 12/12/86

IRREVOCABLE LETTER OF CREDIT

Re: Penalty for non-payment of special assessments for the construction of streets  
(Type of Improvement)

Estate of William Levitt, deceased is the owner of  
(Name of Developer or Builder)

Lots 1 through 12 inclusive, Block 2; Lots 1 through 4 inclusive,  
(Legal Description - Lots, Blocks, Addition)  
the north half of Lot 5 and Lots 10 through 17 inclusive, all in  
Block 3; and Lots 1 through 19 inclusive, and Lot 25 in Block 4, all  
in Third Addition to Cherry Creek Hills

It is requested that: streets (1) Chalet Drive, from the west line of  
Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to west line of  
(Project Name and Project Number)  
Capri; (2) Chalet Court, from the south line Chalet Drive to and  
including Cul-de-sac; and (3) Rosalie Lane, from the north line Cherry  
Creek Drive to the south line Chalet Drive; No. 472-76-245-80775-000-  
000-001

be installed prior to development on the lots.

Estate of William Levitt, deceased shall pay as a penalty on a per lot basis for nonpayment of special assessments for the above named improvement(s) to be levied against the above described property on which improvements have not been started an amount per lot as provided in Attachment A. Such penalty amount shall be payable the first year that said special assessments become delinquent. Such payment of penalty shall not relieve Estate of William Levitt, deceased of liability for payment of special assessments. In order to secure performance on the conditions stated above the sum of \$69,500 is being held in account by Union National Bank of Wichita, Kansas.  
(Name of Bank or Association)

The undersigned guarantor will make disbursements by sight drafts upon the above mentioned account by notice from the City of Wichita that Estate of William Levitt, deceased is in default  
(Developer or Builder)  
of his promise to pay the special assessments levied upon the above described property and in the amount designated by the City as being due as penalty.

Prior to the maturity of this Letter of Credit, the City of Wichita, Kansas has the option to draw against this Letter of Credit or request a new Irrevocable Letter of Credit be issued.

The guaranty sum shall be maintained until notice by the City of Wichita that 35% of improvements have been started and guaranty released.

UNION NATIONAL BANK OF WICHITA, KANSAS

By: \_\_\_\_\_  
Signature of Guarantor

SCHEDULE OF PENALTIES FOR NON-PAYMENT OF SPECIAL ASSESSMENTS  
CHERRY CREEK HILLS 3RD ADDITION

<u>Lot</u>	<u>Block</u>	<u>Amount of Penalty</u>
	Chalet Drive	
1	2	\$ 1,500
2	"	1,500
3	"	1,500
4	"	1,500
5	"	1,500
6	"	1,500
7	"	1,500
8	"	1,500
9	"	1,500
10	"	1,500
11	"	1,500
12	"	1,500
	Flynn Lane	
1	3	1,200
2	"	1,200
3	"	1,200
4	"	1,200
5	"	650
	Rosalie Lane	
10	3	1,200
11	"	1,200
12	"	1,200
13	"	1,200
14	"	2,000
15	"	2,000
16	"	2,000
17	"	2,000
	Rosalie Lane	
1	4	2,000
2	"	2,000
3	"	2,000
4	"	2,000
5	"	1,150
6	"	1,150
7	"	1,150
	Chalet Court	
8	4	1,150
9	"	1,150
10	"	1,600
11	"	2,000
12	"	2,000
13	"	2,000
14	"	2,000
15	"	2,000
16	"	2,000
17	"	1,600
18	"	1,150
19	"	1,150
	Chalet Drive	
25	4	<u>2,000</u>
	Total	\$69,500

ATTACHMENT B

NOTICE

Request for Payment of Penalty  
for  
Delinquent Special Assessments

To: Union National Bank of Wichita, Kansas  
(Name of Bank)

Dear Sir:

You are hereby notified that under the terms of the Irrevocable  
Letter of Credit, No. 5000, issued on behalf of:

Estate of William Levitt, Deceased  
(Name of Developer or Builder)

the City of Wichita, Kansas requests the payment of penalties  
in the amount of \$ 1,500 for delinquent specials in the

Third Addition to Cherry Creek Hills  
(Name of Addition)

for the following lots:

<u>Lot/Block</u>	<u>Amount</u>
1/1	\$1,500

Donald C. Gisick  
City Clerk

ATTACHMENT C

EXAMPLES AND EXPLANATION OF FRACTIONALIZATION  
OF LETTERS OF CREDIT

Hypothetical Example

To demonstrate the use of a fractionalized Letter of Credit under the proposed development policy the following hypothetical example is provided.

A sewer service petition is presented to the City from a developer planning to develop 100 lots. The petition is estimated to have a \$100,000 cost, not including temporary financing. The petition has a 1½% escalation clause.

A Letter of Credit for fifty percent (50%) of the estimated cost of the improvement or in this case \$50,000 - there is no cost escalation since the deposit is made immediately.

The Letter of Credit is fractionalized or spread on the lots in the benefit district outlined on the petition. With the 100 lot development and the \$50,000 Letter of Credit, assuming an equal spread, the amount per lot is \$500.

After the project is built, the final statement of cost which includes temporary financing is determined to be \$80,000. Given current interest rates for special assessments, the interest costs on the bonds to finance the improvement will be about \$80,000 in this example. The total to be spread on the 100 lots is \$160,000.

For each lot \$1,600 is owed for the improvement, including financing, to be paid over 15 years. That is about \$107 a year. The \$500 Letter of Credit guarantee, therefore covers approximately more than four years of special assessments.

The proposed policy allows for each fraction of the Letter of Credit to be refunded once construction has started on the lot covered by that fraction. The proposed policy also allows for all lots to be refunded when 35% of the lots are developed.

Proposed Policy Affect on Actual Project

To further demonstrate the use of a fractionalized Letter of Credit under the proposed development policy an actual project was selected at random. The attached documents are copies of the relevant statements and memos of a paving improvement in the Third Addition to Cherry Creek Hills.

Petition - PAGES 1-4. The petition describes the public improvement (paving) presented to the City. It describes the benefit district in Lots and Blocks. The City Commission approved the petition on October 24, 1978.

The preliminary estimate, the engineer's "ballpark" estimate, is \$139,000.

Page 2

Resolution - PAGES 5-6. The approved petition is followed up with a resolution approved by the City Commission on November 9, 1978.

Design/Letter of Credit - PAGES 7-9. With an approved resolution, the next step is the receipt of a Letter of Credit from the developer. The Letter of Credit triggers the design phase of the project. In the Cherry Creek example the Letter of Credit was for 35% of the petition estimate of \$139,000 or \$48,650. Under the proposed policy, 50% of the petition estimate would be \$69,500, and the Letter would be fractionalized.

The design of a project is accomplished by a private consultant, under the authority of the City. From the design, a preliminary estimate of the project is determined.

Preliminary Estimate - PAGE 10. The preliminary estimate chargeable to the benefit district is \$131,541.50. The petition estimate is generally higher than the preliminary estimate, as it is in this example.

Bid & Let. A contract for the construction of the public improvement is bid with the preliminary estimate as the maximum bid. The contract is let to the lowest bidder meeting specifications.

Construction/Statement of Cost - PAGE 11. The public improvement is inspected by City officials and financed from temporary notes. The statement of cost reflecting the final cost of the project is determined, in this example to be \$148,252.59.

Special Assessments - PAGES 12-17. The final statement of cost is used by the City Clerk to spread the special assessments for each piece of property in the benefit district.

Without driveway cost, the balance to be assessed the benefit district is \$134,166.91, to be assessed on the fractional basis. For example on Block 2, Lot 6, the \$134,166.91 divided by 1390, multiplied by 30, equals \$2895.69.

On Lot 1, with the \$544.67 driveway cost, the assessment equals \$3,440.31.

On PAGES 16-17, the 15 year spread on the \$3,440.31 special assessment is reflected with payments of principal and interest which equal \$497.59. Over 15 years the total cost of the \$3,440.31 assessment is \$7,463.85.

\* \* \* \* \*

WHAT IS THE IMPACT OF FRACTIONALIZING  
THE LETTER OF CREDIT?

The following demonstrates the fractionalizing of a \$69,500 Letter of Credit for this project.

Page 3

As noted earlier, under the proposed policy the Letter of Credit for 50% of the petition estimate would be fractionalized.

In the Cherry Creek example, the Letter of Credit would be \$69,500. Fractionalized (69,500 divided by 1390 and multiplied by 30 = 1500), the amount would be \$1500 per lot.

It is helpful to compare the \$1500 per lot to the special assessment payments required for Lot 1, PAGE 16.

	SA per year	Cumulative	Letter of Credit fraction for this lot
1982	\$497.59	-	
1983	\$497.59	\$995.18	
1984	\$497.59	\$1492.77	
1985	\$497.59	\$1990.36	\$1500
1986	\$497.59	\$2487.95	

As the above demonstrates, the \$1500 Letter of Credit fraction covers over the first three years of special assessment payments.

As the proposed policy states, the \$1500 fraction is a penalty for not paying special assessments as due. Given the choice of losing a costlier Letter of Credit, the developer will pay the special assessments.

ASPHALTIC CONCRETE  
PAVING PETITION

RECEIVED  
OFFICE OF CITY CLERK  
MAR 23 1974

<input type="checkbox"/> DG	<input type="checkbox"/> DR
<input type="checkbox"/> Agenda	<input type="checkbox"/> JE
<input type="checkbox"/> File	

To the Board of Commissioners,  
Wichita, Kansas

Dear Commissioners:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

Approved by Board of Commissioners  
this OCT 24 1972

Lots 1 through 12 inclusive, Block 2; Lots 1 through 4 inclusive, the North Half of Lot 5 and Lots 10 through 17 inclusive, all in Block 3; and Lots 1 through 19 inclusive, and Lot 25 in Block 4, all in Third Addition to Cherry Creek Hills

do hereby petition, pursuant to the provisions of K.S.A. 1974 Supp. 12-6a01 et seq., as follows:

(2)

(a) That there be constructed pavement on the following streets:

- (1) Chalet Drive, from the west line of Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to the west line of Capri;
- (2) Chalet Court, from the south line Chalet Drive to and including Cul-de-sac;
- (3) Rosalie Lane, from the north line Cherry Creek Drive to the south line Chalet Drive;

That said pavement between aforesaid limits be constructed for a width of 30 feet from gutter line to gutter line, cement combined curb and gutter to be 2 feet and 6 inches in width, making a total roadway of 34 feet; that said pavement shall consist of an asphaltic concrete base 6 inches in thickness, and an asphaltic concrete wearing surface 2 inches in thickness, composed of stone, sand, mineral filler, and asphalt according to specifications to be furnished by the City Engineer.

- (b) That the estimated and probable cost of the foregoing improvement being \$139,000.00 payable by the improvement district and \$6,000.00 payable by the City of Wichita at large for intersections. Said estimated cost as above setforth is hereby increased at the pro-rata rate of 1/4 per month from and after the date of approval of this petition.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100% of the total cost of the improvement for which the improvement district is liable.
- (d) That the method of assessment of all costs for the improvements for which the improvement district shall be liable shall be on a fractional basis: Lots 1 through 12 inclusive, Block 2, 3rd Addition to Cherry Creek Hills shall each pay 30/1390 of the total cost payable by the improvement district. Lots 14 through 17 inclusive, Block 3, and Lots 1 through 4 inclusive; Lots 11 through 16 inclusive and Lot 25 in Block 4, 3rd Addition to Cherry Creek Hills shall each pay 40/1390 of the total cost payable by the improvement district. Lots 1 through 4 inclusive and Lots 10 through 13 inclusive in Block 3, 3rd Addition to Cherry Creek Hills shall each pay 24/1390 of the total cost payable by the improvement district. Lots 5 through 9 inclusive, and Lots 15 and 19, Block 4, 3rd Addition to Cherry Creek Hills shall each pay 23/1390 of the total cost payable by the improvement district. Lots 10 and 17, Block 4, 3rd Addition to Cherry Creek Hills shall each pay 32/1390 of the total cost payable by the improvement district. The North Half of Lot 5, Block 3, 3rd Addition to Cherry Creek Hills shall pay 13/1390 of the total cost payable by the improvement district, except when driveways are requested to serve a particular tract, lot or parcel, the cost of said driveway shall be a direct assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgewick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

2

(7) ...

...

137

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
-------------------	-----------	------

Lots 1 through 12 inclusive, Block 2;  
 Lots 1 through 4 inclusive, the North  
 Half of Lot 5 and Lots 10 through 17  
 inclusive, all in Block 3; and Lots  
 1 through 19 inclusive and Lot 25 in  
 Block 4, all in Third Addition to Cherry  
 Creek Hills.

ESTATE OF WILLIAM LEVITT, DECEASED

By *W. H. ...* 7/6/78  
 Co-Executor

3

AN ABSTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**AFFIDAVIT**

The undersigned, being first duly sworn on his oath, states: That he circulated the attached petition and that the signatures thereon are the genuine signatures of the persons they purport to be to the best of his knowledge and belief, being signed either in the presence of the undersigned or in the presence of one of the resident owners whose signature appears on the petition.

*Edythe S. Flynn*  
Name

P.O. Box 18185-SR 50  
Address

686-6693  
Telephone No.

Sworn to and subscribed before me this 23rd day of March 1951.

*D. C. O'Connell*  
City Clerk

89714 PUBLISHED IN THE DAILY RECORD ON NOV 9 1978  
RESOLUTION

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING OF CHALET DRIVE FROM THE WEST LINE OF LOT 1, BLOCK 2, 3rd ADDITION TO CHERRY CREEK HILLS TO THE WEST LINE OF CAPRI; CHALET COURT FROM THE SOUTH LINE CHALET DRIVE TO AND INCLUDING CUL-DE-SAC ROSALIE LANE FROM THE NORTH LINE CHERRY CREEK DRIVE TO THE SOUTH LINE CHALET DRIVE IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING CHALET DRIVE FROM THE WEST LINE OF LOT 1, BLOCK 2, 3rd ADDITION TO CHERRY CREEK HILLS TO THE WEST LINE OF CAPRI; CHALET COURT FROM THE SOUTH LINE CHALET DRIVE TO AND INCLUDING CUL-DE-SAC; ROSALIE LANE FROM THE NORTH LINE CHERRY CREEK DRIVE TO THE SOUTH LINE CHALET DRIVE IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO:

SECTION 1. That it is necessary and in the public interest to pave the following in the manner described:

That there be constructed pavement on Chalet Drive, from the west line of Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to the west line of Capri; Chalet Court, from the south line Chalet Drive to and including Cul-de-sac; Rosalie Lane from the north line Chalet Drive to the south line Chalet Drive.

That said pavement between aforesaid limits be constructed for a width of thirty (30) feet from gutter line to gutter line, cement combined curb and gutter to be two (2) feet and six (6) inches in width, making a total roadway of thirty-four (34) feet. That said pavement shall consist of an asphaltic concrete base six (6) inches in thickness, and an asphaltic concrete wearing surface two (2) inches in thickness, composed of stone, sand, mineral filler and asphalt.

SECTION 2. That the cost of said improvement provided for in Section 1 hereof is estimated to be One Hundred Thirty-Nine Thousand Dollars (\$139,000.00) payable by the improvement district and Six Thousand Dollars (\$6,000.00) payable by the City of Wichita for large for intersections. Said estimated cost as above setforth is hereby increased at pro-rata rate of 1% per month from and after the date of approval of this resolution.

SECTION 3. That the cost of said improvement, when ascertained, shall be assessed against the land lying within a benefit district described as follows:

Lots 1 through 12 inclusive, Block 2; Lots 1 through 4 inclusive, the North Half of Lot 5 and Lots 10 through 17 inclusive, all in Block 3; and Lots 1 through 19 inclusive, and Lot 25 in Block 4, all in Third Addition to Cherry Creek Hills

SECTION 4. The method of apportioning the cost of said improvement to the owners land liable for assessment therefor shall be on a fractional basis. Lots 1 through 12 inclusive, Block 2, 3rd Addition to Cherry Creek Hills shall each pay 30/1390 of the total cost payable by the improvement district. Lots 14 through 17 inclusive, Block 3, and Lot 1 through 4 inclusive; Lots 11 through 16 inclusive and Lot 25 in Block 4, 3rd Addition to Cherry Creek Hills shall each pay 40/1390 of the total cost payable by the improvement district. Lots 1 through 4 inclusive and Lots 10 through 13 inclusive in Block 3, 3rd Addition to Cherry Creek Hills shall each pay 24/1390 of the total cost payable by the improvement district. Lots 5 through 9 inclusive, and Lots 18 and 19, Block 4, 3rd Addition to Cherry Creek Hills shall each pay 23/1390 of the total cost payable by the improvement district. Lots 10 and 17, Block 4, 3rd Addition to Cherry Creek Hills shall each pay 32/1390 of the total cost payable by the improvement district. The North Half of Lot 5 in Block 3, 3rd Addition to Cherry Creek Hills shall pay 13/1390 of the total cost payable by the improvement district, except when driveways are requested to serve a particular lot or parcel, the cost of said driveway shall be a direct assessment to said tract, lot or parcel and shall be in addition to the assessment for other improvements.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral as defined in City of Wichita Ordinance 35-570 under the criteria established for "hardship deferral".

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefor, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. The advisability of the improvements setforth above is hereby established as authorized by K.S.A. 1974 Supp. 12-6a01 et seq.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas this 7<sup>th</sup> day of November

*Connie A. Peters*  
MAYOR

Connie A. Peters

ATTEST:

*Donald C. Gisick*  
CITY CLERK

Donald C. Gisick  
(SEAL)

6

IRREVOCABLE LETTER  
OF CREDIT

MAR 6 1979

Cherry Creek Hills

The following irrevocable letter of credit, presented:

From the Estate of William Levitt, Deceased, written on the Union National Bank of Wichita, Kansas, in the amount of \$48,650.00 covering the construction of street paving. (Chalet Drive, from the West line of Lot 1, Block 2, Third Addition to Cherry Creek Hills to the West line of Capri; Chalet Court, from the South line Chalet Drive to and including Cul-de-sac; Rosalie Lane, from the North line of Cherry Creek Drive to the South line of Chalet Drive, Third Addition to Cherry Creek Hills.)

Motion -- Peters moved that the Letter of Credit be received and filed and  
-- carried the City Engineer be instructed to proceed with the project. Motion carried  
5 to 0.

THE CITY OF WICHITA  
OFFICE OF ENGINEERING

DATE

RECEIVED  
DECEMBER 7 1991  
OFFICE OF CITY CLERK  
DEC 7 1991  
 DG  DR  
 JE  
 File



TO DONALD C. GISICK, CITY CLERK  
FROM R.W. BRUGGEMAN, DIRECTOR OF ENGINEERING/  
CITY ENGINEER  
SUBJECT RELEASE OF IRREVOCABLE  
LETTERS OF CREDIT

Sufficient development has occurred for release of Irrevocable Letters of Credit on the following projects:

468 76 245 80645 000 000 001 - Lat. 7, Main 21, War Industries Sewer

472 76 245 80775 000 000 001 - ✓ Chalet Drive from WL Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to WL Capri; Chalet Court from SL Chalet Drive to and including Cul-de-sac; Rosalie Lane from NL Cherry Creek Drive to SL Chalet Drive

*R.W. Bruggeman*  
R.W. Bruggeman  
Director of Engineering/  
City Engineer

MEL/dla

8

December 9, 1981

Union National Bank  
C/O R. F. Staats and Glenn Byer  
150 N. Main  
Wichita, KS 67202

The Engineering Department has advised us that sufficient development has occurred on the following projects for the release of the letters of credit:

Lateral 7, Main 21, War Industries Sewer

Chalet Drive from WL Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to WL Capri; etc.

The letters of credit are enclosed.

Sincerely,

Donald C. Gisick  
City Clerk

DCC/ddf

enclosures

9

Wichita, Kansas  
July 17, 1979  
472 76 245 80775 000 000 001  
Approved by Board of Commissioners

To the Board of Commissioners  
Wichita, Kansas

JUL 31 1979

Dear Commissioners:

PRELIMINARY ESTIMATE of the cost of improving Chalet Drive from the West line of Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to the West line of Capri; Chalet Court from the south line Chalet Drive to and including Cul-de-sac; Rosalie Lane from north line Cherry Creek Drive to the South line Chalet Drive.

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

CHARGEABLE TO PROPERTY

6120 sq. yds. 8" Asphaltic Concrete Pavement (6" Bituminous Base)	@ 9.00	\$ 55,080.00	
1210 sq. yds. 3" Bituminous Base	@ 3.30	3,993.00	
3625 lin. ft. Standard Combined Curb and Gutter	@ 4.20	15,225.00	
13800 sq. ft. 6" Drive	@ 1.75	24,150.00	
960 lbs. Reinforcing Steel	@ .40	384.00	
5730 cu. yds. Excavation	@ 2.50	14,325.00	
630 cu. yds. Compacted Fill	@ 2.50	1,575.00	
7530 sq. yds. Manipulation	@ 1.15	8,659.50	
95 tons Lime or Cement	@ 80.00	7,600.00	
11 Inlet Hookups	@ 50.00	550.00	\$ 131,541.50

CHARGEABLE TO CITY

385 sq. yds. 8" Asphaltic Concrete Pavement (6" Bituminous Base)	@ 9.00	3,465.00	
30 sq. yds. 3" Bituminous Base	@ 3.30	99.00	
90 lin. ft. Standard Combined Curb and Gutter	@ 4.20	378.00	
260 cu. yds. Excavation	@ 2.50	650.00	
35 cu. yds. Compacted Fill	@ 2.50	87.50	
420 sq. yds. Manipulation	@ 1.15	483.00	
5 tons Lime or Cement	@ 80.00	400.00	

Engineering	5,562.50
Administration	\$ 137,104.00
Publication	13,710.40
	1,871.04
	200.00
<b>Total Estimated Cost -</b>	<b>\$ 152,885.44</b>

CITY OF WICHITA)  
STATE OF KANSAS) SS

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

*[Signature]*  
City Engineer

Sworn to and subscribed before me this 31st day of July

*[Signature]*  
City Clerk

10

Wichita, Kansas  
April 21, 1981  
472 76 245 80775 000 000 001

Donald C. Gisick  
City Clerk  
Wichita, Kansas

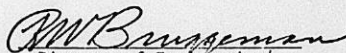
Approved by Board of Commissioners  
this APR 21 1981

Dear Sir:

Following is the cost of improving Chalet Drive from the West line of Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to the West line of Capri; Chalet Court from the South line Chalet Drive to and including Cul-de-sac; Rosalie Lane from the North line Cherry Creek Drive to the South line Chalet Drive.

6314.1 sq. yds. 8" Asphaltic Concrete Pavement (2" Asphaltic Concrete with 6" Bituminous Base)	@ 10.10	\$ 63,772.41
1200.4 sq. yds. 3" Bituminous Base	@ 3.79	4,549.52
3601.3 lin. ft. Standard Combined Curb and Gutter	@ 4.85	17,466.31
3980.1 sq. ft. 6" Drive	@ 1.75	6,965.18
210 lbs. Reinforcing Steel	@ .45	94.50
5440.3 cu. yds. Excavation	@ 2.21	12,023.06
7714.6 sq. yds. Manipulation	@ .50	3,857.30
90.69 tons Lime	@ 40.00	3,627.60
11 Inlet Hookups	@ 45.00	495.00
Engineering and Inspection		9,634.47
Administration		1,628.51
Publication		57.26
Street Signs		162.44
Abstract		11.25
Construction Cost		\$ 124,344.81
Temporary Note Interest		23,907.78
Total Cost -		\$ 148,252.59

Respectfully submitted,

  
Director of Engineering/  
City Engineer

PROPERTY: - \$141,225.73  
CITY: - \$ 7,026.86

10/81

//

100 20 127

PROPOSED ASSESSMENT ROLL

Proposed Assessment Roll for the cost of improving Chalet Drive from the west line of Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to the west line of Capri; Chalet Court from the south line Chalet Drive to and including cul-de-sac; Rosalie Lane from the north line Cherry Creek Drive to the south line Chalet Drive, as authorized by resolution adopted November 7, 1978.

The boundaries of the improvement district against which the cost of said improvement are to be assessed have been established and fixed as:

Lots 1 through 12, Block 2; Lots 1 through 4, the north half of Lot 5 and Lots 10 through 17, all in Block 3; and Lots 1 through 19, and Lot 25 in Block 4, all in Third Addition to Cherry Creek Hills.

No part of the cost of said improvement shall be charged against the City of Wichita at large except for the cost of intersections and other work that by statute is required to be paid for by the City.

The method of assessment of the costs apportioned to the improvement district, except for the cost of driveways, has been determined to be on a fractional basis as set forth in the petition and the resolution of findings and resolution authorizing improving, and the assessment of those costs as a special benefit on that basis.

The total cost of the improvement has been ascertained to be \$148,252.59, as shown by a Statement of Cost prepared by the City Engineer and approved by the Board of Commissioners of the City of Wichita, Kansas, on April 21, 1981, said total cost being apportioned \$141,225.73 to the improvement district and \$7,026.86 to the City at large for the cost of intersections and other work that by statute is required to be paid for by the City.

The total cost of driveways included in the \$141,225.73 to be assessed to the improvement district is \$7,058.82, leaving a balance of \$134,166.91 to be apportioned on the fractional basis. Where driveways were constructed to serve a particular tract, lot or parcel the cost of said driveway shall be a direct assessment to said tract, lot or parcel and shall be in addition to the assessment for its share of the paving costs.

The description of the lots, parcels and tracts of real property liable for assessment for the improvement (including driveways where applicable) and the proposed assessment on each is as follows:

12

Improving Chalet Drive from WL Lot 1, Block 2, 3rd Addition to Cherry Creek Hills to WL Capri; Chalet Court from SL Chalet Drive to and including cul-de-sac to Rosalie Lane from NL Cherry Creek Drive to SL Chalet Drive.

LOT	EXHIBIT "A"	ASSESSMENT	FRACTIONAL	PROPERTY OWNER
	CHERRY CREEK HILLS 3RD ADDN. Block 2 Chalet Drive			12-10-80 C-40036 Bradley Bonesteel 2502 C Chalet 07
1		3,440.31 + 544.67	30/1390	
2	"	3,440.48 + 544.80	30/1390	David Kennedy 8512 Chalet 07
3	"	3,437.51 + 571.83	30/1390	Wendell Rupp 8520 Chalet 07
4	"	3,437.16 + 571.48	30/1390	Wilbur Bellew 8602 Chalet 07
5	"	3,434.72 + 574.03	30/1390	Michael Harris 2608 Chalet 07
6	"	2,895.69	30/1390	Nies Construction PO Box 18215 18
7	"	2,895.69	30/1390	Estate of ... PO Box 18215 18
8	"	2,895.69 571.17	30/1390	" " " " 18
9	"	2,895.69	30/1390	Nies Construction PO Box 18215 17
10	"	2,895.69	30/1390	Nies Construction PO Box 18215 07
11	"	2,895.69	30/1390	Nies Construction PO Box 18215 18
12	"	3,443.82 + 546.13	30/1390	Richard Brewer 8718 Chalet 07
	Block 3 Flynn Lane			Jacqueline Wadsworth 2012 S. Flynn 07
1		2,316.55	24/1390	
2	"	2,316.55	24/1390	Kat Almas 2018 Flynn Ln. 07
3	"	2,316.55	24/1390	David Schlegel 2024 Flynn Ln 07
4	"	2,316.55	24/1390	Steven Harris 2028 Flynn Ln 07
5 (part only)	"	1,254.80	13/1390	Richard Amos 2051 Flynn 07

13

X

10	Rosalie Lane	2,316.55	24/1390	Estate of ...
11	"	2,316.55	24/1390	"
12	"	2,316.55	24/1390	"
13	"	2,316.55	24/1390	"
14	"	3,860.92	40/1390	"
15	"	4,403.45	40/1390 + 547.53	2021 ...
16	"	3,860.92	40/1390	Verne ...
17	"	3,860.92	40/1390	...
Block 4 Rosalie Lane				
1	"	3,860.92	40/1390	...
2	"	4,402.92	40/1390 + 547.00	...
3	"	4,399.95	40/1390 + 539.03	...
4	"	3,860.92	40/1390	...
5	"	2,220.03	23/1390	"
6	"	2,220.03	23/1390	...
7	"	2,763.26	23/1390 + 573.23	Arthur ...
Chalet Court				
8	"	2,220.03	23/1390	Russell ...
9	"	2,220.03	23/1390	...
10	"	3,630.73	32/1390 + 547.00	David ...

14

11	"	3,860.92	40/1390	Robert W. Whit 8221 Chalet Dr. 41
12	"	4,402.92	40/1390 + 511.00	B & F Construction 2150 Lorain Lane 01
13	"	3,860.92	40/1390	"
14	"	3,860.92	40/1390	Kies Construction PO Box 12315 12
15	"	4,409.05	40/1390 + 511.13	Ronald White 8223 Chalet Dr. 01
16	"	3,860.92	40/1390	H. White 2521 Lorain 01
17	"	3,088.73	32/1390	Bonnet Construction 2150 Lorain Lane 01
18	"	2,220.03	23/1390	"
19	"	2,220.03	23/1390	Marshall 2641 Chalet 01
25	Chalet Drive	3,860.92	40/1390	Marshall 2641 Chalet 01

134,126.  
 7,033.5  
 Property 141,225.  
 City 7,026.  
 148,252  
 = 1790  
 96,522.43

15

C-40036  
BRADLEY L BONESTEEL

- C CURB & GUTTER
- D OTHER PAVING
- E STREET LIGHTING
- J SUBMAIN SEWER
- K LATERAL SEWER
- L STORM SEWER
- M WATER
- S SIDEWALK

KEY: -C-40036- 11157E

ESTATE OF WILLIAM LEVITT, DECEASED  
ROSALIE KREITZER ETAL CO. EXECUTOR

PO BOX 16165 NE STATION  
WICHITA KS 67216 6701  
BLOCK 2  
CHERRY CREEK HILLS 2ND ADD

LOT 1  
BLOCK 2  
CHERRY CREEK HILLS 3rd ADD.

LN	PROJ NO	TOTAL ASSEMT	ANNU PRIN	INT RATE	INT 1 YR	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	
1	28-346	1390.86		10.00		15									43.67	48.05
2															139.51	135.13
3																
4	25-230	439.11	43.91	6.35	27.88	10						71.79	69.00	66.21	63.42	
5	80-227	2108.41	210.85	6.00	126.51	10						337.36	324.71	312.06	299.41	
6	28-479	926.63		6.13		11							33.77	36.52	39.49	
7													75.34	72.59	69.62	
8	22-121	3440.31		11.72		15								94.39	105.45	
9															403.20	392.14
10	28-119	1258.49		11.72											34.52	38.57
11															147.50	142.45
12																
YEARLY TOTALS												409.15	1350.13			

LN	PROJ NO	TOTAL ASSEMT	ANNU PRIN	INT RATE	INT 1 YR	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
1						52.87	58.17	64.00	70.42	77.49	85.26	93.81	103.22	113.57	124.96
2						130.31	125.01	119.18	112.76	105.69	97.92	89.37	79.96	69.61	58.22
3															
4						60.63	57.84	55.05	52.26	49.47	46.68				
5						286.76	274.11	261.46	248.81	236.16	223.51				
6						42.70	46.17	49.93	53.98	58.37	63.12				
7						66.41	62.94	59.18	55.13	50.74	45.99	68.25	73.80	79.80	86.29
8												40.66	35.31	29.31	22.62
9						117.81	131.61	147.04	164.27	183.52	205.03	229.06	255.91	289.90	319.41
10						373.78	365.96	350.55	333.32	314.07	292.56	268.23	241.68	211.69	175.11
11						43.09	48.14	53.78	60.09	67.13	75.00	83.79	93.61	104.56	116.83
12						138.93	133.88	128.24	121.93	114.89	107.02	98.23	88.41	77.44	65.19
YEARLY TOTALS															

CITY OF WICHITA, KANSAS  
SPECIAL ASSESSMENT RECORD

16

PROJECT CODES

- A FRONT ST. PAVING
- B SIDE ST. PAVING
- C CURB & GUTTER
- D OTHER PAVING
- E STREET OPENING
- J S. MAIN SEWER
- K LATERAL SEWER
- L STORM SEWER
- M WATER
- S SIDEWALK

LN	PROJ. NO.	TOTAL ASSMT	ANN PRIN	INT RATE	INT 1 YR	1994	1995 +/-	1996	1997	1998	1999	2000	2001	2002	2003
1						137.50	151.29	166.46							
2						45.68	31.89	16.72							
3															
4															
5															
6						93.30	100.89								
7						15.81	8.22								
8						356.84	398.66	445.39							
9						140.75	98.93	52.20							
10						130.53	145.83	162.92							
11						51.49	30.19	19.10							
12															
YEARLY TOTALS															

LN	PROJ. NO.	TOTAL ASSMT	ANN PRIN	INT RATE	INT 1 YR	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
1															
2															
3															
4															
5															
6															
7															
8															
9															
10															
11															
12															
YEARLY TOTALS															

17

SPECIAL ASSESSMENT LEVIES AND COLLECTIONS

<u>Year</u>	<u>Assessments Certified To County</u>	<u>Current Assessment Collections</u>	<u>Delinquencies</u>
1974	\$ 3,100,389	\$ 2,889,802	\$ 210,587
1975	3,205,937	2,958,520	247,417
1976	3,659,372	3,375,976	283,396
1977	4,011,295	3,605,247	406,048
1978	4,565,557	4,155,551	410,006
1979	4,761,885	4,392,891	368,994
1980	4,978,765	4,548,069	430,696
1981	5,529,817	5,117,809	412,008
1982	7,150,486	6,406,819	743,667
1983	12,848,736	11,635,597	1,213,139
1984	15,012,225	13,552,965	1,459,260

DELINQUENT SPECIALS FOR THE CITY OF WICHITA

Boettcher & Lieurance Inv., Inc.	\$ 20,875.25
Carney, Daniel M.	\$ 4,083.81
Catron, James	\$ 57,344.37
CDL Investments	\$ 68,958.80
Cedar Park, Inc.	\$ 44,241.88
De Witt, Floyd D. Etux	\$ 6,550.14
Dirks, Steven J.	\$ 573.52
Don Wood Homes, Inc.	\$159,735.05
Hartman, Willies E. Etux	\$ 7,798.87
I-135 Turnpike Business Park, Inc.	\$ 45,331.06
Inn-Sher Development Co.	\$ 42,856.68
Jacobs, H.A.	\$ 2,432.40
Krablin Enterprises, Inc.	\$ 5,034.75
Kutilek, D. Jeff	\$ 6,190.92
Lightner, Robert S.	\$ 8,769.36
Loyd, Kathleen D. Etal	\$ 88,849.63
M-D-C of Kansas, Inc.	\$ 5,744.96
Major Enterprises, Inc.	\$ 16,976.29
Mc Kee, Grover E. Etux	\$ 4,332.37
Mibac, Inc.	\$ 12,002.58
Neidens, Dennis R. Etux	\$ 5,831.74
Omni, Inc.	\$ 31,220.74
Patco Development, Inc.	\$ 4,062.57
Pate Construction Co., Inc.	\$ 29,571.14
Prairie Homes, Inc.	\$ 9,825.50

continued

Source J. Pollock.

2/12/85

DELINQUENT SPECIALS FOR THE CITY OF WICHITA, CONT.

Realty Development, Inc.	\$ 1,180.41
Robbins Realty	\$ 30,587.64
Russell, Stephen D.	\$ 42,477.84
Sherwood Glen Developers, Inc.	\$ 21,676.20
Tradition Homes, Inc.	\$ 61,609.25
Unruh, Lavurne J.	\$ 4,743.65
Wayne Williams, Inc.	\$ 79,760.37
Wm. P. Veatch Co., Inc.	\$ 10,435.71
125, Inc.	\$ 66,415.12
TOTAL	<u>\$1,008,080.57</u>

- ① Percent Installation  
5% of value
- ② Cost of purchase  
at time of purchase
- ③ 35% of purchase price  
at 17%  
= 17%

Typical Land Sale Contract

④ DE with ability to default on own + Transfer

**Issues -**

**PAY BILLS WHEN DUE**

Responsible for credit  
- 100% D+I, not penalty

**How long**

24% Renewable  
5 Yrs from bond issuance

- until developed or 1/2 life of bonds

**Release**

- Sale of house/lots to non-broker. Development  $\geq 75\%$  of whole.

form - (of original instrument)  
letter of credit or Bond

- Release required by the City w/ amount / lot covered, filed w/ guarantor

**Amount of g**

How to?

100% D+I for X yrs.  
let I on last sale.

? + penalty as payment will be late.

**monitor**

- Staff - create log on PC of g + key number.  
Run against to list,  
File claim against  
(Probably Eng)

**application**

all use multi ownership in other areas / development of 50%

**Control -**

Do not proceed w/o full development package.

RE: AGENDA ITEM NO. 11

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

March 15, 1985

TO: Metropolitan Area Planning Commission  
FROM: Robert A. Lakin, Director of Planning  
SUBJECT: DR 84-16 - Development Policy for Public Improvements

Attached is the report and recommended action on the above subject. This report is the result of a Subcommittee (Economic Development Commission, Metropolitan Area Planning Commission and staff) meeting discussing and developing compromises on the various issues at hand.

The Economic Development Commission on March 14 has approved the suggested policy.

The MAPC is asked to approve together with such changes if any it deems appropriate and forward to the Board of City Commission.

  
Robert A. Lakin

*Completed*  
*mcl.*

RAL:sad

Attachment

cc: Joel Pollack, 331 North Waco, Wichita 67202  
E. H. Denton, City Manager  
Ray Trail, Assistant City Manager  
Russell Brenner, Director of Administration  
Don Anderson, Director of Housing & Economic Development  
Tom Powell, Senior Assistant City Attorney  
Mike Lindebak, Director of Engineering

THE CITY OF WICHITA

OFFICE OF CITY MANAGER

DATE March 4, 1985

TO Economic Development Commission  
Metropolitan Area Planning Commission

FROM Joel Pollack, President, Economic Development Commission

SUBJECT Development Policy for Public  
Improvements

Members of the Economic Development Commission, Metropolitan Area Planning Commission and city staff met on February 13, 1985, to develop a consensus on the "Development Policy for Public Improvements." The discussion was spirited and the new draft policy attached along with this cover report represents an effort to strike a balance that continues to provide incentives for private development while protecting public funds from an undue burden. The draft policy is a compromise which meets that balancing test.

Highlighted below are some of the major aspects of the draft policy:

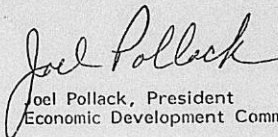
- (1) Guarantees must take the form of a financial assurance similar to those shown in the Subdivision Regulations (letter of credit, etc.).
- (2) The 35% of development rule is preserved both for the amount of the guarantee and the level of development necessary to seek release of the guarantee. A change was made to include estimated temporary note interest in the guarantee amount. Thirty-five percent (35%) of development for release of the guarantee is now to be measured by "certificates of occupancy."
- (3) The letter of credit or other financial guarantee will be used to pay delinquent special assessments and penalties.
- (4) Because this new policy will cover only projects initiated in the future, the policy retains the provision imposed initially by the City Commission on an interim basis that developers with delinquent special assessments on existing development will not be considered for a new development under the policy.
- (5) The Department of Planning will administer the policy to ensure the filing of financial guarantees prior to installation of public improvements. The Department of Administration (finance) will keep guarantees current, monitor special assessment delinquencies, and collect on guarantees when necessary.

In addition to the provisions outlined in the draft policy, the Director of Administration is developing, in conjunction with the Capital Improvement Program, a new schedule for debt service on special assessments to coordinate the revenue stream with debt payments. Administration will also examine whether a system can be developed to allow prepayment of special assessments without paying the full amount of interest.

Economic Development Commission  
Metropolitan Area Planning Commission  
March 4, 1985  
Page Two

This concludes the work of the subcommittee. It is important to remember that the draft policy is a compromise. Use of special assessment financing is important to the continued development of the community. The policy is supportive of special assessment financing while providing a reasonable level of assurance to the city at large that special assessments will be paid when due.

The subcommittee urges the Economic Development Commission and the Metropolitan Area Planning Commission to forward the policy to the City Commission with recommendations for its adoption.



Joel Pollack, President  
Economic Development Commission

JP/t

Attachment

cc: E. H. Denton, City Manager  
Robert A. Lakin, Director of Planning  
Russell L. Brenner, Director of Administration  
Don E. Anderson, Director of Housing and Economic Development  
Ray Trail, Assistant City Manager  
Tom Powell, Senior Assistant City Attorney

Date:

AR 29

Subject: Development Policy for Public  
Improvements

Supersedes: AR 31  
September 8, 1976

Statement of Policy

It is the policy of the City of Wichita to facilitate new development by providing installation of public improvements (streets, drainage, sanitary sewers, water mains, etc.) upon petition, whenever reasonable assurances are provided by the developer or others that the special assessments will be paid when due.

Assurances are considered to be provided whenever the city has been furnished with a financial guarantee (irrevocable letter of credit, corporate completion bond, cashier's check, escrow account, or cash) on 35% of the estimated principal cost of the project (engineering design, construction, inspection, temporary note interest, and administration).

In addition, installation of public improvements may be authorized and directed by the Board of City Commissioners, upon petition and without guarantee, whenever it is determined that such action is in the public interest and when one or more of the following conditions exist:

- 1) Projects are ordered in by the Board of City Commissioners.
- 2) Projects that are infill in areas with multiple owners and where a majority of the benefit district (by square foot or lots) has development on it.
- 3) The majority of the benefit district is in public ownership.

The financial guarantee will be released upon request of the developer when certificates of occupancy are issued for at least 35% of the development that received the improvements.

Should special assessments on all or a portion of the properties not be paid, the financial guarantee will be applied annually to satisfy the costs of public improvements of such property.

Any developer with delinquent special assessments on existing development will not be considered for a new development under this policy. All developers filing an application under this policy will be required to certify, under oath, that no person having a financial interest in the lands in the benefit district is delinquent in special assessments for any city special assessment project within or without the city.

Development Guarantee Procedure

The Director of Planning shall be responsible for receiving requests and assurances and monitoring the implementation of this policy.

The Planning Department shall determine the cost of and receive the credit assurance which will include a list of the key numbers of properties to be developed. The assurance will be in one of the forms listed earlier in this policy.

AR 29  
Page 2

The development guarantees shall be submitted to the Departments of Law and Administration for review and approval as to legal and financial form, respectively.

At the time the assurances have been provided, the Director of Planning shall submit the requests for public improvements to the City Manager for presentation to the City Commission. Upon approval of the governing body, the City Engineer shall initiate action to install the public improvements.

The development guarantees, along with the list of key numbers on property to be developed, shall be filed with the City Controller. The Controller shall be responsible for (a) renewing the guarantees, when necessary, and (b) semi-annually comparing key numbers for property developed under this policy and property with delinquent special assessments. Any property having delinquent special assessments with development guarantees shall be referred to the City Treasurer (with copies to Law, Planning, and the City Manager) for collection of the guarantee and payment of the delinquent special assessment and penalty.

To seek release of a financial guarantee, the developer must file with the City Controller a written request accompanied by evidence that certificates of occupancy have been issued for at least 35% of the development on which the guarantee is filed.

E. H. Denton  
City Manager

Fourth National Bank & Trust Co., Wichita  
International Services  
Box 4, Wichita, Kansas 67201-0004  
Telex No. 417-481

TheFourth



**Irrevocable Standby Letter of Credit**

Date: January 10, 1985	No.	Advising bank reference no.
Advising bank	For account of Estate of William Levitt	
To beneficiary City of Wichita 455 North Main Wichita, Kansas 67202	Amount SIXTY NINE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$69,500.00)	
Expiration date January 10, 1987		

Gentlemen:  This refers to preliminary cable advice of this credit.  
We hereby establish our irrevocable letter of credit in your favor available for payment by your drafts drawn at sight on  
The Fourth National Bank and Trust Company, Wichita, 100 N. Broadway, Wichita, Kansas 67202  
and accompanied by documents specified below

1. A statement purportedly signed by an authorized representative of the City of Wichita certifying that the amount of the draft presented therewith constitutes a penalty for nonpayment of special assessments covering the installation of streets (Project No. 472-76-245-80775-000-000-001) on one or more lots described as Lots 1 through 12 inclusive, Block 2; Lots 1 through 4 inclusive, the North half of Lot 5 and Lots 10 through 17 inclusive, all in Block 3; and Lots 1 through 19 inclusive, and Lot 25 in Block 4, all in Third Addition to Cherry Creek Hills to the City of Wichita, Kansas.

**Special Conditions:**

Partial drawings are permitted.

This original letter of credit must be presented with any drafts drawn hereunder and the amount available shall be reduced by the amount of any drafts drawn not exceeding in the aggregate a total of \$69,500.00.

Notwithstanding the expiration date noted above, it is understood that this letter of credit shall be automatically renewed for additional two-year periods unless we notify you in writing at least sixty (60) days prior to the then relevant expiration date that it will not be renewed at which time you may draw up to the full amount of the credit available at that time. In no event, however, will this credit be extended beyond January 10, 1995.

\*-----\*

Drafts drawn hereunder must be marked "Drawn under The Fourth National Bank and Trust Company, Wichita, Letter of Credit No. \_\_\_\_\_, dated \_\_\_\_\_."

We hereby engage with you that all drafts drawn under and in compliance with the terms of this credit will be duly honored if drawn and presented for payment at this office on or before the expiration date of this credit.

Sincerely yours,  
The Fourth National Bank & Trust Co., Wichita

By \_\_\_\_\_  
Authorized signature

Advising bank's notification

Place, date, name and signature of the advising bank.

PROVISIONS APPLICABLE TO THIS CREDIT:

This credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision) International Chamber of Commerce, Publication No. 400.

CANCELLED

**FINAL  
CONDITION OF THE BUDGET  
REPORT  
1984**

**RECEIVED**

FEB 08 1985  
METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

**WICHITA, KANSAS**

# THE CITY OF WICHITA



DEPARTMENT OF ADMINISTRATION  
 BUDGET AND MANAGEMENT DIVISION  
 CITY HALL — THIRTEENTH FLOOR  
 455 NORTH MAIN STREET  
 WICHITA, KANSAS 67202  
 (316) 268-4321

January 24, 1985

Mr. E. H. Denton, City Manager  
 Wichita, Kansas 67202

Dear Mr. Denton:

Enclosed with this letter is the year-end condition of the budget report for the period ending December 31, 1984. This report is the first year-end actual revenue/expenditure report to be published in this form which continues the new financial reporting procedure initiated in September and October of 1984.

The primary purpose of this financial reporting procedure was to determine at a very early time frame within the new budget year (1985) if the preceding year's actual revenues and expenditures (1984) met the goals established when the 1985 budget was adopted.

## FINDINGS

Information provided within this report reveals that the City of Wichita achieved its year-end cash balance goal and in fact exceeded the goal by the cumulative total of \$3,162,176 within taxing funds.

The following table provides the cash balance goal for December 31, 1984 for each taxing fund compared with the actual December 31, 1984 cash balance. In addition, the table provides a column which contains the year-end cash balance as projected in the October 31 condition of the budget report.

FUND	CASH BALANCE	PROJECTION	ACTUAL CASH
	GOAL-1984	October 31	BALANCE-1984
General	\$2,723,363	\$3,088,514	\$3,399,953
PLAM	28,731	242,280	405,045
General Debt & Interest	1,221,009	2,088,859	2,608,420
Forestry	--	24,521	28,374
Flood Control	23,806	66,936	74,892
MTA	418,421	551,830	517,627
Employee Retirement	196,521	285,146	344,537
Social Security	--	77,952	114,716
Police/Fire Pension	199,090	290,332	402,470
Workers Comp.	--	20,815	35,119
Public Building Commission	--	7,469	18,274
Noxious Weeds	2,794	3,334	6,719
Tort Liability	8,847	19,367	28,612
Total Tax Funds	\$4,822,582	\$6,767,355	\$7,984,758

Page Two  
E. H. Denton  
January 24, 1985

Detailed comments on revenues and expenditures for each of the preceding funds are provided on pages 4 through 13 of this report. A three-year comparison of budgeted and actual cash balance for the years 1983-1985 for taxing funds and nontaxing funds is provided on page 14. The comparison documents the long-term trend to budget on a narrower margin. While the actual cash balance for January 1, 1985 exceeded our goal by \$3,162,176, the actual amount of cash January 1, 1985 is \$2,737,000 less than actual cash 1984 and \$3,336,000 less than actual cash in 1983.

BRIGHT SPOTS--TROUBLE SPOTS--SIGNIFICANT VARIANCES

The importance of this exercise from an administrative and policy standpoint is to highlight prior year experience that may have a financial impact on the 1985 budget and for projection purposes in developing the 1986 budget. Summary findings contained within this report reflect the following:

-- While total General Fund revenues exceeded the budget goal by \$261,000, two major revenue items fell short of our goal.

Franchise Fees - Total franchise fees fell short of our goal by \$502,227. A reexamination of this particular revenue source may require lowering our 1985 projection.

Court Fines - As noted in our October condition of the budget report the moving violations issued in 1984 were running behind 1983. Final year-end statistics indicate that the number of moving violations issued in 1984 compared to 1983 decreased by 12,396 or 11 percent.

-- Motor Vehicle Tax - A bright spot is the total amount of motor vehicle tax received in 1984 compared with the original estimate. State law requires the City to use for budget purposes the estimate of motor vehicle tax revenue as provided by the County Treasurer. During the development of the 1984 budget, the City of Wichita received notification that motor vehicle tax to be distributed in 1984 would total \$5,501,000. The actual distribution totaled \$7,324,000 for an increase over estimate of \$1,823,000.

-- Interest Earnings - While interest earnings within the General Fund fell somewhat short of goal, the interest earnings within the General Debt and Interest Fund exceeded the budget goal by \$738,943. The increased earnings for the General Debt and Interest Fund results from interest earnings attributable to bonds issued for the Exhibition Hall (see page 7).

Page Three  
E. H. Denton  
January 24, 1985

-- Gas Tax Fund - A \$350,000 underexpenditure and \$125,000 increased gasoline tax revenue results in a cash balance for the Gas Tax Fund of \$475,555. This unexpected cash balance will provide funds during 1985 for increased street maintenance and construction projects eliminated from the program when the 1985 budget was adopted.

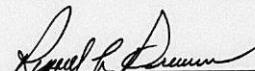
As requested by the Mayor, the next condition of the budget report will be provided to the City Commission in early April 1985 covering first quarter 1985 financial activity. Information and knowledge gained from the findings contained within this report will be incorporated in our 1985 forecast after the first quarter 1985 activity. In addition, Budget staff will be in the process of developing preliminary 1986 budget projections for discussion by the City Commission in late April. An updated and revised three-year financial forecast will also be published prior to the 1986 budget development process.

Respectfully submitted,



Glen E. Dockery  
Research and Budget Officer

APPROVAL:



Russell L. Brenner  
Director of Administration

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Attachment

TABLE OF CONTENTS FOR FUNDS

<u>FUND</u>	<u>PAGE</u>
General	4
Park/Library/Art Museum	6
General Debt and Interest	7
Forestry	8
Flood Control	8
Transit System	8
Employee's Retirement	9
Social Security (FICA)	9
Police/Fire Pension	9
Workers Compensation	10
Public Building Commission	10
Noxious Weeds	10
Tort Liability	11
Gas Tax	11
Convention and Tourism	11
Central Inspection Division	12
Revenue Sharing	12
Park Alcohol	12
Special Alcohol	13
Comparison of Budgeted and Actual Cash Balance for 1983, 1984, and 1985	14

**ANALYSIS OF BUDGET CONDITION**  
(Actual Period Ending December 31, 1984)

**GENERAL FUND KEY INDICATORS**

(1) KEY INDICATOR	(2) BUDGET GOAL 1984	(3) YEAR-TO DATE (12-31-84)	(4) OVER/ UNDER GOAL	(5) COMMENTS
Cash - January 1	\$ 5,487,431	\$ 5,487,431	\$ --	Actual cash January 1, 1984
Tangible Property	7,700,000	7,771,934	71,934	Collected 95.7% of taxes levied.
Motor Vehicle Tax	2,043,750	2,386,277	342,527	By state law, cities are required to use the estimation (i.e., \$2,043,750) as provided by Sedgwick County (see cover letter).
Franchise Fee	15,845,000	15,342,773	(502,227)	Franchise fees from KC&E fell short of our goal by \$312,007 and fees from Gas Service were short of our goal by \$423,093. However, fees from Arkla and Cable TV were somewhat above the goal resulting in the net shortfall of \$502,227.
Franchise Fee (1983 - 13th Payment)	1,433,779	1,433,779	--	13th payment in 1983 for KC&E (\$1,338,280) and Gas Service Company (\$95,499)
Court Fines	3,509,305	3,192,006	(317,299)	The number of moving violations issued in 1984 compared to 1983 decreased by 12,396 or 11%.
Interest Earnings	1,008,243	891,087	(117,156)	Interest rates from July to December dropped about 3% on repurchase agreements and CDs.
<b>Community Facilities</b>				
Century II	750,000	744,218	(5,782)	
Lawrence-Dumont Stadium	80,000	75,095	(4,905)	
Omnisphere	50,000	40,381	(9,619)	
Building Maintenance	200,000	250,860	50,860	
Subtotal Community Facilities	\$1,080,000	\$ 1,110,554	\$ 30,554	
Liquor Tax	610,000	603,366	(6,634)	
State Revenue Sharing	1,157,055	1,136,899	(20,156)	

**ANALYSIS OF BUDGET CONDITION**  
(Actual Period Ending December 31, 1984)

**GENERAL FUND KEY INDICATORS**

(1) KEY INDICATOR	(2) BUDGET GOAL 1984	(3) YEAR-TO DATE (12-31-84)	(4) OVER/ UNDER GOAL	(5) COMMENTS
Retail Sales Tax	\$ 1,398,349	\$ 1,371,954	\$ (26,395)	
Federal Revenue Sharing	2,022,460	2,058,650	36,190	The overcollection for Revenue Sharing is due to more interest being earned.
Administrative Charges	950,000	1,142,381	192,381	The increase of \$192,381 is due mainly to A-87 charges which are charged to the federal funds for City administrative services.
<b>SUBTOTAL</b>	<b>\$44,245,372</b>	<b>\$43,929,091</b>	<b>\$ (316,281)</b>	
Other Revenues	2,033,485	2,610,813	577,328	All other revenue credited to the General Fund (approximately 200 individual items) exceeded the goal by \$577,328. Significant increased revenues consisted of intangible property tax (\$114,323); revenues from reimbursed expenditures (\$170,672); and transferring closed-out, inactive trust funds (i.e., cable television and model cities loan guarantee programs) to the General Fund.
<b>TOTAL REVENUES</b>	<b>\$46,278,857</b>	<b>\$46,539,904</b>	<b>\$ 261,047</b>	Bottom line total revenues to the General Fund exceeded goal by approximately one-half of one percent.
<b>TOTAL EXPENDITURES</b>	<b>\$43,555,494</b>	<b>43,139,951</b>	<b>\$ 415,543</b>	The underexpenditures result primarily from the hiring freeze and close departmental monitoring of commodity and capital outlay purchases.
Cash - December 31	\$ 2,723,363	\$ 3,399,953	\$ 676,590	Cash balance exceeded the projected year-end budget goal by \$676,590 which provides the beginning cash for the 1986 budget process.

**FOOTNOTES:**

- (1) Key Indicators
- (2) Revised budget goal as of August 1984
- (3) Year-to-Date revenues and expenditures
- (4) Comparison of budget goal, and final revenues/expenditures
- (5) Explanatory comments

**ANALYSIS OF BUDGET CONDITION**  
(Actual Period Ending December 31, 1984)

**PLAN FUND KEY INDICATORS**  
(PARK/LIBRARY/ART MUSEUM)

(1) KEY INDICATOR	(2) BUDGET GOAL 1984	(3) YEAR-TO DATE (12-31-84)	(4) OVER/ UNDER GOAL	(5) COMMENTS
Cash - January 1	\$ 76,949	\$ 76,949	\$ --	Actual cash - January 1, 1984
Tangible Property	4,938,000	4,978,591	40,591	
Motor Vehicle Tax	912,500	1,070,271	157,771	By State law, cities are required to use the estimation (i.e., \$912,500) as provided by Sedgwick County (see cover letter).
Sales Tax Residue	335,991	329,649	(6,342)	
Interest Earnings	170,000	184,131	14,131	
Federal Revenue Sharing	718,000	718,000	--	
Library Revenues	175,400	198,474	23,074	Fine collections of \$19,046 beyond the budgeted estimate contributed to the year-end balance.
Park Revenues	775,000	793,159	18,159	Increased revenues from center concessions, rentals, small pools, and entry fees contributed to the \$18,159 collected beyond the budget goal.
Liquor Tax	580,000	603,366	23,366	The final allocation received in December was greater than anticipated.
Other Revenues	159,000	149,649	(9,351)	
<b>TOTAL REVENUES</b>	<b>\$ 8,840,840</b>	<b>\$ 9,102,239</b>	<b>\$ 261,399</b>	
<b>TOTAL EXPENDITURES</b>	<b>\$ 8,812,109</b>	<b>\$ 8,697,194</b>	<b>\$ 114,915</b>	Park, Library, and Art Museum Boards underexpended their cumulative fund total budget by \$114,915.
Cash - December 31	<b>\$ 28,731</b>	<b>\$ 405,045</b>	<b>376,314</b>	Exceeded goal by \$376,314.

**ANALYSIS OF BUDGET CONDITION**  
(Actual Period Ending December 31, 1984)

**GENERAL DEBT AND INTEREST FUND KEY INDICATORS**

(1) KEY INDICATOR	(2) BUDGET GOAL 1984	(3) YEAR-TO DATE (12-31-84)	(4) OVER/ UNDER GOAL	(5) COMMENTS
Cash - January 1	\$ 4,022,467	\$ 4,022,467	\$ --	Actual cash - January 1, 1984.
Tangible Property	8,690,000	8,765,395	75,395	Actual collections for current taxes exceeded goal by \$75,395.
Current Special Assessments	13,500,000	13,587,542	87,542	The City collected 90.5% of current specials spread on the tax rolls exceeding the original budget goal by \$87,542.
Delinquent Special Assessments	1,273,000	1,436,229	163,229	Delinquent special assessment collections exceeded the goal by \$163,229.
Interest	1,103,000	1,841,943	738,943	Interest earnings exceeded the goal by \$738,943, as a result of interest earnings attributable to bonds issued for the Exhibition Hall. The Convention and Tourism construction fund will be credited with interest earnings in the amount of \$289,539 in 1985 and approximately \$395,373 in 1986.
Motor Vehicle Tax	1,481,250	1,732,287	251,037	See cover letter.
Other Revenues	2,248,597	2,259,310	10,713	
<b>TOTAL REVENUES</b>	<b>\$32,318,314</b>	<b>\$33,645,173</b>	<b>\$ 1,326,859</b>	
<b>TOTAL EXPENDITURES</b>	<b>\$31,097,305</b>	<b>\$31,036,753</b>	<b>\$ 60,552</b>	The total debt service was \$60,552 less than projected expenditure total.
Cash - December 31	<b>\$ 1,221,009</b>	<b>\$ 2,608,420</b>	<b>\$ 1,387,411</b>	Cash balance exceeded budget goal by \$1,387,411.

**ANALYSIS OF BUDGET CONDITION**  
(Actual Period Ending December 31, 1984)

**OTHER TAX FUNDS KEY INDICATORS**

(1) KEY INDICATOR	(2) BUDGET GOAL 1984	(3) YEAR-TO DATE (12-31-84)	(4) OVER/ UNDER GOAL	(5) COMMENTS
<b>FORESTRY FUND</b>				
TOTAL REVENUES	\$ 1,301,786	\$ 1,279,723	\$ (22,063)	Although actual revenues were short by \$22,063, underexpenditures (primarily for contractual services) resulted in a larger-than-anticipated cash balance.
TOTAL EXPENDITURES	1,301,786	1,251,349	50,437	
Cash - December 31	--	28,374	28,374	
<b>FLOOD CONTROL FUND</b>				
TOTAL REVENUES	\$ 457,172	470,961	\$ 13,789	Increased revenues and reduced expenditures resulted in a year-end balance of \$74,892, which exceeds the budget goal by \$51,086.
TOTAL EXPENDITURES	433,366	396,069	37,297	
Cash - December 31	23,806	74,892	51,086	
<b>TRANSIT SYSTEM FUND (TAX FUND ONLY)</b>				
TOTAL REVENUES	\$ 1,918,421	\$ 1,932,623	\$ 14,202	Final expenditures within the Transit System Fund reflected a major decrease of \$85,004 as a result of salary savings and a savings in fuel costs. The overcollection of revenues was a result of increased current tangible property taxes and motor vehicle taxes.
TOTAL EXPENDITURES	1,500,000	1,414,996	85,004	
Cash - December 31	418,421	517,627	99,206	

**ANALYSIS OF BUDGET CONDITION**  
(Actual Period Ending December 31, 1984)

**OTHER TAX FUNDS KEY INDICATORS**

(1) KEY INDICATOR	(2) BUDGET GOAL 1984	(3) YEAR-TO DATE (12-31-84)	(4) OVER/ UNDER GOAL	(5) COMMENTS
<b>EMPLOYEES RETIREMENT FUND</b>				
TOTAL REVENUES	\$ 2,966,521	\$ 3,069,973	\$ 103,452	The hiring freeze and savings in budgeted salary expenses resulted in reduced expenditures of \$44,564. Motor vehicle taxes were \$50,993 higher than anticipated. Current tangible property taxes were \$31,806 higher than the budget goal.
TOTAL EXPENDITURES	2,770,000	2,725,436	44,564	
Cash - December 31	196,521	344,537	148,016	
<b>SOCIAL SECURITY FUND</b>				
TOTAL REVENUES	\$ 1,623,605	\$ 1,680,051	\$ 56,446	The final 1984 cash balance of \$114,716 is a combination of lower expenditures due to the hiring freeze and to increased revenues (i.e., motor vehicle tax and current tangible property taxes).
TOTAL EXPENDITURES	1,623,605	1,565,335	58,270	
Cash - December 31	--	114,716	114,716	
<b>POLICE AND FIRE PENSION FUND</b>				
TOTAL REVENUES	\$ 5,729,090	\$ 5,922,917	\$ 193,827	The increase in the final cash balance of \$203,380 is primarily due to increased revenues of \$55,834 for current tangible property taxes, and \$130,669 for the motor vehicle tax.
TOTAL EXPENDITURES	5,530,000	5,520,447	9,553	
Cash - December 31	199,090	402,470	203,380	

**ANALYSIS OF BUDGET CONDITION**  
(Actual Period Ending December 31, 1984)

**OTHER TAX FUNDS KEY INDICATORS**

(1) KEY INDICATOR	(2) BUDGET GOAL 1984	(3) YEAR-TO DATE (12-31-84)	(4) OVER/ UNDER GOAL	(5) COMMENTS
<b>WORKERS COMP FUND</b>				
TOTAL REVENUES	\$ 1,022,750	\$ 1,057,869	\$ 35,119	The final cash balance of \$35,119 is totally due to increased revenues from current tangible property taxes and motor vehicle taxes.
TOTAL EXPENDITURES	1,022,750	1,022,750	--	
Cash - December 31	--	35,119	35,119	
<b>PUBLIC BUILDING COMMISSION FUND</b>				
TOTAL REVENUES	\$ 430,000	\$ 448,274	\$ 18,274	Increased revenues provided the cash balance of \$18,274 in this fund. Current tangible property taxes increased by \$5,177; and the motor vehicle tax was \$12,408 higher than the budget goal. Intergovernmental service revenues were also slightly higher than budgeted.
TOTAL EXPENDITURES	430,000	430,000	--	
Cash - December 31	--	18,274	18,274	
<b>NOXIOUS WEEDS FUND</b>				
TOTAL REVENUES	\$ 79,533	\$ 77,758	\$ (1,775)	The final cash balance of \$6,719 reflects an increase of \$3,925 over the budget goal. The expenditure savings were due to salary savings and decreases in commodities. The decrease of \$1,775 in revenues is mainly due to a lower than budgeted motor vehicle tax. The interest amount was down by \$844.
TOTAL EXPENDITURES	76,739	71,039	5,700	
Cash - December 31	2,794	6,719	3,925	

**ANALYSIS OF BUDGET CONDITION**  
(Actual Period Ending December 31, 1984)

OTHER TAX FUNDS KEY INDICATORS

(1) KEY INDICATOR	(2) BUDGET GOAL 1984	(3) YEAR-TO DATE (12-31-84)	(4) OVER/ UNDER GOAL	(5) COMMENTS
<b>TORT LIABILITY FUND</b>				
TOTAL REVENUES	\$ 408,847	\$ 428,612	\$ 19,765	The final increase in the cash balance of \$19,765 is due to higher revenues (i.e., current tangible property taxes - \$4,524; motor vehicle tax - \$14,913, and other minor revenue increases).
TOTAL EXPENDITURES	400,000	400,000	--	
Cash - December 31	8,847	28,612	19,765	

NONTAXING FUNDS KEY INDICATORS

<b>GAS TAX FUND</b>				
TOTAL REVENUES	\$ 7,170,220	\$ 7,295,244	\$ 125,024	The increase in cash balance of \$475,555 is the net effect of \$350,731 in underexpenditures, and \$125,024 in increased gasoline tax revenues from the budget revenue goal of \$7,170,220. Thus, an additional amount of \$475,755 is available as beginning cash balance effective January 1, 1985. Most of the underexpenditures were in salary savings and contractual services.
TOTAL EXPENDITURES	7,110,420	6,759,689	350,731	
Cash - December 31	59,800	535,555	475,755	

**CONVENTION AND TOURISM FUND**

TOTAL REVENUES	\$ 1,662,612	\$ 1,655,529	\$ (7,083)	Total projected revenues fell short by \$7,083. However, expenditures were underexpended by \$41,110 resulting in a cash balance December 31 1984 of \$119,139 which exceeds the goal by \$34,027.
TOTAL EXPENDITURES	1,577,500	1,536,390	41,110	
Cash - December 31	85,112	119,139	34,027	

**ANALYSIS OF BUDGET CONDITION**  
(Actual Period Ending December 31, 1984)

**NONTAXING FUNDS KEY INDICATORS**

(1) KEY INDICATOR	(2) BUDGET GOAL 1984	(3) YEAR-TO DATE (12-31-84)	(4) OVER/ UNDER GOAL	(5) COMMENTS
<b><u>CENTRAL INSPECTION DIVISION FUND</u></b>				
TOTAL REVENUES	\$ 2,158,849	\$ 2,097,823	\$ (61,026)	Because building activity peaked earlier than expected, revenues were \$61,026 less than the revised budget goal of \$2,158,849. However, revenue undercollections were partly offset by underexpenditures of \$47,156. Revenues exceeded the original 1984 adopted budget amount by \$225,340.
TOTAL EXPENDITURES	1,872,483	1,825,327	47,156	
Cash - December 31	286,366	272,496	(13,870)	
<b><u>REVENUE SHARING FUND</u></b>				
TOTAL REVENUES	\$ 2,740,460	\$ 2,776,650	\$ 36,190	Interest earnings were \$36,190 more than projected. Thus, an additional \$36,190 was able to be expended. The General Fund received \$2,058,650 for Police Operations salaries and the PLAM Fund received \$718,000 for Park Maintenance salaries.
TOTAL EXPENDITURES	2,740,460	2,776,650	(36,190)	
Cash - December 31	--	--	--	
<b><u>PARK ALCOHOL FUND</u></b>				
TOTAL REVENUES	\$ 580,000	\$ 603,366	\$ 23,366	The final allocation from the State which was received on December 15 was \$23,366 more than had been estimated. This \$603,366 was credited as a 1984 revenue to Park/Library/Art Museum (PLAM) Fund.
TOTAL EXPENDITURES	580,000	603,366	(23,366)	
Cash - December 31	--	--	--	

ANALYSIS OF BUDGET CONDITION  
(Actual Period Ending December 31, 1984)

NONTAXING FUNDS KEY INDICATORS

(1) <u>KEY INDICATOR</u>	(2) <u>BUDGET GOAL 1984</u>	(3) <u>YEAR-TO DATE (12-31-84)</u>	(4) <u>OVER/ UNDER GOAL</u>
<u>SPECIAL ALCOHOL FUND</u>			
TOTAL REVENUES	\$ 610,000	\$ 627,047	\$ 17,047
TOTAL EXPENDITURES	610,000	599,767	10,233
Cash - December 31	--	27,280	27,280

(5)  
COMMENTS

The final cash balance of \$27,280 is due to increased revenues of \$17,047 and reduced expenditures of \$10,233. The added revenue of \$17,047 is due to \$23,680 in cash balance from the 1983 actuals and a decreased \$6,633 in 1984 revenues from the State. The underexpenditures of \$10,233 were due to expenditure savings by the various non-City agencies.

COMPARISON OF BUDGETED AND ACTUAL CASH BALANCE FOR YEARS 1983, 1984, AND 1985

FUND	1983 BUDGET			1984 BUDGET			1985 BUDGET		
	BUDGETED CASH	ACTUAL	DIFFERENCE	BUDGETED CASH	ACTUAL	DIFFERENCE	BUDGETED CASH	ACTUAL	DIFFERENCE
	JANUARY 1	JANUARY 1		JANUARY 1	JANUARY 1		JANUARY 1	JANUARY 1	
GENERAL	\$ 5,118,593	\$ 6,896,997	\$ 1,778,404	\$ 4,845,829	\$ 5,487,431	\$ 641,602	\$ 2,723,363	\$ 3,399,953	\$ 676,590
PARK/LIBRARY/ ART MUSEUM	263,957	144,509	(119,448)	9,564	76,949	67,385	28,731	405,045	376,314
FORESTRY	47,705	45,253	(2,452)	7,769	22,460	14,691	--	28,374	28,374
FLOOD CONTROL	67,300	80,247	12,947	11,142	46,148	35,006	23,806	74,892	51,086
M.T.A.	93,322	188,390	95,068	9,583	346,343	336,760	418,421	517,627	99,206
<b>SUBTOTAL UNDER TAX LID</b>	<b>\$ 5,590,877</b>	<b>\$ 7,355,396</b>	<b>\$ 1,764,519</b>	<b>\$ 4,883,887</b>	<b>\$ 5,979,331</b>	<b>\$ 1,095,444</b>	<b>\$ 3,194,321</b>	<b>\$ 4,425,891</b>	<b>\$ 1,231,570</b>
FRINGE BENEFITS	\$ 1,371,198	\$ 1,769,967	\$ 398,769	\$ 377,998	\$ 717,689	\$ 339,691	\$ 404,458	\$ 925,454	\$ 520,996
DEBT FUNDS (GDI/PBC)	3,394,970	2,176,769	(1,218,201)	3,313,645	4,022,467	708,822	1,221,009	2,626,694	1,405,685
NOXIOUS WEEDS	17,295	18,699	1,404	245	3,261	3,016	2,794	6,719	3,925
<b>SUBTOTAL - OTHER</b>	<b>\$ 4,783,463</b>	<b>\$ 3,965,435</b>	<b>\$ (818,028)</b>	<b>\$ 3,691,888</b>	<b>\$ 4,743,417</b>	<b>\$ 1,051,529</b>	<b>\$ 1,628,261</b>	<b>\$ 3,558,867</b>	<b>\$ 1,930,606</b>
<b>TOTAL TAX FUNDS</b>	<b>\$10,374,340</b>	<b>\$11,320,831</b>	<b>\$ 946,491</b>	<b>\$8,575,775</b>	<b>\$10,722,748</b>	<b>\$2,146,973</b>	<b>\$ 4,822,582</b>	<b>\$ 7,984,758</b>	<b>\$ 3,162,176</b>
<b>GAS TAX</b>	<b>\$ 123,655</b>	<b>\$ 16</b>	<b>\$ (123,639)</b>	<b>\$ --</b>	<b>\$ 138,720</b>	<b>\$ 138,720</b>	<b>\$ 59,800</b>	<b>\$ 535,555</b>	<b>\$ 475,755</b>
CONVENTION & TOURISM	140,951	213,107	72,156	--	8,112	8,112	85,112	119,139	34,027
CENTRAL INSPECTION DIVISION	--	2,584	2,584	2,584	288,950	286,366	286,366	272,496	(13,870)
REVENUE SHARING	--	--	--	--	--	--	--	--	--
PARK ALCOHOL	111,976	114,640	2,664	--	23,680	23,680	--	--	--
SPECIAL ALCOHOL	184,011	285,556	101,545	--	--	--	--	27,280	27,280
<b>TOTAL NONTAX FUNDS</b>	<b>\$ 560,593</b>	<b>\$ 615,903</b>	<b>\$ 55,310</b>	<b>\$ 2,584</b>	<b>\$ 459,462</b>	<b>\$ 456,878</b>	<b>\$ 431,278</b>	<b>\$ 954,470</b>	<b>\$ 523,192</b>