



CITIES SERVICE GAS COMPANY

FIRST NATIONAL CENTER EAST - OKLAHOMA CITY, OKLAHOMA

PHONE (405) 236-0600

REPLY TO
POST OFFICE BOX 25128
OKLAHOMA CITY, 73125

September 30, 1981

RECEIVED

OCT 6 1981

Dept. Of Engineering

Mr. E. S. Flynn
Estate of William Levitt
P. O. Box 18185 S.E. Station
Wichita, Kansas

Dear Sir:

RE: SW/4 Section 32, T27 South, R3
East. Sedgwick County, Kansas

Pursuant to our telephone conversation of this date. Cities Service Gas Company has no objections to the construction of the Fifth Addition to Cherry Hills, as stated in the following paragraph:

Creek

Owner, shall have the right to use and enjoy the surface of the right-of-way strip herein reserved; provided such use and enjoyment shall not interfere with the use of said Strip by Company for the purposes set out in the original easement, first hereinabove described; and provided further that Owner shall not erect or construct, nor permit the erection or construction of any building or other structures, on over or across said strip. It is mutually agreed, however, that this no-building restriction shall not prohibit the building of fences, provided such fences include a gate with a minimum width of eight feet, necessary streets, not to exceed 50 feet in width, alleyways, driveways, sewer lines and water lines, across but not along said strip provided Company shall not be held liable to Owner for any damage caused to any such facilities constructed across the strip in exercising the rights granted in the original easement, and provided further that, if in the judgment of Company, the construction of such permitted facilities across said strip requires that the Pipeline or Pipelines be altered, lowered, encased or otherwise protected, the entire cost of such protective measures, limited to the width of the permitted facilities plus any reasonable additional distance needed to so protect the Pipeline or Pipelines shall be borne fully by Owner.

I trust this will meet with your approval.

Sincerely yours,

W. R. Bogard
W. R. Bogard, Assistant Manager
Land and Lease Department

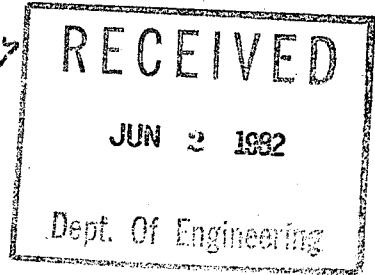
WRB/cv

mst

THE CITY OF WICHITA

*Wichita Apts.
Drainage Plans
501 W. Union
+ Union to Cypress
Streets, developed
by Red Oaks*

PBB



OFFICE OF THE CITY MANAGER
CITY HALL - THIRTEENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4351

June 1, 1982

Mr. Perry T. Fleagle
118 Penrose
Wichita, KS 67206

Dear Mr. Fleagle:

Your letter to me of May 22, 1982, is acknowledged. I am sorry that you interpreted a portion of the information provided to you as being a "cop out." The fact that the plans are subject to change is to your benefit in that it allows the City to assure that the proper drainage is in place at the completion of the project. The City also can withhold the issue of a Certificate of Occupancy until all drainage requirements are met.

The City Engineer's records show that the initial drainage plan was approved by the Drainage Engineer on February 9, 1982, and the records in Central Inspection show that a conditional building permit was issued on March 1, 1982, and the final building permit was not issued until April 8, 1982.

As I advised you in my letter of May 4, initial drainage plans are subject to changes. Changes were made to the initial plan and the final plan was approved on April 30, 1982. The plans indicate that the property will drain to the west and then to the north to a holding pond. It is hoped that this clarifies any misunderstanding as to the approval of the initial and final drainage plans.

In any event these plans are a matter of public record and open to your inspection. If you would like to see the plans and secure additional information, Mr. Sam Mobley, Building Code Administrator, (268-4461), will be pleased to meet with you in this regard.

Sincerely,

E. H. Denton
E. H. Denton
City Manager

EHD/fpd

- cc: The Honorable Board of City Commissioners
- Don E. Anderson, Director of Housing and Economic Development
- Robert Feldner, Superintendent of Central Inspection
- Sam Mobley, Building Code Administrator
- ✓ R. W. Bruggeman, Director of Engineering
- Robert A. Lakin, Director of Planning
- Red Oaks, Inc.
- Ken Bengston, Van Doren-Hazard-Stallings
- Nice Construction Company, 8251 Cherry Creek 67207

RMB

Perry T. Fleagle
118 Penrose
Wichita, Kansas 67206

May 22, 1982

Mr. E. H. Denton
City Manager
455 N. Main
Wichita, KS 67202

Re: Drainage Plans for Construction of Condo-
miniums South of Aragon Apartments and
West of Cypress (L/S 0539)

Dear Mr. Denton:

The second paragraph in your letter to us of May 4, 1982, seems to us to be a "cop-out" when you say, "however, due to the large scale of the plans, some of the detailed drainage elevations adjacent to the property line may be subject to change to assure proper drainage."

Inasmuch as we have been told by Central Inspection, that there were NO drainage plans submitted by Red Oaks Construction, Inc. until after the building permit was issued, we can draw no other conclusion.

Now, Central Inspection informed us on May 19, 1982, that Red Oaks Construction, Inc. had submitted the third plan since the week of April 19, 1982, when it was discovered no drainage plan existed.

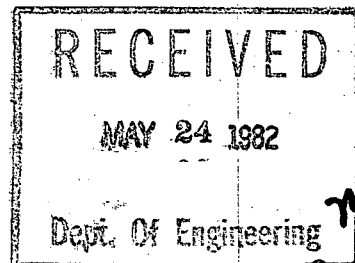
As you can see from the enclosed photograph, the water falling on this slope will run right onto our property, or are you planning to make the water run UPHILL?

We'd like for you to advise us just where the water falling on the large roofs and cement areas is going to drain?

Sincerely yours,

Perry T. Fleagle
PERRY T. FLEAGLE, owner, 9020-22 E. Funston

cc City Commissioner
Don Anderson, Director of Housing
Robert Feldner, Superintendent of Central Inspection
✓ R. W. Bruggeman, Director of Engineering
Robert A. Lakin, Director of Planning
Red Oaks, Inc.
Ken Bengston, Van Doren-Hazard-Stallings Architects
Nies Construction Company

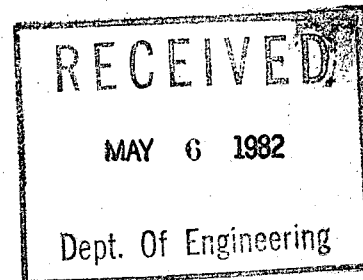


THE CITY OF WICHITA



OFFICE OF THE CITY MANAGER
CITY HALL - THIRTEENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4351

May 4, 1982



Mr. & Mrs. Perry Fleagle
118 Penrose
Wichita, KS 67206

Dear Mr. & Mrs. Fleagle:

Your letter to me of April 28, 1982, regarding the drainage plans for the property south of Aragon Apartments and west of Cypress Street being developed by Red Oaks, Inc., is acknowledged.

City records show that the drainage plans for the site were approved by the Engineering Department on February 9, 1982. However, due to the large scale of the plans, some of the detailed drainage elevations adjacent to the property line may be subject to change to assure proper drainage.

The Central Inspection Division has been in contact with the contractor and the site drainage engineer to assure that no drainage onto adjacent property will occur when the project is completed. Mr. Ken Bengston of Van Doren, Hazard and Stallings is preparing a more detailed plan of the area of concern and will submit it to the Central Inspection Division for review and approval. Mr. Bengston has assured that no drainage problems now exist nor will they exist when the project is completed.

Prior to final grading of the site, grades can be deceiving; however, all parties are aware of your concerns and the City inspector on the job has been alerted to make sure that drainage does not flow onto adjacent property.

It would not be necessary to stop construction on the project to assure proper drainage as the final grading cannot be done until after the construction is completed.

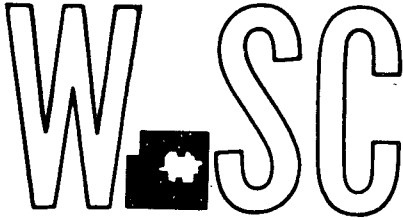
Sincerely,

E. H. Denton
City Manager

EHD/fpd
Enclosure

cc: The Honorable Board of City Commissioners (w/a)
Don E. Anderson, Director of Housing and Economic Development
Robert Feldner, Superintendent of Central Inspection
R. W. Bruggeman, Director of Engineering
Robert A. Lakin, Director of Planning
Red Oaks, Inc.

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202

February 6, 1981

Baughman Company
330 Laura
Wichita, Ks. 67211

Re: S/D 80-31 - Revised final plat of Fifth Addition to Cherry Creek Hills

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on February 5, 1981, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved, subject to:

- A. Approval of the street name "Dalton" north of Parkmont Drive will be subject to an official change in the name of White Cliff Lane as platted in Cherry Creek Hills Third Addition. The portion of White Cliff Lane being referred to is a direct extension of Dalton from the north line of this plat to the south line of Cherry Creek Drive.
- B. The applicant shall guarantee all drainage improvements required by the platting of this property including storm sewers and the completion of the drainage channel on the east side of the property.
- C. The applicant shall obtain approval from the Cities Service Gas Company for the extension of underground utilities and the construction of a street through their easement. Any relocation or encasing of the pipeline required by the development of this property will be at the developer's expense.
- D. The applicant shall guarantee the extension of sanitary sewer to serve all lots.
- E. The applicant shall guarantee the extension of City water to serve all lots.
- F. The applicant shall guarantee the paving of all interior streets being platted.
- G. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that adequate construction methods will be used in minimizing noise pollution within habitable buildings built on subject property.

Baughman Co.
February 6, 1981
Page 2


- H. It is recommended that the platted setbacks on Lot 8, Block 6 be reversed so that the 25-foot setback is from Parkmont and the 15-foot setback is from Dalton. This will provide more buildable area on the lot and be more in accord with other lots in the vicinity.
- I. If the center of the 66-foot Cities Service easement is the same as the lot lines, this should be so referenced on the final plat tracing.
- J. The easement on the east side of Block 6 shall be a utility easement only.
- K. A 10-foot utility easement shall be added to the southeast side of Lot 7, Block 6.
- L. The 17-foot utility easements paralleling the pipeline easement shall be increased to 20 feet.
- M. Easements as requested by K. G. & E. and shown on the engineer's copy of the final plat shall be shown on the final plat tracing.
- N. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- O. Recording of the final plat within 30 days after approval by the Board of City Commissioners.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. The certificate will be required if petitions are submitted. Forms for the bond and irrevocable letter of credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on Thursday, February 12, 1981, at 1:30 p.m. If you should have any questions concerning this matter, please call.

Sincerely,


Louise Olivarez
Senior Planner

LO:bh

cc: Edythe Flynn, P.O. Box 18185, 67218
Mike Lindebak, City Engineering

THE CITY OF WICHITA

OFFICE OF DEPARTMENT OF ENGINEERING **DATE** February 2, 1981

TO Jack Galbraith, Chief Planner

FROM Chris J. Breitenstein, Acting Drainage Engineer

SUBJECT Drainage Plan - Revised 5th
Addition to Cherry Creek Hills

The drainage plan is approved, with the following change:

1. Use 24" elliptical equivalent.



Chris J. Breitenstein
Chris J. Breitenstein
Acting Drainage Engineer

cc: Louise Olivarez
Baughman Company



BAUGHMAN COMPANY, P.A.

S U R V E Y O R S

316/262-7271 • 330 LAURA • WICHITA, KANSAS 67211

CONFIRMATION MEMO

PROJECT CHERRY CREEK 5TH ADDN.

DATE 1-15-81

JOB NO. _____

COPIES TO:

TO: CHRIS BREITENMEIN

FROM: BRENT WOOTEN

REFERENCE DRAINAGE W. REVISION

OF FINAL PLAN

$$\text{AREA} = 6.3 \text{ AC.}$$

$$t_c = \left(\frac{11.9}{8.70} \left(\frac{940}{5200} \right)^3 \right)^{0.385} = 9.2 \text{ MIN.}$$

USE 15 MIN t_c $I_2 = 4.00 \text{ IN/HR.}$

$$C = 0.35$$

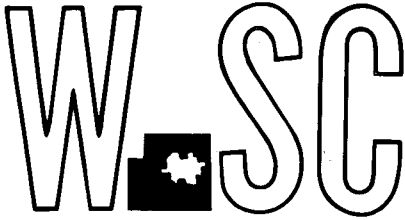
$$Q = CIA = (0.35)(4.00)(6.3)$$

$$Q_2 = 9.0 \text{ CFS.}$$

- TRY A 21" x 15" CMPD @ 0.20 % GRADE.
TO DRAIN SE INTO DRAINAGE DITCH.
W. 1 INLET LOCATED BETWEEN LOTS
25 & 26 IN THE DITCH OFF ADDN.

- CAPACITY OF 21" x 15" @ 0.20 % = 5 CFS.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

May 16, 1980

The Baughman Company
330 Laura
Wichita, Ks. 67211

Re: S/D 80-31 - Final plat of Seventh Addition to Cherry Creek
Hills

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, May 15, 1980, the above captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The applicant shall guarantee the extension of sanitary sewer to serve all lots.
- B. The applicant shall guarantee the extension of City water to serve all lots.
- C. The applicant shall guarantee the paving of all interior streets being platted.
- D. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that adequate construction methods will be used to minimize noise pollution within any habitable buildings built on subject property.
- E. The applicant shall obtain approval from the Cities Service Gas Company for the extension of underground utilities and the construction of a street through their easement. Any relocation or encasing of the Cities Service lines which may be required for the development of this property, shall not be at the City's expense.
- F. The platted building setback lines shown through the Cities Service easement shall be deleted on the final plat tracing.
- G. The applicant shall guarantee all drainage improvements required by the platting of this property including storm sewers and the drainage channel on the east side of the property.

Baughman Company
Page 2
May 16, 1980


- H. Additional easements requested by K.G. & E. and shown on the engineer's "marked copy" of the final plat shall be added to the final plat tracing.
- I. The applicant's surveyor shall contact the City Engineer regarding the need for some minor easement changes.
- J. The signature blocks shall be updated to indicate the current elected and appointed officials.
- K. Recording of the plat within 30 days after approval by the Board of City Commissioners.

Enclosed with the applicant's copy of this letter is a list of the five methods which have been adopted as being acceptable for guaranteeing improvements required in the approval of plats. Forms for the bond and irrevocable letter of credit are available from this office.

The enclosed "marked" copy of the final plat is for your information and files.

This matter will be forwarded to the Planning Commission for its consideration on May 22, 1980, at 1:30 p.m. If you have any questions regarding this matter, please call.

Sincerely,


Louise Olivarez
Senior Planner

LO;bh

cc: Edith Flynn, P.O. Box 18185, 67218
Dean Sellers, Acting City Engineer

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 and an asphaltic concrete wearing surface, composed of stone, sand, mineral filler, and asphalt according to Ordinance No. 36-572 with plans and specifications to be furnished by the City Engineer. Drainage to be installed where necessary.

- (b) That the estimated and probable cost of the foregoing improvement being _____ payable by the improvement district and _____ payable by the City of Wichita at large for _____

Said estimated cost as above setforth is hereby increased at the pro-rata rate of $1\frac{1}{2}$ percent per month from and after _____

- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total cost of the improvements 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 _____

except when sidewalk is constructed adjacent to a particular tract, lot, or parcel, or when driveways are requested to serve a particular tract, lot, or parcel, the cost of said sidewalk or driveway shall be a direct assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements. The cost of sidewalk constructed adjacent to the reserve areas will be assessed to the entire improvement district with the method of assessment being as setforth above. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

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 Sedgwick 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.

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

LEGAL DESCRIPTION	SIGNATURE	DATE
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AN ABTRACTOR'S CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS PETITION

SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 80-31 Name Seventh Addition to Cherry Creek Hills
Date Application Rec'd. 5-2-80 Preliminary Approval _____
Scheduled S/D Meeting 5-15-80

DESCRIPTION

General Location North of Pawnee approximately 1/2 mile east of Rock Road

Owner Estate of William Levitt
Surveyor/Engineer Baughman Company, P.A.
Address 330 Laura, Wichita, Ks. 67211 Phone 262-7271

- | | | |
|---|---|--|
| 1. Gross Acreage of Plat | <u>21.6 acres</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | | a. <u>50</u> R/W <u>800</u> ft. |
| Residential | <u>61</u> | b. <u>64</u> R/W <u>2570</u> ft. |
| Commercial | _____ | c. _____ R/W _____ ft. |
| Industrial | _____ | d. _____ R/W _____ ft. |
| Other | _____ | e. _____ R/W _____ ft. |
| Total Number of Lots | <u>61</u> | TOTAL <u>3370</u> ft. |
| 3. Minimum Lot Frontage | <u>43</u> ft. | 8. Sidewalk adjacent to all streets? <u>yes</u> <input checked="" type="checkbox"/> <u>no</u> <input type="checkbox"/> |
| 4. Minimum Lot Area | <u>8275 square feet</u> | |
| 5. Existing Zoning | <u>AA</u> | |
| 6. Proposed Zoning | <u>AA and A</u> | |
| 9. Public Water Supply | <input checked="" type="checkbox"/> (Yes-No), Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewers | <input checked="" type="checkbox"/> (Yes-No), Name <u>City of Wichita</u> | |
| 11. Health Department Approval (where applicable) | _____ (Yes-No) | |
| 12. City of Wichita | <input checked="" type="checkbox"/> : Three-Mile Area _____ | |

STAFF COMMENTS:

Note: This property was part of the overall preliminary plat for Third Addition to Cherry Creek Hills which was approved by the Subdivision Committee January 27, 1977.

- A. The applicant shall guarantee the extension of sanitary sewer to serve all lots.
- B. The applicant shall guarantee the extension of City water to serve all lots.
- C. The applicant shall guarantee the paving of all interior streets being platted including storm sewers.
- D. This property is located northeast of McConnell Air Force Base within Compatible Use District 12 and is therefore subject to considerable aircraft noise. Within this district, the Air Force recommends that habitable structures be built so as to reduce interior noise by 30 decibels. The Planning Department recommends that the usual avigational easement and covenant be submitted.
- E. The applicant shall obtain approval from the Cities Service Gas Company for the extension of underground utilities and the construction of a street through their easement. Any relocation or encasing of the Cities Service lines which may be required for the development of this property, shall not be at the City's expense.
- F. The platted building setback lines shown through the Cities Service easement shall be deleted on the final plat tracing. The applicant's surveyor shall be prepared to discuss the reason for a 50-foot setback on the southeasterly side of the Cities Service easement while there is not a similar setback on the northwesterly side.
- G. The signature blocks shall be updated to indicate the current elected and appointed officials.
- H. Recording of the plat within 30 days after approval by the Board of City Commissioners.

SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D NO. 80-31 Name Fifth Addition to Cherry Creek Hills
Date Application Rec'd. 5-2-80 Final Approval 5-15-80
Scheduled S/D Meeting 2-5-81

DESCRIPTION

General Location North of Pawnee approximately 1/2 mile east of Rock Road

Owner Estate of William Levitt
Surveyor/Engineer Baughman Co., P.A.
Address 330 Laura, Wichita, Ks. 67211 Phone 262-7271

- | | |
|--|--|
| 1. Gross Acreage of Plat <u>21.6 acres</u> | 7. Lineal Feet of New Streets: |
| 2. Number of Lots: | a. <u> </u> R/W <u> </u> ft. |
| Residential <u>60</u> | b. <u> </u> R/W <u> </u> ft. |
| Commercial <u> </u> | c. <u>64</u> R/W <u>2830</u> ft. |
| Industrial <u> </u> | d. <u> </u> R/W <u> </u> ft. |
| Other <u> </u> | e. <u> </u> R/W <u> </u> ft. |
| Total Number of Lots <u>60</u> | TOTAL <u>2830</u> ft. |
| 3. Minimum Lot Frontage <u>43</u> ft. | 8. Sidewalk adjacent to all streets? <u> </u> yes <u>X</u> no |
| 4. Minimum Lot Area <u>8275 square feet</u> | |
| 5. Existing Zoning <u>AA</u> | |
| 6. Proposed Zoning <u>AA and A</u> | |
| 9. Public Water Supply <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 10. Public Sanitary Sewer <u>Yes</u> (Yes-No), Name <u>City of Wichita</u> | |
| 11. Health Department Approval (where applicable) <u> </u> (Yes-No) | |
| 12. City of Wichita <u>X</u> : Three-Mile Area <u> </u> | |

STAFF COMMENTS:

Note: The original final plat was approved by the Subdivision Committee 5-15-80 under the name of Seventh Addition to Cherry Creek Hills. The Committee was informed of the plat name change in June, 1980. This revised final plat shows a street name change (White Cliff Lane to Dalton) and also shows Dalton intersecting with Parkmont from the north. In July, 1980, the Planning Commission recommended approval of duplex zoning for all lots between Pawnee and Parkmont Drive and for all lots adjacent to the north side of Parkmont Drive.

- A. Approval of the street name "Dalton" north of Parkmont Drive will be subject to an official change in the name of White Cliff Lane as platted in Cherry Creek Hills Third Addition. The portion of White Cliff Lane being referred to is a direct extension of Dalton from the north line of this plat to the south line of Cherry Creek Drive.
- B. The applicant shall guarantee all drainage improvements required by the platting of this property including storm sewers and the drainage channel on the east side of the property.
- C. The applicant shall obtain approval from the Cities Service Gas Company for the extension of underground utilities and the construction of a street through their easement. Any relocation or encasing of the pipeline required by the development of this property will be at the developer's expense.
- D. The applicant shall guarantee the extension of sanitary sewer to serve all lots.
- E. The applicant shall guarantee the extension of City water to serve all lots.
- F. The applicant shall guarantee the paving of all interior streets being platted.
- G. The applicant shall submit an avigational easement covering all of subject property and a covenant assuring that adequate con-

(Over)

struction methods will be used in minimizing noise pollution within habitable buildings built on subject property.

- H. It is recommended that the platted setbacks on Lot 8, Block 6 be reversed so that the 25-foot setback is from Parkmont and the 15-foot setback is from Dalton. This will provide more buildable area on the lot and be more in accord with other lots in the vicinity.
- I. If the center of the 66-foot Cities Service easement is the same as the lot lines, this should be so referenced on the final plat tracing.
- J. The depth of Lots 10 and 11 in Block 3 far exceeds 2 1/2 times their width. When these proposed lots were approved for duplex zoning, they were each 84 feet in width. The applicant shall be prepared to discuss this with the Committee and state whether duplexes can be designed to fit these lots.
- K. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- L. Recording of the final plat within 30 days after approval by the Board of City Commissioners.