

# Sedgwick County

525 North Main Street 3rd Floor  
Wichita, KS 67203



*Sedgwick County...  
working for you*

## Meeting Minutes

Wednesday, January 3, 2018

9:00 AM

BOCC Meeting Room

### **Board of Sedgwick County Commissioners**

*Pursuant to Resolution #007-2016, adopted by the Board of County Commissioners on January 20, 2016, members of the public are allowed to address the County Commission for a period of time limited to not more than five minutes or such time limits as may become necessary.*

*Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Sedgwick County, should contact the office of Crissy Magee, Sedgwick County ADA Coordinator, 510 N. Main, Suite 306, Wichita, Kansas 67203. Phone: 316-660-7056, TDD: Kansas Relay at 711 or 800-766-3777*

*Email: [Crissy.Magee@sedgwick.gov](mailto:Crissy.Magee@sedgwick.gov), as soon as possible but no later than 48 hours before the scheduled event. Please include the name, location, date and time of the service or program, your contact information and the type of aid, service, or policy modification needed.*

## ORDER OF BUSINESS

### CALL MEETING TO ORDER

*The Regular Meeting of the Board of the County Commissioners of Sedgwick County, Kansas, was called to order at 9:03 a.m. on January 3, 2018 in the County Commission Meeting Room in the Courthouse in Wichita, Kansas, by Chairman David M. Unruh, with the following present: Chair Pro-Tem Commissioner Michael B. O'Donnell II; Commissioner David Dennis; Commissioner Richard Ranzau; Commissioner James M. Howell; Mr. Michael Scholes, County Manager; Mr. Thomas Stolz, Deputy County Manager; Mr. Eric Yost, County Counselor; Mr. David Spears, Assistant County Manager of Public Works, Facilities Maintenance, Project Services and County Engineer; Mr. Kelly B. Arnold, County Clerk; Chief Judge James Fleetwood; Mr. Marc Bennett, District Attorney; Mr. Justin Waggoner, Assistant County Counselor; Ms. Kate Flavin, Public Information Officer; Ms. Heddie Page, Deputy County Clerk.*

### GUESTS

*Mr. Clifford Koehn, Appointee  
Mr. Ron Marsh, City Administrator of City of Clearwater  
Mr. Steve Martens, CEO of NAI Martens  
Mr. Joe Johnson, Schaefer, Johnson, Cox and Frey Architecture*

*Chairman Unruh said, "Sherdeill, thank you for your prayer this morning. Madam Clerk, next item."*

### INVOCATION: Pastor Sherdeill Breathett, Sr., Rock Christian Fellowship.

### FLAG SALUTE

### ROLL CALL

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

*Chairman Unruh said, "Next item."*

### PUBLIC AGENDA

*Chairman Unruh said, "I don't have anything for public agenda. No one has signed up this morning, Commissioners so we will go to the next item."*

### APPOINTMENTS

- A**     [18-015](#)     RESOLUTION RE-APPOINTING CLIFFORD KOEHN (COMMISSIONER DAVID DENNIS' APPOINTMENT) TO THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.  
Presented by: Eric Yost, County Counselor.

**RECOMMENDED ACTION:** Adopt the Resolution.

*Mr. Eric Yost, County Counselor, greeted the Commissioners and said, "Actually, items A and B can be taken together because they pertain to the same board. Resolution under item A is one reappointing Mr. Clifford Koehn to the Sedgwick County Advisory Council on Aging. Mr. Koehn has been serving on this council, but his term has expired. Commissioner David Dennis is recommending that he be reappointed for a new term that would end on January 2, 2022. I understand he is present to be sworn. Then item B is a resolution accepting the resignation of Ms. Jaime Brown as a member of that board and we don't have a replacement yet at that time. I would urge adoption of both of these resolutions and that Mr. Koehn be sworn in."*

*Chairman Unruh said, "Okay Commissioners, what's the will of the board?"*

**MOTION**

*Commissioner Dennis moved to adopt the resolution appointing Mr. Koehn to Sedgwick County Advisory Council on Aging and approve the resignation of Jaime Brown.*

*Commissioner O'Donnell seconded the motion.*

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

**VOTE**

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Chairman Unruh</i>	<i>Aye</i>

*Chairman Unruh said, "Cliff is here this morning and Kelly Arnold, County Clerk, will swear him in."*

*Mr. Kelly Arnold, County Clerk, thanked the Commissioners and said, "You ready, please raise your right hand. I do solemnly swear, that I will support the Constitution of the United States, the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Sedgwick County Advisory Council on Aging, so help me God."*

*Mr. Koehn, Appointee, greeted the Commissioners and said, "I do."*

*Mr. Arnold said, "There you go, congratulations."*

*Chairman Unruh said, "Cliff, did you want to make any comments?"  
Mr. Clifford Koehn, "I don't believe so at this time."*

*Chairman Unruh said, "Alright, I'll..."*

*Mr. Koehn said, "We're just working at trying to getting higher on the pecking order."*

*Chairman Unruh said, "...okay. Alright, well thank you for your service. Next item, please."*

**Approved**

- B**     [18-016](#)           APPROVE THE RESIGNATION OF JAIME BROWN (COMMISSIONER MICHAEL O'DONNELL'S APPOINTEE) FROM THE SEDGWICK COUNTY ADVISORY COUNCIL ON AGING.  
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Approve the Resignation.

*Action for this item was taken with Item A.*

- C**     [18-018](#)           RESOLUTION RE-APPOINTING BRIAN POWERS (COMMISSIONER DAVID DENNIS' APPOINTMENT) TO THE WICHITA/SEDGWICK COUNTY ACCESS ADVISORY BOARD.  
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Yost said, "Again, this is a resolution reappointing Mr. Brian Powers to the Access Advisory Board. He's been serving on that board, but his term has expired. Commissioner Dennis is recommending that he be reappointed for a new term that would end on May 31, 2019. I'm told he's not going to be present but maybe he, is you might want to inquire, but I would urge adoption of the resolution."*

*Chairman Unruh said, "Alright Commissioners, what's the will of the board?"*

MOTION

*Commissioner Dennis moved to adopt the resolution.*

*Commissioner Ranzau seconded the motion.*

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

VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Chairman Unruh</i>	<i>Aye</i>

*Chairman Unruh said, "I don't see Brian [Powers] present, so we will swear him at the appropriate time. Next item, please."*

**Adopted**

- D**     [18-025](#)           RESOLUTION APPOINTING DAVID WRIGHT TO THE DISTRICT 3 CITIZENS ADVISORY BOARD AS RECOMMENDED BY COMMISSIONER DAVID DENNIS.  
Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Adopt the Resolution.

*Mr. Yost said, "Mr. David Wright is being recommended by Commissioner Dennis to serve on the District Three [Citizen] Advisory Board. I don't know that he's present but it is an appointment for this board and I would urge adoption of this resolution."*

*Chairman Unruh said, "Alright Commissioners, once again, what's the will of the board?"*

MOTION

*Commissioner Dennis moved to adopt the resolution.*

*Commissioner Ranzau seconded the motion.*

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

VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Chairman Unruh</i>	<i>Aye</i>

*Chairman Unruh said, "Next item."*

**Adopted**

E [18-014](#)

ACCEPT THE RESIGNATION OF VERNE YOHO (COMMISSIONER JIM HOWELL'S APPOINTMENT) FROM THE SEDGWICK COUNTY ANIMAL CARE ADVISORY BOARD.

Presented by: Eric Yost, County Counselor.

RECOMMENDED ACTION: Approve the Resignation.

*Mr. Yost said, "Mr. Chairman, this is a resolution accepting the resignation of Mr. Yoho from the animal care advisory board. We have no replacement for him at this time. But we will of course run that resolution when we do have that. I would urge adoption of this resolution, which would accept the resignation."*

*Commissioner Howell thanked the Chairman and said, "I would like to thank Verne Yoho for his service and make a motion to accept his resignation."*

MOTION

*Commissioner Howell moved to approve the resignation.*

*Commissioner O'Donnell seconded the motion.*

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

VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
----------------------------	------------

Commissioner Ranzau           Aye  
Commissioner Howell           Aye  
Commissioner O'Donnell II       Aye  
Chairman Unruh           Aye

Chairman Unruh said, "Next item."  
**Approved**

**NEW BUSINESS**

F     [17-1082](#)           DISCUSS PURCHASE OF COUNTY ADMINISTRATION BUILDING.  
Presented by: Tom Stolz, Deputy County Manager.

RECOMMENDED ACTION: Authorize the Chairman to execute a real estate option for a County Administration Building.

*VISUAL PRESENTATION*

*Mr. Mike Scholes, County Manager, greeted the Commissioners and said, "Welcome, everybody. In a few moments you will hear from Deputy County Manager Tom Stolz and staff as he outlines the process undertaken to this point that we have worked to potentially find a new county administrative building. We have several people in the audience today who are going to be a part of this briefing that I wanted to recognize.*

*"First is, I want to recognize Joe Johnson and Justin Graham that we use as an architect from Schaefer, Johnson, Cox and Frey [Architecture], over there. Steve Martens is also here, he serves as our real estate broker who has helped us through this process with NAI Martens. We will also hear from District Attorney (D.A.) Marc Bennett, who has spoken to you several times. He is not here yet, but he would like a chance to speak. He has talked to the Commissioners several times during this process during the space management discussions. Also, the County Clerk Kelly Arnold would like a chance to speak on behalf of himself, the Treasurer and Register of Deeds, Linda Kizzire and Tonya Buckingham.*

*"Also, [Chief] Judge Fleetwood is here and available if needed to speak on behalf of the [18th Judicial] District Court. We also will use Will Deer, who we used during this process from the County Counselor's Office, and of course Eric [Yost]. Then there are others who will potentially who were part of the process of touring the builds and doing an analysis that will talk about during the briefing.*

*"The needs and constraints of the judicial system that we have talked about have been a reoccurring theme over the last couple of budget cycles. I know for last year's budget cycle and this year's, as we've gone through the budget cycle, been a reoccurring theme amongst all departments about needs. Many of you have toured many of the different departments, and also some of the outlier departments and have seen a lot of this overcrowding. But the District Courts and the District Attorney's Office along with the Sheriff's Office have made these needs clear in numerous meetings that began last year and ended through, and also we talked about during the budget retreat, but also talked through the adoption of the budget in August.*

*"At the June 13th, BoCC (Board of County Commissioners) staff meeting, Tonya Cole, if you remember, presented a great deal of information to you about space needs and*

*the potential process to move forward. We gained consensus from the Commission at that time to look at potential options for moving the county administrative services to another building in the downtown court area. That was your guidance to us. A great deal of staff time has gone into this process, which included a 2017 county courthouse space needs study that outlined the total additional square footage that would be needed.*

*“That was working with Justin [Waggoner], who helped us in that process. Working with Steve Martens we outlined what guidelines we should follow in the property search. From a review of 22 initial properties, in his search found two properties stood out as viable options. Both properties have been reviewed and are deemed suitable to serve as county administration building with some renovations needed on both. Both of these properties were also toured by a group of internal stakeholders.*

*“The options regarding these two properties will in the end be provided to you, presented to you as options to purchase. This is obviously an important decision for the future of Sedgwick County, and our request today is that you would select an option that you would like us to move forward with, and with that, I will turn it over to Tom [Stolz], who will start us on the briefing.”*

*Chairman Unruh said, “Let me interrupt just a moment and call on Commissioner O'Donnell.”*

*Commissioner O'Donnell thanked the Chairman and said, “I am just wondering, I see our City Administrator from Clearwater, Mr. Ron Marsh, here in the audience today. Since this is going to take a while. Is there any way that we could move item G in front of this, just so that Mr. Marsh can get back to Clearwater and not spend his whole morning with us, Mr. Chair, without objection?”*

*Chairman Unruh said, “I don't think there will be an objection to that. The Clearwater issue should take just a couple of minutes.”*

*Commissioner O'Donnell said, “Justin is there on the front row.”*

*Chairman Unruh said, “So, we can do that right quick and then come back to...”*

*Commissioner O'Donnell said, “Sorry, Tom.”*

*Chairman Unruh said, “...the item under discussion. Commissioners, is there any objection? Alright, well then forgive us for this interruption but I think it's the right thing to do. Justin, please go ahead with item G.”*

*The Board of County Commissioners suspended consideration of item F.*

*The Board of County Commissioners resumed consideration of item F.*

*Mr. Tom Stolz, Deputy County Manager, greeted the Commissioners and said, “Today Commissioners, here to talk about, as the Manager prefaced before the county administration building. We are going to have a few slides over just the review of the need of the administration building, a little bit on the process of analysis, and then we are going to in some detail talk about the two sites that the Manager mentioned.*

*“He also mentioned that we have a history of searching for an administrative building*

*that actually started in 2010. There was a space utilization study done back in that time. Already during that time, seven, eight years ago, there was a prediction of the courts, the District Attorney's Office, and the Sheriff's Office growing to a point where this building would no longer suffice for both a courthouse and an administrative building. It came into clear focus this year during the budget process for 2018, with the dates on the screen today that we've discussed this many times in public agenda, in public perception.*

*"Tonya Cole, who I am here presenting for today because she had family medical emergency has done the lion's share of the work on this and actually gave you a presentation in June regarding space management study. The space needs that are driving this come from the District Court, the District Attorney's Office and the Sheriff. Marc Bennett, from the D.A.'s office is here to talk a little bit later in the presentation, as is Judge Fleetwood about some particulars of why this is, why they need more growth.*

*"The first thing we did after the space utilization meeting is had the architects that the manager referenced from Schaefer, Johnson, Cox and Frey come and do a programming study of these three entities. District Attorney's Office ends up needing, through programming, an additional 30,000 square feet of space, I'm sorry, District Court does. District Attorney's Office needs 15,000 more square feet, and the Sheriff operations inside the courthouse needs an additional 2,000 square feet. Marc will talk about this, but I know that he has space needs due mostly to evolution of crime and also technology changes in how crimes are investigated, mainly through body cams being worn by police officers and sheriff's deputies.*

*"The next phase of the analysis was to do programming for all of what we would consider administrative resource for county government. This slide is kind of busy. Let me kind of talk to you about the numbers. We looked at County Clerk, the very first bullet, County Clerk is currently in 4,010 square feet inside this building and upon programming for their future needs over the next 10 or 20 years, 4,883 square feet were programmed in. You can follow that all the way down. The left-hand number is what the current space is being used in this building, and the right hand number is the projected space needed when we move to different space.*

*"I will mention that three of these entities are not currently in the courthouse. Human Resources (HR) is over at [Sedgwick County] Historic Courthouse currently, print shop/mail room, same way, and ITSS (Information, Technology and Support Services) is split between Munger and also Historic Courthouse. So if you bring all of those entities in, we find that we need a tenant space in a new building of about 74,000 square feet and a gross area of a little north of 90,000 square feet.*

*"Now, I want to talk about these two numbers, because we are going to reference them as we go through the presentation. Tenant space is the exact space needed for offices and conference rooms and those types of things where we actually occupy space. When we talk about gross area, and Justin can talk to this also, we are talking about circulation space, bathrooms, stairs and common space needed just to run an administration or office building. So those are the difference between the two numbers. That number is not exact science. Architects will tell you it is between 22 and 28 percent on top of the tenant space area. So for an average here we used 25 percent circulation space to arrive at this number. After the programming piece was done and we had some gauge of what we would need for an administration building, we then called upon Mr. Martens to come in and begin a search of potential buildings, and we*



*focused on three areas.*

*"The three block downtown core area, what is we commonly talked about as government center in the building, or in the city. Downtown Wichita, which of course is more of the core area, goes down as far as Kellogg, up as far as Murdock, all the way over to Hydraulic. Then just all buildings within the county, that's how Steve ran his study, and he was looking for buildings between 20,000 and about a quarter million square feet. After his review, he came back with five potential sites. 115 North Main, Gander Mountain property, two that we are going to talk about today, Riverview and Murfin Plaza and USD259 (Unified School District), their old admin (administrative) building on 201 North Water. Gander Mountain, the structure of the building didn't really fit our needs, so that was struck from the list. 150 North Main was in such disrepair that remodel costs on that would have been prohibitive for us to venture into. The USD259 admin building was actually taken off the market by the owner who is refurbishing that for condominiums and living space. So that left us with Riverview and Murfin Plaza.*

*"The Murfin complex, it actually is three buildings being proposed by the owner. If you look at this screen starting at the upper left going clock wise, the main building is the Murfin Plaza, the right hand building is 221 North Main, which is right now just an empty shell an old office building, and the bottom structure is 201 North Main, which is currently the Sunflower Bank. All three of these buildings were, are being proposed. This is actually, encompasses almost a city block, with Water (Street) on the west and Main (Street) on the east, 2nd Street to the north and First Street on the south. I will have an aerial diagram a little bit later that I will show you which will encapsulate that. The Riverview building is at 345 Riverview, it's kind of at the confluence of Veteran's Parkway, Central and Riverview streets, a single building with an attached parking lot.*

*"So after these two buildings were identified, we then took a group of stakeholders through tours of the building. I know some of the Commissioners went through one or both of these sites. The stakeholders included anybody who is going to be moving into this building. So the Clerk's Office, the Treasurer's Office, [Register of] Deeds, Records, HR, et cetera. Anybody who was going to have an office in this facility went on this tour. It wasn't just necessarily a tour to look at the building, we actually gave them rating sheets and had them score a series of criteria, some of which are mentioned here.*

*"Adequate and convenient parking stalls, potential cost of renovation, roughness of the building, efficiency and property conditions, and a very important piece is ease of access for customers and citizens to come into, and for adjacency. For adjacency is a subjective kind of analysis but when you look at how our elected offices, the deeds, the treasurer, the clerk, all work together, it is important that they are in close proximity. Same with the Commissioners, the Manager's office, the legal office, there's times when we have to have certain floor adjacency, which would lead to greater efficiency. That's what we were trying to rate when we went through these buildings.*

*"The Murfin complex as I mentioned is actually three different buildings. Varying in age 40, 50 years, one is 100 years old, actually. You can see the appropriate square footage. The 221 building when we toured it, actually is in such disrepair that that would probably have to be demolished. We would actually need more parking at that if this site was chosen at that location. So we will talk about demolition costs here in a little bit.*

*"The main administrative building is the 250 North Water site, 76,000 square feet, its six stories, has 181 parking stalls. Now parking in this area is a little bit unique, and when I put the GIS (Geographic Information Services) satellite photo from above you will be able to see the parking layout a little bit better. All of these, both of these buildings that we're going to talk about Murfin and Riverview are currently occupied with tenants. 221 is an empty building and the appropriate appraised values are in there from County Appraiser.*

*"When we went through the Murfin complex, these are nice buildings, both of them. They have nice finishes. The 201 building, which is actually the bank, has a relatively new HVAC (Heating, Ventilating and Air Conditioning) system. The cons when you look at the bank and the Murfin building, will need some updates to finishes, as will Riverview. There are parking concerns, not necessarily because of location, but because of quantity. There's just hardly enough parking there in numbers. There are one-way streets which surround this building on three sides. On the 250 building, the main building, the air conditioner chiller is old, it is an all-electric building, and the 221 building as I mentioned, if we were going to occupy that instead of demolish it, would require total upgrade of HVAC system. It would be a campus setting, there are multiple buildings involved, at least two.*

*"Here's just a view from the air, in the yellow area, that is the parking associated with Sunflower Bank. The blue area is the parking associated with the 221 building, and the 250 North Water building. So you can see that this pretty much lays out an entire city block. The Riverview building was built in 1982. It has a little north of 86,000 square feet, it's a seven-story building. It has more parking than the Murfin Plaza, does, there's 329 parking stalls there. That's actually 360-degree parking kind of arrangement, where there's parking on all four sides of the building. There are leases there. The appraisal value, you can see listed, and if the county, just like Murfin, if the county would purchase this building, there would be leases available, of which we would receive money until such time as those tenants left for other sites or the leases were negated. The Riverview owners did give us a lease cost of about a little south of a half million dollars per year that the county would realize if we took this building over. We did not get the number from Murfin, but there would also be leases there, too.*

*"Pros and cons of Riverview, Murfin had two elevators, as does Riverview, although Riverview actually has a third shaft built into the building to where if we wanted to install a third elevator, it would be from a construction perspective, much easier. The finishes were good in this building, as they were in Murfin, the HVAC is in good shape. It is a single building. It would not be a campus, we could all be under one roof.*

*"Seventy-seven percent of the building could be vacated relatively soon, within a year or two, with tenants leaving, and this was the preferred buildings by the stakeholders I mentioned before, the elected officials and the staff officials that went through both buildings. The cons were, as we had some ADA (Americans with Disabilities Act) compliance issues on some of the bathrooms that we'd have to reconcile, as we would crack this open as a public building. There is only one street access to this and that's off Riverview. We may have to look at a second street access, either off Veteran's Parkway or off of Central.*

*"Over the last couple of weeks as we have been talking to ownership from both buildings, we were asking for a price, lowest price possible from them. I will just go through these very briefly, then I will want Steve Martens to come up and just kind of talk about the numbers for a second. The Murfin complex is bid in at [\$]7.9 million. When we talk about renovation considerations, and for those of you who were here and*

*remember the Reagan project, we looked at minimal renovation of both these buildings. All said and done Reagan was about \$30 a square foot for renovation floors one through six, and we used a similar number, similar mathematics here. Some of the areas would need a little bit heavier renovation, many of them in both buildings would require very little. So just an average of \$30 a square foot.*

*“Looking at the bank and the main Murfin complex, not including the 221 building, that number would be just a little bit south of [\$]3 million. We would have to demolish 221 North Main, the estimate bids we get on that are between \$135 [thousand] and \$175,000, and if we would pave over that space with asphalt, that’s going to run around \$40,000. The Riverview building option came in at [\$]7.098 million. Renovation costs using the exact same mathematics that we did for Murfin would run about [\$]2.6 million. During this time if the Commission deems it so today, we would give it a due diligence period and can probe in and actually firm these numbers up as we get into the building and actually start doing analysis. Steve, I would like him to come up and talk just a little bit about the asking prices of these buildings.”*

*Mr. Steve Martens, CEO of NAI Martens, greeted the Commissioners and said, “Just some brief comments on the two proposals that are in front of you. Neither of these buildings were actively on the market at the time we did the study. The owners were approached and expressed a willingness to submit their buildings for consideration by the County Commission. I think in our downtown market we’ve seen in the last 18 months, a number, or 24 months, a number of what at one point in time were vacant office buildings now taken off the market and put into service as residential properties. The former Litwin Building is now called the Douglas [Apartments], and a very attractive apartment and mixed-use building. The Bitting Building has been converted to apartments, both of those are at Douglas and Market Street. At Market and First Street, the building called Market Center was vacant, it’s now in process to be renovated into apartments.*

*“Of course the building to the north of that I refer to as the former KG&E (Kansas Gas & Electric) Building was purchased, and it has been successfully converted into apartments. So a lot of these buildings have seen a new life and a second wind, if you will, in terms of what’s going on. I think the price and value and the process really depends on supply and demand. This was a very extensive search, and in my opinion, the properties that we are talking about today from a starting standpoint, the prices that have been proposed are within market guidelines for the intended use and the activity that’s involved. I think one important thing to keep in mind, and Tom did reference this, but these buildings are occupied. There’s tenants that are in the building. The owners of these buildings are looking at that income stream, if they are selling to a third-party.*

*“The county really wants to occupy the buildings, so there’s to a degree, maybe a little bit of a mismatch, but the benefit or the offset is that in the period of time to work through the negotiation process to get to a purchase contract for the county to possibly buy one of these buildings and then go through the planning and phase and all for the remodel, there will be rental income coming back to the county. We are aware, at least of the Riverview Building, in that instance if we are on a 24-month time frame, and time frames have not been established in any of the buildings, but if we were on a 24-month time frame, that’s approximately [\$]900,000 back, or [\$]900,000 off whatever the ultimate purchase price would be. So I think the offers that we have or proposals we have are certainly legitimate and worthy of serious consideration.”*

*Chairman Unruh said, "Thank you, Steve. Commissioners, before Steve leaves the podium, is there any questions directly of him? Commissioner Dennis has a question."*

*Mr. Martens said, "Yes, sir."*

*Commissioner Dennis said, "Thank you, sir. I appreciate the information that you provided to us. I guess my one brief question, which probably won't have a brief answer, but we are looking at one set of buildings built in 1983, 1917, 1972, and another building, I don't see the date right off but anyway, they are not new buildings by any means. We are looking at \$12 million to get into the one of the buildings, [\$]9.5 million to get into the other building. Is this the best option or what would it cost us to build a building, that's 2018 or 2019 building?"*

*Mr. Martens said, "I'm not, I don't feel qualified to answer the question on a cost of a new building. Joe or Justin from Schaefer, Cox might have a better and more informed answer on that. I would comment that the Murfin Plaza building and the Riverview building have been occupied since they were built by the same, essentially the same tenants. The Murfin family was a co-developer of that building. Law Company and Law Kingdon [Architecture] were a co-developer of the Riverview building. Those buildings have been well maintained and updates and upgrades made to them as time has gone on.*

*"Certainly because of the age, there is some depreciation, and to the structure and certain things. Some change in those versus a brand new building. But I would have to believe that a new structure cost is going to be exponentially higher, and I am not sure that the return or the functionality of new one would cover that cost."*

*Commissioner Dennis said, "Okay. Well my biggest concern was \$12 million for something that is fairly old. I just want to make sure that that's the best decision. I don't know if Mr. Johnson has a better answer for me or not."*

*Mr. Joe Johnson, Schaefer, Johnson, Cox and Frey Architecture, greeted the Commissioners and said, "Okay, the question was the age of the buildings and..."*

*Commissioner Dennis said, "Well, I guess it is a tradeoff. Do we buy something that's 25, 30, 40, even a 100 years old for \$12 million, or another building that's 25, 30 years old for [\$]9.5 million, or do we look at building a building?"*

*Mr. Johnson said, "Well, I think both of the main buildings, the Murfin complex, the main building is around 30 years old, if I understand correctly, as well as Riverview. So there's some age there, but there's certainly not historic. If we were looking at building new, we might estimate, if you had enough land and you were building a single-story building perhaps in the [\$]190 to \$200 a square foot range for a new building, if you were looking at multi-story that would probably increase some maybe [\$]200 to \$220 a square foot. So there's certainly more cost in building new than a remodel, I would believe."*

*Commissioner Dennis said, "What is the lifetime cost? I mean, when you buy a building that's old, you are going to have maintenance and so forth. I guess I am trying to find out what it is going to cost us lifetime, 50 years. Over the next 50 years, what is it going to cost to buy an old building versus a brand new building?"*

*Mr. Johnson said, "Certainly have to give that some more detailed thought and consider the age of the systems and do some more analysis on that. I don't know that I can answer that right here."*

*Commissioner Dennis said, "Okay, thank you."*

*Mr. Johnson said, "You bet."*

*Chairman Unruh said, "Thank you, Commissioner. Commissioner Howell has a question."*

*Commissioner Howell said, "Thank you, Mr. Chairman. I just want to confirm some of the numbers here. I have heard the number 12 million a couple times. I am just curious, I'm not sure how that adding these up getting around 10.8 for the option one, 9.6 for option two. Is there some other cost I am not seeing here? Anybody?"*

*Mr. Stolz said, "Commissioner Howell, the numbers that you see on the screen are our best estimates at this time of the analysis, that I think they're correct."*

*Commissioner Howell said, "Okay. We were going kind of going fast and we didn't to have a copy of the presentation at the time, so I was just curious, what's the total square footage of option one versus option two."*

*Mr. Stolz said, "Option one if you consider the two buildings, was around the bid 95,000 square feet, main Murfin plus Sunflower Bank, not 221, and 86,600 for Riverview."*

*Commissioner Howell said, "Okay. So 95 for option one. Again, I was grateful, I actually got the chance to go and look at these buildings, and I guess at the time I was looking at the option one, there was some discussion about actually using the building at 221 North Main. So is that decided that building is not..."*

*Mr. Stolz said, "No, nothing has been decided. It is a rough building. If we were going to occupy that, two things. Remodel expense on that will be a lot more than \$30 a square foot. That is a rough, old building that would require extensive renovations, and number two, it would further diminish the available parking in that campus setting for our needs, which we gauge to be 240 to 300 parking spaces. We would not have that many parking places, so two issues with that."*

*Commissioner Howell said, "So is there around 300 parking spaces in the second option? How many parking spaces?"*

*Mr. Stolz said, "Riverview has more parking, yes. Enough parking for our needs."*

*Commissioner Howell said, "Enough parking. Number one, again reflecting on a conversation I had. There was some discussion about parking garage across the street when we needed it. I don't know if that's..."*

*Mr. Stolz said, "I'll get to that in just a second when we cover CIP (Capital Improvement Project) numbers. We did have a parking garage built into the original CIP, but I think in either of these options we would not need that, a parking garage."*

*Commissioner Howell said, "In terms of the timeline, are these similar timelines in terms of availability, or is there a significant difference in how soon we would be able*

to access these?”

Mr. Stolz said, “The Riverview Building is a little bit more dynamic, there are more tenants there. They have leases which run all the way through 2022, although the bulk of the leases actually could be vacated within a couple of years. There are two main, actually three main tenants in that building. Murfin Plaza, the main occupants are Cargill and Murfin.

“Cargill is building a new headquarters downtown, so their leaving is imminent. Murfin would also be the other tenant to leave. So they both have leases attached. I don't know that any one is more favorable than the other as far as occupancy, timing.”

Commissioner Howell said, “In terms of location, reflecting on one of the questions I just heard a minute ago. I am not aware of any land available in downtown in three-block core that would be available for building. That would be one of the challenges I think, of building a building in that area.”

Mr. Stolz said, “Well, let me go back, just because of my old MABCD (Metropolitan Area Building and Construction Department) days of new construction costs. I think Justin is pretty spot on with the \$200 a square foot estimate on a new commercial build. Now, you have to buy land before you can do the build, so that would be on top of that. Commissioner Dennis, I think it is quite doable to do a 50-year analysis on build new, which would be heavy up front cost, but maybe lesser cost on maintenance over time versus buy old, and have higher maintenance costs from the get-go but a lot less up front money. So we will get you an analysis put together and we should do that in fairly short order. I think just based on history, I think that a purchase of an existing building is going to be a more cost-efficient way to go, but we will get the analysis so you can see the numbers.”

Commissioner Howell said, “But in terms of, if one of the requirements is to stay in the three-block core, there is really not any land that I am aware of that's in that area.”

Mr. Stolz said, “I think Steve did an analysis, and there was no dirt available or for sale at that time.”

Commissioner Howell said, “So brings me to my next question that is, in terms of trying to find solutions to this, I understand one of the requirements was to stay close to downtown here, within three blocks is one of the requirements. That requirement is based on the type of financing that's going to be used for us to go with, is that correct?”

Mr. Stolz said, “Right. Requirement might be a little bit of a strong term. There was preference to do that for a couple of reasons, financing, and I think legal can talk about ramifications if we would choose to have an administrative building outside of that three-block area. There are some legal ramifications which are workable. So I don't know that it's so much of a requirement as it was just a very strong preference.”

Commissioner Howell said, “So I am wondering, when we solicited these options for us to consider today, did anybody outside the three-block area, or any options outside the three-block area, did they pop up and maybe were eliminated in the process? Or we only looked at buildings, those two options.”

Mr. Stolz said, “No, no there were, and I will let Steve address that in just a second. But there were several building that we looked at across the city and across the

county, and maybe if I could finish the presentation, Steve maybe could get up and address that process, piece of it.”

Commissioner Howell said, “I will hold my questions for later but that’s kind of where I’m, I’d like to understand that process a little bit better, how we ended up with these two buildings.”

Mr. Stolz said, “Very good, sir. We’ll get that answered for you.”

Commissioner Howell said, “Alright, thank you.”

Mr. Stolz said, “Okay.”

Chairman Unruh said, “I see no other questions, so go ahead, Tom.”

Mr. Stolz said, “Okay, very good. The last slide I want to talk about is just kind of our budget for this process. We set in 2019 CIP budget a total of \$16 million, which was for a building and there was some factoring of a parking garage into that number. That would be considered phase one of this process. Phase two, which would be the remodel of this building to fit the exact needs of District Court and the District Attorney, we have budgeted in the time frame of 2020 to 2022 for [\$\$]7.5 million. At this point I would like to invite, I think Kelly Arnold first, I know Kelly toured both buildings and as the elected, an officer, he is a major stakeholder in this process, and then let Marc Bennett and Judge Fleetwood talk about kind of, just summarize their space needs very quickly for you, and then we will conclude the presentation.”

Mr. Arnold said, “Thank you, Commissioners. I am up here representing myself but also the Register of Deeds and the Treasurer’s Office. All three of us were able to be a part of the working group that have toured these facilities. We have had several meetings, putting in what our needs are, not only our needs currently, but what we see as potential future needs. This decision is going to be one of these decisions that is going to affect how we do business and how we operate, and where we operate for the next, you know, 40, 50 years.

“So it is important to us that we get it right the first time. There’s three kind of areas that we looked at as the elected officials, is what is going to be, you know, best for our customers, you know, the people that come to our office, what is going to be the best for our employees, and what is going to be best for us as a working group. Tom had talked a little bit about that it’s very important that we all work, that we are all together, because we all work so closely together in our day-to-day business.

**Approved**

“We have and you had received this, looks like about December 19th, I had submitted the three of us had submitted a letter just highlighting, and I won’t go through the whole thing again, but highlighting some of the things that we saw that were important to us, specifically having, for you know, customers, having adequate parking, having parking that is very close to the building, having a lot of customers come in to our office and the Treasurer’s Office, you know, do take the bus. So having bus services is important, or being part of that route.

“The other thing, you know, different times of the year, our offices have different

*fluctuation with people coming in and having adequate place for customers to sit. You know, many of you know that we have done homesteads and, you know, at times, we would have 50 people sitting outside of my door waiting to meet with us to go through the paperwork on that. So having a place that has adequate seating for our customers. For our employees, each of us have, you know, a few different needs. The Treasurer's Office needs to have a place where she can have tellers to be taking money and having something very close to the first floor I know is very important to her.*

*"For both Register of Deeds, myself and the Treasurer, is having an open office space. Our employees work together as a team all the time. So, you know making sure we don't have individual offices, but we have, I guess you could call a bullpen or open area for our employees to work. Then another thing that's really important, as elected's, but you know, department heads and others, making sure our services, where all of us are one working group. So Register of Deeds, the Treasurer, the Clerk, GIS, you know, the Appraiser is now downtown, so that's much closer for us. But also, you know, for the BoCC to be close to us. We have our attorney to be close to us. I know probably three or four times a day we have County Counselor's Office down in our office working on a project, same thing with GIS coming to our offices. Having HR, having the County Manager, but having us as a working group.*

*"So after touring both sets of these buildings and looking at the space that is available, doing it where it is going to be cost-efficient, we really only came up to one conclusion, and that was the Riverview Building. That was one facility where we all would be under one roof. We looked at the different floors and saw that that was what we felt like would be best for our needs, for our customers and for Sedgwick County as a whole. So we strongly prefer to have that building if these are the two options that we are looking at. It is important enough decision I want to make sure that I represented all of us here to you. If you guys have any questions, I would be around to take questions."*

*Chairman Unruh said, "Well Mr. Clerk, I don't see any questions right now, but thanks for your presentation. Chief Administrative Judge, Judge [James] Fleetwood."*

*Judge James Fleetwood, Chief Administrative Judge of the 18th Judicial District Court, greeted the Commissioners and said, "I always appreciate the opportunity to come and speak to you, I feel like it allows me to be more involved in this whole process of county government, and I appreciate this. I do have an apple watch, though, that keeps track of me.*

*"It has a health and it just said went off and said 'breathe'. What is the driving expansion as far as the courts are need, the driving need for expansion. This has a lot to do with some of the things the evolution of the court and justice. One of the thinks that we are looking at strongly, and we are being encouraged by the Supreme Court and also by their National Center State Courts is moving towards the idea of specialty courts. I don't know if we discussed that in great detail when first we talked about it, but it would require expansion of other courtrooms for this process. Specialty courts involve things like our drug court that we have now, but veteran's courts, which I think we all have a strong interest in, domestic violence courts, mental health courts, that all require a more nuanced approach to justice and dealing with some of these people.*

*"The courtrooms we have now are, some of them are generally not designed well for that kind of expansion. Some of the courtrooms we have right now are, they are designed use of space is not good. We would like to expand those courtrooms, make them, give them more space to work with. We also anticipate additional magistrates*



*that would be coming in. We are asking again this year for magistrates. When I talked to the State Legislators, they referred regularly to why do we not have magistrates. I didn't have a good answer for them previously. I wasn't sure that we needed them, but we do have a growing need. I think they are going to be an essential part of justice here in Sedgwick County. We don't have a place for them, and we need that growing space.*

*"The Court of Appeals. We actually have a statutory obligation to provide the Court of Appeals with space here in this courthouse. We haven't been able to do that for quite some long period of time. They have been gracious about it. They found space other places. Although they have contacted me just two weeks ago asking if I could make arrangements for courtroom space for the Court of Appeals to come and meet here in Sedgwick County.*

*"As you know, I have gone over a lot of these points with you before. The need hasn't changed. The court is expanding, and the court needs some greater use of space, and I can go into more detail if you desire. But I do encourage you to look positively upon this centralizing of county administration, county government, separate from this courthouse. The only downside of this whole process that I can think of right now is what I anticipate being the Oklahoma Land Rush between Mr. Bennett and myself when space is available. Anyway, thank you very much. Are there any questions?"*

*Chairman Unruh said, "Judge, I don't see anyone asking to speak, so thank you for your comments."*

*Judge Fleetwood said, "Thank you very much.*

*Chairman Unruh said, "Mr. District Attorney, Marc Bennett, good morning."*

*Mr. Marc Bennett, District Attorney, greeted the Commissioners and said, "Well, I was going to try to think of something quickly to say about the Oklahoma Land Rush, but I'll be respectful to the judge. So you know, I was thinking about this building, this is my 20th year working in this office. "When I started off, if you come in through the north building, used to be able to walk down a hallway into what essentially dumped out at the jury room, and that was another county agency. But over the years we sort of just added to our space, and we are now at a maximum capacity in what is commonly referred to as the annex there, the north building that juts out from the courthouse. Everything in those two top floors you see above ground is my office now.*

*"That's the product of several factors. One is just the crush of business. Just to give you an idea, to quickly start with, I will try to be mindful of time here. The amount of work that gets done in our office is, you know, think about it until you look back at the course of the year and look at statistics compared to the balance of the state. It is pretty staggering how much work gets pushed through our office. Last year in 2016, [United States] Sentencing Commission detailed that we had over 3,400 felony cases that went to sentencing, went to judgment, and they assess that by virtue of the number of sentences that are handed down in the journal entries.*

*"While that seems like a lot, 3,400, that's a pretty good number. Just by comparison, the next closest in the state was Johnson County, which I believe has, their actually population is a little bit higher than ours at this point. They had 1,700 cases. So twice as much work is being done in terms of felonies here than the next nearest county. You look at say Kingman County. I think Matt [Ricke] 26 cases felonies last year that*

got resolved. So and even Butler County, none of them over 2[00], 300. So number one, there is just a lot of work to be done here.

*"A lot of work requires a lot of people to do that work. You all know from each time I come up here, each budget cycle how much effort we put into our office trying to find efficiencies so that I am not back here each year asking for more people. We have tried to have a very slow but measured requests for growth only as needed. But the practice of law has changed in the 20 years that I have been in this office, and the 20-plus years I have been a prosecutor in this state. It used to be that you could take a file, it would happen with some frequency, get handed a file and say try this case tomorrow. Okay, I could take it home, and everything I needed was in the file that thick. You literally call Mr. Anderson over at the police department, make sure you had your photos printed off on glossy photo paper, and other than that, everything else should have been in the file. You had your photos, you had your police reports, maybe some transcripts, and off you went and you tried your case.*

*"Today, that's an impossibility. The number of different types of media that we deal with, from surveillance cameras at not only commercial businesses now, but residents as well. Almost everybody has some type of surveillance, at least every block does, which is fantastic, because it has enhanced the quality of law enforcement investigations and the quality of our work in court. We have so many situations now where we have actual video of the event, or video of the cars and the people running from the event, and so that's fantastic. But, there is no fast way to watch a video. You have to watch it in real-time and make sure you know what was done.*

*"Body cameras, jail calls, I mean I could go for the next 30 minutes just talking about all the different things that we now have to attend to. None of which can be given short shrift, none of which can be attended to in some fast or expedited mechanism. We have staff who are doing, we have fewer staff doing more work than we ever have when it comes to support staff. The advent of computers and the ability to digitize our charging documents. We have centralized all charging, even juvenile offender charges, all done under one roof now. Again in an effort to increase our efficiencies and make our product that more efficient and use fewer people to do so. But at some point, there is only so much we can do. That leads us to where we are today, which is most of you have gone through our office, taken a walk through. We are literally at capacity.*

*"I have an attorney at the juvenile building who is ready to come back downtown, a young man who is eager to get started trying to see if he can be a criminal prosecutor, not just doing juvenile cases, but it's time to bring him down and put him in front of juries and see if he's capable of doing that. I don't have an office for him. I literally have no office to put him in. My guess is I will put him in a conference room for a while, and he will get to sit and hope that somebody retires or decides to take a job in the private sector, I suppose. I have got a senior level attorney right now in one of my traffic attorneys' offices because she didn't have an office at this point. We are out of space.*

*"On top of that, I've brought Mr. Stolz and Mr. Scholes down, Rusty, Mr. Leeds, to come down and look at our office space and also recognize it's very dated. We have, I think we are up to four different types of carpet on the floor, so you can kind of watch, you walk from what's kind of schizophrenic, you walk from one to another and you have to watch your feet to make sure you are, I'm not being facetious, it goes from blue to brown to gray to it is not exactly a professional-looking office. But luckily we are behind a closed door, locked door so the public doesn't see it.*

*"It is time to upgrade, but I have been very reticent spend money. The old expression, throwing good money after bad comes to mind. I am not going to update my office until I know what you all want to do and that's I just think that's trying to be a good steward of public funds. We are going to spend money updating painting, carpeting, et cetera, when I know this is sort of in the offing, that this is being discussed, so we are holding back on that. But you know this space has served us well. I talked to people, there's not too many, and I'm going after my time, I will wrap this up. Not too many people who remember when this courthouse was open and when the D.A.'s office started off, but it used to be in a different part of the building. Vern Miller, Jack (inaudible) and a few of the older attorneys here in town regale me with the days of old when the D.A.'s office was actually I think on the second or third floor here.*

*"But it moved over to the annex at some point, and that has served us well for a very long time. But we are simply out of space. It seems to me that the citizens are better served by having us in the building than out of the building. I can go on about that, but bottom line is, we need space.*

*"I think the best thing I can do for the next person who wants to be the District Attorney is to make sure I hand off to them a facility that is commensurate with the responsibility this position, and puts my staff, the future staff of the District Attorney in a position to do their work within the courthouse, so that we can do the work we are hired to do, and the work that the public expects of us. If you have any questions, I would be happy to answer."*

*Chairman Unruh said, "Thank you, Mr. District Attorney. I don't see anyone with a question at this time."*

*Mr. Stolz said, "Commissioners, before I bring Will [Deer] up to get to a decision point here, I wanted Steve to come back up and answer Commissioner Howell's question."*

*Mr. Martens said, "Thank you. Commissioner Howell, to your point, some of the properties in our initial presentation to the county in the downtown area included the Century Plaza building, the Finney State Office building. We've talked 150 North Main, another building at 235 South Topeka, the USD259 training center on South Main, Gander Mountain that we visited about. Three of these were predominantly land plays, BG Products [Inc.] has excess land south of Kellogg on the river. Broadway and Lewis there's a vacant site. St. Francis and 2nd Street a vacant site.*

*"Sutton Place Office Building and the former Red Cross Building. As we move then out into the city and the county, the former Via Christi Ascension Senior Hospital at 2622 West Central, the vacant Corporate Hills building at Webb and Douglas, 101 South Webb. The former, what will be the former Meritrust headquarters at 8710 East 32nd Street North that backs up to K-96. A former supermarket at 1607 South Georgetown. An office building at 47th Street South and Oliver. A former call center at 7236 East Harry, the former Convergys Call Center and a portion of Towne West Mall. So those beyond just the look in the immediate area, those were other properties that we identified and shared with county staff."*

*Commissioner Howell said, "Alright. Thank you for that answer. I appreciate the detailed information. Thank you so much."*

*Mr. Stolz said, "If there are no other questions, at this time Commissioners, I am going*

to have Will come up and kind of talk about the concept of purchase option, and we are at a decision point.”

Mr. Will Deer, Assistant County Counselor, greeted the Commissioners and said, “I am going to have Kate [Flavin] distribute, we’ve got an option one, an option two, which on the slides, option one was for the Murfin Complex, which were the three buildings we discussed, and then option two is for Riverview Building. Both of these options would allow the county a 90-day period where we could enter into a real estate purchase agreement with one of these sellers, and during that time period we would, you know, conduct additional due diligence on the property. That would include physical inspections and, you know, additional due diligence.

“The decision really before you today would be, you know, to select one of these options, proceed with that seller, you know, through this 90-day period, enter into a real estate purchase agreement. It wouldn’t bind the county to purchase the building, you know, wouldn’t bind us to enter into negotiation in good faith with that seller, but you know, we are not agreeing to buy the building today. We are just agreeing to sign the option, and so it would be a 90-day period. Then obviously in the alternative we could, you know, select neither of the options. So I could stand for questions on what those documents say, or how that process would work.”

Chairman Unruh said, “Okay, thank you. So the information before us, there’s two options, and we are to, if things go according as plan, we would choose one, or can we say we want you to negotiate with both of them.”

Mr. Deer said, “We really wouldn’t be able to choose both. But both options contain a clause, it’s actually a clause seven that states if we select an alternative option, it would terminate the option we’ve selected. So there’s not really a feasible way to pick both at this juncture.”

Chairman Unruh said, “Alright, thank you. I believe there’s some casual conversation that I have had with Commissioners that indicate that we see the need for a building. “We want to make the right choice. We’re just concerned about the pricing for buildings that are 30 years old. So we are trying to, I don’t know if other Commissioners want to speak, but we want to make sure that in an arm’s length transaction we would clearly get a price that we think is reasonable for the square footage that we are purchasing. Commissioners, are there any questions or comments that you have right now that you want to make of Mr. Deer? I think Commissioner Dennis was first.”

Commissioner Dennis said, “Thank you, Mr. Chairman. Well, these are fairly large packages you just handed us to review. I haven’t read anything on any of these. We haven’t seen the slides before today. So I guess my main concern, and the Chairman has already mentioned it, is the total price for 30 some year-old buildings that you have got, and I guess, and to make sure that I understand your previous answer, if we choose one of these, we can’t tell the other one to renegotiate and come back with a better price?”

Mr. Deer said, “We wouldn’t be able to select both options today, Commissioner Dennis. It would be deferred.”

Mr. Yost said, “Mr. Chairman, I do want to clarify. You could select neither and continue to talk with both of them, but if you select one or the other, it would probably pretty much terminate the potential option for the other. So you could do neither and

*the effect of that is that you could be doing both by doing neither.”*

*Commissioner Dennis said, “Well actually, I think that’s probably my preference right now is to say that I would select neither for a couple reasons. One is I haven’t read any of this information, and to say that I’m going to make a decision on option one or option two today without reading anything would be really difficult for me. The second is, I do have a question now that Mr. Stolz said he was going to answer, and what’s the cost, 50-year decision point on possibly even building a building. I am not saying that would be my first choice by any means. I did quick math and its \$18 million to build a building, if the figures we were given was correct. So I guess right now my preference, honestly going away from the presentation, and I appreciate all the time.*

*“You know at the beginning of the slides, you showed how much time we have been involved in this already. I hate to say that we are going to not make a decision today, but that’s really where I am at right now. The price is too high on both of those buildings, especially the \$12 million, I know that’s not an exact figure, that’s what I rounded off to when I was running it through my head. But \$12 million option on the first one is way high, I think, even [\$]9.5 [million] is high. So right now where I am at, is that I think that we probably ought to go back and do a little bit more research before we make a final decision. Thank you, Mr. Chairman.”*

*Chairman Unruh said, “Thank you, Commissioner. Commissioner O’Donnell.”*

*Commissioner O’Donnell said, “Thank you, Mr. Chair. Will, I don’t know if you can answer this question or if it is a Tom question. But we mentioned the fact that there are tenants inside both of these facilities. I know that Tom said many of these people are going to be out, particularly of the Riverview Building, but some of the leases according to the slides said they’re going to be in there until 2022. What is the square footage that we can get in immediately in the next year, in the year after that and the year after that? Same goes with the Murfin building. We need to know what type of square footage we are talking about, and I don’t believe this covered what leases were going to expire at what time.”*

*Mr. Deer said, “I’ll defer to Tom.”*

*Commissioner O’Donnell said, “Yeah, I figured.”*

*Mr. Stolz said, “Commissioner, on Riverview first, there are leases there that run through 2022. The three main tenants of that building represent 77 percent of the total square footage of the 86,600 square feet. So about 60,000 could be available as soon as those three main tenants find space. We estimated on what that would, how long that would take. A year, two, maybe 30 months for them to move out. Then the smaller tenants, if we would move in this direction to buy Riverview, could be looking at any time for additional lease elsewhere or moving, so it is hard to gauge that. But currently by contract, they are in until 2022, but that can all be discussed and rearranged depending on what the tenants choose to do.*

*“On Murfin, the two main tenants, the Murfin Company and Cargill. Cargill, of course, is imminent. I think their move in time for their new facility is next summer sometime. Murfin would have to, if we would pursue this building, would have to move his operations either to one of his existing structures or build something new. So again, we would be looking at that two-year time frame, potentially. So it is similar on both of*

*these buildings. Murfin is a little bit simpler math because there is less tenants there. Riverview has a few more tenants, but the bulk of the building would be available in fairly short order, being two years."*

*Commissioner O'Donnell said, "I think those are some details we need to get before we can make an informed decision, just figuring out what is the time frame, a real-time frame from the owners of Riverview and Murfin, tell us you can absolutely have these buildings by this set date and nothing sooner and nothing later. We need something solid, in my opinion, before I am willing to make a decision. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. I have a question. Will, you are the point, where you are talking about legal things and making a decision on a contract, an offer, a negotiating point. My question, I guess, is another one for Tom. One of your early slides indicated that the total administration building gross area that we thought we needed was 93,3[00 square feet]. It looks like the Riverview building is listed at 86,6[00 square feet]. I mean, are we starting out with 6,000 square feet less than we think we need?"*

*Mr. Stolz said, "Two comments to that, the programming that was utilized to get to that 93 number, and Justin met with each division and department and went over each closet, each office, each conference room, everything that they needed. That number is based on future needs. That is not reality of what we have today. So we built in to that number potential growth into that 93,000 square foot number. The second thing, so yes, there is room for growth in that 93,000. The second number or point I want to bring up is when you talk about circulation space, that 25 percent, which drives this from 73,000 of tenant space to 93,000 of total gross space needed, that number, if we're efficient, we can slide that number down to less than 25 percent, getting closer to the 22 percent or 20 percent level, which would bring the building into exactly the size we need for not only current operations, but for future operations over the next 10, 20, 30 years."*

*Mr. Scholes said, "I think there is a third point to that too is that, when you do the renovations, you know, to either building for instance, if we went into one of the buildings and gutted the first floor in order to put the BoCC or whatever, that's going to open up more circulation space. Or if we have to do renovations on the second or third floor to fit a function in that, it is also going to open up circulation space. So it could be adjusted too in our renovations, the square footage of either buildings, so the Riverview or the Murfin Building."*

*Chairman Unruh said, "Okay. Well, thanks for that explanation. It's just, clearly as was mentioned, if we are going to make a move like this, it has to be with a 50-year move, and so I did not want to start out with insufficient square footage from the get-go. I mean..."*

*Mr. Stolz said, "We have, I think that Justin can correct me, I think the mathematics were, we are, what we are using today and what we are proposing in either of these buildings for the gross space, is about 20 percent more than what we currently set in today. So there was growth factored into that number."*

*Chairman Unruh said, "Okay, alright, thanks for that answer. I want to yield to the preference of my colleagues up here, however I'm convinced, especially by some of the testimony we've had today from our partners in the building that we need to do something, and we need to do something sooner rather than later. I also am convinced*

*that from the presentation, taking all things into consideration, parking, size, the building and so forth, that the Riverview building would clearly be my preference. I am very sympathetic with the comments of some of my colleagues that we believe that the cost per square foot of this is not palatable at this time. So I don't know what the correct way to go forward is, if we all have that frame of mind, we either, we need to have more information that convinces us or we need to just defer this decision. I'm not sure what the next step is, but I don't see anyone else asking to speak."*

*Mr. Yost said, "Mr. Chairman."*

*Chairman Unruh said, "Mr. Counselor."*

*Mr. Yost said, "Mr. Chairman, in addressing Commissioner Dennis's concern about the costs and maybe not having enough information related to costs, I don't have a preference between these two buildings, but I think you could exercise, you could vote for one option or the other and then negotiate with those folks about maybe getting the price down a little bit if you're otherwise content with that package. If you don't take either, then we are back basically to where we were before in trying to get their prices down. We've told them that this is the final offer, so you are free to choose neither, if you wish, and continue to negotiate with both. But if you have one that is a preference to you, you could select that. That doesn't bind you to anything. It's an option, and then we could continue to negotiate with those folks about various issues. We'll have to negotiate a number of issues during this..."*

*Chairman Unruh said, "We're building a time frame to make the building available."*

*Mr. Yost said, "Right, right. So I am trying to address your point, I hope I have done that."*

*Chairman Unruh said, "No, I think you have. I am sure that my colleagues also appreciate that explanation. I don't want to, you know, go into every reason I think that this is my preference, but I think I stated that enough in general terms. Part of my concern is the, as I said, is the price of it. We made a significant purchase just a few years ago that three folks in this room were extremely unsatisfied with, but it ended up, we made the purchase at \$50 a square foot for a building. This here as near as I can tell is somewhere around \$80 a square foot. I know that it's difficult to, it's really difficult to compare apples and oranges, and I know that I am kind of making that, but, and I don't know if Mr. Martens would want to make a comment on cost per square foot. Is that a relevant number to think about? Is this a typical price for office space in Wichita now? I mean, can you answer that question for me, of my..."*

*Mr. Martens said, "Mr. Chairman, a difficult question to answer, but I think in looking at the process, what is the need, what are the available alternatives that could fit that need and the cost. As I commented earlier, we've seen a significant move in the downtown market in terms of the number of available buildings out there. The options 24, 36 months ago are very different than what they are today. Supply and demand, and as the supply reduces, market forces are going to push costs to acquire a building. I think what we are talking about today is to establish with an option a starting point, very similar in a private party transaction, a buyer makes an offer on a building, typically there is a due diligence period where the buyer completes their due diligence to confirm the purchase price or renegotiate, if you will, clarify questions they have. I think in this instance because of the public nature, the option allows the county*

*to tie a building owner to tie a property up, go through the necessary steps that are there to then after that's done, conclude that yes, what the price that we're paying is, we're getting the value we want for that price and that price represents market."*

*Chairman Unruh said, "Okay, thank you. Mr. Manager, do you want to make a comment?"*

*Mr. Scholes said, "I had one comment in reference to Commissioner O'Donnell's desire on the lessees of particularly Riverview building. It's going to be pretty difficult to get a final determination from those lessees unless they knew that we're buying that building. To get a firm answer from them, from the multiple different lessees that are in that building just based off the, you know, speculation that we're going to buy it. I don't know if we're going to get the true answer on what the date is that they would come out, because most of them probably wouldn't want to come out. So until we actually, either chose an option or purchased the building, it may be tough to get that answer. It would be more of an estimate."*

*Commissioner O'Donnell said, "I understand that, but it's just really hard to say that you are going to buy a building and not know when you can occupy it. None of us would buy a house and say I don't know when we're going to be able to move in."*

*Mr. Scholes said, "Right."*

*Commissioner O'Donnell said, "So..."*

*Mr. Scholes said, "You are right, we face that with both buildings. It makes it a little more difficult with Riverview because there are, you know, a few more renters."*

*Commissioner O'Donnell said, "Yeah."*

*Mr. Scholes said, "But we would be, to Steve's point, we would be getting lease payments to us during that time period bringing the price of the total building down. So we would be getting some revenue from it."*

*Commissioner O'Donnell said, "Yeah, it just, I just, I'm concerned moving forward with the building not knowing when we can occupy it, because the concerns of the District Attorney, the concerns of the courts, the concerns of even our Row officers. I think we need to have a calendar to let them know."*

*Mr. Stolz said, "That's also part of why, what we would be doing in the 90 days of due diligence, is we would really be getting down into the weeds with those tenants and trying to determine and establish dates that they would be willing to leave. All we have right now is contractually what their leases are signed through to a certain year. Some to 2022, some less. That's really all we have today."*

*Commissioner O'Donnell said, "Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. Commissioner Dennis."*

*Commissioner Dennis said, "Thanks, Mr. Chairman. I toured both of the buildings, I do appreciate the clarification that Mr. Yost provided and the clarifications that the Manager and Assistant Manager provided. My big concern still is total cost of any one of these options. With that said, I understand our other electeds are very interested in*



*the Riverview Building. Between the two after touring them, that would probably be my preference if I was to the point that I was going to say I was going to choose one over the other. If we're to the point where that we that we need to try and enter into some negotiations and it doesn't bind us to the fact that we're stuck at the end if we can't come up with a solution, I would lean towards the Riverview Building if that's what we need in order to be able to move forward. But at this point, I wouldn't say that that's the one I'm going to buy at the end of that.*

*"But if we need clarity so that our folks and staff can move forward and start working something, why, I'd be willing to look at the Riverview building as the option that we could move forward with. So, I think we still got a number of questions. Each one of the Commissioners have already expressed a number of things that they are concerned about, and that we need questions answered on.*

*"But if we need to move forward again, I think we probably, if we're going to move forward on anything, we ought to move forward on the Riverview building and answer the other questions during the period of time that we are moving forward on finding out what the total cost would be and some of the other questions that were asked. At the end if we can't come to an agreement, then we are going to have to back up and come up with another option. But I guess if you have to have a direction that we are moving right now, my direction would be towards the Riverview building. Thank you."*

*Chairman Unruh said, "Thank you, Commissioner. Commissioner Howell?"*

*Commissioner Howell said, "Thank you, Mr. Chairman. Just a couple of curiosities. The total space needed by the District Court, D.A. and Sheriff was stated to be about 47,000 square feet, and the total admin tenant area we are talking about vacating out of this building, I guess, would be 73,678 square feet. If you add in, I think that's what we said here. I'm not sure if that's true. Maybe I'm getting confused here with the two different..."*

*Mr. Stolz said, "That's correct, sir."*

*Commissioner Howell said, "...buildings. Okay. So are we going to be moving 73,000, we're going to open up 73,000 square feet in this building available to the Sheriff, D.A. and District Court?"*

*Mr. Stolz said, "No, sir. The difference in square footage is Human Resources, print shop/mailroom and ITSS, all of which are housed outside of the courthouse today, would go into the new administrative building. We would be turning over a little bit south of 50,000 square feet in this building for the D.A., the Sheriff and the Courts."*

*Commissioner Howell said, "Do we anticipate that those three offices would use some of the newly vacated space or the historic courthouse? Would they use some of that space across the street?"*

*Mr. Stolz said, "Are you referring to the District Attorney and the courts?"*

*Commissioner Howell said, "Yes."*

*Mr. Stolz said, "I don't know that they would need any space in historic courthouse, if we could vacate enough space in this building for them to use. I don't know the answer to that question."*

*Commissioner Howell said, "Again, I think Commissioner Dennis's comments I think are kind of where I'm at as well, but there's a couple of things I'd like to understand a little bit more, and that is what's going to be the cost to renovate the spaces needed for the Sheriff, D.A. and District Court in this building, and then what are we going to do with the space that's available across the street. What's going to happen to that space? Are we going to have a way to mitigate unused space that we currently own?"*

*"To me, those are two questions I think we need to have a better understanding on, and then, I guess what I'm saying is, we're moving more admin than what is needed to satisfy the genesis of this entire discussion. So what we need to move is 47,000 square feet, but we're actually going to move 73,000 square feet of current activity. So if you just do the comparison of that, that's about 55 percent more moving than is really needed to satisfy the problem statement. So if we are going to move, I see there are some advantages I think to the Riverview building as it was presented to us this morning, but I have questions regarding the cost to renovate this building and what are we going to do with the other extra space that's not been addressed yet. So I guess I have some questions on that."*

*Mr. Scholes said, "Can we answer some of those questions?"*

*Commissioner Howell said, "Absolutely. If you have answers now, that would be great."*

*Mr. Scholes said, "So you know a lot of discussion has been made over the last year on different requirements that we need outside of the administrative requirement. We talked about storage. We talked about Elections being a requirement. We've talked about a lot of things. A lot of those discussions were put on hold because we knew that the administrative building was kind of the big decision that needed to be made that once that decision was made, we could then begin having some of those other discussions on what to do with storage, what to do with Elections, what to do with the Sheriff, what to do with some of these other functions that we needed to provide more capacity for. So we did put those on hold."*

*"So we would have the ability if we moved, and for me, a 50-year solution is moving all administrative functions to an administrative building, which includes some functions that are over in the old courthouse, like HR. So if you're going to have an administrative building, it would be very helpful to have HR, Finance, IT, some of those things all under one roof, which was the idea behind putting, creating an administrative building. So I would see, once we did that and we would relieve some capacity, there are functions over in the old courthouse that would fall in on the main part of the courthouse. But that would leave space open in the old courthouse for things like storage, for an increased capacity for Elections to fold out into the building. But I would see those discussions, you know, taking place after we made the decision for the new administrative building. So I looked at it as a 50-year solution and not more of a 10 to 20 year solution, to answer your question."*

*Commissioner Howell said, "So a follow-up question would then be moving out of this building. Would that be enough space opened up to satisfy the 47,000 square foot requirement of the Sheriff, D.A. and..."*

*Mr. Scholes said, "Absolutely."*

*Commissioner Howell said, "...District Court. Okay."*

*Mr. Scholes said, "Then in our CIP planning, we also planned for that. So another thing to keep in mind, you know, it's going to be a phased move, so for all the administrative function to move to either one of the buildings, it would be very tough to do anyway. We'd have to do a phased approach. So when we would move out of a floor, the D.A. could potentially move out of the annex into that floor, allowing us to start renovations on the old annex. So it would be kind of a phased approach on how we would use and how we have planned in the CIP budget to move into a new administrative building and to do renovations in the building, in the courthouse as we've moved out. So it made more sense fiscally to do it that way than making a total, in some regards, the renters being over there could have a benefit to us, because we'd also be getting revenue while we were doing that phased approach and that phased move, if you will."*

*Commissioner Howell said, "Okay, another question I've got. As stated in the presentation, the appraised value of the number two option was [\$]4.086 million, but the sale price to us is [\$]7.098 [million]. My question is, that's a 73 percent increase over the appraised value. Does that seem, how do we know we're getting a good deal on this building?"*

*Mr. Scholes said, "I asked the same question to Steve yesterday, and he could explain it a lot better than I could."*

*Mr. Martens said, "Commissioner, on the county appraised value, that's based on the PVD (Division of Property Valuation) model in a mass appraisal technique utilized by the State of Kansas, and while that is a legitimate and valid approach for mass appraisal technique, I think to compare that to a specific building and a specific circumstance, a little bit gets to be apples and oranges, so I'm not doubting the [\$]4 million valuation as it relates to mass appraisal and the County Appraiser's office, but I think in terms of actual valuation, value for a specific seller and a specific buyer to satisfy a specific need, those are all circumstances that a mass appraisal is not going to take into account."*

*Commissioner Howell said, "Okay, I was thinking of another question. Mr. Martens, are you representing both option one and option two today, are you..."*

*Mr. Martens said, "My firm has been hired by the county to work on your behalf."*

*Commissioner Howell said, "Okay, so you're representing all options to us. Whatever we're interested in."*

*Mr. Martens said, "I'm here today representing your interest in these options."*

*Commissioner Howell said, "Just so I understand, these might be questions for Mr. Deer, but I just want to make sure I understand once we have a full understanding of exactly everything that's being discussed today, do we have the option at some point saying, you know, we just don't feel, this maybe is just too much money or whatever? We want to just back up a little bit? Is there a way to back up after we approve option two today? Or are we obligated to continue forward?"*

Mr. Deer said, "Yeah, we would just be obligated to enter into a negotiation for real estate purchase agreement, you know, which would involve due diligence and, you know, potential renegotiation on the price, you know, physical inspection of the building, all of those types of things that would come into play. You know, we're a long ways away from actually buying the building today. This is simply exercising the option."

Commissioner Howell said, "I'm curious about, this might be a question for the Manager or I'm not sure who it's for, but someone mentioned the renovation cost on option two is [\$]2.5 [million], almost \$2.6 million. I'm curious, it was stated in the presentation that the finishes are nice, the finishes are good. So what's that \$2.6 million going to do in that building in terms of renovation cost?"

Mr. Stolz said, "That number was derived using the \$30 a square foot that it cost us to renovate Reagan, just times this number of square footage in Riverview which is 86,600 square feet. So, but if we think about the Reagan project and Riverview or Murfin would be very similar. There are some floors in those buildings which are pristine, where you would have, literally it'd be paint and carpet, and there are some particularly in an area where we would have to form a commission meeting room, for example, which would require heavier types of renovations. So we averaged the number of \$30 a square foot just based on the Reagan numbers sir."

Commissioner Howell said, "So that \$30 a square foot is the average cost after we did all six floors?"

Mr. Stolz said, "That's correct, at Reagan."

Commissioner Howell said, "Alright, thank you. That's all my questions. Thank you, Mr. Chairman."

Chairman Unruh said, "Alright thank you, Commissioner. Commissioner O'Donnell."

Commissioner O'Donnell said, "Thank you, Mr. Chair. According to what our Counselor said earlier, if we didn't take one of these options today, that means we could still work with both buildings and maybe find better pricing from them, is that correct Mr. Yost?"

Mr. Yost said, "You could do that. You basically would be right back where you were at the beginning, where we have been talking with both of these folks. If you select one option or the other now, you've got that person locked in to go no higher than what they are here, but they can come lower. But you probably, you can't negotiate with both of them if you take one option..."

Commissioner O'Donnell said, "Right."

Mr. Yost said, "...but if the commission is leaning towards one and they wish to maybe get the price down a little bit, then they should probably take one option or the other."

Commissioner O'Donnell said, "Thank you. Well I think Commissioner Howell brought up some good questions about what we would be removing from the historic courthouse. I think we could have very strong arguments that we wouldn't need to move the print shop, for example, when that's firmly established there. The D.A.'s office, the

*courts, they use it a lot as well. I think we could argue that having IT across the street, when it would be closer to not just the courthouse, but also to our 911 center. There's arguments that we wouldn't need to move everything out. So that would take our square footage down from that 93,000 into a substantially smaller footprint, which would much more easily fit into the 215 North Water facility.*

*"I think these are changes to the dynamic that we're all learning for the first time that keeping both of these options open to try to fight a little bit harder for the taxpayer, having two options is much better for negotiating than having one option in my opinion. So I would prefer keeping both open to finding a better price, but that's just my opinion, because I didn't even think about what all the individual offices that were going to be moved in until Commissioner Howell asked specifically about the historic courthouse, because I'm afraid that we are going to cannibalize ourselves and we're going to be left with a huge building that we'll have to find things to put in, and I don't think that's serving the taxpayers well either, so thank you Mr. Chair."*

*Chairman Unruh said, "Thank you, Commissioner. I appreciate your comments. I probably have a slightly different perspective. My preference now is based on the fact that I believe that one building will serve us better than to have a campus setting. The parking situation is much more favorable on the Riverview building. The actual prices of the building are relatively close right now. But I think for us to make progress, I think we need to decide what is our preference, and ask our negotiators and our people who are involved in this project to go forward and try to secure a better price.*

*"So I'm willing to make that, indicate that preference now, and if it doesn't work out, then we just, we don't go forward with it. That may put us in a less favorable position if we go back to try to negotiate with other owners, but I think there comes a time when we would need to make a decision, and it needs to be a 50-year decision and one that we think will serve us best in the long-term.*

*"So I'm ready to state my preference now for the Riverview Building and ask you to go forward and make those negotiations, understanding we haven't bought a building but just said that's our preference and we want you to talk to the owners and come up with a price we think is more favorable. So, those are my comments. I know my colleague, Commissioner Ranzau, hasn't opted insofar this morning. I don't want to put you on the spot, but I think it would be good if you're willing to make a comment, and if you decline, fine."*

*Commissioner Ranzau thanked the Chairman and said, "You might end up regretting that. Well, I've been sitting here thinking trying to figure out what to say. First of all, I understand we have some space needs. I've never been 100 percent convinced that the only solution to our current space needs is a new building and that we have some options here for doing some additions that I think might be something worth considering. That being said, I think I'm in the very small majority of that position. So, we're here considering two different buildings. I mean, if you make the assumption that our space needs need to be addressed by a new building, either built or purchased, we are where we are here today.*

*"We have two buildings before us. If that's my only option to choose between these two, well for me, the clear option is the Riverview building. There's a couple reasons why, one of which is the process that brought us here where we are today. There's been a long process over many months that got us here, but it originally started, Mr. Martens was not involved, it was a Commissioner-driven process that was focused on*

*the Murphin Building, trying to get us to purchase that building specifically, and then there was the proposal to do a land swap with the land up at the [Wichita] Greyhound Park. Once again, that was Commissioner driven. Then we're back to buying the Murphin Building.*

*"Now somewhere along the way after a few months, the Commissioners decided we needed to get the Manager's staff and get Mr. Martens involved and have a better process and look at a bunch of buildings. We did that. I'm very grateful for all of that work. But for me, the things that happened before, I think has somewhat tainted this process. Personally I would disqualify them, the Murphin Building, because of the involvement with the Commissioners directly trying to push a specific building, which I believe was inappropriate. So beyond that, but even at that, I think Riverview is a better option. We're talking about Murphin Building is three buildings, one of them is 100 years old, there's limited parking, people would be separated. Just at its face value, and it costs more. Now, the price of \$80 a square foot and \$7 million for the building gives me pause, okay, but that's kind of where I'm at. I know Commissioner Dennis had some questions about what it would cost to build new. I have some other questions myself, but let me clarify. I've been reading this contract here off and on during the meeting."*

*Mr. Yost said, "Which one are you referring to, Commissioner?"*

*Commissioner Ranzau said, "Well option two, but I guess I think they both have the same language, or do they not?"*

*Mr. Yost said, "Commissioner, they do not have the same language, but we provided a form for both of them, and Riverview used our form. Murphin used their own form. But there aren't enough material differences between them for us to complain about that or to say that that would be a consideration."*

*Commissioner Ranzau said, "Well the main factor is paragraph seven on both of these talk about termination. Let me ask a question about..."*

*Mr. Yost said, "Can I explain that, Commissioner?"*

*Commissioner Ranzau said, "Yes."*

*Mr. Yost said, "What this says, I think, and Mr. Deer can jump in, and he had a lot more to say about this than I did. I think that says that if we select one or the other, the other one is off the hook."*

*Mr. Deer said, "Right."*

*Mr. Yost said, "So we're not keeping them in limbo. Is that..."*

*Mr. Deer said, "Yeah, that's right. I mean if we select one of them today, the other option would extinguish and they would no longer be obligated to sell the building at that price or enter into negotiations with us."*

*Commissioner Ranzau said, "Okay, what if we signed one of these today or approved one of these today and then we did some further analysis and decided well maybe doing an addition here is better or building a new building is better. Would those options still be available?"*

Mr. Yost said, "This simply gives us the option of buying this. It locks them in on no price higher than what's in this option. We can bring that price down with negotiations or we can walk away totally. The reason we're doing it this way is that we do have a fair amount of due diligence that still has to be done with any building, inspection and whatnot, and we do have to talk about the leases and things. So there's things you can't just do today but you got to take the next step forward. So this allow us, if we get unhappy with that process, and if you all change your mind and say, you know what, we'd rather spend the [\$]18 million to build a new building the way we want it exactly than to spend this money on an existing building, you still have that option."

Commissioner Ranzau said, "Well..."

Mr. Yost said, "But there is a deadline for making that decision."

Commissioner Ranzau said, "Right, I guess that was my question. If we pick one today and to me there's a clear, if I have to pick between two of them, there's a clear choice, but not being convinced that it's ultimately the right choice if Commissioner Dennis, you know, convinces me that doing a new building is better, then we wouldn't be in some legal jeopardy or obligation. We could opt out and then proceed, but we'd be, we'd have our options open. So it's either that or accept neither and answer some more questions and move forward."

Chairman Unruh said, "Alright thank you, Commissioner. Appreciate your comments, I think. I would say that I was involved in looking at some buildings and having conversations before we started a more formal process, and I would want to guarantee to my colleague and anyone listening that there was no clandestine activities or thoughts or anything. If I am thinking about doing something, if I have the opportunity to go out and kick the tires, that's what I do. I go talk to people. So I just want to make sure that no one took a wrong implication from previous comments. But anyway, we are at the point now, and it just seems to me like in this process, pretty soon we have to take the facts we have, the best information we have, the best options we have and make a decision at some point. This is a decision point and not a final decision, and I think it's time to make the decision on this decision point. Right now we have a comment from Commissioner Howell."

Commissioner Howell said, "Thank you, Mr. Chairman. I would be remiss if I didn't thank our staff for a good job. This has been a long process since last June at least, probably several months before that, I guess, back in February we started the discussion, so it's been a long time to get to this point. I want to say thank you to all those that got involved in bringing the proposal to us. I think it is important to show appreciation to those that worked very hard. I want to do that this morning, so thank you for bringing this option to us for us to consider this morning."

"Back to Commissioner O'Donnell's comment, I wanted to say, if we had any other option that we liked better, regardless of where that came from, even if Mr. Murfin wanted to propose something different to us for example, we suddenly found interest in that proposal, we would have the option of moving in another direction for any reason. If we were to agree to option two today, regardless of the reason why we wanted to go in another direction, we always have that option. It gives us total freedom, based on your answer, Mr. Yost, we have total freedom to do whatever we want to do. It doesn't lock us into anything. It does lock in this proposal for us to do the due diligence to potentially go forward. We might be able to negotiate the price differently,

*or hone in on a better renovation costs or maybe a better space utilization plan to help us understand exactly what all would happen with this.*

*“So I guess I could support a motion to go forward with option two, and again if Mr. Murfin wants to offer something different to us, again, just based on Commissioner O’Donnell’s comment, for example, if all we did was purchase the single building over there, 76,000 square feet, that more closely mirrors our need in terms of where we would be potentially moving just 47,000 square foot of admin needs potentially and that would fit that building much better. So I guess I do see there’s other options out there that haven’t really been considered yet, so I’d be interested to hearing from anybody who’s interested in proposing other ideas to us to still consider that, possible to get our attention on those other ideas.*

*“So if we just purchase the single building under option one, for example, I would be interested to see what that would be worth. I don’t even know if that’s an option we would consider. But I think I’d at least like to know what that cost would be and see how that would fit our needs if that was presented back to us again. So with everything I have just said, as it sits right now, I have no problem going forward with option two, simply so we can understand better in 90 days or 150 days the decision point to really go forward with the contract. This moves us in that direction so I can support that today. In the meantime, if something else pops up, we have total freedom to go in any other direction we want to go. So I think that’s a smart position this morning. So I would be glad to support a motion for option two. Thank you, Mr. Chairman.”*

*Chairman Unruh said, “Thank you, Commissioner. Commissioner Dennis.”*

*Commissioner Dennis said, “Thank you, Mr. Chairman. Well I think we’ve heard from all five of our Commissioners now, and pretty well we are leaning towards option two to move forward, so I guess it’s time that we make a motion that we move forward with option two with the understanding that there are still some questions out there, and we do our due diligence, and we answer those questions, we make the best decision for the citizens of Sedgwick County, but we do need to move forward.”*

**MOTION**

*Commissioner Dennis moved to approve Option Two.*

*Commissioner Unruh seconded the motion.*

*Chairman Unruh said, “Discussion? Commissioner Ranzau.”*

*Commissioner Ranzau said, “I just want to say I will be supportive of this motion for the reasons that I expressed before, but this in no way assures that I will vote yes at a future date if we need to do a contract. I reserve the right to review everything in its totality and make that decision. Thank you.”*

*Chairman Unruh said, “Thank you, Commissioner. Is there further discussion? Seeing none, Madam Clerk, please call the vote.”*

**VOTE**



---

Commissioner Dennis	Aye
Commissioner Ranzau	Aye
Commissioner Howell	Aye
Commissioner O'Donnell II	No
Chairman Unruh	Aye

Chairman Unruh said, "Thank you everyone that presented and helped us make our way through this, to reach this point. Madam Clerk, next item."

**G**     [18-010](#)

ISLAND ANNEXATION REQUEST FOR THE CITY OF CLEARWATER  
PURSUANT TO CITY OF CLEARWATER RESOLUTION NO. 8-2017.

Presented by: Justin M. Waggoner, Assistant County Counselor.

RECOMMENDED ACTION: Find that the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County; and therefor approve the resolution.

VISUAL PRESENTATION

Mr. Justin Waggoner, Assistant County Counselor, greeted the Commissioners and said, "Here presenting on the proposed island annexation for the City of Clearwater. As you know, island annexation is when the proposed land be annexed is not actually adjoined the contiguous city limits. I refer you to the map on the screen. The properties in red, the properties proposed to be annexed, you'll see the bulk of Clearwater is right in the central area. But then there's a couple subdivisions to the north of it that have had a series of island annexations that have occurred.

"This property is within the Prairie Meadow Estates Subdivision. It's approximately five acres in size, this particular parcel. The Clearwater City Council approved a resolution to seek the island annexation of this property. In this particular case, the property owners consented to the annexation and requested to connect to the city's water services. The reason behind that is as new homes are built they need water. That's not suitable land for well water. So therefore they request to connect to the city water and to be annexed into the city.

"Metropolitan Area Planning Department completed the staff review of this annexation and recommended that you make a finding that the annexation would not hinder the proper growth and development of the area, nor any other city within Sedgwick County. That's included in your backup materials. Also pursuant to the annexation, the city would provide police services, which are currently provided by the Sheriff's Office. The city does not plan to extend sewer services to the area. The city of Clearwater, Ninnescah Township have an inter-local agreement regarding road maintenance within this area.

"Since this already falls, this property actually already falls in the Clearwater Fire District, it would not have any impact on Sedgwick County Fire District Number 1 budget. No other city in Sedgwick County has indicated this parcel is part of its future Urban Growth Area (UGA). Under KSA 12-520C, there are three requirements under which an island annexation may occur.

"First, the land has to be located in the same county as the city. Here it clearly is. Second, the owners must petition or consent to the annexation. In this case they have consented to it. Thirdly, the Board of County Commissioners by a two-thirds vote must

*find the annexation will not hinder or prevent the proper growth and development of the area, or that of any other city within Sedgwick County. That is the recommended action to make that finding. I would be happy to answer any questions, and as Commissioner O'Donnell knows, the City of Clearwater does have staff here present that could also answer questions."*

*Chairman Unruh said, "Thank you. We have been through this previously on multiple occasions with Clearwater. I don't think there's any objection. Commissioners, any comment or questions? Commissioner O'Donnell."*

*Commissioner O'Donnell said, "Thank you, Mr. Chair. Mr. Marsh, is there anything you would like to say?"*

*Mr. Ron Marsh, City Administrator of City of Clearwater, greeted the Commissioners and said, "No. It's very self-explanatory."*

*Commissioner O'Donnell said, "Alright, well Mr. Chair do we need to go out to the public for this?"*

*Chairman Unruh said, "Well, on zoning changes we ask if there's any public comment. We don't have a motion before us at this time. But we will have just in a moment. Is there anyone who has an interest in this annexation that wants to speak? Alright. I see no one who wants to speak, so I think Commissioner Dennis."*

*Commissioner Dennis thanked the Chairman and said, "I just have a brief question from Clearwater. We seem to do individual island annexations. Is there any reason that you don't just annex all of that area because it is going to happen eventually, isn't it?"*

*Mr. Marsh said, "Commissioner Dennis, we leave that up to the property owners, the right for self-determination. If they don't want city water or city amenities they don't have to have it, but if they want it they need to be annexed. So we leave it up to each individual property owner out there."*

*Commissioner Dennis said, "Okay, I don't have a problem with that, I just wondered why we kept going through this. Thank you."*

*Chairman Unruh said, "Alright. Thank you, Commissioner. Is there any other comment or question? Commissioner O'Donnell."*

#### MOTION

*Commissioner O'Donnell moved to approve the resolution.*

*Commissioner Howell seconded the motion.*

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

#### VOTE

<i>Commissioner Dennis</i>	<i>Aye</i>
<i>Commissioner Ranzau</i>	<i>Aye</i>
<i>Commissioner Howell</i>	<i>Aye</i>
<i>Commissioner O'Donnell II</i>	<i>Aye</i>
<i>Chairman Unruh</i>	<i>Aye</i>

Mr. Waggoner said, "Thank you, Commissioners."

Chairman Unruh said, "Thank you, Justin. Thank you all for allowing us to interrupt the presentation to take care of this issue, which we thought would be pretty quickly taken care of. So we will go back now to item number F, and Mr. Stolz is ready to go."

**Approved**

## **CONSENT**

Mr. Scholes said, "I recommend you approve consent agenda items Hotel (H) through Quebec (Q)."

### **MOTION**

Commissioner Dennis moved to approve consent agenda items Hotel (H) through Quebec (Q).

Commissioner O'Donnell seconded the motion.

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

### **VOTE**

Commissioner Dennis	Aye
Commissioner Ranzau	Aye
Commissioner Howell	Aye
Commissioner O'Donnell II	Aye
Chairman Unruh	Aye

Chairman Unruh said, "Before I call the next item, I just want to acknowledge the presence of former Commissioner Peterjohn who entered the room for the discussion, so welcome to the Commission meeting. Next item, please."

### **Adopt the Consent Agenda**

- H**     [17-1078](#)     One (1) Temporary Construction Easement and One (1) Right of Way Easement for Sedgwick County Bridge Project 839-R-390; Bridge on 143rd Street East between Harry & Pawnee. CIP# B490. District 5.  
**Approved on the Consent Agenda**
- I**     [17-1079](#)     One (1) Right of Way Easement for Sedgwick County Bridge Project 624-36-204; Bridge on Pawnee between 143rd & 159th Streets East. CIP# B479. District 5.  
**Approved on the Consent Agenda**
- J**     [17-1080](#)     One (1) Right of Way Easement for Sedgwick County Bridge Project 640-33; 87th Street South between Webb Road & Greenwich Road. District 5.  
**Approved on the Consent Agenda**
- K**     [17-1077](#)     Electrical Line Modification/Relocation Agreement for Sedgwick County

- Project on the south side of 47th Street South from Oliver to Clifton, and on the west side of Clifton from approximately 47th Street South to MacArthur Road. CIP#330A - Aviation Pathway Phase 2. District 5.  
**Approved on the Consent Agenda**
- L     [17-1054](#)     Agreement with Cerebral Palsy Research Foundation of Kansas, Inc. for Wheelchair and Posture Seating Clinic Services.  
**Approved on the Consent Agenda**
- M     [17-1035](#)     Agreement for EMS Services between Sedgwick County and SMG Management/Intrust Bank Arena.  
**Approved on the Consent Agenda**
- N     [18-022](#)     Five vendor agreements to provide specialized transportation to transit dependent individuals to access medical appointments and social services.  
**Approved on the Consent Agenda**
- O     [17-801](#)     General Bill Check Register for December 20, 2017 - December 26, 2017.  
**Approved on the Consent Agenda**
- P     [17-802](#)     General Bill Check Register for December 27, 2017 - January 2, 2018.  
**Approved on the Consent Agenda**
- Q     [17-803](#)     Payroll Check Register for the December 23, 2017 payroll certification.  
**Approved on the Consent Agenda**

### **LEGISLATIVE ISSUES**

*Chairman Unruh said, "I don't think there's anything to discuss at this time, so next item."*

### **OTHER**

*Chairman Unruh said, "Commissioners, is there any other items of discussion or information that you'd like to present at this time? I see none. So I don't think we have an executive session or a Fire District meeting today, so we are at the end of our agenda, end of our discussion. Thank you all for being here today."*

### **EXECUTIVE SESSION**

### **ADJOURNMENT**

*There being no other business to come before the Board, the Meeting was adjourned at 10:56 a.m.*