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Sedgwick County

525 North Main Street 3rd
Floor
Wichita, KS 67203

Legislation Details (With Text)

File #: 16-196 **Version:** 1 **Name:** Redmond Estates - Receive Petition and Set Hearing
Type: Resolution **Status:** Passed
File created: 3/29/2016 **In control:** Board of Sedgwick County Commissioners
On agenda: 4/13/2016 **Final action:** 4/13/2016
Title: ACCEPTANCE OF A PETITION REQUESTING CREATION OF A ROAD IMPROVEMENT BENEFIT DISTRICT IN REDMOND ESTATES ADDITION AND ACTION TO SET THE DATE AND TIME FOR A PUBLIC HEARING ON CREATION OF THE BENEFIT DISTRICT. DISTRICT 3.
Presented by: Joe L. Norton, Gilmore and Bell, P.C., Bond Counsel.

RECOMMENDED ACTION: Accept the petition. Set May 11, 2016, at 9:00 a.m. for a hearing on the petition. Direct the County Clerk to mail notice of the hearing to all property owners in the proposed benefit district at least 21 days prior to the hearing date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Petition Package - Redmond Estates Agenda, 2. Notice of Hearing - Redmond Estates

Date	Ver.	Action By	Action	Result
4/13/2016	1	Board of Sedgwick County Commissioners	Approved	Pass

ACCEPTANCE OF A PETITION REQUESTING CREATION OF A ROAD IMPROVEMENT BENEFIT DISTRICT IN REDMOND ESTATES ADDITION AND ACTION TO SET THE DATE AND TIME FOR A PUBLIC HEARING ON CREATION OF THE BENEFIT DISTRICT. DISTRICT 3.
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RECOMMENDED ACTION: Accept the petition. Set May 11, 2016, at 9:00 a.m. for a hearing on the petition. Direct the County Clerk to mail notice of the hearing to all property owners in the proposed benefit district at least 21 days prior to the hearing date.

Redmond Estates is located on the west side of 119th Street West at 34th Street South. At the time of initial development, the roads in approximately the eastern third of the subdivision were paved. As later phases of the development were completed, the developers chose to install gravel roads. All lots in the subdivision have now been sold to individual owners and many have already had homes constructed on them. The owners of the lots on the gravel roads have been working with Public Works to petition the County to improve the remaining roads with pavement.

Public Works has now received a petition requesting that the gravel roads be paved. There are 32 lots abutting the gravel roads. Of those lots, the owners of 23 lots have signed the petition requesting pavement. Public Works has calculated that the owners of approximately 71% of the property liable for assessment have signed the petition. Statutes require that a petition be signed by the owners of at least 51% of the property. Creation of the benefit district will authorize the County to expend up to \$697,000 on the project. The authorization increases by one percent per month from the date of adoption of the authorizing resolution. Upon completion of the project, the County is

authorized to sell bonds to finance the project and assess 100% of the actual cost of the project to the properties in the benefit district.

The statutes as amended by Charter Resolution No. 61 of the County do not require that the Board of County Commissioner hold a public hearing prior to creation of this benefit district. In a case of this type where less than 100% of the owners have signed the petition staff is recommending that the Board set up a public hearing to provide an opportunity for all affected parties to be heard.

Alternatives:

Financial Considerations: As outlined above, if approved, special assessments would be assessed against property owners to reimburse costs of the project.

Legal Considerations: Under K.S.A. 68-728 et. seq. as amended by Charter Resolution No. 61, the Board of County Commissioner is authorized to make or cause to be made any improvement which confers a special benefit upon property within a definable area of the County all or a portion of which is platted and laid off into lots and blocks within the County and outside the corporate limits of any incorporated city within the County, and may levy and collect special assessments upon property in the area deemed by the Board to be benefited by such Improvement.

Policy Considerations:

Outside Attendees:

Multimedia Presentation: