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Sedgwick County

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Legislation Details (With Text)

File #: 16-286 **Version:** 1 **Name:** Redmond Estates Paving Hearing and Resolution
Type: Resolution **Status:** Passed
File created: 4/28/2016 **In control:** Board of Sedgwick County Commissioners
On agenda: 5/11/2016 **Final action:** 5/11/2016
Title: PUBLIC HEARING TO CONSIDER A PETITION REQUESTING CREATION OF A ROAD IMPROVEMENT BENEFIT DISTRICT IN REDMOND ESTATES ADDITION AND CONSIDERATION OF A RESOLUTION DETERMINING THE ADVISABILITY OF AND AUTHORIZING THE CREATION THE DISTRICT. DISTRICT 3.
Presented by: Joe L. Norton, Gilmore and Bell, P.C., Bond Counsel.

RECOMMENDED ACTION: Open the public hearing, close the public hearing and adopt the resolution.

Sponsors:

Indexes:

Code sections:

Attachments: 1. NOTICE OF PUBLIC HEARING (03-28-16), 2. Petition Package - Redmond Estates Agenda, 3. PROJAUTH - REDMOND ESTATES (03-28-16); RESOLUTION

Date	Ver.	Action By	Action	Result
5/11/2016	1	Board of Sedgwick County Commissioners	Adopted	Pass

PUBLIC HEARING TO CONSIDER A PETITION REQUESTING CREATION OF A ROAD IMPROVEMENT BENEFIT DISTRICT IN REDMOND ESTATES ADDITION AND CONSIDERATION OF A RESOLUTION DETERMINING THE ADVISABILITY OF AND AUTHORIZING THE CREATION THE DISTRICT. DISTRICT 3.

Presented by: Joe L. Norton, Gilmore and Bell, P.C., Bond Counsel.

RECOMMENDED ACTION: Open the public hearing, close the public hearing and adopt the resolution.

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. After hearing a presentation about the project on April 13, 2016, the Board set May 11, 2016, as the date for a hearing and directed the County Clerk to mail notices to all property owners in the proposed district.

Alternatives: After holding the hearing, the Board may authorize creation of the district, decide not to create the district or take other action that the Board deems appropriate.

Financial Considerations: The project is projected to cost \$697,000. 100% of the actual cost of the project will be assessed to the properties in the benefit district.

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: