

RESOLUTION NO. 7263 Option 1

A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF LAWRENCE, KANSAS, UNDER THE PROVISIONS OF K.S.A. 12-6a01 *ET SEQ.*, AS AMENDED AND SUPPLEMENTED; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID HEARING.

WHEREAS, K.S.A. 12-6a01 *et seq.* (the “Act”) authorizes the governing body of any city to make or cause to be made municipal works or improvements which confer a special benefit upon property within a definable area of the city and the levying and collecting of special assessments upon property in the area deemed by the governing body to be benefited by such improvements for special benefits conferred upon such property by any such improvements and to provide for the payment of all or any part of the costs of the improvements out of the proceeds of such special assessments; and

WHEREAS, the Act provides that before any contract is let or any work is ordered or authorized for an improvement, the governing body shall by resolution direct and order a public hearing on the advisability of the improvement, and to give notice of the hearing by not less than two (2) publications in a newspaper, such publications to be a week apart and at least three (3) days shall elapse between the last publication and the hearing; and such notice shall be given as to (a) the time and place of the hearing; (b) the general nature of the proposed improvements; (c) the estimated or probable cost of the proposed improvements; (d) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (e) the proposed method of assessment; and (f) the proposed apportionment of the cost between the improvement district and the city at large; and

WHEREAS, the governing body of the City of Lawrence, Kansas (the “City”), hereby finds and determines it to be necessary to direct and order a public hearing on the advisability of certain improvements in the City pursuant to the authority of the Act; and further to provide for the giving of notice of said hearing in the manner required by the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

Section 1. Public Hearing. It is hereby authorized, ordered and directed that the governing body of the City shall hold a public hearing on the advisability of the following described improvements (collectively, the “Improvements”):

the construction of Queens Road from 6th Street to Eisenhower Drive, including street, curb and gutter, sidewalks, bike lanes, shared use path, storm sewer, water main, sanitary sewer relocation, and roundabout, and

the installation of a traffic signal at 6th Street and Queens Road, including signals, poles and mast arms, controller, emergency vehicle detection system, video detection, sidewalks, handicap ramps, pedestrian crossing, curb and gutter, and pavement marking,

and any necessary and appurtenant improvements, all in accordance with City standards and specifications prepared or approved by the City Engineer.

Such public hearing will be held on October 2, 2018, at 5:45 p.m., at 6 East 6th Street, Lawrence, Kansas 66044, under the authority of the Act.

Section 2. Notice of Hearing. The City Clerk is hereby authorized, ordered and directed to give notice of said public hearing by publication of a Notice of Public Hearing substantially in the form attached hereto as ***Exhibit A*** two (2) times in the official City newspaper, such publications to be one (1) week apart, and the last publication to be at least three (3) days prior to the date of the hearing.

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ADOPTED by the governing body of the City on September 4, 2018.

(SEAL)

Mayor

ATTEST:

Clerk

Attached legal descriptions and maps approved by:

Charles F. Soules, P.E., Director of Public Works

EXHIBIT A

(Published in the **Lawrence Journal-World** on September 8, 2018 and September 15, 2018)

NOTICE OF PUBLIC HEARING

TO: RESIDENTS OF THE CITY OF LAWRENCE, KANSAS:

You and each of you are hereby notified that the governing body of the City of Lawrence, Kansas (the “City”), will meet for the purpose of holding a public hearing, as provided by K.S.A. 12-6a01 *et seq.*, at 6 East 6th Street, Lawrence, Kansas 66044 on October 2, 2018, at 5:45 p.m. Said public hearing is for the purpose of considering the advisability of making certain hereinafter described improvements.

(a) The general nature of the proposed improvements are:

- (1) the construction of Queens Road from 6th Street to Eisenhower Drive, including street, curb and gutter, sidewalks, bike lanes, shared use path, storm sewer, water main, sanitary sewer relocation, and roundabout (the “Street Improvements”), and
- (2) the installation of a traffic signal at 6th Street and Queens Road, including signals, poles and mast arms, controller, emergency vehicle detection system, video detection, sidewalks, handicap ramps, pedestrian crossing, curb and gutter, and pavement marking (the “Signal Improvements;” collectively with the Street Improvements, the “Improvements”),

and any necessary and appurtenant improvements, all in accordance with City standards and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements is:

- (1) For the Street Improvements, \$4,830,760 (to be increased at the pro rata rate of 1 percent per month from and after the adoption of this resolution), plus costs of issuance and plus costs of interest on any temporary financing.
- (2) For the Signal Improvements, \$450,000 (to be increased at the pro rata rate of 1 percent per month from and after the adoption of this resolution), plus costs of issuance and plus costs of interest on any temporary financing.

(c) The extent of the proposed improvement district to be assessed for the cost of the Improvements is:

- (1) For the Street Improvements, see **Exhibit A** for a map showing the boundaries of the district (the “Street Improvement District”); and
- (2) For the Signal Improvements, see **Exhibit B** for a map showing the boundaries of the district (the “Signal Improvement District”).

(d) The method of assessment is:

- (1) For the Street Improvements, equally per square foot within the Street Improvement District; and
 - (2) For the Signal Improvements, equally per square foot within the Signal Improvement District.
- (e) The apportionment of the cost of the Improvements is:
- (1) For the Street Improvements, 100% to be assessed against the Street Improvement District and 0% to be paid by the City-at-large; *except* that the City will pay all costs allocable to an additional 10 feet in width to Queens Road for the construction of a bike lane and an additional 5 feet in width to the sidewalk to be constructed along Queens Road for the construction of a shared use path. Such costs allocable to the bike lane and shared use path to be paid by the City are estimated to be \$348,250.
 - (2) For the Signal Improvements, 100% to be assessed against the Signal Improvement District and 0% to be paid by the City-at-large.

The public hearing may be adjourned from time to time and until the governing body shall have made findings by resolution as to the advisability of the Improvements, the general nature of the Improvements, the estimated cost of the Improvements, the boundaries of the Street Improvement District and the Signal Improvement District, the method of assessment, and the apportionment of the costs between (i) the Street Improvement District and the City-at-large and (ii) the Signal Improvement District and the City-at-large, all to be as finally determined by the governing body; ***provided***, however, that the area of the respective improvement district to be assessed for the costs of the Street Improvements or Signal Improvements, as applicable, as finally determined may be less than, but shall not exceed, the area proposed to be assessed as described above without giving notice of and holding a new hearing on the advisability of the proposed Street Improvements or Signal Improvements.

ALL PERSONS DESIRING TO BE HEARD WITH REFERENCE TO THE PROPOSED IMPROVEMENTS SHALL BE HEARD AT THE PUBLIC HEARING.

DATED: September 4, 2018.

/s/ Sherri Riedemann, City Clerk

EXHIBIT A

THE STREET IMPROVEMENT DISTRICT

Queens Road Benefit District Option 1

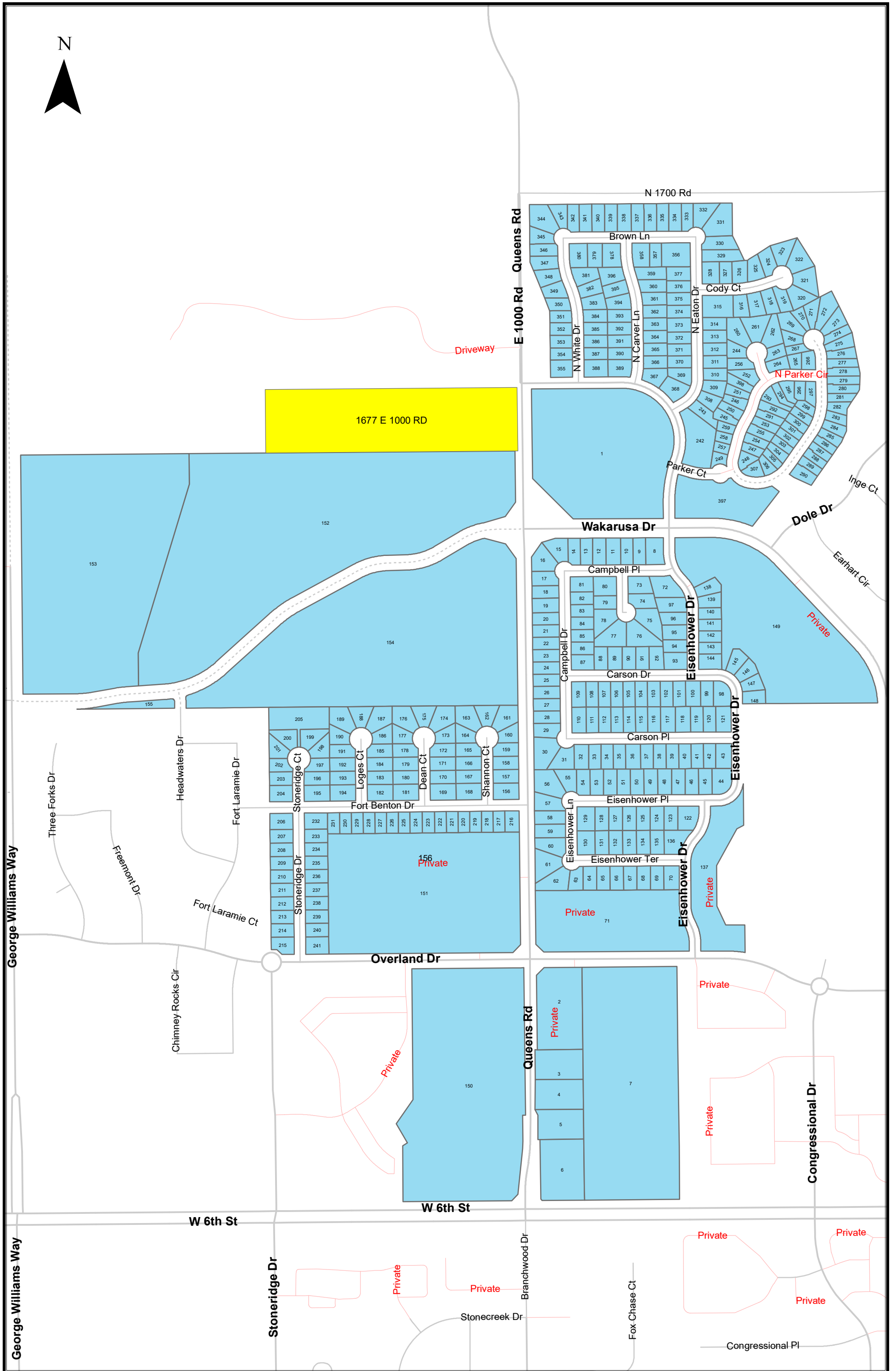


EXHIBIT B

THE SIGNAL IMPROVEMENT DISTRICT

