

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

MONDAY, AUGUST 24, 2009

8:10 a.m. – County Commission Meeting

-Convene

CONSENT AGENDA

- (1)(a) Consider approval of Commission Orders; and
- (b) Consider approval of a resolution changing normal date and time of Board of County Commissioners meetings pursuant to Charter Resolution No. 93-6-1 (Craig Weinaug)

REGULAR AGENDA

- (2) Consider request from the City of Lawrence to declare Douglas County as a recovery zone for the purposes of using special recovery zone financing and allocating \$2 million of the County's Economic Development bond allocation to the City's project to extend water and sewer to the airport. (Roger Zalneraitis, City of Lawrence)
- (3) Consider request that the Board of County Commissioners make a determination that the following described tract of land, which is located within the Kansas River Levee easement, is surplus property not required for public use by the County and is unmarketable, and quit-claim it to the City of Lawrence: East 16 feet of Lot 38 on Locust Street, North Lawrence, in the City of Lawrence, Douglas County, Kansas. Adopt findings as appropriate. (Evan Ice)
- (4) Consider Purchase of a End Dump Trailer for Public Works (Mike Perkins)
- (5) Consider approval of revisions to 2005 Purchasing Policy (Pam Madl)
- (6) Other Business
 - (a) Consider approval of Accounts Payable (if necessary)
 - (b) Appointments
 - (c) Miscellaneous
 - (d) Public Comment
- (7) Adjourn

WEDNESDAY, AUGUST 26, 2009

-Consider approval of a resolution authorizing the including of Douglas County, Kansas in the Foreign Trade Zone "Service Area" of the Greater Kansas City Foreign Trade Zone, Inc. for the purpose of implementing new procedures for securing Foreign Trade Zone statues within Douglas County and authorizing a letter communicating the same to the grantee. (Al Figuly and Beth Johnson)

MONDAY, AUGUST 31, 2009

-No Commission Meeting

WEDNESDAY, SEPTEMBER 2, 2009

-Presentation about H1N1 Pandemic preparedness in Douglas County (Dan Partridge and Teri Smith).
Proclamation for "International Literacy Day" September 8, 2009 (Betty Parks)

WEDNESDAY, SEPTEMBER 9, 2009

WEDNESDAY, SEPTEMBER 16, 2009

- Consider and adopt Resolution relating to the County's issuance of General Obligation Refunding and Improvement Bonds, Series 2009-A. (Evan Ice)
- Consider Mid-States Material's detailed reclamation plans for Phases 1A, 2, 3 and 4 of the Big Springs Quarry; 2 North 1700 Road. Submitted by Professional Engineering Consultants for Mid-States Ventures, L.L.C., property owner of record. (Mary Miller is the Planner)

WEDNESDAY, SEPTEMBER 23, 2009

- Douglas County Community Corrections Year End Quarterly Report for FY2009 (Ron Stegall)

WEDNESDAY, SEPTEMBER 30, 2009

WEDNESDAY, OCTOBER 7, 2009

- Proclamation -October 10, 2009 as "Put the Brakes on Fatalities Day."

WEDNESDAY, NOVEMBER 4, 2009

- Lone Star Weed Discussion

Note: The Douglas County Commission meets regularly on Mondays at 8:10 A.M. and Wednesdays at 6:35 P.M. at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.

1(b)

RESOLUTION NO. _____

**A RESOLUTION CHANGING NORMAL DATE AND TIME OF
BOARD OF COUNTY COMMISSIONERS MEETINGS PURSUANT TO CHARTER
RESOLUTION NO. 93-6-1**

WHEREAS, by Charter Resolution No. 93-6-1, the Board of County Commissioners of Douglas County, Kansas (the "Board") exempted itself from the provisions of K.S.A. 19-209 and provided a substitute provision that permits the Board, by ordinary resolution, to change the number, time, and place of regular meetings; and

WHEREAS, pursuant to Charter Resolution No. 93-6-1, the Board desires to change the number and time of its regularly scheduled meetings.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, AS FOLLOWS:

1. Number and Time of Meetings. Commencing Wednesday, September 2, 2009, the Board will have one regularly scheduled meeting per week for transaction of business pertaining to the Board., beginning at 4:00 p.m.
2. Place of Meetings. The Board's regular meetings shall generally be held at the Board of County Commissioners' Commission Room at the Douglas County Courthouse, 1100 Massachusetts St., but the Board reserves the ability to schedule and hold meetings at alternate locations in Douglas County, Kansas.
3. Change of Time or Cancellation of Regular Meetings and Scheduling of Special Meetings. The County Administrator, in consultation with individual Commissioners, may change the time of regularly scheduled meetings to accommodate the schedule of individual Commissioners or others or cancel regularly scheduled meetings when one or more Commissioners are not available to attend, there is a lack of pressing matters for the Board's consideration, or for other good reason. In addition, the County Administrator, in consultation with individual Commissioners, may schedule special meetings of the Board.
4. Effective Date. This Resolution shall take effect and be in force from and after its adoption and publication once in the official Douglas County newspaper by the Board.

ADOPTED this _____ day of _____ 2009.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

Nancy Thellman, Chair

ATTEST:

Jim Flory, Vice-Chair

Jamie Shew, County Clerk

Mike Gaughan, Member

AD - Weinaug, Craig

From: Roger Zalneraitis [rzalneraitis@ci.lawrence.ks.us]
Sent: Wednesday, August 19, 2009 11:16 AM
To: AD - Weinaug, Craig
Cc: Diane Stoddard
Subject: Notice of Intent

Hi Craig,

Attached please find the Notice of Intent that the County will have to return to the Department of Commerce regarding Economic Development Bonds. The attachments include a brief description of how the County intends to use their allocations, per the request of the State. This language has been cleared by Bond Counsel, so I feel comfortable with it.

After the meeting Monday, assuming that the Recovery Zone has been approved by the County Commission, the next step will be to mail this back to Ed Serrano (the contact information is on the Notice of Intent). All you will need to do is print these documents out and sign and date the Notice of Intent (alternatively, Commissioner Thellman could sign and date it).

A couple of additional things to note. First, when we issue the bonds, the state has requested we provide a \$250 check as an administrative fee to them. Second, the State also mentioned in its letter that any bonds not allocated by July 1st 2010 may be subject to recapture.

If you have any questions, I'd be happy to visit with you this week or after the Commission meeting Monday.

- Roger

8/20/2009



Mark Parkinson, Governor
David D. Kerr, Secretary

KansasCommerce.com

July 15, 2009

RE: American Recovery and Reinvestment Act (ARRA) Recovery Zone Bonds

Dear City/County Clerk,

On June 12, 2009, the Internal Revenue Service issued Notice 2009-50 (the Notice) (attachment 1), which provides guidance regarding the allocation of the \$10 billion national volume limitation for Recovery Zone Economic Development Bonds and the \$15 billion national volume limitation for Recovery Zone Facility Bonds authorized by the American Recovery and Reinvestment Act (ARRA) of 2009. The Notice provides both the allocations to the states and suballocations to counties and large municipalities within the states.

Kansas was provided \$90 million of Recovery Zone Economic Development Bond allocations and \$135 million of Recovery Zone Facility Bond allocations. The suballocations for counties and large municipalities are enclosed (attachment 2) with this letter and were determined by the IRS based on losses of employment in 2008. All jurisdictions that have received suballocations should keep in mind that there is a limited window of opportunity to make use of the programs before they expire. If this letter indicates your jurisdiction has received an allocation, you are advised to consult with the appropriate legal and financial advisors for the details of these bonds and not rely solely on this Notice or the attachments.

The Kansas Department of Commerce (Commerce) has been requested by the Governor to administer the provisions of these new bond programs. This includes tracking allocations by county, consolidated reporting to the Federal Government on project outcomes, and administering the reallocation process. The purpose of the reallocation process is to assure that the state as a whole takes maximum advantage of this federally tax-advantaged bonding opportunity.

Recovery Zone Economic Development Bonds – The interest paid on Recovery Zone Economic Development Bonds is taxable to the bond holders, but the U.S. Treasury will pay to the issuer an amount equal to 45 percent of each interest payment.

Recovery Zone Economic Development Bonds generally can be used to finance capital and working capital expenditures that promote development of other economic activity in a Recovery Zone for Qualified Economic Purposes including: (1) capital expenditures paid or incurred with respect to property located in a recovery zone; (2) expenditures for public infrastructure and construction of public facilities;

BUSINESS DEVELOPMENT

1000 S.W. Jackson St., Suite 100; Topeka, KS 66612-1354 • Phone: (785) 296-5298 • Fax: (785) 296-3490
TTY: (785) 296-3487 • E-mail: busdev@kansascommerce.com

and (3) expenditures for job training and educational programs. These expenditures must relate to property or purposes located within, or attributable to, both the jurisdiction of the bond issuer and the jurisdiction of the entity authorized to allocate volume cap.

Use of Proceeds; 100 Percent Rule: This means 100 percent of the excess of (1) the available project proceeds (sale proceeds of an issue less not more than 2 percent of sale proceeds used to pay costs of issuance, plus investment earnings on those proceeds), over (2) the amounts in a reasonably required reserve fund, must be used to finance Qualified Economic Purposes.

Recovery Zone Facility Bonds- The interest paid on Recovery Zone Facility Bonds is tax-exempt to the bond holders, and no federal interest subsidy is payable to the issuer.

Recovery Zone Facility Bonds are private activity bonds, designed to finance property that is used by a private business. In most instances the private business will also pay all the debt service on the Recovery Zone Facility Bonds.

Use of Proceeds; 95% or more of the net proceeds of a Recovery Zone Facility Bond must be used for Recovery Zone Property.

General Information Regarding Recovery Zone Bonds

- A Recovery Zone is any area designated by the issuer in any reasonable manner using good faith discretion as (1) having significant poverty, unemployment, rate of home foreclosures, or general distress; (2) economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990; or (3) any area for which a designation as an empowerment zone or renewal community is in effect as of February 17, 2009.
- Both Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds must be issued before January 1, 2011.
- Allocation of Volume Cap to Beneficiaries: States, counties, and large municipalities may use their allocated volume cap themselves or may allocate the volume cap to ultimate beneficiaries in any reasonable manner as determined in good faith discretion.
- Waiver of Volume Cap: A county or large municipality may waive any portion of a volume cap allocation. Upon a waiver, Commerce is authorized to reallocate the waived volume cap in any reasonable manner as determined in good faith discretion.

If Commerce does not receive a notice of intent to use Recovery Zone Bond Cap by September 15, 2009 (the sixtieth day following this notice), the Governor has requested that your allocation be considered waived and made available to all other cities and counties in a reasonable manner. Please complete and return the Notice of Waiver of Allocation (Attachment 3) if you do not anticipate using your allocation. Additionally, any allocation not issued by July 1, 2010 is subject to recapture and reallocation by Commerce.

The waiver of allocation allows cities and counties to participate in allowing economic activity in other areas of the state if surplus allocation amounts exist. It is a way for local government to participate in the economic recovery of the State as a whole without regard to boundary or jurisdiction.

BUSINESS DEVELOPMENT

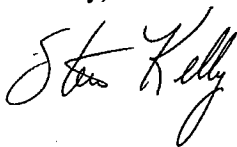
1000 S.W. Jackson St., Suite 100; Topeka, KS 66612-1354 • Phone: (785) 296-5298 • Fax: (785) 296-3490
TTY: (785) 296-3487 • E-mail: busdev@kansasccommerce.com

For more information on ARRA Recovery Zone Bonds, visit <http://www.irs.gov/taxexemptbond/> or contact a local bond attorney.

If your jurisdiction has been granted an allocation and you have a project that qualifies for use of Recovery Zone Bonds, please send the Notice of Intent to Issue (attachment 4) to the address below. Please note at the time of issuance an administrative fee of \$250.00 is due to the Kansas Department of Commerce Bond Fee Fund:

Ed Serrano
Kansas Department of Commerce
1000 SW Jackson St., STE 100
Topeka KS 66612-1354
(785) 368-7293

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Kelly". The signature is fluid and cursive, with the first name "Steve" and last name "Kelly" clearly distinguishable.

Steve Kelly
Business Development Director

RESOLUTION NO. _____

**A RESOLUTION DESIGNATING A RECOVERY ZONE PURSUANT TO THE
AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009 FOR THE
PURPOSE OF ISSUING RECOVERY ZONE ECONOMIC DEVELOPMENT
BONDS AND RECOVERY ZONE FACILITY BONDS.**

WHEREAS, Douglas County, Kansas (the "County") has received an allocation of the national Recovery Zone Economic Development Bonds limitation in the amount of \$7,834,000 and an allocation of the national Recovery Zone Facility Bonds limitation in the amount of \$11,751,000 pursuant to the American Recovery and Reinvestment Tax Act of 2009, codified in Title 26 of the United States Code and Internal Revenue Service, Notice 2009-50, issued on June 12, 2009 (collectively, the "Allocations"); and

WHEREAS, the County understands that the Allocations are to be used for the issuance of Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds pursuant to Section 1400U-2 or 1400U-3, respectively, of the Internal Revenue Code of 1986, as amended (the "Code"), such bonds referred to collectively as "Recovery Zone Bonds"; and

WHEREAS, the County understands that Recovery Zone Bonds are to be issued with respect to or to finance certain expenditures located in or attributable to an area within the jurisdiction of the County that the County determines has a significant level of one or more of the following factors: poverty, unemployment, home foreclosures, or general distress (such factors referred to herein as the "Distress Factors"); and

WHEREAS, the County has determined that the Distress Factors have been caused by the "Underlying Conditions of Distress" described in Section 1 hereof; and

WHEREAS, the County desires to designate the area described in Section 3 as a "Recovery Zone" to provide for the possible issuance of Recovery Zone Bonds (such area being referred to herein as the "Recovery Zone").

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF DOUGLAS COUNTY, KANSAS, AS FOLLOWS:

Section 1. Underlying Conditions of Distress. The governing body hereby finds and determines that the Recovery Zone identified in Section 3 suffers from one or more of the following conditions (each an "Underlying Condition of Distress"):

1. The Recovery Zone has experienced significant increases in unemployment during the calendar years 2008 and 2009.
2. The Recovery Zone has experienced decreases in assessed valuation of property.

Section 2. Distress Factors. The Governing Body hereby finds and determines that, as a result of the Underlying Condition(s) of Distress, the Recovery Zone has experienced a significant level of one or more of the Distress Factors (*i.e.* poverty, unemployment, home foreclosures, or general distress):

Section 3. Designation of Recovery Zone. Based upon the findings and determinations of the Underlying Condition(s) of Distress and the resulting Distress Factors, the Governing Body hereby designates the entire area within the jurisdictional boundaries of the County as the "Recovery Zone."

Section 4. Further Action. The appropriate staff and officers of the County are authorized and directed: to take all necessary steps to indentify appropriate projects for which the issuance of bonds will further the goals established for Recovery Zone Bonds in order to cure the Distress Factors within the Recovery Zone; to identify other economic development incentives and programs which may be available under Federal or Kansas laws for such projects which will further the goals established for Recovery Zone Bonds; and to work with the Kansas Department of Commerce to plan for the issuance of Recovery Zone Bonds for identified projects.

Section 4. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the County.

ADOPTED by the governing body of Douglas County, Kansas, on _____, 2009.

(Seal)

Commissioner

ATTEST:

Clerk

State of Kansas
Recovery Zone Bond Notice of Intent to Issue

Date: August 25, 2009

City or County: Douglas County

Street Address: 1100 Massachusetts Ave. Lawrence, KS 66044

Telephone: 785-832-5268 Fax: 785-838-2480

Name of Chief Elected Official: Nancy Thellman

Name of Authorized Representative (if applicable): Craig Weinaug, County Administrator

Amount of Original Allocation of **Recovery Zone Economic Development Bonds**: \$7,834,000

Amount of Recovery Zone Economic Development Bonds to be Issued: \$7,834,000

Estimated Date of Bond Closing: Before December 31, 2010

Issuing Entity, if Other than City or County: City of Lawrence, and
Potentially Other Cities
within Douglas County

Amount of Recovery Zone Economic Development Bonds Waived (use Waiver Form): \$0

Remaining Amount of Recovery Zone Economic Development Bonds: \$7,834,000

(Please attach separate page description of project(s) using RZB. Include a description of activities, beneficiaries and numbers of jobs created or retained.)

Amount of Original Allocation of **Recovery Zone Facility Bonds**: \$11,751,000

Amount of Recovery Zone Facility Bonds to be Issued: \$11,751,000

Estimated Date of Bond Closing: Before December 31, 2010

Issuing Entity, if Other than City or County: City of Lawrence, and
Potentially Other Cities
within Douglas County

Amount of Recovery Zone Facility Bonds Waived (use Waiver Form): \$0

Remaining Amount of Recovery Zone Facility Bond Allocation: \$11,751,000

(Please attach separate page description of project(s) using RZB. Include a description of activities, beneficiaries and numbers of jobs created or retained.)

I hereby certify that the city/county of Douglas, as duly authorized by its governing body, intends to issue recovery zone economic development bonds or recovery zone facility bonds, as specified above. The \$250.00 Administrative Fee is due when the bonds are issued.

Signature _____ Date _____
Chief Elected Official or Authorized Representative

Submit original form by September 15, 2009 to: Ed Serrano
Kansas Department of Commerce
1000 S.W. Jackson Street, Suite 100
Topeka, KS 66612-1354

Description of Projects using Recovery Zone Facility Bonds

Douglas County, Kansas and the Cities within Douglas County intend to use the County's allocation of \$11,751,000 in Recovery Zone Facility Bonds for one or more private development projects that will create and retain jobs in the Recovery Zone. These projects may include the construction of new employment-center facilities or the expansion of existing facilities. A number of firms within the County are currently considering the use of Facility Bonds for potential projects. These firms could create more than 100 new jobs as a result of the activities they may finance with Facility Bonds. The County anticipates more inquiries from private firms within the Recovery Zone between now and the end of 2010.

Robin

-----Original Message-----

From: AD - Weinaug, Craig
Sent: Friday, July 31, 2009 11:42 AM
To: AD - Crabtree, Robin
Cc: 'Paul Werner'; 'Charles Soules'; eice@sunflower.com
Subject: RE: N. Lawrence

Robin:

Please place this on the agenda for Monday, August 24th. Get the exact wording from Evan, but it will be something like:

Consider request to deed a small piece of property located adjacent to the Kansas River levy, to the City of Lawrence.

Craig

Paul:

Do you want me to use this chain of e-mails as the back up, or do you want to provide a letter summarizing the request?

Craig

-----Original Message-----

From: Paul Werner [mailto:paulw@paulwernerarchitects.com]
Sent: Friday, July 31, 2009 8:56 AM
To: 'Evan H. Ice'; AD - Weinaug, Craig; 'Charles Soules'
Cc: 'Toni Wheeler'
Subject: RE: N. Lawrence

I thought it looked ok.. Toni? Did you get a chance to review the deed?

Ill attend the meeting to be sure nothing comes up.... Craig.. just let us know when... morning meetings are probably a safer bet.... Thanks

Paul Werner
Paul Werner Architects
 PO Box 1536
 545 Columbia Drive Suite 1002
 Lawrence, Kansas 66044
(785) 832-0804
 (785) 832-0890 fax

From: Evan H. Ice [mailto:EIce@stevensbrand.com]
Sent: Friday, July 31, 2009 8:53 AM
To: Paul Werner; AD - Weinaug, Craig; Charles Soules
Cc: Matt Bond
Subject: RE: N. Lawrence

AD - Crabtree, Robin

To: Evan H. Ice**Subject:** RE: N. Lawrence

-----Original Message-----

From: Evan H. Ice [mailto:EIce@stevensbrand.com]**Sent:** Friday, July 31, 2009 11:58 AM**To:** AD - Crabtree, Robin**Subject:** RE: N. Lawrence

I think that this should work:

Consider request that the Board of County Commissioners make a determination that the following described tract of land, which is located within the Kansas River Levee easement, is surplus property not required for public use by the County and is unmarketable, and quit-claim it to the City of Lawrence: East 16 feet of Lot 38 on Locust Street, North Lawrence, in the City of Lawrence, Douglas County, Kansas. Adopt findings as appropriate.

Evan H. Ice*eice@stevensbrand.com***STEVENS & BRAND, L.L.P.**

Attorneys at Law

U. S. Bank Tower

900 Massachusetts Street - Suite 500

Post Office Box 189

Lawrence, Kansas 66044-0189

Phone: (785) 843-0811

Fax: (785) 843-0341

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From: rcrabtree@douglas-county.com [mailto:rcrabtree@douglas-county.com]**Sent:** Friday, July 31, 2009 11:50 AM**To:** Evan H. Ice**Subject:** FW: N. Lawrence

Evan,

Can I get the agenda wording for the item listed below for the Aug 24 meeting?

Paul,

I never heard from anyone at the City whether the deed I e-mailed out a few days ago was OK from its standpoint--the precise legal description and terminology used to identify the city are the main things to check. I assume it is OK.

I e-mailed documents to Craig yesterday. The BOCC has to place the item as an agenda item and then make a finding that the real estate is surplus and not marketable and . You should check with him on scheduling as a BOCC Agenda item. You and/or someone from the city should probably attend the BOCC meeting to explain the situation.

Evan H. Ice

eice@stevensbrand.com

STEVENS & BRAND, L.L.P.

Attorneys at Law

U. S. Bank Tower

900 Massachusetts Street - Suite 500

Post Office Box 189

Lawrence, Kansas 66044-0189

Phone: (785) 843-0811

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From: Paul Werner [mailto:paulw@paulwernerarchitects.com]

Sent: Friday, July 31, 2009 8:46 AM

To: Evan H. Ice; 'AD - Weinaug, Craig'; 'Charles Soules'

Cc: 'Matt Bond'

Subject: RE: N. Lawrence

Evan... where do we go from here.. put on BOCC agenda? Anything else?

Thanks

Paul Werner

Paul Werner Architects

PO Box 1536

545 Columbia Drive Suite 1002

Lawrence, Kansas 66044

(785) 832-0804

(785) 832-0890 fax

From: Evan H. Ice [mailto:EIce@stevensbrand.com]
Sent: Tuesday, July 28, 2009 4:50 PM
To: Paul Werner; AD - Weinaug, Craig; Charles Soules
Cc: Matt Bond
Subject: RE: N. Lawrence

The BOCC will have to make a determination on whether and who to deed the real estate to. Assuming the decision is made to deed it to the City, please review and comment on the attached. In particular, make sure the legal description is correct (I had a hard time reading what was previously sent to me) and that the correct language is used to identify the City.

Evan H. Ice
eice@stevensbrand.com

STEVENS & BRAND, L.L.P.
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From: Paul Werner [mailto:paulw@paulwernerarchitects.com]
Sent: Monday, July 27, 2009 1:02 PM
To: 'AD - Weinaug, Craig'; 'Charles Soules'
Cc: 'Matt Bond'; Evan H. Ice
Subject: RE: N. Lawrence

I would agree.. all we need is a quit claim deed.. from the county to the city...

Evan.. the legal is attached. It might be easier for to catch u up on the phone.. my typing skills are challenged...

Talk soon
Paul

Paul Werner
Paul Werner Architects

PO Box 1536
545 Columbia Drive Suite 1002
Lawrence, Kansas 66044
(785) 832-0804
(785) 832-0890 fax

From: AD - Weinaug, Craig [mailto:weinaug@douglas-county.com]
Sent: Monday, July 27, 2009 12:54 PM
To: Charles Soules
Cc: Paul Werner; Matt Bond; Evan H. Ice
Subject: Re: N. Lawrence

So who does the paper work to get it done? I assume that there is a statutory process to make it happen.

Paul:

I suggest that you contact evan ice to figure what needs to be done.

Sent from Craig's cell phone

On Jul 27, 2009, at 11:50 AM, "Charles Soules" <csoules@ci.lawrence.ks.us> wrote:

I would agree for access purposes makes sense to give to City.

Charles F. Soules, P.E., Public Works Director | csoules@ci.lawrence.ks.us
Public Works Department | [City of Lawrence, KS](#)
PO Box 708, Lawrence, KS 66044-0708
Office (785) 832-3123 | fax (785) 832-3398

From: Paul Werner [mailto:paulw@paulwernerarchitects.com]
Sent: Monday, July 27, 2009 11:50 AM
To: Charles Soules
Cc: cweinaug@douglas-county.com
Subject: FW: N. Lawrence

Chuck.. see the highlighted yellow area on the map... it is on the waterside of the levee.. our slight concern was technically providing access to all property owners for instance.. if / when we plat our ground.. we can provide an easement – however it works out to the city ground.. and to the levee obviously.. but this tiny little parcel owned by the county—would then require access to them as well.. I would argue they would have to sign our submittals as well,. Etc...

Just doesn't seem like the answer.. best thing it seems is for the county to deed the tiny parcel to the city..

Hope this helps.. thanks for the quick responses..
Paul

Paul Werner

Paul Werner Architects

PO Box 1536
545 Columbia Drive Suite 1002
Lawrence, Kansas 66044
(785) 832-0804
(785) 832-0890 fax

From: Paul Werner [mailto:paulw@paulwernerarchitects.com]
Sent: Thursday, July 23, 2009 2:10 PM
To: 'cweinaug@douglas-county.com'
Cc: 'Charles Soules'; 'Thomas H. Johnson'; 'briank@paulwernerarchitects.com'
Subject: FW: N. Lawrence

Craig,

I'll try not to give you the entire story.....

Attached is an aerial showing a large area West of North 2nd street..

My clients own all of the ground in Blue..and have the other property under contract with the City and with Kaw Valley Drainage District..

We discovered a tiny piece of property actually owned by the county... parcel #29

Eventually we plan to plat all of this ground.. and redevelop the entire area. We have not determined how we are going to plat this.. but the thought was to minimize property owners which we need to coordinate with. It would seem this ground you currently owns serves no purpose.

I think our suggestion is for the county to deed this to the city. It's on the water side of the levee.. the city maintains the levee, etc.. just doesn't seem to be a reason for the county to own this.. my fear was we go to plat this and a parcel not controlled by the owners or the city then shows up on a plat or an adjacent parcel in which w would have to provide access for , etc.. especially when there is no reason for you to own this.

Hope this makes sense. Please let me know your thoughts.. and / or anything we can do to help clean this up.

Paul

Paul Werner

Paul Werner Architects

PO Box 1536
545 Columbia Drive Suite 1002
Lawrence, Kansas 66044
(785) 832-0804
(785) 832-0890 fax

From: Tiffany Ruse [mailto:tiffanyr@paulwernerarchitects.com]

Sent: Thursday, July 23, 2009 1:58 PM
To: 'Paul Werner'
Subject: N. Lawrence

This_email_has_been_scanned_by_the_MessageLabs_Email_Security_System.

This_email_has_been_scanned_by_the_MessageLabs_Email_Security_System.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS**

WHEREAS, Douglas County, Kansas (the "County"), through the Board of County Commissioners of Douglas County, Kansas (the "Board"), owns certain real estate which is legally described as follows:

East 16 feet of Lot 38 on Locust Street, North Lawrence, in the City of Lawrence,
Douglas County, Kansas,

(hereinafter the "Real Estate").

WHEREAS, the Real Estate consists of a 16 foot strip of land in North Lawrence on the river side of the flood control levee that protects North Lawrence (the "Levee").

WHEREAS, the Real Estate is an isolated tract, with no recorded right of ingress or egress, and is surrounded by real estate owned by the City of Lawrence (hereinafter the "City") and by Douglas County Kaw Drainage District, Douglas County, Kansas.

WHEREAS, pursuant to an arrangement between the City and United States Corps of Engineers, the City is responsible for maintaining the Levee.

WHEREAS, pursuant to Section 6 of the Douglas County Purchasing Policy adopted by resolution pursuant to K.S.A. 19-211(b), the Board publicized as a regular Agenda item that the Board would hold a meeting to consider donating the Real Estate by quit-claim deed to the City, and placing the matter on the Board's regular Agenda constituted public notice of method of disposition, date, time, description of property.

WHEREAS, on the date specified in the publicized regular Agenda, the Board considered the disposition of the Real Estate and received and considered all public comment thereof.

NOW THEREFORE, the Board hereby makes the following findings:

1. The Board hereby unanimously determines that the Real Estate is surplus property not required for public use by the County, and is unmarketable.
2. Because all of the Real Estate is situated within the Levee easement and the City is responsible for maintenance of the Levee, the Board finds it most appropriate that the City own fee title to the Real Estate.
3. The Chair of the Board is authorized and directed to execute and deliver a deed, quit-claiming the Real Estate to the City, and take all other action consistent with the purposes and intent of these findings.

IN WITNESS WHEREOF, the Board adopts and confirms the foregoing on this _____
day of _____ 2009.

Nancy Thellman, Chair

Jim Flory, Member

Mike Gaughan, Member

ATTEST:

Jameson D. Shew, County Clerk

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED (this "Deed") is made this _____ day of _____ 2009, from the BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, a body corporate and public organized under the laws of the State of Kansas (hereinafter "Grantor") to the City of Lawrence, Kansas, a municipal corporation (hereinafter "Grantee").

Grantor, having determined the real estate described below is surplus property not required for public use by Grantor and is unmarketable, QUIT-CLAIMS to the Grantee and its successors and assigns, all of the following real estate situated in the County of Douglas, State of Kansas:

East 16 feet of Lot 38 on Locust Street, North Lawrence, in the City of Lawrence, Douglas County, Kansas.

IN WITNESS WHEREOF, the Grantor has executed this Deed as of the year and date first above stated.

GRANTOR:

BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS

By: Nancy Thellman
Title: Chair

ATTEST:

Jameson D. Shew, County Clerk

STATE OF KANSAS	)		/ RESERVED FOR REGISTER OF DEEDS:
	)ss:		/
COUNTY OF DOUGLAS	)		/
			/
This instrument was acknowledged before			/
me this _____ day of _____ 2009,			/
by NANCY THELLMAN, Chair of the			/
Board of County Commissioners of Douglas			/
County, Kansas.			/
			/
			/
			/
			/
Notary Public			/
My appointment expires: _____			/

Plate Nbr N06577A **Pin Nbr** 079-30-0-30-03-010.00-0 **Situs Address** 100 BLK #6 LOCUST **ACRES**
Owner1 DOUGLAS CO KAW DRAIN DIST **Section Township Range**
Owner2 ATTN BANKS PRICE T
Owner3
Address PO BOX 442341
LAWRENCE KS 66044 Acres 0.13

Legal

NORTH LAWRENCE LOCUST STREET LT 34 & W 34 FT LT 38 (N06577 &80 COMBINED 1988)

Plate Nbr N06581 **Pin Nbr** 079-30-0-30-03-011.00-0 **Situs Address** 100 BLK #8 LOCUST
Owner1 DOUGLAS COUNTY **Section Township Range**
Owner2 ATTN COUNTY CLERK
Owner3
Address 1100 MASSACHUSETTS ST
LAWRENCE KS 66044 Acres 0.05

Legal

NORTH LAWRENCE LOCUST STREET E16 FT LT 38

Plate Nbr N06598A **Pin Nbr** 079-30-0-30-04-001.00-0 **Situs Address** 200 BLK #1 LOCUST
Owner1 WALBURN KORI L **Section Township Range**
Owner2
Owner3
Address 2200 VERMONT ST
LAWRENCE KS 66046 Acres 0.13

Legal

NORTH LAWRENCE LOCUST STREET LTS 115 & 117 (N06598 & 99 COMBINED 1988)

Plate Nbr N06592A **Pin Nbr** 079-30-0-30-04-003.00-0 **Situs Address** 226 LOCUST
Owner1 HAZEL ROBIN **Section Township Range**
Owner2 MERSMANN TOM
Owner3
Address 226 LOCUST ST
LAWRENCE KS 66044 Acres 0.25

Legal

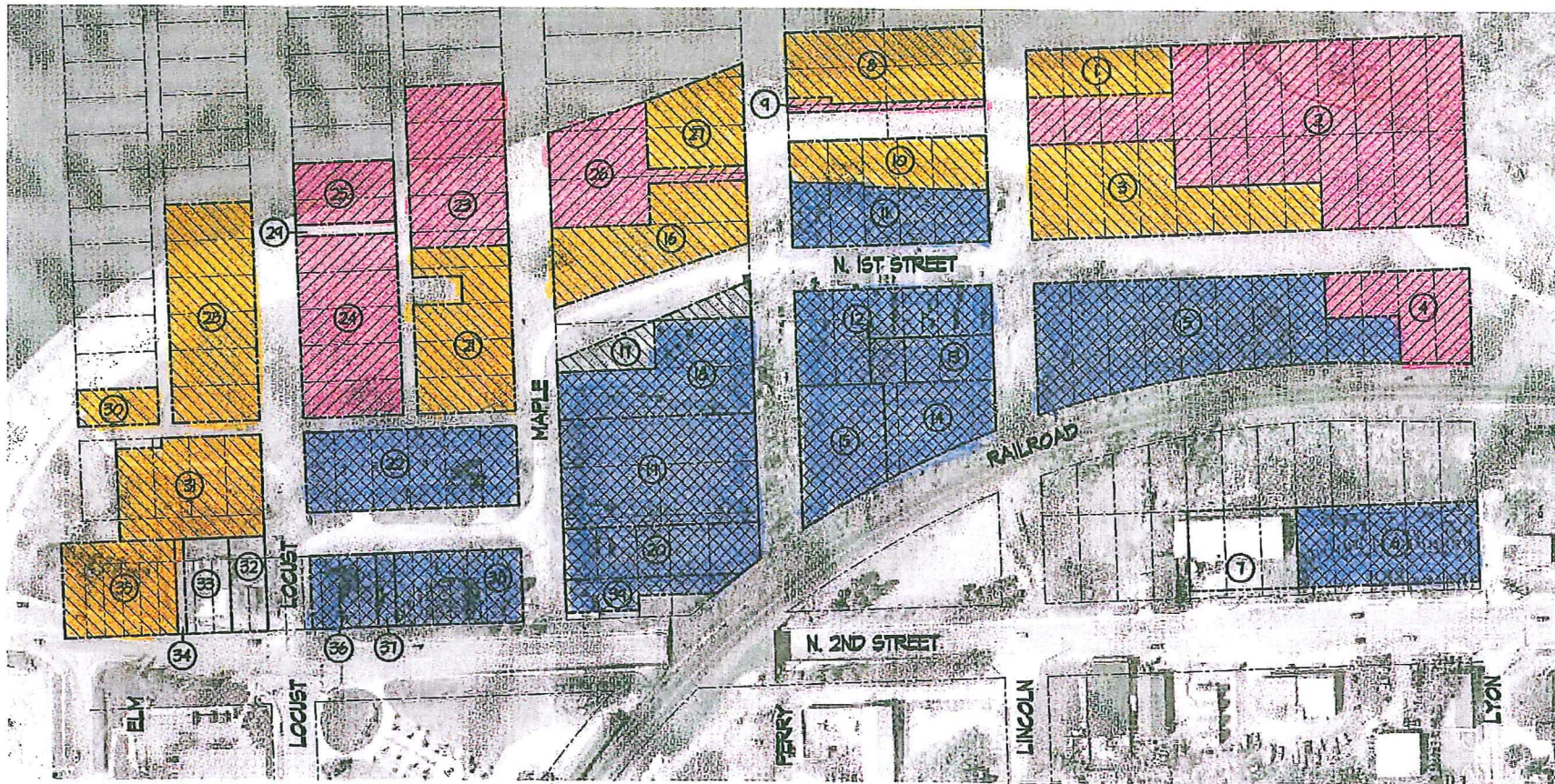
NORTH LAWRENCE LOCUST STREET LTS 103,105,107 & 109 (N06592 &95 COMBINED 1988)

Tax Unit 048
School District 497
book 0151
page 0040

Tax Unit 048
School District 497
book 0198
page 0584

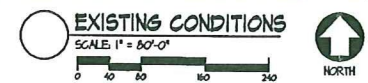
Tax Unit 048
School District 497
book 0316
page 1454

Tax Unit 048
School District 497
book 0552
page 1088



PROPERTY OWNERSHIP:

SY#	OWNER NAME	PROPERTY AREA	LEGAL DESCRIPTION	SY#	OWNER NAME	PROPERTY AREA	LEGAL DESCRIPTION
1	CITY OF LAWRENCE	19,000 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 13A, 1 & 15 LESS DR. CO. K&H DR. DIST. ALSO LOT 16, LESS E. PART.	18	DID RENTALS OF LAWRENCE LLC	40,500 S.F.	PERREN ADDITION BLOCK 1 LOT 1
2	DOUGLAS COUNTY K&H DRAIN DIST.	104,000 S.F.	NORTH LAWRENCE ADDITION NO. 2 E. PART OF LOTS 13A, 15, & 16, ALL LOT 11 LESS NW. ALL LOTS 18 THRU 20 & H. PART LOTS 21 THRU 32.	19	100 OF LAWRENCE	19,432.02 S.F.	NORTH LAWRENCE ADDITION NO. 2 H. 10' LOTS 106 THRU 10.
3	CITY OF LAWRENCE	31,000 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 24 THRU 32 LESS H. PART AND ALL LOTS 33 THRU 36.	20	CITY OF LAWRENCE	26,25 S.F.	NORTH LAWRENCE MAPLE STREET BLOCK 1 LOTS 41, 53, & 51, E. 27' LOT 41 & H. 12' LOT 45, H. 12' OF E. 50' OF LOT 45.
4	DOUGLAS COUNTY K&H DRAIN DIST.	18,913.00 S.F.	NORTH LAWRENCE ADDITION NO. 2 H. PART LOTS 45 & 46, ALL LOTS 47 & 48.	21	EXCHANGE HOLDINGS LLC	31,400 S.F.	NORTH LAWRENCE MASSACHUSETTS STREET BLOCK 1 LOTS 51, 41, 45, 44, 70, & 11 LESS TRACT TO DR. CO. K&H DRAIN DIST.
5	ARFIELD INVESTMENTS	68,028.16 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 51 THRU 46 LESS H. PART OF LOTS 45 & 46.	22	DOUGLAS COUNTY K&H DRAIN DIST.	21,410 S.F.	NORTH LAWRENCE MAPLE STREET LOTS 24, 35, 37, & H. 22' LOT 41.
6	100 OF LAWRENCE INC.	27,500 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 124 THRU 108 LESS E. 10' THEREOF.	23	DOUGLAS COUNTY K&H DRAIN DIST.	35,750 S.F.	NORTH LAWRENCE LOCUST STREET LOTS 42, 46, 50, 54, & 56.
7	HELYN SCHWARTZ	16,500 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 126 THRU 128 LESS E. 10' THEREOF.	24	DOUGLAS COUNTY K&H DRAIN DIST.	12,540 S.F.	NORTH LAWRENCE LOCUST STREET LOT 54 & H. 34' LOT 58.
8	CITY OF LAWRENCE	26,400 S.F.	NORTH LAWRENCE ADDITION NO. 2 ALL OF LOTS 16 & 17 LESS STRIP ON E. SIDE OF LOT 16 TO DR. CO. K&H DR. DIST. & LOTS 66 & 64 LESS TR. OR SEL. SIDE THEREOF.	25	DOUGLAS COUNTY K&H DRAIN DIST.	22,842.50 S.F.	NORTH LAWRENCE ADDITION NO. 2 S. 1/2 LOTS 44 THRU 46 & STRIP ALONG ELY SIDE OF N. 1/2 LOT 41, ALL S. 1/2 LOT 41, ALSO STRIP ALONG ELY SIDE OF N. 1/2 LOT 40, ALL S. 1/2 LOT 40.
9	DOUGLAS COUNTY K&H DRAIN DIST.	3,500 S.F.	NORTH LAWRENCE ADDITION NO. 2 STRIP ON ELY SIDE OF LOT 16 & A STRIP ALONG ELY SIDE LOT 16 TRACT ALONG SEL. COR. LOT 24 & STRIP ALONG ELY SIDE LOT 40.	26	CITY OF LAWRENCE	5,721.50 S.F.	NORTH LAWRENCE ADDITION NO. 2 H. 1/2 LOTS 45 & 46, H. 1/2 LOT 41 LESS STRIP ALONG ELY SIDE.
10	CITY OF LAWRENCE	11,671.50 S.F.	NORTH LAWRENCE ADDITION NO. 2 BEG. 10' H. OF NE COR. LOT 14, SEL. 15.71, 15.1, SEL. 10.7, 5.85, N. 27.01, E. 104' TO POB.	27	CITY OF LAWRENCE	5,721.50 S.F.	NORTH LAWRENCE LOCUST STREET LOTS 51, 41, 45, 44, 53, & 51.
11	K&H RIVER ESTATES LLC	2,312.50 S.F.	NORTH LAWRENCE ADDITION NO. 2 BEG. NE COR. LOT 14, H. 10' SEL. 15.71, N. 5', SEL. 15.1, ALONG CURVE 100', E. 107', N. 270' TO POB.	28	DOUGLAS COUNTY	2,460 S.F.	NORTH LAWRENCE ELM STREET BLOCK 1 LOT 58.
12	100 OF LAWRENCE LLC	2,546.0 S.F.	NORTH LAWRENCE ADDITION NO. 2 H. 60' LOTS 45 THRU 61 ALL LOTS 62 & 64.	29	CITY OF LAWRENCE	5,500 S.F.	NORTH LAWRENCE MASSACHUSETTS STREET BLOCK 1 LOTS 48 & 44, N. 51.5' LOT 41, E. 47' OF S. 1/2 LOT 41 & E. 47' LOT 37, H. 12' VACANT N. MASS. STREET R/W.
13	DID RENTALS OF LAWRENCE LLC	7,145 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 65 & 66 LESS H. 60' THEREOF.	30	CITY OF LAWRENCE	1,315.50 S.F.	NORTH LAWRENCE BRIDGE STREET LOTS 41 & 44 & E. 1/2 VACANT N. MASS. STREET R/W.
14	DID RENTALS OF LAWRENCE LLC	16,289.04 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 61 & 64, LOTS 62 & 68 LESS S. 11' THEREOF, LOT 61 LESS H. 60' THEREOF & LOTS 13 & 14 LESS NW.	31	REDGO INVESTORS LLC	6,500 S.F.	NORTH LAWRENCE BRIDGE STREET LOTS 45, 45 & H. 1/2 LOT 42 & E. 1/2 VACANT N. MASS. STREET R/W.
15	DID RENTALS OF LAWRENCE LLC	14,244.64 S.F.	NORTH LAWRENCE ADDITION NO. 2 S. 1/2 LOTS 62 & 68.	32	REDGO INVESTORS LLC	8,190 S.F.	NORTH LAWRENCE BRIDGE STREET LOTS 41 & E. 1/2 VACANT N. MASS. STREET R/W.
16	CITY OF LAWRENCE	26,460 S.F.	NORTH LAWRENCE ADDITION NO. 2 H. 1/2 LOT 48 LESS STRIP ALONG ELY SIDE & H. 1/2 LOT 49.	33	CITY OF LAWRENCE	20,750 S.F.	NORTH LAWRENCE BRIDGE STREET LOTS 51, 55, 55, 51, 54, & E. 1/2 VACANT N. MASS. STREET R/W.
17	CITY OF LAWRENCE	8,70 S.F.	NORTH LAWRENCE ADDITION NO. 2 E. 1/2 LOT 100 & S. 1/2 LOT 100 LESS NW.	34	EXCHANGE HOLDINGS LLC	8,800 S.F.	NORTH LAWRENCE BRIDGE STREET LOT 55 & BEG. H. 1/2 OF N. 1/4 COR. LOCUST & N. 2ND STREET.
18	100 OF LAWRENCE LLC	26,750 S.F.	NORTH LAWRENCE ADDITION NO. 2 H. 1/2 LOT 101 & ALL LOT 102.	35	100 OF LAWRENCE LLC & JEFF HAWFIELD	2,500 S.F.	NORTH LAWRENCE BEG. 10' S. OF 34' COR. MAPLE & N. 2ND STREET.
				36	EXCHANGE HOLDINGS LLC	17,500 S.F.	NORTH LAWRENCE ELY E. 2 BEG. 34' COR. MAPLE & N. 2ND STREET, 10' H. 10' N. 1/4, 10' N. 1/4, E. 40' TO POB.
				37	ROXANNA S. JONES	1,100 S.F.	NORTH LAWRENCE ADD. NO. 2 BEG. 10' H. OF NE COR. LOT 106, N. 100', H. 207', N. 102', 112', 50', S. 240' E. 50' TO POB.



HATCH LEGEND:

- CITY OF LAWRENCE
- K&H DRAIN DISTRICT
- ARFIELD INVESTMENTS
- 100 OF LAWRENCE INC.
- K&H RIVER ESTATES LLC
- D & D RENTALS OF LAWRENCE LLC
- EXCHANGE HOLDINGS LLC
- ROXANNA S. JONES

paulwerner
ARCHITECTS

846 COLUMBIA DRIVE
SUITE 1002
LAWRENCE, KS 66048
OFFICE: 785.832.0804
FAX: 785.832.0890

OWNER:
100 OF LAWRENCE LLC
P.O. BOX 185
LAWRENCE, KS 66044
TEL: 785.832.0890

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NORTH LAWRENCE PROJECT
N. 2ND TO LYONS FROM RIVER
LAWRENCE, KANSAS

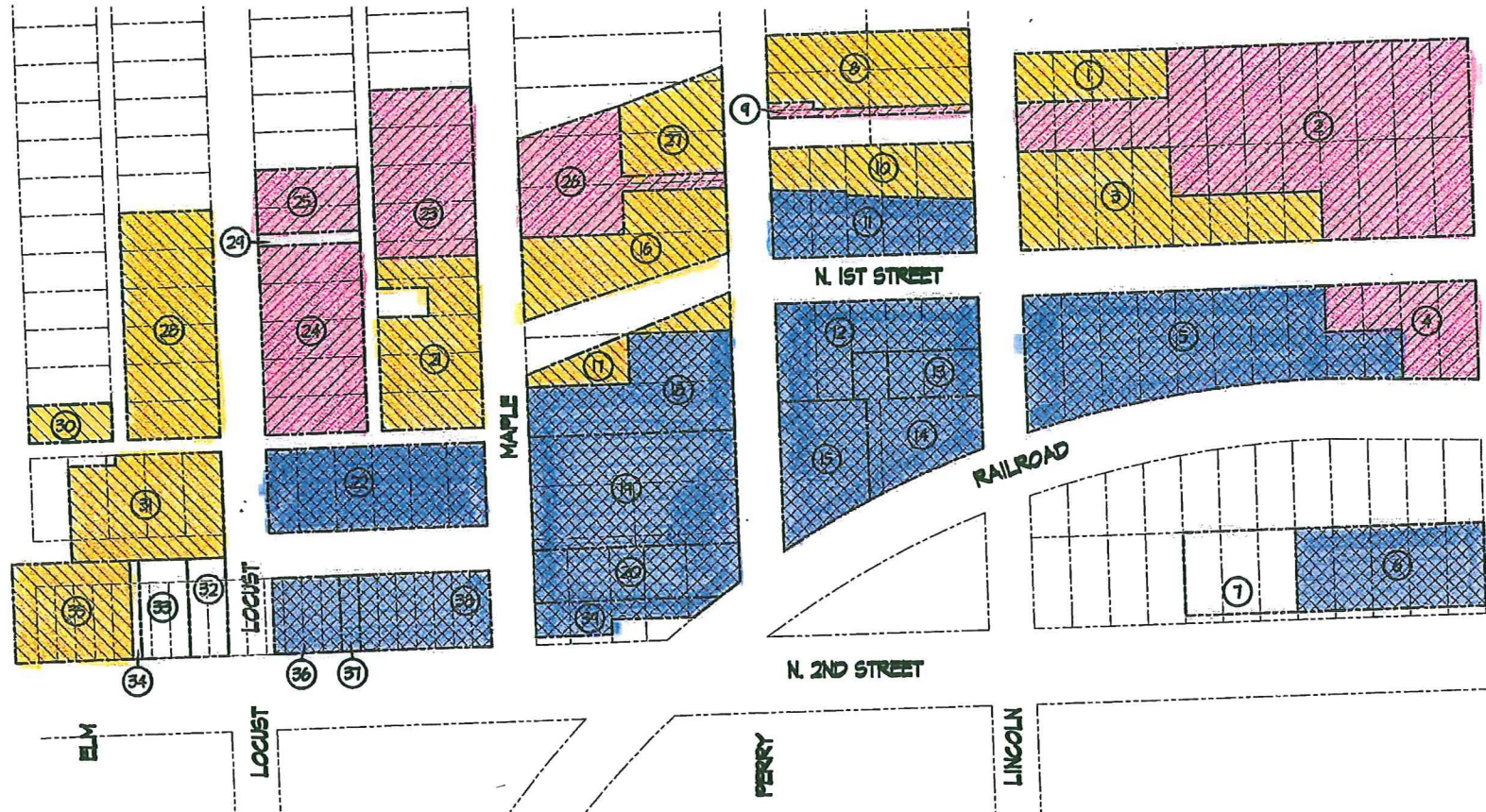
PROJECT #26445
JUNE 15, 2007

RELEASE DATE

EX-1

REDUCED PRINT
NOT TO SCALE

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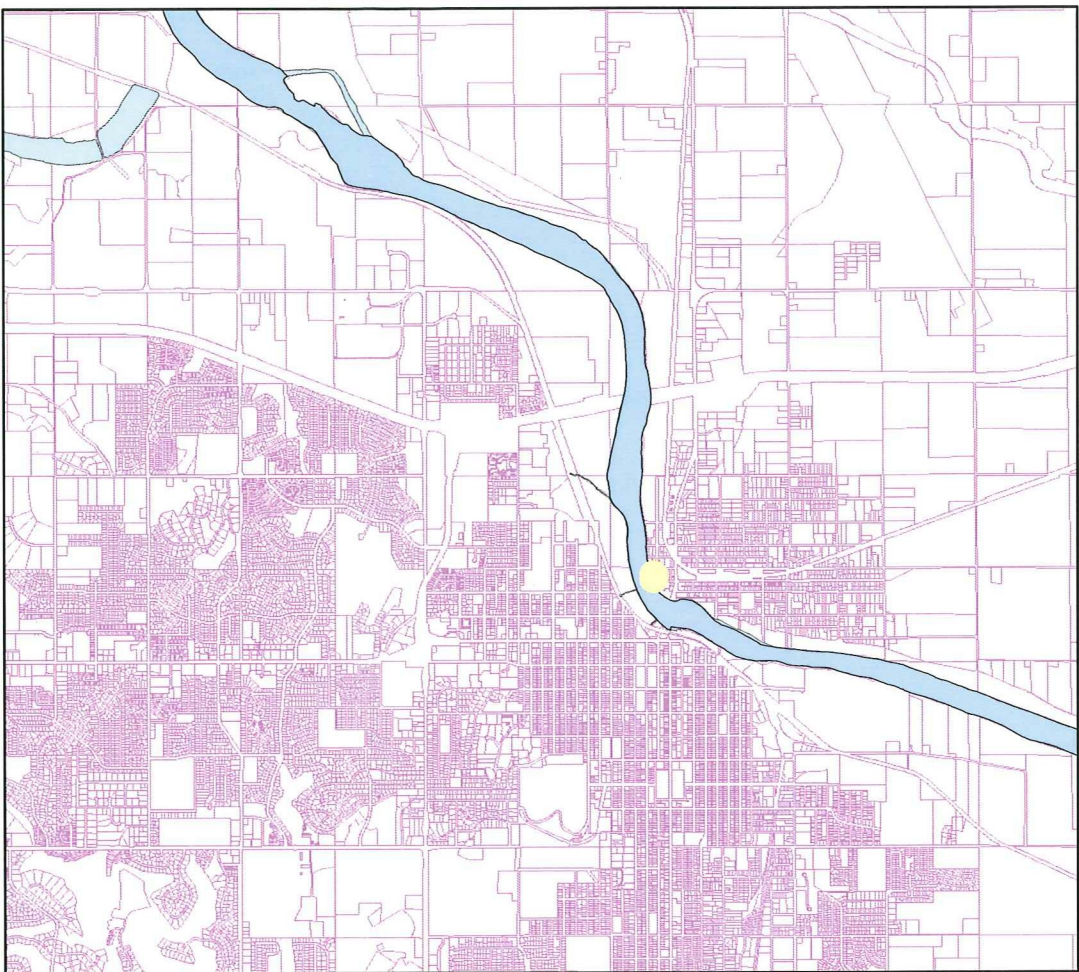


PROPERTY OWNERSHIP:

SYL	OWNER NAME	PROPERTY AREA	LEGAL DESCRIPTION
1	CITY OF LAWRENCE	19,000 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 14, 15 LESS 10' CO. KAM DR. DIST. ALSO LOT 16, LESS 1' PART.
2	DOUGLAS COUNTY KAM DRAM DIST.	104,000 S.F.	NORTH LAWRENCE ADDITION NO. 2 E PART OF LOTS 14, 15, 16, ALL LOT 17 LESS 10' CO. KAM DR. DIST. 20' 4' H PART LOTS 24 THRU 32.
3	CITY OF LAWRENCE	34,000 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 24 THRU 32 LESS 1' PART AND ALL LOTS 33 THRU 36.
4	DOUGLAS COUNTY KAM DRAM DIST.	10,915.0 S.F.	NORTH LAWRENCE ADDITION NO. 2 H PART LOTS 45 & 46, ALL LOTS 47 & 48.
5	ARFIELD INVESTMENTS	60,225.38 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 37 THRU 46 LESS 1' PART OF LOTS 49 & 46.
6	HOD OF LAWRENCE INC.	21,300 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 124 THRU 135 LESS 1' PART THEREOF.
7	HELVY SCHWARTZ	16,300 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 126 THRU 135 LESS 1' PART THEREOF.
8	CITY OF LAWRENCE	26,400 S.F.	NORTH LAWRENCE ADDITION NO. 2 ALL OF LOTS 16 & 17 LESS STRIP ON E SIDE OF LOT 16 TO DO CO. KAM DR. DIST. & LOTS 68 & 69 LESS 1' CO. SLY SIDE THEREOF.
9	DOUGLAS COUNTY KAM DRAM DIST.	5,300 S.F.	NORTH LAWRENCE ADDITION NO. 2 STRIP ON NLY SIDE OF LOT 16 & STRIP ALONG SLY SIDE LOT 16 & TRACT ALONG SLY COR. LOT 16 & STRIP ALONG NLY SIDE LOT 16.
10	CITY OF LAWRENCE	116,715.0 S.F.	NORTH LAWRENCE ADDITION NO. 2 BESS 10' H OF E COR. LOT 16, SLY 16.5', NLY 17', S 16.5', E 16.5', N 20', E 10' TO POB.
11	KAM RIVER ESTATES LLC	20,225.0 S.F.	NORTH LAWRENCE ADDITION NO. 2 BESS 10' H OF E COR. LOT 14, H 10', SLY 16.5', H 11', SLY 16.5' CURVE 100', E 10', N 20' TO POB.
12	HOD OF LAWRENCE LLC	24,540 S.F.	NORTH LAWRENCE ADDITION NO. 2 H 60' LOTS 65 THRU 67 ALL LOTS 68 & 69.
13	DID RENTALS OF LAWRENCE LLC	1,216 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 65 & 66 LESS 1' PART THEREOF.
14	DID RENTALS OF LAWRENCE LLC	16,229.04 S.F.	NORTH LAWRENCE ADDITION NO. 2 LOTS 41 & 44, LOTS 62 & 63 LESS 1' PART THEREOF, LOT 67 LESS 1' PART THEREOF & LOTS 83 & 84 LESS 1' PART.
15	DID RENTALS OF LAWRENCE LLC	14,361.64 S.F.	NORTH LAWRENCE ADDITION NO. 2 S 17' LOTS 62 & 63.
16	DID RENTALS OF LAWRENCE LLC	26,440 S.F.	NORTH LAWRENCE ADDITION NO. 2 H 1/2 LOT 40 LESS STRIP ALONG NLY SIDE & H 1/2 LOT 41.
17	CITY OF LAWRENCE	8,100 S.F.	NORTH LAWRENCE ADDITION NO. 2 E 1/2 LOT 100 & S 1/2 LOT 101.
18	HOD OF LAWRENCE LLC	26,730 S.F.	NORTH LAWRENCE ADDITION NO. 2 H 1/2 LOT 101 & ALL LOT 102.

SYL	OWNER NAME	PROPERTY AREA	LEGAL DESCRIPTION
19	DID RENTALS OF LAWRENCE LLC	40,300 S.F.	PERREN ADDITION BLOCK 1 LOT 1.
20	HOD OF LAWRENCE	16,612.02 S.F.	NORTH LAWRENCE ADDITION NO. 2 H 10' LOTS 106 THRU 110.
21	CITY OF LAWRENCE	28,235 S.F.	NORTH LAWRENCE MAPLE STREET BLOCK 1 LOTS 44, 55, & 57 & 27 LOT 41 & H 1/2 LOT 40, N 1/2 OF E 50' OF LOT 40.
22	EXCHANGE HOLDINGS LLC	51,400 S.F.	NORTH LAWRENCE MASSAGUSETTS STREET BLOCK 1 LOTS 51, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
23	DOUGLAS COUNTY KAM DRAM DIST.	21,510 S.F.	NORTH LAWRENCE MAPLE STREET LOTS 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
24	DOUGLAS COUNTY KAM DRAM DIST.	35,760 S.F.	NORTH LAWRENCE LOCUST STREET LOTS 42, 43, 50, 54, & 56.
25	DOUGLAS COUNTY KAM DRAM DIST.	15,540 S.F.	NORTH LAWRENCE LOCUST STREET LOT 54 & H 1/4 LOT 56.
26	DOUGLAS COUNTY KAM DRAM DIST.	22,825.0 S.F.	NORTH LAWRENCE ADDITION NO. 2 S 1/2 LOTS 64 THRU 66 & STRIP ALONG SLY SIDE OF N 1/2 LOT 41, ALL S 1/2 LOT 41, ALSO STRIP ALONG NLY SIDE OF N 1/2 LOT 40, ALL S 1/2 LOT 40.
27	CITY OF LAWRENCE	15,721.50 S.F.	NORTH LAWRENCE ADDITION NO. 2 H 1/2 LOTS 45 & 46, N 1/2 LOT 41 LESS STRIP ALONG SLY SIDE.
28	CITY OF LAWRENCE	15,721.50 S.F.	NORTH LAWRENCE ADDITION NO. 2 H 1/2 LOTS 45 & 46, N 1/2 LOT 41 LESS STRIP ALONG SLY SIDE.
29	DOUGLAS COUNTY	2,400 S.F.	NORTH LAWRENCE LOCUST STREET E 1/4 LOT 56.
30	CITY OF LAWRENCE	5,500 S.F.	NORTH LAWRENCE ELN STREET BLOCK 1 LOT 56.
31	CITY OF LAWRENCE	21,815.0 S.F.	NORTH LAWRENCE MASSAGUSETTS STREET BLOCK 1 LOTS 45 & 46, H 1/2 LOT 40, E 1/2 OF S 1/2

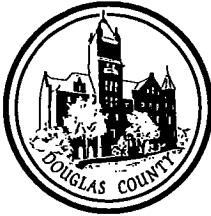
East 16 feet of Lt 38 on Locust St, North Lawrence



LT 38 Locust St.

Locust_St_LT_38	S_Fld_Haz_Ln
2008counts	Ln_Typ
ownshp09	0.2 PCT ANNUAL CHANCE FLOOD HAZARD
S_Wtr_Ln	1 PCT ANNUAL CHANCE FLOOD HAZARD
	FLOODWAY

This map was produced by Douglas County GIS.
It is for reference only and is not intended for conveyances, nor is it a legal survey. August 18, 2009.



DOUGLAS COUNTY ADMINISTRATIVE SERVICES

Division of Purchasing

1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5286 Fax (785) 838-2480
www.douglas-county.com

MEMO TO: The Board of County Commissioners
Craig Weinaug, County Administrator

FROM: Jackie Waggoner, Director *JW*
Division of Purchasing

SUBJECT: Consider Purchase of a End Dump Trailer for Public Works

DATE: August 14, 2009

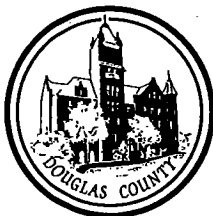
Public Works has funds allocated to replace a 1988 Fruehauf 24' 20cy end dump trailer. Their existing trailer has structural problems with the dump box. The equipment is used to haul rock for rock road maintenance, haul asphalt for asphalt overlays, haul salt/sand mix to replenish remote storage locations, and haul material for shoulder maintenance.

Berry Tractor & Equipment has a new 2010 end dump trailer they could sell us at substantial cost savings. This equipment typically would cost approximately \$57,000-\$60,000, and we have an opportunity to purchase it for \$37,747. The reason for the savings is a customer had special ordered the equipment with a significant deposit. The customer defaulted on the order and lost their deposit resulting in a reduced sale price.

We also requested a quote from the HGAC (Houston-Galveston Area Council), an inter-local cooperative agreement through MARC. The HGAC quote was for \$64,022 and their model has a slightly smaller capacity and is constructed of lighter material than the one from Berry Tractor.

Our intent is to sell the existing end dump trailer in an auction. Mike Perkins would like to take advantage of the cost savings through Berry Tractor. Mike will be at the commission meeting to answer any questions you may have.

SUGGESTED MOTION: The Board of County Commissioners waives the purchasing policy to purchase a 2010 end dump trailer from Berry Tractor & Equipment in the amount of \$37,747.



DOUGLAS COUNTY ADMINISTRATIVE SERVICES

1100 Massachusetts Street
Lawrence, KS 66044-3064
(785) 832-5329 Fax (785) 832-5320
www.douglas-county.com

Pamela J. Madl
Assistant County Administrator

MEMO TO: Board of County Commissioners

DATE: August 17, 2009

FROM: Pam Madl

SUBJECT: Revisions to 2005 Purchasing Policy

As you will recall, during the discussion regarding changing the BOCC meeting days, we mentioned that an amendment to the Purchasing Policy would be brought to you in order to make the once a week meeting schedule more efficient for Public Works. Additionally, I brought up our interest in adding the ability to purchase equipment through auctions as another amendment we would like to have added to the Purchasing Policy.

Attached is the wording specific to the amendments we are recommending. These amendments have been shared with the Department Heads (as well as Craig, of course), and no one objected nor had any additional changes they were interested in making.

I will be available on Monday to answer any questions you might have; in the meantime, feel free to email me.

Pjm
Attachments

PROPOSED CHANGES TO PURCHASING POLICY

#1:

4. **Auctions:** When an item with a value between \$7,501 and \$75,000 is available through an auction (with time constraints), the County Administrator or the Assistant County Administrator may authorize participation in the auction after analyzing the following requirements.
 - a. The item was a planned equipment purchase approved through the budgetary process.
 - b. Staff has observed the item and evaluated its condition.
 - c. Staff has established a value for the item being auctioned.
 - d. Staff has determined the price of an identical new piece of equipment (excluding trade-in).
 - e. Staff provides a value of existing equipment being replaced (if applicable, for disposable purposes).

If approval is provided for an amount less than \$20,000, the County Administrator/Assistant County Administrator will establish a maximum amount authorized for the purchase. If the amount of the purchase is expected to exceed \$20,000, the County Administrator/Assistant County Administrator will make every attempt to seek approval from the Board of County Commissioners with the time constraints; if that is not possible, the County Administrator/Assistant County Administrator will notify the Board of County Commissioners of the intent to participate in the auction, identifying the piece of equipment, the maximum amount authorized, and the deadline.

#2:

3.X REQUEST FOR INFORMATION (RFI).

In situations where purchases in excess of \$20,000 will be made using cooperative contracts established by a competitive bidding process, a written request will be submitted to the Board of County Commissioners to issue an RFI for the purchase to those vendors awarded the contracts. The RFI will contain general specifications (which may be narrowed based upon available products and/or services offered in response to the RFI) and a specific deadline for response. An evaluation of responses to the RFI, along with a recommendation, will be presented to the commissioners for approval.

#3:

3.10 FORMAL BIDS/PROPOSALS.

A. Notice to Commissioners. Written notice of the intent to issue a formal request for bid or proposals must be provided to Commissioners. For projects **purchases** in which the bid is expected to exceed \$100,000, ~~prior commission approval~~ **action** is required **as follows**:

- For projects approved in the Capital Improvement Plan, written notification of the intention to solicit bids will be provided to the Board of County Commissioners prior to publication.
- For purchases or projects NOT in the CIP, commission approval is required prior to publication for soliciting bids.