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FEB 19 2013

CITY MANAGERS OFFICE
LAWRENCE, KS

13 February 2013

Bob Schumm, Mayor
City Hall, PO Box 708
Lawrence, KS 66044


Dear Mayor Schumm,

As you should already know, a significant number of us have been communicating with staff, or attending forums, or Advisory Board meetings to learn why racquetball/handball courts were not included in the current plans for the proposed Rock Chalk Recreation Center. Some years ago the staff found it important enough to include a single court in the Holcom complex and yet with increasing population growth and interest in these activities, planning for any additional courts was overlooked. Since the single court at Holcom is too busy to reserve, and an Advisory Board comment that two courts is the minimum to support, it is odd that the current plan has none.

Everyone agrees that bigger is better, and certainly we all recognize a partnership with KU or the KU Endowment Association is beneficial for all. And aside from the tough issue of operating costs, or other city projects like a police building or other important projects just around the corner, we would sincerely appreciate your consideration to add two courts to the present plan before the bidding process is allowed to begin.

We have been advised that attending the Commission meeting the 19th will not have any impact but some of us intend to do so anyway. It is my hope, as one representative of the group, that you could be reminded beforehand of our belief that the facility should include more than just simple floor space for basketball, volleyball, or turf sports.

Thank you for your consideration.

Sincerely,



Ed Manda
Court sports enthusiast

November 26, 2012



To: The Lawrence City Commission

From: The Board of the Kansas Racquetball Association
Scott Wolford, Mike Wedel, Gina Danner, Lucy DelSarto, Jenny Cole, & Ken Cook

This letter is an effort to show community support for the inclusion of Racquetball courts in the plans for the Proposed Lawrence Indoor Recreation Facility. The Kansas Racquetball Association represents players throughout the region for the promotion of racquetball and the organization of regionally based tournaments.

Currently the KRA hosts 11 tournaments in Overland Park, Topeka, Wichita, Garden City and Salina. Those tournaments draw between 70 and 150 players each. Tournaments are also held in Omaha, Lincoln, Des Moines, Jefferson City, and St. Louis. Tournaments generate revenue for the communities and invigorate interest in the sport. Players range in age from 8 years old to 80 years old. It is not unusual for each player attending a tournament to spend \$300-400 for the weekend:

- Lodging Friday and Saturday Night
- Meals
- Fuel
- Tournament Fees
- Misc Shopping

It is our belief that a facility with at least 6 courts in Lawrence could support 3-4 tournaments each year and generate in excess of \$100,000 in revenue for the community each year. This does not include the opportunity for handball tournaments as well.

The Overland Park Convention and Visitor's Bureau reported that the 2008 Racquetball and Handball Tournaments Held at The Athletic Club in Overland Park, Kansas generated over \$1.2 million in economic impact. The Overland Park Convention and Visitor's Bureau presented the tournament director with the 2008 Host Award for the economic impact of the tournaments and activities generated by the courts at The Athletic Club.

The close proximity of the proposed courts to the Kansas City area will definitely draw participants to Lawrence for tournaments and activities.

A collection of 6 to 8 courts requires about 3% of the proposed facility. Add to the reality that racquetball provides exceptional aerobic exercise and you have a win/win opportunity. Our Association is very willing to help develop a teaching curriculum for your Parks & Recreation staff so instruction and city leagues could be organized and executed to cultivate future players and sustain usage of the courts.

Currently Lawrence has one city-owned court and two private courts at a Lawrence health club. The remaining courts are only accessible by university students and staff leaving the rest of Lawrence without access to this sport. The racquetball and handball community in Lawrence is significantly under served.

In the fall of 2012 the Kansas Racquetball Association tried to assist the KU Racquetball Club in holding a tournament. Due to court conditions and poor availability the team chose to postpone the tournament.

We are happy to meet with you to discuss the opportunity further and provide insight into the racquetball community. Please know that if you build it... we will come and support the effort.

And, we will bring our wallets!
Gina Danner, 816-918-0506,

Mike Wedel, 913-219-4428,

Douglas County Kaw Drainage District
808 MASSACHUSETTS STREET
LAWRENCE, KANSAS 66044
(785) 841-4700

February 19, 2013

Lawrence City Commission
City Hall
P.O. Box 708
Lawrence, Kansas 66044

Dear Commissioners:

The Douglas County Kaw Drainage District is a special district government, organized through Douglas County, under State law; it is charged with keeping natural waterways and courses open in areas of northern Douglas County. Kansas statutes delegate considerable powers to drainage districts to ensure that waters flow unobstructed along their natural courses despite improvements that property owners, even property owners outside the district's boundaries, may make upon their properties. As our correspondence with the City of Lawrence reflects, for a number of years the District Board has grown increasingly concerned with the rate and intensity of development occurring within the greater watershed lying north of U.S. Highway 40 which carries water in a northeasterly fashion to the Kansas River, through our District, by way of Baldwin Creek.

Our immediate concern is with the proposed Rock Chalk Park, and the impact that it will have on Baldwin Creek Watershed, particularly as that water flows into the District. The District has engaged the services of King & Associates Engineering ("King"), of Holton, Kansas, to review the Drainage Study of Rock Chalk Park ("Drainage Study") completed by LandPlan Engineering, P.A., dated October 8, 2012. King has reported the following to the District:

1. In reviewing the Drainage Study against the Lawrence Stormwater Management Criteria, it appears that the Drainage Study does not provide nearly all the information required by the Criteria.
2. The Drainage Study does not compare stormwater runoff rates or volumes for the pre- and post-development conditions, nor does it provide any information regarding the impact of the development on the downstream drainage system.
3. A significant off-site area that drains onto the development site is not considered in the drainage study.

4. One of the detention ponds, identified as Pond A, is shown extending off the development site, and onto neighboring property.
5. Since the Drainage Study was completed in October 2012, two revised site plans for the development have been prepared; each one shows the stormwater detention ponds differently. The current drainage plan for the site does not appear to match the Drainage Study.
6. The Lawrence Stormwater Management Criteria do not place a limitation on the quantity of runoff from a development site, only the peak rate of runoff. Development of Rock Chalk Park will increase the volume of runoff from the site by at least 20 percent. All this increased runoff will be carried by Baldwin Creek into the Kaw Drainage District.
7. The drainage system for Rock Chalk Park, as planned, will significantly reduce the peak runoff rate from the site, but will extend the duration of high flows for several hours. By extending the duration of runoff discharge from the site, the contribution of Rock Chalk Park to the peak flow in Baldwin Creek will be increased significantly.

In order to minimize the impact of Rock Chalk Park on the Drainage District, the following two criteria should be met:

- a. Facilities on site should be required to retain the increased runoff volume caused by the development, so that the contribution to the storm runoff hydrograph is no greater than pre-development conditions. The retained stormwater could be released slowly over several days in a way that does not increase downstream flooding.
- b. The discharge rate from stormwater detention basins during all runoff events equal to or larger than the 2-year return interval storm should be low enough that the contribution to the peak flow in Baldwin Creek is no greater than the pre-development condition.

We ask the City Commission to take all steps to ensure that these criteria are met so that the homes and properties in the District are not flooded in the years to come. The District is not interested in any aspect of this project except as it impacts the watershed that enters our territory, but we ask that we be included, at all levels, including staff, in all matters of stormwater runoff and drainage from this project. We also stand ready to assist the City in any way we can.

Thank you very much.

Very truly yours,

/s/ Charles Taylor

Charles Taylor
President, Douglas County Kaw Drainage District

February 19, 2013

City Commission
City Hall, 6 E. 6th Street
Lawrence, KS 66044

Dear Commissioners,

KU has already begun work to build their facilities and athletic fields at Rock Chalk Park, and I am very excited about the future for KU Athletics there. However, I would like to express my concerns regarding the proposed, city-owned, large “regional recreation center” at Rock Chalk Park. The #1 question still to be resolved: Should this large building be a public project or private enterprise?

Public project?

The use of public funds requires a higher standard of scrutiny, one which the process to date has failed to achieve. The city and KU Endowment have unveiled a series of surprising, and often distressing, revisions of the relationships among the various parties to the development. A ballot measure would be a prudent move for the city regarding a project of this scale. That will give the community time to discuss **if** we want a large building at Rock Chalk Park, and what we want that large building to be.

- All of the 1994 sales tax monies for the next 20 years will be tied into the construction of this one, single project, to the exclusion of many other worthwhile projects that could serve the recreational needs of local residents.
- The NET costs of operating this building are estimated at **negative** \$350,000 for the city after completion. Even considering all indirect benefits from additional visitors spending their dollars in Lawrence, the economic impact to our town is in the red.
- There is still unease that it will not generate the revenues that have been projected at approximately 32 events per year. That many events per year also raises valid concerns that the building would be tied up enough that Lawrence citizens may not be able to use it.
- State tax changes will affect our city revenues in ways we are still unsure of, so it certainly seems like a less than prudent time to start a large speculative project.

There has been community consensus that a small, neighborhood-sized recreation center is needed in the NW quadrant of our city. The city was prepared to commit to one in October 2011 on city-owned land at Wakarusa & Overland, next to Free State High School. I think it is time to go back to this original plan.

Private business?

Perhaps a for-profit entity might be interested in building & managing a large building at Rock Chalk Park? It would seem that private enterprise would encourage the most creative uses possible of that building, if that entity were motivated to make a profit to make it work. There are many ideas that have been floated as to what else could be located at Rock Chalk Park:

- Miniature golf course
- Roller skating rink
- Convention center
- Basketball tournaments
- Indoor amphitheater space
- Indoor soccer field
- Ice skating rink
- Bowling alleys

Rock Chalk Park has the potential to become a draw for Lawrence residents of all ages, a draw for families with children from the county, and potentially a regional draw as well. It could even act as a city amenity to entice people to move here as well. Those are certainly economic benefits for our city. But let’s broaden our perspective and start thinking out of the box. It is my belief that until we step back and imagine better, only then could we realize the true potential of Rock Chalk Park.

Sincerely,

Leslie Soden
Member, Joint Economic Development Council

February 18, 2013

Letter To City Commissioners;

Re: Recreation Center Cost Changes & Document Approval

With the announcement KU Endowment is now selling versus donating the land to the city for the Recreation Center shows the ever-evolving nature of the Recreation Center project, it's costs and party relationships.

The increased land cost of \$780,000 would seem to change the financial status of this project, if not then why not? The taxpayers require an understanding, a full vetting, of the complete financial arrangements, money flows, and why an increased cost of \$780,000 does not influence the status of this project.

The commission is planning to move forward Tuesday night, Feb 19, to approve, on first reading, Recreation Center documents which are critically incomplete. The documents are missing completed: plans, specifications, responsibilities, financial information, etc. In short all of the critical information required for the commission to make an informed and meaningful decision and vote.

The plan seems to be, the complete documents will only have one public review & commenting period, the second reading. What is the precedent for this process, especially for a project of this scale? The tragedy is the current documents can't be totally understood, or necessary changes determined, without knowing the details of what is missing. There should be two public readings and comment periods once the documents are complete. The current process leaves concern for transparency.

Another critical piece of missing information is why the infrastructure is not being publically bid and the project assigned to the low bidder? There could be significant cost savings to the taxpayers. An explanation of any donations of infrastructure & fees being waived also need to be explained to the taxpayers. Additionally why does Thomas Fritzel/Bliss get a chance to meet any low bid on the recreation center versus the initial low bidder being assigned the project? What is the precedent for this kind of bidding process? It would seem we would get more competitive bids for the recreation center & infrastructure if the bidders knew they wouldn't lose the bid by someone coming in and matching, or under cutting, their bid after the bids are opened.

This whole process begs the question of the costs given by Thomas if he can afford to arbitrarily reduce his price to the city just to meet another bidder. I certainly appreciate Thomas's magnanimity, but this is very questionable.

Before the City Commission proceeds too far, please stop, take a step back, and explain what is going on and why what is proposed is in the taxpayers' best interest.

Additionally place a complete set of plans and documents before the taxpayers to be fully vetted with two readings, prior to approval.

Thank you,
David Reynolds, Lawrence, Kansas.

From: [Jonathan Douglass](mailto:Jonathan.Douglass)
To: [Jonathan Douglass](mailto:Jonathan.Douglass)
Subject: FW: Yes to Recreation
Date: Tuesday, February 19, 2013 8:26:28 AM

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

From: Amy Lemert [<mailto:amylemert@me.com>]
Sent: Monday, February 18, 2013 10:32 PM
To: David L. Corliss
Subject: Yes to Recreation

Dear Mr. Corliss,

I would like to ad my support to the proposed NW Recreational center. I am concerned that LAN is attempting to assert their opinion by claiming representation. I hear nothing but enthusiasm from neighbors here in Foxfire and people in the area of Fox Chase and Diamondhead. Attempting to get across town to recreation facilities is challenging and inhibitive to my involving my three children and myself in city sponsored recreational activities. The city level is what we want for our kids as opposed to club level activities.

Even though we are not interested in club sports for our children, I am very excited about the potential of a large recreational facility to host events. I have felt that Lawrence had been in need of destination activities for a long time. Hosting big sporting events allows our local commerce to capitalize on the city's association with KU.

Thank you,
Amy LeMert
McGrew Real Estate
amylemert@sunflower.com

Kirk McClure
707 Tennessee Street
Lawrence, Kansas 66044

February 18, 2013

Mayor Bob Schumm schummfoods@gmail.com
Commissioner Aron E. Comwell aroncromwell@gmail.com
Commissioner Michael Dever mdever@sunflower.com
Commissioner Hugh Carter hughcarter@sunflower.com
Commissioner Mike Amyx mikeamyx515@hotmail.com

Re: **Analysis of Sports Complex Proposals**

Mayor and Commissioners,

The City Commission is considering whether it should invest in an expansive sports complex to attract regional sports events to Lawrence or to invest in a smaller sports facility to serve the people within the community. A long list of problems with the proposed project suggests that the City Commission should not proceed with the sports complex as proposed and should return to a recreation center serving the needs of Lawrence.

No-bid contract

After objections were raised, the City is calling for a bidding procedure, but the project remains “wired” for a single contractor. This contractor is guaranteed at least a portion of the project. Such an arrangement discourages other contractors from investing any serious amount of time or effort in the preparation of a bid. Without a truly open bidding process that is competitive from the very start, the public cannot have confidence in the price that is going to be paid for the project.

Turn-key contract

After objections were raised, the City is calling for some level of some construction supervision, but this turn-key project does not have full cost certification by an independent auditor. With a turn-key project, the City will be obligated to pay the agreed price for the building upon completion. To ensure that the contractor delivers the building of the value promised, it is customary to employ an independent auditor to check on the amounts spent to construct the building and to check on the amount of profit realized by the contractor. The audit would permit the City to know that it is getting full value for its investment. Without a full cost certification, the contractor has an incentive to cut corners and deliver a lesser value product.

Partners

Proponents of this project argue that it will be the product of a partnership between the City and the University of Kansas. The City will be partnering with three parties on this project, none of whom are the University of Kansas. The KU Endowment Association, a foundation serving the University, is playing the role of a construction lender. Its partnership with the City is only to sell a portion of the land to the City and to serve as a conduit for financing the project until construction is completed. The Fritzel's are building contractors. Their role is to build the project. The KU Athletic Association will own and control its component parts of the complex. It is under no obligation to allow the public to make use of its facilities. History suggests that it will not. History shows that the Athletic Association operates for its own benefit, not those of the University of Kansas. History also shows that the Athletic Association has a record of corruption. This partnership does not serve the interests of the University of Kansas or form any bonds between the City and the University.

Market demand

This project is no longer a recreation center serving the needs to the citizens of Lawrence. Rather, it is a sports complex that is much larger than a community recreation center. Its scale demands that it attract a large number of tournaments and other sport events to keep its operating losses low enough to be affordable by the City. The Convention, Sports and Leisure (CS&L) market study indicates that this complex must out-perform a project in the much larger and much richer Dallas-Fort Worth area if it is to lose only \$350,000 per year. If it fails to attract sufficient events, it will become an expensive drain on the City's scarce resources. Once built, it cannot be un-built. If it fails to attract the projected events, the taxpayers will have to cover its mounting losses.

Market supply

Kansas and the region have too many sports complexes chasing after too few events. Johnson County has a competing center. The Kanas City area has others. Wichita and Emporia are both planning centers. The pace of growth of competing centers is rapid. The growth in the economy is, at best, weak. It takes a very strong economy to support attendance at tournaments and other events. The proposed project is highly optimistic, and requires very optimistic projections of demand in order to serve the very large supply of sports complexes sprouting up all over the region. This surplus supply makes the proposed project highly risky, too risky for investing the taxpayer's money. If the project is that good, private investors should be stepping forward willing to absorb the risk.

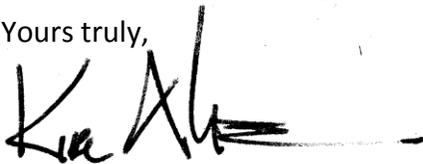
Exaggerated economic impact

The proposed sports complex is justified by some of its proponents in terms of the economic development impact. The CS&L projections suggest that the economic development impact will be small. The hotel room stays will only support about 43 hotel rooms, an amount that can be easily absorbed by the existing stock of hotel rooms. The additional retail spending will only support about 25,000 square feet of space, equivalent to a few fast-food restaurants. This impact is much too small to justify the highly risky sports complex that is proposed.

Recommendation

It is time to return to a project that is affordable, that does not carry so much risk, and that can serve the recreation needs of the City of Lawrence.

Yours truly,

A handwritten signature in black ink, appearing to read "Kirk McClure", with a horizontal line extending to the right.

Kirk McClure