

Unified Government of Wyandotte County and Kansas City, Kansas



Neighborhood & Community Development Meeting

Standing Committee Room, 5th Floor
701 N. 7th Street Trafficway, Kansas City, KS 66101

Commissioner Andrew Davis, Chair

Commissioner Melissa Bynum – Commissioner Gayle Townsend – Commissioner Christian Ramirez – Commissioner Dr. Evelyn Hill

AGENDA

Monday, December 9, 2024

Immediately upon adjournment of the earlier committee, or 5:00 PM

- I. Call to Order/Roll Call
- II. Revisions to Agenda
- III. Approval of Minutes (No minutes available to approve)
- IV. Committee Agenda

IV.1. LAND BANK OPTIONS

Synopsis: The Land Bank Manager respectfully requests review of the proposed items and forward to the Land Bank Board of Trustees for final consideration. Please visit the site to review the applications below:

<https://gisapp.wycokck.org/Landbank.html>

32 Single Family Homes

Tracking #: 21557

IV.2. RESOLUTION: APPROVING LAND BANK POLICY

Synopsis: A resolution approving the Land Bank policy.

Tracking #: 21225

IV.3. PRESENTATION: COMMUNITY BENEFITS ORDINANCES

Synopsis: Presentation to discuss ordinances amending and relocating the Unified Government Community Benefits Ordinance previously adopted by the Board of Commission:

- ORDINANCE: Amending and relocating the Unified Government's Community Benefits Ordinance
- ORDINANCE: Creating a new section in the Unified Government code to set out eligibility requirements and processes for funding UG Parks and Recreation projects from the Community Benefits Fund
- ORDINANCE: Creating a new section in the Unified Government code to establish an affordable housing trust fund and to set out eligibility requirements and processes to receive funding from the Community Benefits Fund
- ORDINANCE: Creating a new section in the Unified Government code to create a new childcare accessibility program to receive funding from the Community Benefits Fund

For information only

Tracking #: 21608

V. Public Agenda

VI. Adjourn

The Unified Government of Wyandotte County and Kansas City, Kansas will provide necessary, reasonable auxiliary aids and services, such as ASL translators, machine-readable copies of meeting materials, or on-site language interpretation. Individuals requiring any auxiliary aids or services should contact the Unified Government Office of the Clerk by emailing or calling UGclerkrequest@wycokck.org or 913-573-5260 at least 24 hours in advance of the meeting.

Persons may address the Commission during the time set aside for Public Comment or at any time by suspension of the rules. All persons must address the commission and state their name and address for the record. Comments shall be limited to three (3) minutes for each participant.

Some commissioners, staff, and the public may attend remotely via Zoom or by phone. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, all speakers are asked to please announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

We invite you to view the meeting in person in the 5th Floor Conference Room, Suite 515, Municipal Office Building, 701 N. 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

Please click this URL to join. <https://us02web.zoom.us/j/82443762486>

Webinar ID: 824 4376 2486

Or One tap mobile:

+12532050468,82443762486# US

+12532158782,82443762486# US (Tacoma)

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171 or +1 669 900 9128 or +1 719 359 4580 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)

International numbers available: <https://us02web.zoom.us/j/kdXjOJDlv0>

View the meeting live on our website at: [UGTV Live Stream](#) or via [YouTube](#).



Report to

MEETING DATE	PRESENTER	DEPARTMENT
	Jud Knapp, Acting Land Bank Manager jknapp@wycokck.org x5472	Land Bank Approvals
AGENDA ITEM #		
LAND BANK OPTIONS		
BACKGROUND		
RECOMMENDATION		
Approve The Land Bank Manager respectfully requests that the Neighborhood and Community Development Committee review the proposed items and forward it to the Land Bank Board of Trustees for final consideration, submitted by Jud Knapp, Land Bank Manager. Please visit the site to review the applications below. https://gisapp.wycokck.org/Landbank.html 37 Single Family Homes		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
IT/POLICY CONSIDERATIONS		
PROCUREMENT CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
NCD Memo Land Bank Options 12.02.24 v2		

Approved by Mayor and/or Chair and Administrator to add to agenda.

[Handwritten signature] 11/19/2024
[Handwritten signature]



Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Manager

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5472
Fax: (913) 573-5745
Email: jknapp@wycokck.org

M E M O R A N D U M

TO: Neighborhood & Community Development Standing Committee
FROM: Jud Knapp, Land Bank Manager
DATE: November 20, 2024
SUBJECT: Option applications for consideration

The following **option application(s)** will be presented at the 12/02/2024 meeting:

Please visit the new site to review the applications below

<https://gisapp.wycokck.org/Landbank.html>

A. Single Family Homes – 32 Homes

2. Dora Moreno – 1 home
 - i. 6138 Haskell Ave – 001143
3. Steven Brown – 1 home
 - i. 525 N 84th St – 009583
5. Lizett Delgado – 1 home
 - i. 3426 Barber Ave – 169043
 - ii. 3426 Barber Ave – 169043
 - iii. 3422 Barber Ave – 912208
 - iv. 3422 H Barber Ave – 912207
6. P Doyle – 1 home
 - v. 1810 Rosedale Dr – 126406
7. RA Engineering Corp – 4 homes
 - i. 1132 Armstrong Ave – 080798
 - ii. 1134 Armstrong Ave - 080797
 - iii. 1136 Armstrong Ave - 080796
 - iv. 1138 Armstrong Ave - 080795
8. Pillar KC LLC – 2 homes
 - i. 1240 Armstrong Ave – 080888
 - ii. 1238 Armstrong Ave – 080883
 - iii. 1236 Armstrong Ave – 080889
12. T&M General Construction – 1 home
 - i. 2605 N Hallock St – 292411
13. Kenneth Washington – 4 homes
 - i. 2530 N 6th St – 292421
 - ii. 2528 N 6th St - 292422

iii. 2527 N 6th St – 292425

iv. 2600 N 6th St - 292420

14. Jeremy Worden – 11 homes

i. 2710 N 5th St – 095824

ii. 2714 N 5th St - 095822

iii. 2800 N 5th St - 095819

iv. 2801 N 5th St - 095809

v. 2803 N 5th St - 095810

vi. 2806 N Thompson St - 095804

vii. 2814 N 5th St - 095814

viii. 2925 N 5th St - 095915

ix. 2929 N 5th St - 095916

x. 2934 N 5th St - 095822

xi. 515 Boswell St – 095933

15. Invictus Builders LLC / Visionary Homes LLC / Dan Lynch – 6 homes

i. 2700 N 6th St – 292414

ii. 2612 N 6th St - 292415

iii. 2610 N 6th St - 292416

iv. 2608 N 6th St - 292417

v. 2606 N 6th St - 292418

vi. 2604 N 6th St - 292419



Report to

Tracking ID: 21559

MEETING DATE	PRESENTER	DEPARTMENT
	Jud Knapp, Acting Land Bank Manager jknapp@wycokck.org x5472	Land Bank Approvals
AGENDA ITEM #		
LAND BANK POLICY		
BACKGROUND		
RECOMMENDATION		
Approve Request consideration of the following Land Bank policy updates, submitted by Jud Knapp, Land Bank Manager		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
IT/POLICY CONSIDERATIONS		
PROCUREMENT CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
WCLB Policy Rewrite_v11_clean, Nov 4th Land Bank Policy		

Approved by Mayor and/or Chair and Administrator to add to agenda.

Dec 9 11/19/2024
Longman

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE REVISED LAND BANK POLICY

WHEREAS, the State of Kansas has provided that a county may establish a Land Bank in K.S.A. 19-26,104; and

WHEREAS, K.S.A. 19-26,104 further mandates that the county land bank is to be governed by a Board of Trustees; and

WHEREAS, Unified Government of Wyandotte County/Kansas City, Kansas Ordinance 2-173 established the Wyandotte County Land Bank as well as the Land Bank Board of Trustees which consists of the Mayor/CEO and the Commissioners of the Unified Government; and

WHEREAS, Unified Government of Wyandotte County/Kansas City, Kansas Ordinance 2-173 states that the Land Bank staff shall be furnished by the Unified Government; and

WHEREAS, the Board of Trustees may appoint such officers, agents and employees as required to perform its duties per K.S.A. 19-26,106; and

WHEREAS, the Board of Trustees requires a policy to provide guidance to the Land Bank Manager as well as the Land Bank staff and employees appointed by the Board of Trustees.

NOW, THEREFORE BE IT RESOLVED BY THE WYANDOTTE COUNTY LAND BANK BOARD OF TRUSTEES:

1. The proposed revisions to the Wyandotte County Land Bank Policy are hereby adopted.
2. The Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.
3. This Resolution shall become effective upon passage by the Wyandotte County Land Bank Board of Trustees.

ADOPTED BY THE WYANDOTTE COUNTY LAND BANK BOARD OF TRUSTEES, THIS ____ DAY OF _____ 2024.

Tyrone Garner
Mayor/CEO

Approved as to form:

/s/ Wendy M. Green

Wendy M. Green
Deputy Chief Counsel

WYANDOTTE COUNTY LAND BANK (WCLB)

ADMINISTRATIVE POLICY

UPDATED TBD 2024

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Wyandotte County Land Bank
Administrative Policy and Procedure Guidelines
As approved and adopted by the Board of Trustees
on xxxx xx, 202x.

These policy and procedure guidelines are a consolidation and codification of all prior policies and procedures of the Wyandotte County Land Bank (WCLB) and supersede all such prior policies and procedures.

Section 1. Purpose

1.1 Neighborhood and Land Use Planning Conformance.

The WCLB's purpose is to return tax delinquent, distressed and unwanted property to productive use that benefits the community. In doing so, the WCLB will prioritize the following:

- a. Encourage the development and reuse of vacant properties consistent with the WCLB goals, and any City adopted Master Plan.
- b. Strengthen the County's tax base by returning property to a productive tax paying status.
- c. Support and preserve open space, stormwater management, environmental remediation, community gardens, urban farming, and other agricultural production.
- d. Convey land through a predictable, timely and transparent process.
- e. Encourage timely development and discourage real estate speculation.
- f. Assemble land for economic development.

1.2 Guiding Principles.

This policy is intended to create a unified and consistent approach to the disposition of real property owned by the WCLB.

In the interest of providing predictability and transparency to the sale and reuse of property, this policy will provide guidance to the WCLB in all transactions involving property as well as information to individuals and organizations considering the acquisition of property owned by the WCLB.

The goals of this policy and the disposition of WCLB owned property are to:

- a. Preserve existing stable and viable neighborhoods.
- b. Engage with neighborhoods that have historically and/or are currently experiencing rapid decline or deterioration to support community development and revitalization efforts.

- c. Utilize strategic planning as well as long term planning in the disposition of property.
- d. Maintain flexibility and transparency in all transactions.
- e. Comply with and support the implementation of the Citywide Comprehensive Master Plan, Area Plans, Corridor Plans, and other Community Plans; specifically, recognizing that the majority of the WCLB parcels are located in the Northeast area of the county, the WCLB will make every effort to abide by the Northeast Area Master Plan
- f. Eliminate blight and revitalize neighborhoods.
- g. Prevent speculation.
- h. Ultimately dispose of all WCLB parcels.

The WCLB will aspire to meet these goals when making decisions regarding the disposition of its property.

The WCLB will remain responsible for its own decision-making and adherence to this policy during the disposition process. The WCLB will make available to the public all property in its inventory; however, properties which are being used by the Unified Government for public purposes or being reserved for City-desired programs or projects, will be identified as unavailable for disposition by the Land Bank Manager in coordination with staff from the Unified Government.

Section 2. Authority and Role

2.1 Establishment.

The Wyandotte County Land Bank (WCLB) was established by the Unified Government of Wyandotte County/Kansas City, Kansas (UG) by the power vested in it by K.S.A. 19-26,103 et. seq.

2.2 Governance.

The WCLB is governed by a Board of Trustees comprised of the Mayor/Chief Executive and the UG's Board of Commissioners (BoC). The Wyandotte County Land Bank Manager is charged with its administration.

2.3 Review of Proposed Land Bank Transactions.

All proposed WCLB transactions shall be submitted by the Land Bank Manager to the Staff Advisory Team, the Land Bank Advisory Board and WCLB Board of Trustees for review, consideration, and recommendation.

The Staff Advisory Team is composed of the Director/Manager and/or designee from the following UG Departments: *Administration, Community Development, General Services, Economic Development, GeoSpatial Services, Neighborhood Resource Center, Public Works, Treasury, Planning and Urban Design, and a representative from the Kansas City, Kansas Police Department.* The Staff Advisory Team shall evaluate applications based on UG policies and priorities, and future infrastructure and development plans. The Staff Advisory Team shall serve solely in an advisory capacity.

The membership of the Land Bank Advisory Board shall consist of representatives from each Neighborhood Business Revitalization organizations (NBR), two (2) representatives from the Executive Board of the Livable Neighborhoods Task Force, who shall be chosen by the representatives from the Executive Board of the Livable Neighborhoods Task Force, and an additional member which shall be a registered Neighborhood Association President or a development corporation within the NBR area containing the most WCLB parcels, who shall also be chosen by the registered neighborhood groups within the area containing of the most WCLB parcels. This additional member is subject to change with the disposition of WCLB property and shall be recalculated on a biannual basis. The Land Bank Advisory Board shall serve solely in an advisory capacity.

The Staff Advisory Team and Land Bank Advisory Board shall review all application(s) presented by the Land Bank Manager for consideration. Any application(s) that needs further investigation will be referred to the Land Bank Manager until all necessary information has been provided, at which time it will be brought to the Staff Advisory Team and Land Bank Advisory Board for further review.

The recommendations of the Staff Advisory Team and the Land Bank Advisory Board will be presented at the BoC's Neighborhood and Community Development Standing Committee where the Committee will make a recommendation to approve the applications that will advance to the WCLB Board of Trustees for final approval.

2.4 Governing Authority.

The core governing documents of the WCLB are the applicable state statutes and the Unified Government Code of Ordinances. The policies and procedures set out in this document constitute guidelines only and the Board of Trustees reserves discretion to deviate therefrom when it deems appropriate.

2.5 WCLB Board of Trustees Approval.

Under the applicable State law, the conveyance of property by the WCLB, must be approved by the WCLB Board of Trustees before the property can be conveyed.

2.6 WCLB Right to Accept or Reject.

The WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In case of multiple applications for the same properties, the WCLB will give precedence to the application submitted first and, should this application not be accepted, the next application submitted will be brought before the WCLB Board of Trustees

2.7 Role of Land Bank Manager.

The Land Bank Manager shall have the following responsibilities:

- a. Help applicants with where and what they want to build;
- b. Help applicants communicate with neighborhood associations and neighborhood groups by sharing contact information;
- b. Administer the Land Bank process including public notification by contacting all neighborhood groups in affected areas and Livable Neighborhoods;
- c. Identify which properties are available for disposition;
- d. Determine when an application is ready to be submitted to the WCLB Board of Trustees;
- e. Engage and educate the community on Land Bank opportunities;
- f. Be a resource for the community;
- g. Set protocols for Land Bank procedures;
- h. Work with the WCLB Board of Trustees on a strategy for disposition of Land Bank properties; and
- i. At a meeting of the BoC's Neighborhood and Community Development Standing Committee in the Spring of every year, provide an update on the progress of approved option agreements, extensions, and hold areas showing how many option agreements were successful, how many failed and the status of any hold areas beginning the development process.

2.8 Staffing.

In addition to the Land Bank Manager, it is recommended that there is at least one staff member for every 1,000 parcels in the Land Bank inventory.

Section 3. Priorities for Transfer of Land Bank Properties.

3.1 Priority Transfers.

Except where limited by the terms of the acquisition of a property, the WCLB may, at its discretion, give priority to:

- a. Government entities;
- b. Individuals, entities, and non-profits seeking to obtain the property for housing or commercial development;
- c. Entities that are a partnership, limited liability corporation or joint venture comprised of a private non-profit corporation and a private for-profit entity;
- d. Individuals who own residential property that qualify for the Yard Extension Disposition Program; and
- e. Non-profit institutions such as academic and religious institutions.

3.2 Transferee Qualifications.

All applicants seeking to acquire property from the WCLB, or to enter into transaction agreements with the WCLB, are required to provide as part of their application information regarding, but not limited to:

- a. The legal status of the applicant, its organizational and financial structure;
- b. Its prior experience in developing and managing housing;
- c. The financial health and resources of the applicant;
- d. Sufficient plans for development; and/or
- e. Proof that the applicant is current on their property taxes and has no outstanding code violations on any property within the County.

Section 4. Conveyances to the WCLB

4.1 Sources of Property Inventory.

Sources of real property inventory of the WCLB include, but are not limited to, the following:

- a. Transfers from local governments;
- b. Acquisitions at tax foreclosure sales;
- c. Donations; and
- d. Market purchases.

4.2 Policies Governing the Acquisition of Properties.

In determining which, if any, properties might be acquired, the WCLB may consider the following circumstances and factors:

- a. Proposals and requests by individuals or entities in which specific properties are identified for ultimate acquisition and redevelopment;
- b. Residential properties that are available for immediate occupancy without need for substantial rehabilitation;

- c. Improved properties that are the subject of an existing order for demolition of the improvements and/or meet the criteria for demolition of improvements to determine if the property can be put into the rehab program described in Section 7;
- d. Vacant properties that are appropriate for the yard extension disposition program;
- e. Properties for which reutilization would be in support of adopted plans;
- f. Properties that would form a part of a land assemblage development plan; and
- g. Properties that would allow for the creation or expansion of community gardens, urban farming, environmental remediation, stormwater management, and/or open space preservation.

4.3 Donations to WCLB.

WCLB reserves the absolute right to accept or reject any and all donation requests. The WCLB will only accept donated property(ies) that will advance the goals of the WCLB. The WCLB will only present requests to the Board of Trustees, for approval, when at least one or more of the following conditions are met:

- a. The property owner does not have the resources to properly care for the property or to comply with orders to correct code violations that are present, and evidence of the hardship has been presented;
- b. The property is located in an area targeted for redevelopment efforts or in a neighborhood with a large number of existing WCLB property;
- c. The property is a candidate for the WCLB Rehab Program without any conditions that would prohibit a donation;
- d. The property could be utilized for the WCLB garden program; and
- e. The property could be used for UG purposes.

Property(ies) with adverse environmental conditions or maintenance requirements will not be accepted without a satisfactory plan and funding in place for remediation, as determined by the UG. Regarding additional requirements for donations of property to the WCLB:

- a. WCLB requires that donated property(ies) be conveyed with clear and marketable title;
- b. Property(ies) that are occupied may not be accepted as donations;

- c. WCLB shall not determine donation value for the purpose of tax benefits; and
- d. Any exceptions to the provisions of the above must come before the Board of Trustees.

Any property that is conveyed by donation to the WCLB will not be available for sale/transfer until the meeting following the approval of the donation by Board of Trustees.

Any property that is rejected for donation but is tax sale eligible, will be referred for an upcoming tax sale by the WCLB. The WCLB will send a letter to the requestor with that information.

Nothing in this section precludes acceptance of a donation of a tax sale eligible property.

4.4 Transaction Agreements.

In most cases, a transaction agreement must be approved in advance by the Board of Trustees and executed by the WCLB and the grantor of the property. These transaction agreements shall be in form and content as deemed by the WCLB Manager to be in the best interest of the WCLB and shall include to the extent feasible specification of all documents and instruments contemplated by the transaction as well as the rights, duties and obligations of the parties.

4.5 Environmental Concerns.

The WCLB reserves full and complete discretion to require that satisfactory evidence or assurances be provided that the property is not affected by or subject to environmental contamination. The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use.

4.6 State of Kansas Set Off Program.

Property that has been placed in the State of Kansas Set Off Program may be deemed ineligible for conveyance to the WCLB.

4.7 Timing.

Any property that is conveyed in or out of the WCLB will not be available for sale/transfer until approved by the Board of Trustees.

The Land Bank Manager is authorized to accept property conveyed from the UG that is a result of property being obtained from a recent

County Tax Sale. The Land Bank Manager will then report the conveyance(s) at the next BoC Neighborhood and Community Development Standing Committee meeting.

Section 5. Conveyances from the WCLB

5.1 Covenants, Conditions and Restrictions.

All conveyances by the WCLB to third parties shall include such covenants, conditions and restrictions as the WCLB deems, in its sole discretion, necessary and appropriate to ensure the use, rehabilitation and redevelopment of the property in a manner consistent with the public purposes of the WCLB.

5.2 Deed Without Warranty.

All conveyances by the WCLB to third parties shall be by quitclaim deed.

5.3 Conveyances requiring Board of Trustees Approval.

All transfers of WCLB property shall require the approval of the Board of Trustees.

5.4 Conveyances pursuant to WCLB Rehab Program.

The Land Bank Manager shall seek prior approval from the WCLB Board of Trustees for all properties entering and exiting the WCLB Rehab Program.

5.5 Conveyance Time Allowance.

All undeveloped Land Bank property shall be conveyed, and deed recorded within 180 days of Award and approval of the Land Bank Board of Trustees. Any property not conveyed within the above time period, and without a written extension from the Land Bank Manager, will have Award voided and property returned to the Land Bank Inventory. For any property awarded pursuant to a development/rehab agreement, the terms of said agreement shall control when such property will be conveyed.

5.6 Appropriate and Timely Development of Properties.

The WCLB expects that properties will be developed in a timely manner according to a written agreement or as specified in the deed of conveyance. Generally, construction should commence within three (3) months from the date of conveyance and should be completed as defined by the agreement or contained in the deed. To ensure that these expectations are met, the WCLB will place conditions or restrictions on property it conveys to achieve the agreed upon outcome and will monitor these agreements until construction is complete. Proposed uses must be consistent with the UG's Master Plans, Zoning,

Code, and other approved and accepted policy or be able to obtain the necessary land entitlements within the option term. All new owners are required to comply with all State, City and Federal codes, regulations, and statutes.

5.7 Holds.

Holds for economic development projects are allowed pending the approval of the Wyandotte County Land Bank Board of Trustees. Each year that land bank parcels are in a hold, an update must be provided by the awardee regarding the status of the economic development project to the Neighborhood and Community Development Standing Committee. The WCLB will require the awardee to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code provisions, and the sidewalk space must be maintained including snow removal.

5.8 Pricing.

The WCLB will generally price vacant land by the greater of:

- a. The Appraised Value of property set by County Appraiser as of January 1st of current year or
- b. The value of the property's frontage times \$10.00.

The WCLB has the right to determine the asking price for each property and further has the right to decline any counteroffer.

Section 6. Yard Extension and Commercial Lot Extension Program

6.1 Application.

Yard Extensions shall only be applied for by abutting homeowners.

Commercial Lot Extensions shall only be applied for by abutting commercial property owners.

6.2 Qualifications.

An applicant for a yard extension must be the owner of the abutting property and must be using that property as their primary residence at the time of application. An applicant for a commercial lot extension must be the owner of abutting commercial property and must be using that property as a legally operating business. Further, the applicants for both types of extensions must be current on all property taxes and not have any active code violations. The property to be acquired must share a common boundary at either side of the applicant's property and share the same street name and/or be a contiguous land locked parcel. The property sought to be acquired for a yard or commercial lot

extension must be a vacant lot; properties with permanent structures are not eligible for this program.

6.3 Limitations.

Applicants can only acquire one (1) property for a yard extension from the WCLB for each home they own as their primary residence and only one primary lot can seek a yard extension, except if there are contiguous undevelopable parcels that can be obtained. Applicants can only acquire one (1) property for a commercial lot extension from the WCLB, except if there are contiguous undevelopable parcels that can be obtained. The WCLB property must be consolidated with the applicant's property after acquisition into a single parcel. The Land Bank Manager will track such extension acquisitions to ensure these limitations are adhered to in perpetuity.

6.4 Pricing.

The price of any yard extension shall be \$0.10 per square foot.

The price of any commercial lot extension shall be \$0.25 per square foot.

Section 7. Land Bank Rehab Program

7.1 Purpose.

The WCLB Rehab Program provides Qualified Rehabbers access to a pipeline of distressed properties in the Wyandotte County area. The WCLB may facilitate the sale of property at a reduced price to selected qualified rehabbers. This program allows the purchase of vacant, blighted homes once they are available in the WCLB inventory.

7.2 Goals.

The WCLB Rehab Program supports efforts to stabilize and strengthen neighborhoods through collaboration between public, private and nonprofit development partners. Through the program and working with development partners to rehabilitate blighted property, the WCLB will:

- a. Save existing housing stock from demolition and return the property to the tax roles;
- b. Create affordable ownership opportunities to stabilize neighborhoods; and
- c. Improve the health, safety, durability, and energy efficiency of rehabilitated properties.

7.3 Qualified Rehabber.

A Qualified Rehabber is defined as an individual or organization who must not:

- a. Own any real property that is subject to any violations of State and/or local laws, codes or ordinances;
- b. Own any real property that is tax delinquent;
- c. Be barred from transactions with local government entities;
- d. Have demonstrated lack of capacity to perform in accordance with the requirements of the WCLB;
- e. Have defaulted in prior agreements with the WCLB; and
- f. Currently be banned from bidding at the tax sale.

All Qualified Rehabbers must submit their intended use for the property(ies) as required by the WCLB. Failure to submit intended usage or to provide accurate information in the form requested may result in the denial of the application.

7.4 Qualified Offer.

A Qualified Offer is an application that:

- a. Adequately describes the purchaser's plans for the property (i.e. intended use) and is aligned with the purpose of the WCLB;
- b. The intended use must be consistent with applicable WCLB goals and all Master Plans, Zoning Ordinances, and/or other policy, or be able to obtain the appropriate land entitlements; and
- c. The applicant must demonstrate financial and operational capacity to carry out the plans.

Plans that require various land entitlements may be processed as a Qualified Offer, only if the underlying project proposal is supported by the city it is in. The detail required of the applicant will be different depending on the proposed use, as defined later in this document under various usages.

7.5 Housing Stock.

All residential property with improvements that are transferred to the WCLB will be boarded, secured, and inspected to identify its place in the program. There are two (2) recommendations that these properties will fall under:

- a. Rehabilitation – properties that show rehab potential will be made available to qualified rehabbers in the program; or
- b. Demolition – properties that are a danger to the public will be recommended to the UG Demo Department to be razed.

7.6 Commercial Property.

Any commercial property received by WCLB will be evaluated in the same manner as in Section 7.5.

7.7 Rehabber Qualifications.

All interested rehabbers must go through a qualification process that includes submission of WCLB Rehab Program Application. The program will have two (2) Tiers of qualified rehabbers:

- a. Tier I – rehabber must be a formed company/corporation or identify as an investor. In order to qualify as a Tier 1 rehabber, the following must be provided:
 1. Copy of their current year Occupational Tax Receipt from the Unified Government of Wyandotte County / Kansas City, Kansas Business License Department
 2. Must carry the appropriate amount of Insurance coverage, as outlined in the application, from a licensed Insurance provider and have the Wyandotte County Land Bank named as a Certificate Holder.
- b. Tier II – if a rehabber cannot provide the requirements for a Tier I rehabber, then they must sign a Hold Harmless Waiver and must show proof of funding for the rehab to qualify for a house to rehab.

7.8 Availability for Rehabbers.

Any house that is identified as a rehab will be made available for all Tier I rehabbers. The WCLB will schedule open houses for the rehabbers to attend to assess each property identified. All rehabbers will be sent offer packets with house information and a deadline to submit their offer. Any house that does not have an offer submitted by the deadline by a Tier I rehabber will then be offered to the Tier II group.

Any house that does not have an offer submitted by either group will be available for a later offer or any new Tier I or Tier II qualified rehabber.

7.9 Rehab Agreements.

The WCLB will review all offers received based on criteria maintained by the Land Bank Manager to determine the highest and best offer. The WCLB will negotiate with the offeror and put an agreement together. If approved, the awarded offeror will be sent an award letter and any non-offerors will be sent a non-award letter.

7.10 Filings.

A Sale Contract with Land Use Restrictions detailing the terms of the rehab agreement will be recorded with the Wyandotte County Register of Deeds office. The house will stay in the name of the WCLB until the passing of the final inspection from the Land Bank Manager.

7.11 Inspections and Permits.

The WCLB will require copies of all inspections conducted by the UG Building Inspection Department, which will perform progress inspections throughout the rehab.

Any Tier I rehab will consist of four (4) inspections:

- a. Initial Inspection – house is cleared of debris and any demo is complete prior to any repairs or rehab starts;
- b. Rough-In – staff has received an approved Building Inspection rough-in slip and any other pulled permits (Mechanical/Electrical/Plumbing);
- c. Progress – drywall is hung, and all other repairs are completed; and
- d. Final - house has passed all final inspections and copies have been received by the WCLB, the Land Bank Manager will do the final walk thru.

Any Tier II rehab will consist of monthly inspections done by Land Bank Manager (or designee) and will incorporate the Tier I inspections but also allow the WCLB to closely monitor the progress.

When the Land Bank Manager has verified the house has passed WCLB final inspection, a Quit Claim Deed (QCD) will be filed with the Register of Deeds office.

All applicants who have successfully purchased WCLB-owned property must fulfill their commitments to the WCLB and to their neighbors, which includes paying property taxes and maintaining properties in accordance with all municipal codes and ordinances.

7.12 Extensions and Penalties.

If the rehab completion date stipulated in the agreement cannot be met, the rehabber may request an extension of the completion date. Extensions of time to complete the rehab are at the Land Bank Manager's discretion and, if granted, will be under the following guidelines:

- a. The request for extension must be made to the Land Bank Manager in writing. The request must include the cause of the delay and plan to complete the rehab within the time requested.
- b. The request for extension must be received by the Land Bank Manager no later than five (5) calendar days prior to the expiration date of the WCLB Rehab Program Extension Request Form given at the beginning of the project.
- c. The extension will be granted for a maximum of 90 calendar days.
- d. The granting of an initial extension period does not obligate the WCLB to grant additional extensions.

7.13 Tier I Rehabber Threshold.

Any Tier I rehabber may make no more than three (3) offers on any newly acquired rehab houses. The maximum number of houses a Tier I may be rehabbing at any given time is six (6). If a Tier I rehabber has 6 open rehabs and submits an offer for new houses, their offer will not be accepted. A Tier 1 rehabber may make the proper number of offers that could reach this threshold.

Section 8. Option Agreements

8.1 Site Control: Options and Property Reservations.

The WCLB recognizes that developers often require legally recognizable site control as part of the development process. The WCLB may execute property option agreements to allow developers to pursue financing and other approvals necessary for development.

Agreements for this purpose must meet the following conditions:

- a. The applicant must be a Qualified Applicant, which has the same requirements as in Section 7.3.
- b. The Option Agreement must be executed by the applicant within forty-five (45) days of approval by the WCLB Board of Trustees.
- c. For each proposed project, the WCLB will allow one (1) year for that agreement, which begins on the date of approval by the WCLB Board of Trustees and may renew the agreement for up to two (2) years at the Land Bank Manager's discretion. Any further extensions must be approved by the WCLB Board of Trustees.
- d. The applicant may not occupy or use the property unless approved in writing by the WCLB.
- e. A fee will be due upon execution and an additional fee will be imposed for extension of the agreement or contract. This fee is non-refundable.
- f. A first-time applicant will be charged an additional fee which will be held in escrow during the term of the Option Agreement and will be refunded upon disposition of the property.
- g. The WCLB will require the requestor to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code and the sidewalk space must be maintained including snow removal.
- h. The WCLB shall provide written notice of its intent to terminate the agreement to the applicant within thirty (30) days of said termination.
- i. Applicants seeking to acquire property from the WCLB shall make every effort to consult with the neighborhood

association(s) and neighborhood group(s) operating in the geographical area of the property.

- j. Applicants must do their due diligence to become aware of whether or not there are existing homeowners associations with declarations and restrictions that are applicable to the property for which they have applied.

Option Agreements will be issued only for those projects which the WCLB deems feasible and which the WCLB can recommend for approval by WCLB Board of Trustees after the developer secures the necessary entitlements, financing, tenants and/or approvals.

All WCLB Option Agreements must be approved by the WCLB Board of Trustees.

All applicants are encouraged to utilize local, minority and women owned businesses as contractors.

8.2 Disposition.

Upon the applicant providing proof of funding for their proposed development and acquisition of all required land entitlements and permits, the WCLB shall convey the property.

Section 9. WCLB Garden Program

9.1 Community Gardens and Community-Managed Open Spaces.

The WCLB recognizes that community gardens encourage the productive use of vacant land, provide spaces for community building, socialization, educational, recreation and food production activities. The WCLB will support existing and established gardens that have the capacity to sustain and maintain the land to ensure its viability.

A community garden is defined as one or more properties managed and maintained by a group of individuals to grow and harvest food or non-food items (such as flowers) for personal or group consumption, for donation, or for sale that is incidental in nature (i.e. not an Urban Farm). A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (such as hand tool storage sheds) maintained and used by the group. Community gardens may be used for recreational purposes, and improvements to facilitate such purposes may be allowed on a case-by-case basis upon review by the Land Bank Manager and with community support. Community-managed open spaces are spaces available to the public and may be used for

recreational purposes or passive activities. All necessary entitlements must still be obtained in accordance with the Unified Government Code of Ordinances as well as the ordinances for the Cities of Bonner Springs and Edwardsville.

Gardens and Open Space requests must demonstrate how their project supports the public priorities of:

- a. Eliminating blight; and/or
- b. Fostering neighborhood cohesion and a sense of community.

Upon approval by the WCLB Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed by deed with restrictions as set forth above if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.

The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use. Users are encouraged to reference federal and state requirements for contaminants in the soil before growing or consuming produce grown on site.

9.2 Requirements for Community Gardens.

All WCLB property approved for a community garden must adhere to the following criteria:

- a. Entity must work with the WCLB and Staff Advisory Team to determine where the garden will be located within the boundaries of a neighborhood;
- b. Entity must provide a site plan;
- c. Entity must provide a maintenance and use plan which demonstrates its obligation to maintain the lot in a clean, safe, secure and sanitary condition, free of weeds, trash, debris, garbage, and vermin;
- d. Entity must comply with all existing codes and rules regarding vacant lots;
- e. Entity must obtain and pay for any and all permits and approvals required by all relevant agencies to construct or operate the site;
- f. Lot cannot be used to park, keep or store any motor vehicle, trailer, or boat at any time;

- g. Entity must comply with all State and/or local laws, codes or ordinances;
- h. Entity must maintain the area within the public right-of-way, including both snow removal and removal of trash and debris to allow for passable sidewalks;
- i. Entity must agree not to grow any plants regulated or prohibited by federal laws on the lot;
- j. Entities must agree to use the property at their own risk and accept the property “as-is”; and
- k. Report on the performance of the community garden, including any code violations, how close they are to other gardens and overall contribution to the wellbeing of the neighborhood.

9.3 Urban Farm.

An urban farm is the cultivation of land for the purpose of income creation related to urban agriculture.

An applicant for a parcel(s) to be used as an urban farm must provide proof of relevant education, certification or comparable relevant experience that proves they have the ability to operate and maintain a successful urban farm. Applicants must meet all the requirements of a Community Garden listed in Section 9.2 above. Upon approval by the Land Bank Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.

WYANDOTTE COUNTY LAND BANK (WCLB)

ADMINISTRATIVE POLICY

UPDATED TBD 2024

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Wyandotte County Land Bank
Administrative Policy and Procedure Guidelines
As approved and adopted by the Board of Trustees
on xxxx xx, 202x.

These policy and procedure guidelines are a consolidation and codification of all prior policies and procedures of the Wyandotte County Land Bank (WCLB) and supersede all such prior policies and procedures.

Section 1. Purpose

1.1 Neighborhood and Land Use Planning Conformance.

The WCLB's purpose is to return tax delinquent, distressed and unwanted property to productive use that benefits the community. In doing so, the WCLB will prioritize the following:

- a. Encourage the development and reuse of vacant properties consistent with the WCLB goals, and any City adopted Master Plan.
- b. Strengthen the County's tax base by returning property to a productive tax paying status.
- c. Support and preserve open space, stormwater management, environmental remediation, community gardens, urban farming, and other agricultural production.
- d. Convey land through a predictable, timely and transparent process.
- e. Encourage timely development and discourage real estate speculation.
- f. Assemble land for economic development.

1.2 Guiding Principles.

This policy is intended to create a unified and consistent approach to the disposition of real property owned by the WCLB.

In the interest of providing predictability and transparency to the sale and reuse of property, this policy will provide guidance to the WCLB in all transactions involving property as well as information to individuals and organizations considering the acquisition of property owned by the WCLB.

The goals of this policy and the disposition of WCLB owned property are to:

- a. Preserve existing stable and viable neighborhoods.
- b. Engage with neighborhoods that have historically and/or are currently experiencing rapid decline or deterioration to support community development and revitalization efforts.

- c. Utilize strategic planning as well as long term planning in the disposition of property.
- d. Maintain flexibility and transparency in all transactions.
- e. Comply with and support the implementation of the Citywide Comprehensive Master Plan, Area Plans, Corridor Plans, and other Community Plans; specifically, recognizing that the majority of the WCLB parcels are located in the Northeast area of the county, the WCLB will make every effort to abide by the Northeast Area Master Plan.
- f. Eliminate blight and revitalize neighborhoods.
- g. Prevent speculation.
- h. Ultimately dispose of all WCLB parcels.

The WCLB will aspire to meet these goals when making decisions regarding the disposition of its property.

The WCLB will remain responsible for its own decision-making and adherence to this policy during the disposition process. The WCLB will make available to the public all property in its inventory; however, properties which are being used by the Unified Government for public purposes or being reserved for City-desired programs or projects, will be identified as unavailable for disposition by the Land Bank Manager in coordination with staff from the Unified Government.

Section 2. Authority and Role

2.1 Establishment.

The Wyandotte County Land Bank (WCLB) was established by the Unified Government of Wyandotte County/Kansas City, Kansas (UG) by the power vested in it by K.S.A. 19-26,103 et. seq.

2.2 Governance.

The WCLB is governed by a Board of Trustees comprised of the Mayor/Chief Executive and the UG's Board of Commissioners (BoC). The Wyandotte County Land Bank Manager is charged with its administration.

2.3 Review of Proposed Land Bank Transactions.

All proposed WCLB transactions shall be submitted by the Land Bank Manager to the Staff Advisory Team, the Land Bank Advisory Board and WCLB Board of Trustees for review, consideration, and recommendation.

The Staff Advisory Team is composed of the Director/Manager and/or designee from the following UG Departments: *Administration, Community Development, General Services, Economic Development, GeoSpatial Services, Neighborhood Resource Center, Public Works, Treasury, ~~and~~ Planning and Urban Design, and a representative from the Kansas City, Kansas Police Department.* The Staff Advisory Team shall evaluate applications based on UG policies and priorities, and future infrastructure and development plans. The Staff Advisory Team shall serve solely in an advisory capacity.

The membership of the Land Bank Advisory Board shall consist of representatives from each Neighborhood Business Revitalization organizations (NBR), two (2) representatives from the Executive Board of the Livable Neighborhoods Task Force, who shall be chosen by the representatives from the Executive Board of the Livable Neighborhoods Task Force, and an additional member ~~from the which~~ shall be a registered Neighborhood Association President or a development corporation within the NBR area for the area containing the most WCLB parcels, who shall also be chosen by the registered neighborhood groups within the area containing of the most WCLB parcels. This additional member is subject to change with the disposition of WCLB property and shall be recalculated on a biannual basis. The Land Bank Advisory Board shall serve solely in an advisory capacity.

The Staff Advisory Team and Land Bank Advisory Board shall review all application(s) presented by the Land Bank Manager for consideration. Any application(s) that needs further investigation will be referred to the Land Bank Manager until all necessary information has been provided, at which time it will be brought to the Staff Advisory Team and Land Bank Advisory Board for further review.

The recommendations of the Staff Advisory Team and the Land Bank Advisory Board will be presented at the BoC's Neighborhood and Community Development Standing Committee where the Committee will make a recommendation to approve the applications ~~and that will~~ advance to the WCLB Board of Trustees for final approval.

2.4 Governing Authority.

The core governing documents of the WCLB are the applicable state statutes and the Unified Government Code of Ordinances. The policies and procedures set out in this document constitute guidelines only and the Board of Trustees reserves discretion to deviate therefrom when it deems appropriate.

2.5 WCLB Board of Trustees Approval.

Under the applicable State law, the conveyance of property by the WCLB, must be approved by the WCLB Board of Trustees before the property can be conveyed.

2.6 WCLB Right to Accept or Reject.

The WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In case of multiple applications for the same properties, the WCLB will give precedence to the application submitted first and, should this application not be accepted, the next application submitted will be brought before the WCLB Board of Trustees

2.7 Role of Land Bank Manager.

The Land Bank Manager shall have the following responsibilities:

- ~~a. a-~~ Help applicants with where and what they want to build;
- ~~b. Help applicants communicate with neighborhood associations and neighborhood groups by sharing contact information;~~
- b. Administer the Land Bank process including public notification ~~of neighborhood groups by contacting all neighborhood groups in affected areas and Livable Neighborhoods;~~
- c. Identify which properties are available for disposition;
- d. Determine when an application is ready to be submitted to the WCLB Board of Trustees;
- e. Engage and educate the community on Land Bank opportunities;
- f. Be a resource for the community;
- g. Set protocols for Land Bank procedures; ~~and~~
- h. Work with the WCLB Board of Trustees on a strategy for disposition of Land Bank properties; ~~and-~~
- i. At a meeting of the BoC's Neighborhood and Community Development Standing Committee in the Spring of every year, provide an update on the progress of approved option agreements, extensions, and hold areas showing how many option agreements were successful, how many failed and the status of any hold areas beginning the development process.

2.8 Staffing.

In addition to the Land Bank Manager, it is recommended that there is at least one staff member for every 1,000 parcels in the Land Bank inventory.

Section 3. Priorities for Transfer of Land Bank Properties.

3.1 Priority Transfers.

Except where limited by the terms of the acquisition of a property, the WCLB may, at its discretion, give priority to:

- a. Government entities;
- b. Individuals, entities, and non-profits seeking to obtain the property for housing or commercial development;
- c. Entities that are a partnership, limited liability corporation or joint venture comprised of a private non-profit corporation and a private for-profit entity;
- d. Individuals who own ~~and occupy~~ residential property that qualify for the Yard Extension Disposition Program; and
- e. Non-profit institutions such as academic and religious institutions.

3.2 Transferee Qualifications.

All applicants seeking to acquire property from the WCLB, or to enter into transaction agreements with the WCLB, are required to provide as part of their application information regarding, but not limited to:

- a. The legal status of the applicant, its organizational and financial structure;
- b. Its prior experience in developing and managing housing;
- c. The financial health and resources of the applicant; ~~and/or~~
- d. Sufficient plans for development; and/or
- d.e. Proof that the applicant is current on their property taxes and has no outstanding code violations on any property within the County.

~~In addition, all applicants must be current on their property taxes and have no outstanding code violations on any property within the County.~~

Section 4. Conveyances to the WCLB

4.1 Sources of Property Inventory.

Sources of real property inventory of the WCLB include, but are not limited to, the following:

- a. Transfers from local governments;
- b. Acquisitions at tax foreclosure sales;
- c. Donations; and
- d. Market purchases.

4.2 Policies Governing the Acquisition of Properties.

In determining which, if any, properties might be acquired, the WCLB may consider the following circumstances and factors:

- a. Proposals and requests by individuals or entities in which specific properties are identified for ultimate acquisition and redevelopment;
- b. Residential properties that are available for immediate occupancy without need for substantial rehabilitation;

- c. Improved properties that are the subject of an existing order for demolition of the improvements and/or meet the criteria for demolition of improvements to determine if the property can be put into the rehab program described in Section 97;
- d. Vacant properties that are appropriate for the yard extension disposition program;
- e. Properties for which reutilization would be in support of adopted plans;
- f. Properties that would form a part of a land assemblage development plan; and
- g. Properties that would allow for the creation or expansion of community, gardens, urban farming, environmental remediation, stormwater management, and/or open space preservation.

4.3 Donations to WCLB.

WCLB reserves the absolute right to accept or reject any and all donation requests. The WCLB will only accept donated property(ies) that will advance the goals of the WCLB. The WCLB will only present requests to the Board of Trustees, for approval, when at least one or more of the following conditions are met:

- a. The property owner does not have the resources to properly care for the property or to comply with orders to correct code violations that are present, and evidence of the hardship has been presented;
- b. The property is located in an area targeted for redevelopment efforts or in a neighborhood with a large number of existing WCLB property;
- c. The property is a candidate for the WCLB Rehab Program without any conditions that would prohibit a donation;
- d. The property could be utilized for the WCLB garden program; and
- e. The property could be used for UG purposes—~~such as stormwater management, public works projects, etc.~~

Property(ies) with adverse environmental conditions or maintenance requirements will not be accepted without a satisfactory plan and funding in place for remediation, as determined by the UG. Regarding additional requirements for donations of property to the WCLB:

- a. WCLB requires that donated property(ies) be conveyed with clear and marketable title;

- b. Property(ies) that are occupied may not be accepted as donations;
- c. WCLB shall not determine donation value for the purpose of tax benefits; and
- d. Any exceptions to the provisions of the above must come before the Board of Trustees.

~~WCLB reserves the absolute right to accept or reject any and all donation requests.~~

Any property that is conveyed by donation to the WCLB will not be available for sale/transfer until the meeting following the approval of the donation by Board of Trustees.

Any property that is rejected for donation but is tax sale eligible, will be referred for an upcoming tax sale by the WCLB. The WCLB will send a letter to the requestor with that information.

Nothing in this section precludes acceptance of a donation of a tax sale eligible property.

4.4 Transaction Agreements.

In most cases, a transaction agreement must be approved in advance by the Board of Trustees and executed by the WCLB and the grantor of the property. These transaction agreements shall be in form and content as deemed by the WCLB Manager to be in the best interest of the WCLB and shall include to the extent feasible specification of all documents and instruments contemplated by the transaction as well as the rights, duties and obligations of the parties.

4.5 Environmental Concerns.

The WCLB reserves full and complete discretion to require that satisfactory evidence or assurances be provided that the property is not affected by or subject to environmental contamination. The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use.

4.6 State of Kansas Set Off Program.

Property that has been placed in the State of Kansas Set Off Program may be deemed ineligible for conveyance to the WCLB.

4.7 Timing.

Any property that is conveyed in or out of the WCLB will not be available for sale/transfer until approved by the Board of Trustees.

The Land Bank Manager is authorized to accept property conveyed from the UG that is a result of property being obtained from a recent County Tax Sale. The Land Bank Manager will then report the conveyance(s) at the next ~~Board of County Commissioners~~BoC Neighborhood and Community Development Standing Committee meeting.

Section 5. Conveyances from the WCLB

5.1 Covenants, Conditions and Restrictions.

All conveyances by the WCLB to third parties shall include such covenants, conditions and restrictions as the WCLB deems, in its sole discretion, necessary and appropriate to ensure the use, rehabilitation and redevelopment of the property in a manner consistent with the public purposes of the WCLB.

5.2 Deed Without Warranty.

All conveyances by the WCLB to third parties shall be by quitclaim deed.

5.3 Conveyances requiring Board of Trustees Approval.

All transfers of WCLB property shall require the approval of the Board of Trustees.

5.4 Conveyances pursuant to WCLB Rehab Program.

The Land Bank Manager shall seek prior approval from the WCLB Board of Trustees for all properties entering and exiting the WCLB Rehab Program.

5.5 Conveyance Time Allowance.

All undeveloped Land Bank property shall be conveyed, and deed recorded within 180 days of Award and approval of the Land Bank Board of Trustees. Any property not conveyed within the above time period, and without a written extension from the Land Bank Manager, will have Award voided and property returned to the Land Bank Inventory. For any property awarded pursuant to a development/rehab agreement, the terms of said agreement shall control when such property will be conveyed.

5.6 Appropriate and Timely Development of Properties.

The WCLB expects that properties will be developed in a timely manner according to a written agreement or as specified in the deed of conveyance. Generally, construction should commence within three (3) months from the date of conveyance and should be completed as defined by the agreement or contained in the deed. To ensure that

these expectations are met, the WCLB will place conditions or restrictions on property it conveys to achieve the agreed upon outcome and will monitor these agreements until construction is complete. Proposed uses must be consistent with the UG's Master Plans, Zoning, City Code, and other approved and accepted plans-policy or be able to obtain the necessary land entitlements within the option term, ~~and all~~ All new owners are required to comply with all State, City and Federal codes, regulations, and statutes.

5.7 Holds.

Holds for ~~large~~ economic development projects are allowed pending the approval of the Wyandotte County Land Bank Board of Trustees. Each year that land bank parcels are in a hold, an update must be provided by the awardee ~~must be made~~ regarding the status of the economic development project to the Neighborhood and Community Development Standing Committee. The WCLB will require the awardee to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code provisions, and the sidewalk space must be maintained including snow removal.

5.8 Pricing.

The WCLB will generally price vacant land by the greater of:

- a. ~~the~~ The Appraised Value of property set by County Appraiser as of January 1st of current year or
- b. ~~the~~ The value of the property's frontage times \$10.00.

The WCLB has the right to determine the asking price for each property and further has the right to decline any counteroffer.

Section 6. Yard Extension and Commercial Lot Extension Program

6.1 Application.

Yard Extensions shall only be applied for by abutting homeowners.

Commercial Lot Extensions shall only be applied for by abutting commercial property owners.

6.2 Qualifications.

An applicant for a yard extension must be the owner of the abutting property and must be using that property as ~~his/her~~ their primary residence at the time of application. An applicant for a commercial lot extension must be the owner of abutting commercial property; ~~however, the commercial property must be a storefront and must be using that property as a legally operating business.~~ Further, the

applicants for both types of extensions must be current on all property taxes and not have any active code violations. The property to be acquired must share a common boundary at either side of the applicant's property and share the same street name and/or be a contiguous land locked parcel. The property sought to be acquired for a yard or commercial lot extension must be a vacant lot; properties with permanent structures are not eligible for this program.

6.3 Limitations.

Applicants can only acquire one (1) property for a yard extension from the WCLB for each home they own as their primary residence and only one primary lot can seek a yard extension, except if there are contiguous undevelopable parcels that can be obtained. Applicants can only acquire one (1) property for a commercial lot extension from the WCLB, except if there are contiguous undevelopable parcels that can be obtained. The WCLB property must be consolidated with the applicant's property after acquisition into a single parcel. The Land Bank Manager will track such extension acquisitions to ensure these limitations are adhered to in perpetuity.

6.4 Pricing.

The price of any yard extension shall be \$0.10 per square foot.

The price of any commercial lot extension shall be \$0.25 per square foot.

Section 7. Land Bank Rehab Program

7.1 Purpose.

The WCLB Rehab Program provides Qualified Rehabbers access to a pipeline of distressed properties in the Wyandotte County area. The WCLB may facilitate the sale of property at a reduced price to selected qualified rehabbers. This program allows the purchase of vacant, blighted homes; once they are available in the WCLB inventory.

7.2 Goals.

The WCLB Rehab Program supports efforts to stabilize and strengthen neighborhoods through collaboration between public, private and nonprofit development partners. Through the program and working with development partners to rehabilitate blighted property, the WCLB will:

- a. Save existing housing stock from demolition and return the property to the tax roles;

- b. Create affordable ownership opportunities to stabilize neighborhoods; and
- c. Improve the health, safety, durability, and energy - efficiency of rehabilitated properties ~~through the WCLB Housing Standards.~~

7.3 Qualified Rehabber.

A Qualified Rehabber is defined as an individual or organization who must not:

- a. Own any real property that is subject to any violations of State and/or local laws, codes or ordinances;
- b. Own any real property that is tax delinquent;
- c. Be barred from transactions with local government entities;
- d. Have demonstrated lack of capacity to perform in accordance with the requirements of the WCLB;
- e. Have defaulted in prior agreements with the WCLB; and
- f. Currently be banned from bidding at the tax sale.

All Qualified Rehabbers must submit their intended use for the property(ies) as required by the WCLB. Failure to submit intended usage or to provide accurate information in the form requested may result in the denial of the application.

7.4 Qualified Offer.

A Qualified Offer is an application that:

- a. Adequately describes the purchaser's plans for the property (i.e. intended use) and is aligned with the purpose of the WCLB;
- ~~b.~~ The intended use must be consistent with applicable WCLB goals and all UG Plans Master Plans, Zoning Ordinances, and/or other policy, or be able to obtain the appropriate land entitlements; and
- ~~c.~~ The applicant must demonstrate financial and operational capacity to carry out the plans.

Plans that require various land entitlements may be processed as a Qualified Offer, only if the underlying project proposal is supported by the city it is in. The detail required of the applicant will be different depending on the proposed use, as defined later in this document under various usages.

7.5 Housing Stock.

All residential property with improvements that are transferred to the WCLB will be boarded, secured, and inspected to identify its place in the program. There are ~~three-two~~ (32) recommendations that these properties will fall under:

- a. Rehabilitation – properties that show rehab potential will be made available to qualified rehabbers in the program; ~~or~~
- b. Demolition – properties that are a danger to the public will be recommended to the ~~Unified Government~~UG Demo Department to be razed; ~~or~~

7.6 Commercial Property.

Any commercial property received by WCLB will be evaluated in the same manner as in Section 7.5.

7.7 Rehabber Qualifications.

All interested rehabbers must go through a qualification process that includes submission of WCLB Rehab Program Application. The program will have two (2) Tiers of qualified rehabbers:

- a. Tier I – rehabber must be a formed company/corporation or identify as an investor. In order to qualify as a Tier 1 rehabber, the following must be provided:
 - 1. Copy of their current year Occupational Tax Receipt from the Unified Government of Wyandotte County / Kansas City, Kansas Business License Department
 - 2. Must carry the appropriate amount of Insurance coverage, as outlined in the application, from a licensed Insurance provider and have the Wyandotte County Land Bank named as a Certificate Holder.
- b. Tier II – if a rehabber cannot provide the requirements for a Tier I rehabber, then they must sign a Hold Harmless Waiver and must show proof of funding for the rehab to qualify for a house to rehab.

7.8 Availability for Rehabbers.

Any house that is identified as a rehab will be made available for all Tier I rehabbers. The WCLB will schedule open houses for the rehabbers to attend to assess each property identified. All rehabbers will be sent offer packets with house information and a deadline to submit their offer. Any house that does not have an offer submitted by the deadline by a Tier I rehabber will then be offered to the Tier II group.

Any house that does not have an offer submitted by either group will be available for a later offer or any new Tier I or Tier II qualified rehabber.

7.9 Rehab Agreements.

The WCLB will review all offers received based on criteria maintained by the Land Bank Manager to determine the highest and best offer. The WCLB will negotiate with the offeror and put an agreement together.

If approved, the awarded offeror will be sent an award letter and any non-offerors will be sent a non-award letter.

7.10 Filings.

A Sale Contract with Land Use Restrictions detailing the terms of the rehab agreement will be recorded with the Wyandotte County Register of Deeds office. The house will stay in the name of the WCLB until the passing of the final inspection from the Land Bank Manager.

7.11 Inspections and Permits.

The WCLB will require copies of all inspections conducted by the UG Building Inspection Department, which will perform progress inspections throughout the rehab.

Any Tier I rehab will consist of four (4) inspections:

- a. Initial Inspection – house is cleared of debris and any demo is complete prior to any repairs or rehab starts;
- b. Rough-In – staff has received an approved Building Inspection rough-in slip and any other pulled permits (Mechanical/Electrical/Plumbing);
- c. Progress – drywall is hung, and all other repairs are completed; and
- d. Final - house has passed all final inspections and copies have been received by the WCLB, the Land Bank Manager will do the final walk thru.

Any Tier II rehab will consist of monthly inspections done by Land Bank Manager (or designee) and will incorporate the Tier I inspections but also allow the WCLB to closely monitor the progress.

When the Land Bank Manager has verified the house has passed WCLB final inspection, a Quit Claim Deed (QCD) will be filed with the Register of Deeds- office.

All applicants who have successfully purchased WCLB-owned property must fulfill their commitments to the WCLB and to their neighbors, which includes paying property taxes and maintaining properties in accordance with all municipal codes and ordinances.

7.12 Extensions and Penalties.

If the rehab completion date stipulated in the agreement cannot be met, the rehabber may request an extension of the completion date. Extensions of time to complete the rehab are at the Land Bank Manager's discretion and, if granted, will be under the following guidelines:

- a. The request for extension must be made to the Land Bank Manager in writing. The request must include the cause of

the delay and plan to complete the rehab ~~in~~ within the time requested.

- b. The request for extension must be received by the Land Bank Manager no later than five (5) calendar days prior to the expiration date of the WCLB Rehab Program Extension Request Form given at the beginning of the project.
- c. The extension will be granted for a maximum of 90 calendar days.
- d. The granting of an initial extension period does not obligate the WCLB to grant additional extensions.

7.13 Tier I Rehabber Threshold.

Any Tier I rehabber may make no more than three (3) offers on any newly acquired rehab houses. The maximum number of houses a Tier I may be rehabbing at any given time is six (6). If a Tier I rehabber has 6 open rehabs and submits an offer for new houses, their offer will not be accepted. A Tier 1 rehabber may make the proper number of offers that could reach this threshold.

Section 8. Option Agreements

8.1 Site Control: Options and Property Reservations.

The WCLB recognizes that developers often require legally recognizable site control as part of the development process. The WCLB may execute property option agreements to allow developers to pursue financing and other approvals necessary for development.

Agreements for this purpose must meet the following conditions:

- a. The applicant must be a Qualified Applicant, which has the same requirements as in Section 7.3.
- b. The Option Agreement must be executed by the applicant within forty-five (45) days of approval by the WCLB Board of Trustees.
- c. For each proposed project, the WCLB will allow one (1) year for that agreement, which begins on the date of approval by the WCLB Board of Trustees and may renew the agreement for up to two (2) years at the Land Bank Manager's discretion. Any further extensions must be approved by the WCLB Board of Trustees.
- d. The applicant may not occupy or use the property unless approved in writing by the WCLB.
- e. A fee will be due upon execution and an additional fee will be imposed for extension of the agreement or contract. This fee is non-refundable.

- f. A first-time applicant will be charged an additional fee which will be held in escrow during the term of the Option Agreement and will be refunded upon disposition of the property.
- g. The WCLB will require the requestor to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code and the sidewalk space must be maintained including snow removal.
- h. The WCLB shall provide written notice of its intent to terminate the agreement to the applicant within thirty (30) days of said termination.
- i. Applicants seeking to acquire property from the WCLB shall make every effort to consult with the neighborhood association(s) and neighborhood group(s) operating in the geographical area of the property.
- h.i. Applicants must do their due diligence to become aware of whether or not there are existing homeowners associations with declarations and restrictions that are applicable to the property for which they have applied.

Option Agreements will be issued only for those projects which the WCLB deems feasible and which the WCLB can recommend for approval by WCLB Board of Trustees after the developer secures the necessary entitlements, financing, tenants and/or approvals.

All WCLB Option Agreements must be approved by the WCLB Board of Trustees.

All applicants are encouraged to utilize local, minority and women owned businesses as contractors.

8.2 Disposition.

Upon the applicant providing proof of funding for their proposed development and acquisition of all required ~~permits~~ and permits, the WCLB shall convey the property.

Section 9. WCLB Garden Program

9.1 Community Gardens and Community-Managed Open Spaces.

The WCLB recognizes that community gardens encourage the productive use of vacant land, provide spaces for community building, socialization, educational, recreation and food production activities. The WCLB will support existing and established gardens that have the capacity to sustain and maintain the land to ensure its viability.

A community garden is defined as one or more properties managed and maintained by a group of individuals to grow and harvest food or non-food items (such as flowers) for personal or group consumption, for donation, or for sale that is incidental in nature (i.e. not an Urban Farm). A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (such as hand tool storage sheds) maintained and used by the group. Community gardens may be used for recreational purposes, and improvements to facilitate such purposes may be allowed on a case-by-case basis upon review by the Land Bank Manager and with community support. Community-managed open spaces are spaces available to the public and may be used for recreational purposes or passive activities. All necessary entitlements must still be obtained in accordance with the Unified Government Code of Ordinances as well as the ordinances for the Cities of Bonner Springs and Edwardsville.

Gardens and Open Space requests must demonstrate how their project supports the public priorities of:

- a. Eliminating blight; and/or
- b. Fostering neighborhood cohesion and a sense of community.

Upon approval by the WCLB Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed by deed with restrictions as set forth above if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.

The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use. Users are encouraged to reference federal and state requirements for contaminants in the soil before growing or consuming produce grown on site.

9.2 Requirements for Community Gardens.

All WCLB property approved for a community garden must adhere to the following criteria:

- a. Entity must work with the WCLB and Staff Advisory Team ~~of the Unified Government~~ to determine where the garden will be located within the boundaries of a neighborhood;

- b. Entity must provide a site plan;
- c. Entity must provide a maintenance and use plan which demonstrates its obligation to maintain the lot in a clean, safe, secure and sanitary condition, free of weeds, trash, debris, garbage, and vermin ~~and rats~~;
- d. Entity must comply with all existing codes and rules regarding vacant lots;
- e. Entity must obtain and pay for any and all permits and approvals required by ~~the Unified Government or City's~~ all relevant agencies to construct or operate the site;
- f. Lot cannot be used to park, keep or store any motor vehicle, trailer, or boat at any time;
- g. Entity must comply with all State and/or local laws, codes or ordinances;
- h. Entity must maintain the area within the public right-of-way, including both snow removal and removal of trash and debris to allow for passable sidewalks;
- i. Entity must agree not to grow any plants regulated or prohibited by federal laws on the lot; ~~and~~
- j. Entities must agree to use the property at their own risk and accept the property "as-is"; ~~and~~
- k. Report on the performance of the community garden, including: any code violations, how close they are to other gardens and overall contribution to the wellbeing of the neighborhood.

9.3—Personal Garden.

~~An application for a personal garden shall be treated in the same manner as an application for a yard extension.~~

9.4.3 Urban Farm.

An urban farm is the cultivation of land for the purpose of income creation related to urban agriculture.

An applicant for a parcel(s) to be used as an urban farm must provide proof of relevant education, certification or comparable relevant experience that proves they have the ability to operate and maintain a successful urban farm. Applicants must meet all the requirements of a Community Garden listed in Section 9.2 above. Upon approval by the Land Bank Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.



LET'S TALK

Land Bank

Monday December 9th

- Groundworks Recommendations



RECOMMENDATIONS MADE IN RESPONSE TO GROUNDWORKS PRESENTATIONS



- Make every effort to abide by the Northeast Area Master Plan **(1.2 e)**
- Adding a representative from the Kansas City, Kansas Police Department **(2.3)**
- Land Bank Manager to contact all neighborhood groups and Livable Neighborhoods **(2.7 b)**
- Land Bank Manager to provide contact information **(2.7 b)**
- Land Bank Manager to provide an annual update – approved options, completed options, canceled options, hold areas **(2.7 i)**



RECOMMENDATIONS MADE IN RESPONSE TO GROUNDWORKS PRESENTATIONS



- Holds – must maintain, provide annual project update **(5.7)**
- Applicants are encouraged to utilize local, Minority and women owned businesses **(8.1)**
- Applicants shall contact neighborhood groups **(8.1 i)**
- Applicants must be aware of any HOA's **(8.1 j)**
- Brownfields information added to Land Bank website



Report to Neighborhood & Community Development

MEETING DATE	PRESENTER	DEPARTMENT
	Alan Howze, Assistant County Administrator ahowze@wycokck.org x8951	Administrator's Office
AGENDA ITEM #IV.3.		
PRESENTATION: COMMUNITY BENEFITS ORDINANCES		
BACKGROUND		
Ordinances amending and relocating the Unified Government Community Benefits Ordinance previously adopted by the Board of Commission: • ORDINANCE: Amending and relocating the Unified Government's Community Benefits Ordinance • ORDINANCE: Creating a new section in the Unified Government code to set out eligibility requirements and processes for funding UG Parks and Recreation projects from the Community Benefits Fund • ORDINANCE: Creating a new section in the Unified Government code to establish an affordable housing trust fund and to set out eligibility requirements and processes to receive funding from the Community Benefits Fund • ORDINANCE: Creating a new section in the Unified Government code to create a new childcare accessibility program to receive funding from the Community Benefits Fund <i>For information only</i>		
RECOMMENDATION		
For information only		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
IT/POLICY CONSIDERATIONS		
PROCUREMENT CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		

CBO amendment draft 11.25.2024, CBO funding for parks capital projects amendment DRAFT 11.25.2024, CBO funding for affordable housing trust fund amendment DRAFT 11.25.2024, CBO funding for homebased childcare amendment DRAFT 11.25.2024, Community Benefit Ordinance Updates Dec 9

Approved by Mayor and/or Chair and Administrator to add to agenda.

ORDINANCE NO. O-_____

**AN ORDINANCE AMENDING THE UNIFIED GOVERNMENT'S COMMUNITY
BENEFIT ORDINANCE**

WHEREAS, on December 7, 2023, the Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas adopted a new section in the municipal code to create its Community Benefits Ordinance, codifying a Community Benefits Fund to be funded from fees received from development projects that have received economic development incentives;

WHEREAS, certain amendments to the Community Benefits Ordinance are required as a result of budget and program changes that have been enacted since the creation of the Community Benefits Ordinance; and

WHEREAS, these amendments are intended to condense the public comment period, provide a deadline and process for the forwarding of recommendations regarding how the funds in the benefits fund are to be allocated, update the categories of permitted expenditures from the benefits fund, and correct a numbering error in the section.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/
KANSAS CITY, KANSAS AS FOLLOWS:**

Section 1. That Chapter 9 of the Unified Government Code is hereby amended by the addition of a new section to read as follows:

Sec. 9-20. Community Benefits Fund

(a) *Purpose.* The Unified Government is committed to community outreach and engagement that promotes transparency and accountability and that ensures development projects in Kansas City, Kansas benefit and promote economic growth and prosperity for all residents.

(b) *Definitions.* For purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

Community Benefits Advisory Board or advisory board means those certain members appointed by the mayor/CEO and commissioners to serve as members pursuant to this section.

Community Benefits Fund or benefits fund means the designated funds collected by the unified government for the purpose of disbursement pursuant to a recommendation by the advisory board to the economic development and finance standing committee.

Economic Incentive or economic incentive means any public assistance that lowers the market cost of completing an economic development project, such as land transfers below market rate or any economic incentive tool utilized by the department of economic development. Economic incentive does not include benefits received under the Neighborhood Revitalization Act pursuant to K.S.A. 12-17,114 *et seq.*

(c) *Community Benefits Advisory Board.*

(1) The Community Benefits Advisory Board shall consist of eleven members appointed by the mayor/CEO and the commissioners. The mayor/CEO shall appoint the chair from among the members of the advisory board and the mayor pro tem shall appoint the vice-chair from among the members of the advisory board. Only residents of the county, or owners or chief executive officers of businesses located in the county, are eligible to serve as members of the advisory board. Members of the advisory board shall be residents of the appointing commissioner's district, or the business shall be located in the appointing commissioner's district, as the case may be.

Notwithstanding any other provision of this subsection to the contrary, of the members first appointed to the advisory board after the effective date of this ordinance, those members appointed by the mayor/CEO, and those members appointed by the at-large commissioner and commissioners representing even-numbered districts, shall serve an initial one-year term and then shall serve two-year terms thereafter. All other members serve two-year terms.

(2) The advisory board may meet upon the call of the chair. The board shall act in an advisory capacity only and may act to forward recommendations to the mayor/CEO, for assignment to the economic development and finance standing committee, how the funds in the benefits fund are to be allocated.

(3) To the extent permitted by state and local law, one-half of all administrative fees and issuance fees received by the unified government as a result of any new development projects located in the city funded by utilizing economic incentives shall be set aside in the benefits fund.

(4) As necessary, or when requested by the mayor/CEO or the board of commissioners, the advisory board may open a public comment period consisting of no less than thirty (30) days to receive feedback from the community on which category or categories described in subsection (d) of this section those funds in the benefits fund should be spent.

(5) The public comment period may be completed with the help and advice of those Unified Government departments and staff assigned by the county

administrator. Tools for community engagement may include town halls, online surveys, attendance at neighborhood meetings, attending public events, marketing, and multi-language meetings.

(6) After the public comment period, the advisory board may convene a public hearing on the matter, after providing proper notice. The advisory board shall forward any recommendation to the economic development and finance standing committee by October 1 of each calendar year. Any such recommendation requires an affirmative vote of a majority of all members of the advisory board. If the advisory board does not act to forward a recommendation to the economic development and finance standing committee by October 1 of any calendar year, unified government staff may make a recommendation regarding how the funds in the benefits fund are to be allocated.

(7) The advisory board shall be subject to the Kansas Open Meetings Act, K.S.A. 75-4317 *et seq.*, and the Kansas Open Records Act, K.S.A. 42-215 *et seq.*, and members of the advisory board shall be subject to the Unified Government Code of Ethics.

(7) The economic development and finance standing committee may consider any such recommendation of the advisory board at its next regularly scheduled meeting. Upon hearing the matter, the economic development and finance standing committee may recommend to the board of commissioners how the funds in the benefits fund that year are to be spent. The economic development and finance standing committee may amend the recommendation forwarded by the advisory board or may enhance or reduce the amounts contained therein.

(d) The categories of permitted expenditures from the benefits fund shall be limited to the following:

(1) Unified Government Parks & Recreation capital projects located within Kansas City, Kansas, as described in section 25-90 of the Unified Government Code of Ordinances;

(2) The Kansas City, Kansas Affordable Housing Trust Fund, as described in section 9-21 of the Unified Government Code of Ordinances; and

(3) The Unified Government microgrant and rebate program for licensed homebased childcare providers, as described in section 9-22 of the Unified Government Code of Ordinances;

(e) The distribution of community benefits made pursuant to this section shall not exceed an amount that is one-third of the money in the benefits fund for any one category described in subsection (d) of this section; except that such limitation may be exceeded or waived for any distribution upon a two-thirds vote of the board of commissioners. The distribution of community benefits made pursuant to this section shall include those distressed areas identified as Qualified Census Tracts for that year, as identified by the

federal Department of Housing and Urban Development pursuant to notice in the Federal Register.

(f) *Allocation.* Allocations made pursuant to this section may occur starting June 1, 2024, or when the benefits fund has moneys totaling at least \$500,000, whichever occurs first.

(g) *Eligibility.* Recipients of funds pursuant to this section shall not be delinquent on any taxes, fines, and fees owed to the unified government. All recipients shall be residents of the city, or shall be an entity duly licensed and located in the city. No member of the advisory board shall be a recipient of funds pursuant to this section, or shall represent an entity that is a recipient of such funds.

(h) *Exemptions.* The requirements of this section may be waived in whole or in part by resolution of the board of commissioners upon submission by the mayor/CEO, in consultation with the county administrator.

(i) *Policy Review.* In consultation with the unified government legal department, the advisory board shall review the effectiveness of this ordinance and make recommendations based on that review every two years. A review report shall be submitted to the economic development and finance standing committee for consideration.

Section 2. That original section 27-801 be and the same is hereby repealed.

Section 3. Effective Date. This amendment shall take effect and be in full force from and after its passage and approval, and publication in the official newspaper.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS ____ DAY OF _____ 202__.**

Tyrone A. Garner, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Unified Government Chief Counsel

Published in the *Wyandotte Echo* _____

ORDINANCE NO. O-_____

AN ORDINANCE TO PROVIDE FOR A NEW SECTION IN THE MUNICIPAL CODE TO CODIFY ELIGIBILITY REQUIREMENTS AND PROCESSES FOR MAJOR UNIFIED GOVERNMENT PARKS & RECREATION INITIATIVES WITHIN KANSAS CITY, KANSAS TO RECEIVE FUNDING FROM THE UNIFIED GOVERNMENT'S COMMUNITY BENEFIT ORDINANCE

WHEREAS, on December 7, 2023, the Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas adopted a new section in the municipal code to create its Community Benefits Ordinance, codifying a Community Benefits Fund to be funded from fees received from development projects that have received economic development incentives;

WHEREAS, the Board of Commissioners subsequently amended the Community Benefits Ordinance on _____, 202__;

WHEREAS, the Community Benefits Ordinance, as amended, provides for the eligibility of Unified Government Parks & Recreation capital projects located within Kansas City, Kansas to receive funding from the Community Benefits Fund; and

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas wishes to adopt a Kansas City, Kansas Parks & Recreation Community Benefits Act to assist its Parks & Recreation Department in its mission to provide clean, safe facilities and well-maintained green spaces for the public to enjoy and make recreation programming available for all.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS AS FOLLOWS:

Section 1. That Chapter 25 of the Unified Government Code be amended by the addition of a new section to read as follows:

Sec. 25-90. Kansas City, Kansas Parks & Recreation Community Benefits Act

- (a) *Eligibility Criteria.* Only projects within the jurisdiction or boundaries of the Unified Government of Wyandotte County/Kansas City, Kansas Parks & Recreation Departments located in Kansas City, Kansas are eligible to receive funding under this section.
- (b) *Administration.* The Wyandotte County Parks & Recreation Department shall be responsible for administering this program.

(c) *Eligible Expenditures.* Projects meeting the eligibility requirements contained in this section may be spent on the following eligible expenditures:

1. Capital improvements; and
2. Equipment improvements or purchases.

(d) *Funding Source.*

1. The funding allocation for this program shall be made as provided by section 9-20 of the Unified Government Code as funding in the Community Benefits Fund allows.
2. Nothing in this section shall prohibit the Unified Government from adding additional revenue to this program as deemed necessary by the Board of Commissioners.

(e) *Reporting.* The Unified Government Parks & Recreation Department shall collect the following data regarding allocations under the Kansas City, Kansas Parks & Recreation Community Benefits Act for reporting to the Unified Government Board of Commissioners upon request: the total amount of funding allocated; the number, location, and description of projects funded; and any recommendations for improvements to the program.

Section 2. Effective Date. This amendment shall take effect and be in full force from and after its passage and approval, and publication in the official newspaper.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____ 202__.**

Tyrone A. Garner, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Unified Government Chief Counsel

Published in the *Wyandotte Echo* _____

ORDINANCE NO. O-_____

**AN ORDINANCE TO PROVIDE FOR A NEW SECTION IN THE MUNICIPAL CODE
CREATING THE KANSAS CITY, KANSAS AFFORDABLE HOUSING TRUST FUND
AND CODIFYING ELIGIBILITY REQUIREMENTS AND PROCESSES FOR IT TO
RECEIVE FUNDING FROM THE UNIFIED GOVERNMENT'S COMMUNITY
BENEFIT ORDINANCE**

WHEREAS, on December 7, 2023, the Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas adopted a new section in the municipal code to create its Community Benefits Ordinance, codifying a Community Benefits Fund to be funded from fees received from development projects that have received economic development incentives;

WHEREAS, the Board of Commissioners subsequently amended the Community Benefits Ordinance on _____, 202__;

WHEREAS, the Community Benefits Ordinance, as amended, provides for the eligibility of its Kansas City, Kansas Affordable Housing Trust Fund to receive funding from the Community Benefits Fund;

WHEREAS, much of the housing stock within previously red-lined areas of Kansas City, Kansas is older and in need of repair, and many existing and prospective homeowners lack the resources to make necessary repairs;

WHEREAS, repairing the existing housing stock helps to stabilize neighborhoods by maintaining property values in the surrounding neighborhood, reducing the incidence of vacancy and blight, and decreasing the need for government-funded demolition;

WHEREAS, many area seniors are on a fixed income and are unable to pay property taxes on their homes;

WHEREAS, Kansas City, Kansas is also experiencing a shortage of decent, safe and sanitary housing that is accessible to people with mobility impairments and other disabilities;

WHEREAS, at any given time, there are Kansas City, Kansas households on a waiting list for housing and homeless services;

WHEREAS, existing affordable housing resources provide relatively short periods of affordability, which can cause the Unified Government to invest its limited resources into preserving the existing affordable housing stock instead of expanding the supply;

WHEREAS, financing mission-driven developers and prioritizing permanent affordability will help maximize the effectiveness of the Unified Government's housing resources; and

WHEREAS, the Unified Government has experienced steady decreases in funding from federal and state resources for investment in neighborhood development and affordable housing projects.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS AS FOLLOWS:

Section 1. That Chapter 9 of the Unified Government Code be amended by the addition of a new section as follows:

Sec. 9-21. Kansas City, Kansas Affordable Housing Trust Fund

- (a) *Purpose.* The purpose of the Kansas City, Kansas Affordable Housing Trust Fund is to provide net new resources for affordable housing in Kansas City, Kansas.
- (b) *Definitions.* For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

Affordable or *affordable* means housing related expenses do not exceed 30% of a household's gross income. If no income target is specified, the term *affordable* shall be construed as referring to an income target of 80% of AMI or below.

Income Restrictions or *income restrictions* means household qualifications established through income levels.

Area Median Income or *area median income* or *AMI* means the median household income for Wyandotte County, Kansas as published annually by the U.S. Department of Housing and Urban Development ("HUD").

- (c) *Establishment of the Wyandotte County Affordable Housing Trust Fund and Advisory Board.*

1. The Wyandotte County Affordable Housing Trust Fund ("the Trust Fund") shall be created by the Chief Financial Officer and managed by the Unified Government Community Development Department as a separate fund for the purpose of supporting the development and preservation of affordable and accessible housing in Wyandotte County as more particularly specified in subsections (c) and (d) of this Section.
2. Monies allocated for the Trust Fund must be used exclusively for purposes consistent with this section and applicable law. Therefore, any assets remaining in the Trust Fund at the end of any fiscal year shall be carried into the next fiscal year.
3. The Community Benefits Advisory Board established in section 9-20 of the Unified Government Code shall also serve as the Affordable Housing Trust Fund Advisory Board to make recommendations on the expenditures of the funds and receive reports from staff on how funds have been spent.

- (d) *Revenue Sources.* The funding sources for the Kansas City, Kansas Affordable Housing Trust Fund shall include, but not be limited to:
1. Through the Unified Government's Community Benefit Fund as recommended by its Community Benefits Advisory Board;
 2. Through private philanthropic donations;
 3. Through State and/or Federal funds; and
 4. Through any other source of revenue deemed appropriate by the UG Board of Commissioners.
- (e) *Disbursement of Kansas City, Kansas Affordable Housing Trust Fund assets.* Funds allocated from the Trust Fund shall be allocated consistently with the overall priorities set forth by the Board of Commissioners. The following are eligible activities for the Affordable Housing Trust Fund with their qualifications:
1. *Upper Story Housing Development Reimbursement Fund.* The Upper Story Housing Development Reimbursement Fund program shall be housed within and administered by the Unified Government Community Development Department. Properties with non-residential active use on the first floor of the structure are eligible under this section for funding as follows:
 - i. Reimbursement is available only for funds used to renovate or otherwise prepare upper story space for residential housing.
 - ii. Applicants applying for these funds shall not also be the occupants of the rental unit that benefits from this program.
 - iii. The applicant must be the current property owner or be able to show documentation for future ownership.
 - iv. The applicant must be current on all Unified Government property taxes.
 - v. The property shall not be in a floodplain.
 - vi. Property owners receiving reimbursement through this program must rent to Kansas City, Kansas residents at 80% AMI or below for 2 years after receiving the last reimbursement payment.
 - vii. Eligible expenditures include: HVAC, flooring, roofing, plumbing, walls, framing, lead abatement, fire safety, ADA compliance, beautification, and other expenditures required to prepare the property for residential housing.
 - viii. The minimum reimbursement amount is based on the HUD minimum; maximum reimbursement amounts will be determined by Unified Government staff based on fund availability.
 - ix. No unit renovated or otherwise prepared for residential housing shall be more than 2000 square feet in size.
 - x. Applicants may apply for reimbursement for eligible expenses for multiple upper story units renovated or otherwise prepared for residential housing under this section.
 - xi. Applicants who make good faith efforts to engage local and small businesses and women and minority owned businesses as defined by

Unified Government purchasing policy shall be given priority consideration under this section.

- xii. Applicants who are Wyandotte County residents shall be given priority consideration under this section.
 - xiii. Reimbursement under this section will commence on January 1 of each year and will proceed as funding allows.
 - xiv. Property owners who receive reimbursement under this section must inform Unified Government staff prior to transferring any interest in the funded property.
 - xv. A portion of the funds allocated under this section may be retained by the Unified Government for administration of the program.
2. *Kansas City, Kansas Homes for Generations Program.* The Kansas City, Kansas Homes for Generations Program shall be housed within and administered by the Unified Government Clerk's Office. Eligibility for financial assistance through the Kansas City, Kansas Homes for Generations Program is as follows:
- i. Applicants for the program must meet the eligibility criteria of the Utility Sales Tax Rebate Program, as set out in section 2-296 of the Unified Government Code.
 - ii. Applicants may only apply for assistance for their primary residence.
 - iii. Only one applicant per household may apply.
 - iv. Previous recipients of funding under this section are ineligible for further funding.
 - v. Funding under this section will commence on January 1 of each year and will proceed as funding allows.
 - vi. Eligible expenditures under this section include: assistance with obtaining death certificates and other documentation required to ensure transfer of property title; and contracted legal assistance with issues related to contract for deed, probate, or other issues preventing title transfer.

(f) *Reporting.*

1. The Unified Government Community Development Department shall collect the following data regarding allocations from the Kansas City, Kansas Affordable Housing Trust Fund for reporting to the Unified Government Board of Commissioners upon request: the total amount of funding allocated; the number, location, and description of projects funded, including number of affordable residential rental units created; the primary use of the funding; and any recommendations for improvements to the program.
2. The Unified Government Clerk's Office shall collect the following data regarding allocations from the Kansas City, Kansas Affordable Housing Trust Fund for reporting to the Unified Government Board of Commissioners upon request: the total amount of funding allocated; the zip codes and total number of grantees; and any recommendations for improvements to the program.

Section 2. Effective Date. This amendment shall take effect and be in full force from and after its passage and approval, and publication in the official newspaper.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____ 202__.**

Tyrone A. Garner, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Unified Government Chief Counsel

Published in the *Wyandotte Echo* _____

ORDINANCE NO. O-_____

AN ORDINANCE TO PROVIDE FOR A NEW SECTION IN THE MUNICIPAL CODE TO CODIFY ELIGIBILITY REQUIREMENTS AND PROCESSES FOR HOMEBASED CHILDCARE FACILITIES TO RECEIVE FUNDING FROM THE UNIFIED GOVERNMENT’S COMMUNITY BENEFIT ORDINANCE

WHEREAS, on December 7, 2023, the Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas adopted a new section in the municipal code to create its Community Benefits Ordinance, codifying a Community Benefits Fund to be funded from fees received from development projects that have received economic development incentives;

WHEREAS, the Board of Commissioners subsequently amended the Community Benefits Ordinance on _____, 202__;

WHEREAS, the Community Benefits Ordinance, as amended, provides for the eligibility of licensed homebased childcare projects or programs to receive funding from the Community Benefits Fund;

WHEREAS, access to quality childcare is essential for the well-being of children and families;

WHEREAS, the current availability of childcare in Kansas City, Kansas does not meet the community’s demand for childcare;

WHEREAS, the lack of access to quality childcare reduces tax revenues due to lost business income and resident wages;

WHEREAS, the Kansas Department of Health and Environment (“KDHE”) administers the Health and Safety Grant to provide funding towards minor renovations for childcare facilities; and

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas wishes to adopt a Childcare Accessibility Act to augment KDHE’s Health and Safety Grant for the purpose of supporting eligible homebased childcare providers in Kansas City, Kansas to increase the community’s access to such childcare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS AS FOLLOWS:

Section 1. That Chapter 9 of the Unified Government Code be amended by the addition of a new section to read as follows:

Sec. 9-22. Childcare Accessibility Program

- (a) There is hereby created the Childcare Accessibility Program to administer microgrants and rebates pursuant to this section.
- (b) *Eligibility Criteria.*
 - 1. Only homebased childcare providers located in Kansas City, Kansas may be eligible to receive microgrant funding for eligible expenditures pursuant to this section.
 - 2. In addition to being a homebased childcare provider located in Kansas City, Kansas applicants must:
 - i. Be current on all licensure requirements of and taxes owed to the Unified Government;
 - ii. Have no open code violation cases nor any substantial history of such a case;
 - iii. Be current on CPR and First Aid certifications as required by the State of Kansas;
 - iv. Hold a current license in good standing to provide homebased childcare in the State of Kansas; and
 - v. Be current on any other registration, permit, or licensure requirements required by local, state, or federal law.
 - 3. New homebased childcare providers located in Kansas City, Kansas may be eligible to receive funding for eligible expenses under this section as a rebate only after the provider has met all licensure, tax, and permitting requirements as provided by sub-subsection 2 of this subsection (b).
- (c) *Administration.* The Unified Government County Administrator shall designate a department and allocate staff to manage and oversee the microgrant and rebate program pursuant to this section.
- (d) *Eligible Expenditures.* Microgrants or rebates for homebased childcare providers meeting the eligibility requirements set forth in this section may be spent on the following eligible expenditures:
 - 1. Facility improvements specific to the provision of homebased childcare, such as fencing, deck, playground, and entry-way upgrades;
 - 2. Energy efficiency building upgrades, such as solar panels; HVAC updates, including, but not limited to, heat pump, furnace, or air conditioning; and weatherization improvements;
 - 3. Childproofing items, such as safety gates, furniture padding, smoke detectors, and safety latches for windows, cabinet doors, or doors;
 - 4. Education items, such as library materials, development toys, technology and software to interact with parents and children.

(e) Funding Source.

1. Funding allocation for this microgrant and rebate program shall be made as provided by section 9-20(c) as funding in the Community Benefits Fund allows.
2. Nothing in this section shall prohibit the Unified Government from adding additional revenue to this microgrant and rebate program as deemed necessary by the Board of Commissioners.

(f) *Reporting.* The department administering the program shall collect the following data regarding the microgrant and rebate program for reporting to the Unified Government Board of Commissioners upon request: the total dollar amount granted or rebated to eligible homebased childcare providers; the number, location, and types of projects; the number of parents and children served by each recipient; and any recommendations for improvements to the program.

Section 2. Effective Date. This amendment shall take effect and be in full force from and after its passage and approval, and publication in the official newspaper.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS ____ DAY OF _____ 202__.**

Tyrone A. Garner, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Unified Government Chief Counsel

Community Benefit Ordinance Updates



December 9, 2024 Community Benefit Ordinance

Community Benefit Ordinance

- UG Commission created the Community Benefits Fund on December 7, 2023
- Source of funds:
 - “one-half of all administrative fees and issuance fees received by the unified government as a result of any new development projects located in the city funded by utilizing economic incentives shall be set aside in the benefits fund.”
 - Fund required to reach \$500,000 before allocations can be made
- Community Benefits Advisory Board
 - Eleven members appointed by the Mayor/CEO and Commissioners
 - Forward funding recommendations to Commission on use of funds
- Community Benefit Funds are generated through City side activity – and distribution of funds are limited to activities within the City of KCK



CBO Areas of Focus / Updates

- Original CBO Ordinance identified three areas that could be funded by the CBO
 - Senior home repair program
 - Local affordable housing trust fund
 - Licensed childcare projects or programs
- Updated CBO replaces “Home Repair” with “Parks and Recreation capital projects”
- Updates CBO to assign ownership of activities within the Unified Government
- Updates the appropriate code sections for each of the three focus areas



Parks

- CBO would provide supplemental funding for Park capital projects
- Eligible funding for:
 - Capital improvements
 - Equipment
- Administered by the UG Parks and Recreation Department



Housing

- Trust Fund to be created by CFO and managed by Community Development
- Funds to be used for:
 - Upper Story Housing Development
 - Aims to expand supply of rental housing
 - Adds residential rooftops in commercial corridors
 - Managed by Community Development
 - Homes for Generations Program
 - Focus is on assistance to homeowners whose properties may be at risk for tax sale
 - Aims to provide funding for legal assistance to resolve issues related to contract for deed, probate, or other issues preventing title transfer
 - Managed by the UG Clerk's Office



Child Care

- Focused on expansion of the availability of safe, licensed, home-based childcare
 - Funding for existing home-based childcare providers
 - Fencing, playground, entry way upgrades, etc
 - Energy efficiency upgrades to buildings
 - Safety improvements through child-proofing items
 - Education items such as library materials and developmental toys
 - Funding for new home-based providers after they are licensed, tax current and properly permitted
 - Program administration to be determined by the County Administrator



Questions?

