

STATE OF KANSAS)
 WYANDOTTE COUNTY)) SS
 CITY OF KANSAS CITY, KS)

REGULAR SESSION
 September 14, 2023

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Regular Session Thursday, September 14, 2023, with eleven members present via Zoom and on site: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO, presiding. The following officials were also in attendance: David Johnston, County Administrator; Angela Lawson, Interim Chief Counsel; Jeff Conway, Assistant Counsel; Meaghan Shultz, Administrative Municipal Court Judge; Jon Khalil, City Prosecutor; Karen Wittman, Municipal Court Judge; Mark Dupree, District Attorney; Dennis Rubin, Interim Fire Chief; Thad Lauritzen, Captain, Fire Dept.; Karl Oakman, Police Chief; Monica Sparks, Deputy UG Clerk; and Terri Kimble, UG Clerk's Office.

Mayor Garner said before I call the meeting to order, I want to announce that some commissioners, staff, and the public are attending remotely via Zoom, by phone, or on site. All participants joining by phone should please mute your phones when not speaking to avoid any background noise. During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows exactly who is speaking. Also, please be sure to speak directly in the microphone, at an audible level, so the public can hear your comments and that there's an accurate record for our Clerk. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General's Office.

Mayor Garner called the meeting to order.

Roll call: Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Garner.

Mayor Garner said tonight, we're going to have an invocation, immediately followed by the Pledge of Allegiance. Tonight's invocation is given by Sister Therese Bangert of Our Lady-Saint Rose Catholic Church.

Mayor Garner asked, Clerk, are there any revisions to tonight's agenda? **Ms. Sparks** said yes. There was a blue sheet that has been published adding Item No. 8 to the Mayor's Agenda; adding Item No. 1 to the Standing Committees' Agenda; and updating documents for Item No. 2 on the Mayor's Agenda and Item No. 6 under the Administrator's Agenda.

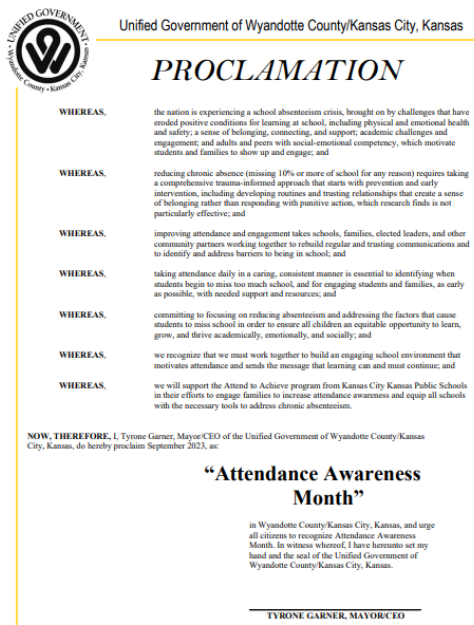
MAYOR'S AGENDA

Mayor Garner said the first eight items will be proclamations. Clerk, could you go through those.

Item No. 1 – 212687...PROCLAMATION: ATTENDANCE AWARENESS MONTH

Synopsis: Proclamation proclaiming September 2023 as Attendance Awareness Month, submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Deputy UG Clerk, read the following proclamation.



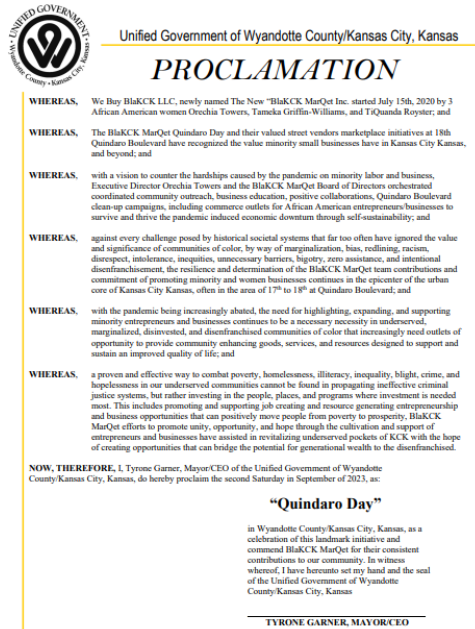
Action: The proclamation was read.

September 14, 2023

Item No. 2 – 212696...PROCLAMATION: QUINDARO DAY (UPDATED DOCUMENT PER BLUE SHEET)

Synopsis: Proclamation proclaiming the second Saturday in September 2023 as Quindaro Day, submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Deputy UG Clerk, read the following proclamation.



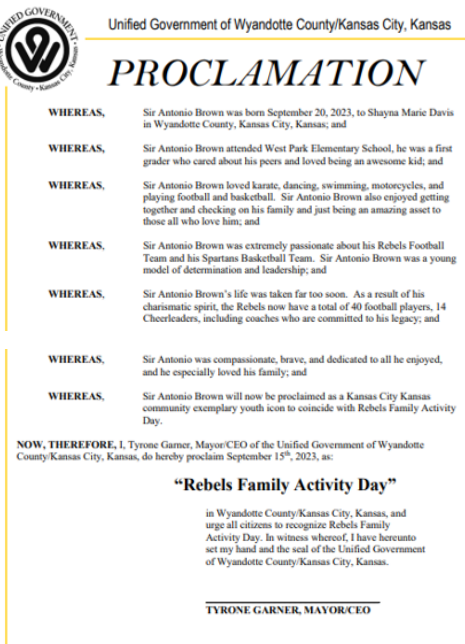
Action: The proclamation was read.

Item No. 3 – 212693...PROCLAMATION: REBELS FAMILY ACTIVITY DAY

Synopsis: Proclamation proclaiming September 15, 2023, as Rebels Family Activity Day, submitted by Tyrone A. Garner, Mayor/CEO.

September 14, 2023

Monica Sparks, Deputy UG Clerk, read the following proclamation.



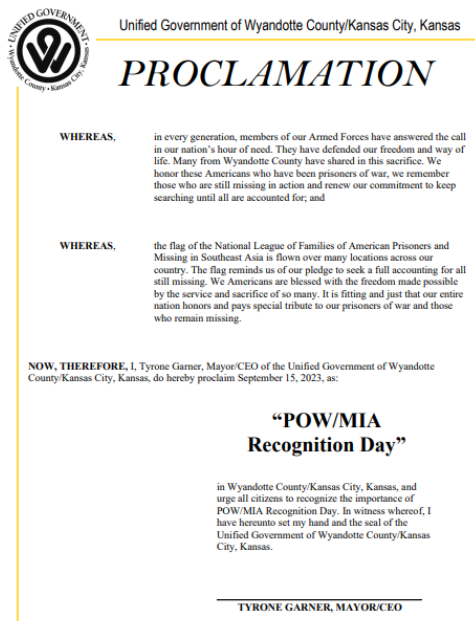
Action: **The proclamation was read..**

Item No. 4 – 212695...PROCLAMATION: POW/MIA RECOGNITION DAY

Synopsis: Proclamation proclaiming September 15, 2023, as POW/MIA Recognition Day, submitted by Tyrone A. Garner, Mayor/CEO.

September 14, 2023

Monica Sparks, Deputy UG Clerk, read the following proclamation.

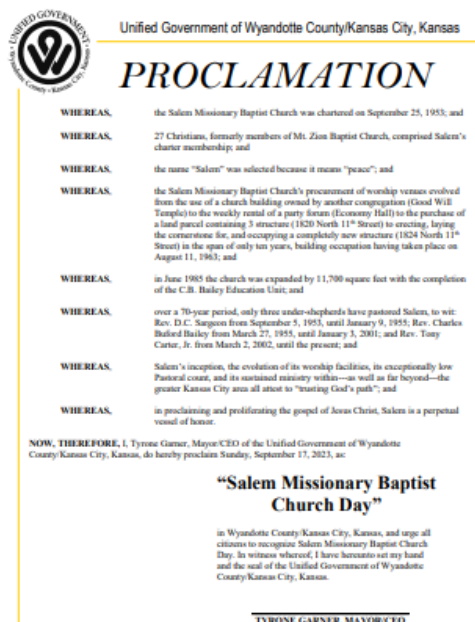


Action: The proclamation was read.

Item No. 5 – 212688...PROCLAMATION: SALEM MISSIONARY BAPTIST CHURCH DAY

Synopsis: Proclamation proclaiming September 17, 2023, as Salem Missionary Baptist Church Day, submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Deputy UG Clerk, read the following proclamation.



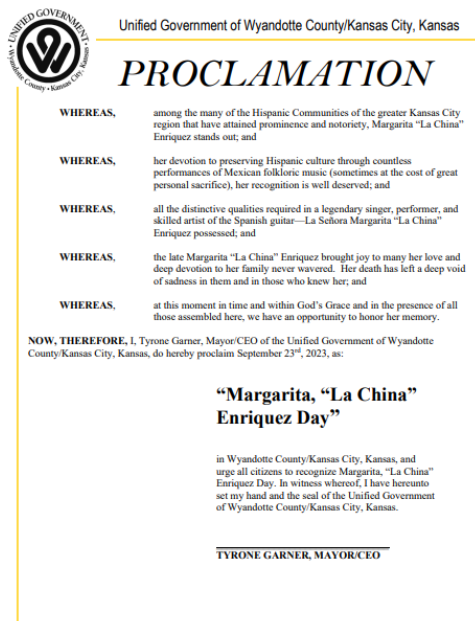
September 14, 2023

Action: **The proclamation was read.**

Item No. 6 – 212689...PROCLAMATION: MARGARITA, “LA CHINA ENRIQUEZ DAY”

Synopsis: Proclamation proclaiming September 23, 2023, as Margarita, “La China Enriquez Day,” submitted by Tyrone A. Garner, Mayor /CEO.

Monica Sparks, Deputy UG Clerk, read the following proclamation.

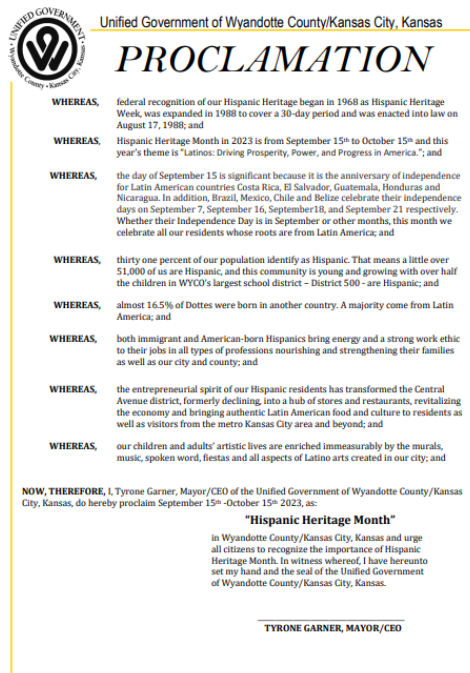


Action: **The proclamation was read.**

Item No. 7 – 212694...PROCLAMATION: HISPANIC HERITAGE MONTH

Synopsis: Proclamation proclaiming September 15 - October 15, 2023, as Hispanic Heritage Month, submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Deputy UG Clerk, read the following proclamation.



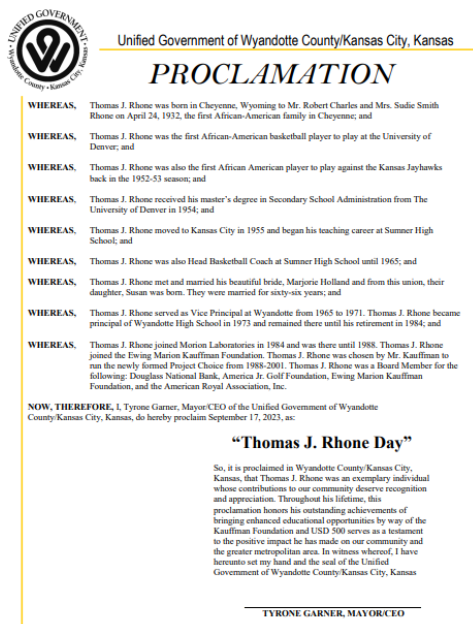
Action: The proclamation was read.

Item No. 8 – 212714...PROCLAMATION: THOMAS J. RHONE DAY (ADDED PER BLUE SHEET)

Synopsis: Proclamation proclaiming September 17, 2023, as Thomas J. Rhone Day, submitted by Tyrone A. Garner, Mayor/CEO.

September 14, 2023

Monica Sparks, Deputy UG Clerk, read the following proclamation.



Action: **The proclamation was read.**

Item No. 9 – 212699...PRESENTATION: MARIJUANA DIVERSION PROGRAM

Synopsis: A presentation regarding marijuana possession, including a diversion program for individuals arrested for possession to have an alternative to a misdemeanor charge, to go into effect October 1, 2023, submitted by Meaghan Shultz, Administrative Municipal Court Judge, and Angela Lawson, Interim Chief Legal Counsel.

Mayor Garner said last year, one of the things that I really took into full consideration was looking at what our state to the east of us, the great state of Missouri, and what they have done to legalize marijuana. Colorado had already legalized marijuana. That close proximity for access to marijuana does not go unnoticed that would impact people here in Wyandotte County and Kansas City, KS.

My 32-year experience in law enforcement and a lot of data that's out there indicates that there's been periods and pockets in time where throughout our nation, especially people of color, have been targeted by police systems, programs, and initiatives in a way that has not always been equitable.

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Looking at what Kansas has done, and just for those watching, under Kansas law as it stands now, we cannot decriminalize marijuana in the state of Kansas. It's not allowed under our current state statutes. What some communities have done, particularly the city of Wichita, they've looked at other ways to depenalize marijuana in a way that, hopefully, is equitable for them, but we cannot decriminalize it.

What I took was, I looked at what some of these other communities had done and I brought together a task force of both our Sheriff, our Police Chief, our DA, as well as our Legal Department and our Municipal Court judges and we had a real strong debate and conversation of in light of what we know is happening just across the river in Kansas City, MO, with having easy access as well as availability to marijuana, we talked about the impact to Wyandotte County. Why is that so important to me, someone asked. Well, because in the great state of Kansas, if you're convicted of marijuana, after your third conviction, it's a felony. We know what having a felony can do to the lives of individuals that just want to get ahead. So, three convictions of marijuana in Kansas can cause a young person, unbeknownst, to end up with a felony.

Our Chief Oakman has done a good job. The men and women of the Kansas City, KS Police Department have known that and they have not taken a hard stance on enforcement. They do it case-by-case, and they use reasonable and appropriate discretion on whether to charge or not that's backed up by a lot of other circumstances that would lead them to that decision. Even with that, if you go outside of Wyandotte County and Kansas City, KS, and other areas where maybe the lens that law enforcement may not look through, may not align with the lens of the values or the initiatives of that of our local officials here in Wyandotte County. It poses an increased and enhanced risk for a young person that may not know of the severity of having possession of marijuana that leads to a third conviction.

So, I brought together this task force and after a strong debate, we really focused on education, treatment, and messaging that could really abate and discourage, especially our young people, from using marijuana in a way that could lead and bridge them to more harmful drugs. So, that is pretty much what you'll hear tonight is what the task force agreed upon. Really, who took the lead here at the Unified Government, was really our Legal Department. I have to really give a shout out to them, and the research that they've done, working in cooperation with our Municipal Court judges, and the work that they've done, to come up with a resolution and, hopefully, a plan that they feel would be the best course of action here in Wyandotte County to address the concern

that I posed to them. The biggest thing is to make sure that whatever is done, that we do in a way that is equitable for all our residents in Wyandotte County.

I'll ask Judge Schultz to come forward to make the presentation and to lead the conversation and to share with the public the new programs and initiative that they can expect from this conversation.

Meaghan Shultz, Administrative Municipal Court Judge, said as Mayor Garner stated, through this task force, we talked about what we can do to make sure that people understand that while marijuana possession is legal in Missouri and Colorado—and even Oklahoma now has medical marijuana possession—and there are other states around us that are moving in that direction, our legislature does not, at this time, appear to be moving in that direction.

We want to make sure that we are treating it in the way that we should be. We do not want to change any of our ordinances. We want to work within the framework of the ordinance that we have at this time.

It is still illegal in Kansas, and Municipal Court does not condone the possession or use of marijuana. Considering the reality of the surrounding states and the resolution that had been passed by the Board of Commissioners regarding the education, treatment, and prevention of marijuana, after the meetings with the task force, our Risk Engagement Assessment Liaison, Kevin Smith in Municipal Court, initially developed an educational PowerPoint regarding marijuana.

After that initial development, Ashley Hand from Strategic Communications, shared that with the Health Department, Chief Oakman, and Sheriff Soptic to get their input on that. Strategic Communications is developing that into an educational video. I know they have interviewed Mr. Khalil, from the Prosecutor's Office, and myself for that. It's my understanding that video will be ready shortly.

Our possession of marijuana ordinance is Section 22-290. That ordinance is not changing. What we are doing is the Prosecutor's Office is making some changes to their Diversion Program. Mr. Khalil will talk about that. With diversion, judges only have a role if a denial of someone to apply for diversion is arbitrary and capricious or it appears that someone is failing at the diversion and a motion to revoke is filed.

What we are doing if somebody is either not eligible for diversion or decides that they do not want to participate in a diversion, we will impose a \$150 fine; however, that fine will be waived

if this person participates in viewing that educational video and does it in a timely manner. We're going to offer the viewing of that video in person during normal business hours. Our real officer will facilitate those. We're also going to allow people, if they have jobs that will prevent them from coming in person during the day, to view that video outside of our business hours virtually. They will have to complete a survey so that we know that they actually watched the video and, hopefully, gained some knowledge from it.

On a second conviction, we will impose a \$300 fine of which \$150 could be waived if they participate in a drug and alcohol evaluation, which usually costs about \$150. They have to follow the recommendations of that drug and alcohol evaluation. There will be a one-year probation period; however, if they comply with the probation and the Prosecutor's Office and the Probation Office agree, there could be early closure after six months. There would be an underlying jail term. Under the ordinance, it could be up to 180 days to ensure that they do not, hopefully, fail on that probation.

As the Mayor stated, if there is a third, I do not have jurisdiction over that. Judge Wittman does not have jurisdiction over that. It would be dismissed from our court. The Prosecutor's Office has to send it over to the District Attorney's Office. The District Attorney reviews them on a case-by-case basis and makes the decision as to whether or not to file charges.

Part of the educational video and PowerPoint that's been put together is really focused on what can happen in Kansas on a third conviction. I think it is extremely important for people, particularly the young people in our community, to understand while you may be able to drive over the state line and legally purchase marijuana and marijuana products there, it is not legal here and it can have a very negative impact on your life if you're hitting a third conviction.

We also do have a list for people with that drug and alcohol evaluation. Those providers may recommend an alcohol/drug information school, which is a one-day class. They may recommend outpatient treatment. They may recommend inpatient treatment depending on all of those things, and that's what that followed the recommendations part is about.

Mr. Khalil will talk about the Diversion Program and then Judge Wittman's going to touch on DUIs.

Jon Khalil, City Prosecutor, said the first thing I want to talk about is our current diversion policy and then kind of where we are planning to go with it. Our current diversion policy, the first thing

is it requires someone to pay a \$300 diversion fee. We also require folks to take an eight-hour drug prevention class. Then the person would be on diversion for six months. During that six-month period, they would be required to check in with our Prosecutor's Office twice. We have them check in at the three-month mark and then at the six-month mark to keep them on track for making sure that they're getting everything done that they need to get done. Under our current policy, a person is only able to complete this Diversion Program once in their lifetime. So, if they receive a diversion when they're 18 and they pick up another charge when they're 45, they wouldn't be eligible because they've already gone through our Diversion Program.

The changes in the policy would be, we would have folks pay a \$100 diversion fee and they would watch the video that our Public Information Office is currently preparing. That would be the educational marijuana video. After their fee is paid and they've completed watching the video, the diversion would be closed so there would be no three month or six-month check-in if they were able to pay their \$100 at the time of signing the diversion contract. Our diversion policy would be amended to allow someone to complete one diversion every 12 months. So they got a charge on September 14, 2023, on September 14, 2024, they would be eligible again. That's really all the changes that we're making to the policy.

Karen Wittman, Municipal Court Judge, said the one thing about DUI, however, it follows similar to the punishments for the possession. You can have a diversion for your first DUI. Usually, that requires alcohol information school, maybe treatment if you really have a problem with alcohol. You'll have to get an evaluation. The diversion is through the city.

The second DUI, however, requires you to get—you can only have one diversion in your lifetime, so it's a little different than with this possession. The second time, you'll have to get evaluation and follow those recommendations. Then, a third, if it's within ten years of your second, it becomes a felony. It is sent over to the District Attorney's Office for them to make a decision.

The other difference is that DUI, if you go through diversion, if you complete it or even if you don't complete it successfully, it counts as a conviction as you go through. In this diversion, it would not be a conviction. It would be off your record and be done. So, there's a little bit of a difference between that. DUI, our hands are kind of tied. There's a calculus in the statutory framework that does not allow for really kind of a tweaking.

Judge Shultz said we are also going to, for one year, starting this October 1st and continuing to October 1, 2024, we are going to waive the expungement fee for possession of marijuana and possession of paraphernalia convictions. People must still meet all of the rest of the requirements under statute to be eligible for expungement, but we will be waiving expungement fees for one year for those two crimes.

I also wanted to make sure that everyone understands that if that possession of marijuana charge is accompanied by, for example, a DUI, obviously, the person is not going to be eligible for this new sentencing. We have to comply with the DUI. I want to make sure everyone understands that. You cannot drive high. That is illegal. It is not okay. It is dangerous.

We thought the video would be ready for you to see tonight, but we were informed it is not ready yet.

Mayor Garner said last is our District Attorney, Mark Dupree, was an integral part of the conversation. If he can speak really profound to the expungements. He's really been trying to allow that from the District Attorney's Office and, really, if you can just share with us, District Attorney, just when you get that third felony conviction, what goes into your thoughts as far as making a final decision.

Mark Dupree, District Attorney, said I'll tell you, number one, I thank you for allowing me to speak to all the commissioners, Mr. Johnston, Mayor, and fine judges. I appreciate the opportunity to present with you guys. The number one thing is understanding the difference between the state law and the Municipal Court law. With the state law and the statutes, we don't have the ability to ignore what the law says, so where there is probable cause, to show that a person has marijuana on them, whether it's while they were driving, whether it was in their vehicle and so on and so forth, we will evaluate on a case-by-case analysis what that looks like and what that charge will be.

I will tell you that marijuana alone as a charge in the DA's Office is very rare. It's very rare, and our law enforcement oftentimes does not see quite a bit of that. What we do see, however, is when marijuana is accompanied by some type of other crime, usually some type of violent crime and they find marijuana in the vehicle or on the person and so on and so forth. I differentiate the two because when you say marijuana and you don't want to give a harsh punishment, a lot of times we think about the harshest of crimes. That's not what this committee was talking about. The

committee was talking about more so the possession of, the user having the possession of marijuana. On our side of the law, it's still illegal and we will evaluate that.

If a person is sent over on the third possession and it is minor, we will still charge them; however, we, as the judge just indicated, as they do, we have a Diversion Program. Just a little later, I'll talk a little bit more about that, but that diversion is wide open and gives opportunities for individuals to do all of the assessments that Judge Wittman spoke about. They have to, however, in our office, to be on diversion for a certain period of time, usually it's 12 months; and if they complete that program, then that diversion goes through and the case is dismissed. It's not watching the video and then you get another opportunity because by the time you make it to us—I'm not going to say it's your last shot but, ultimately, you ought to have learned something and then we will prosecute you.

Again, our law enforcement does not often see in possession of marijuana only to us. Let me change it a little, except for those who have enough marijuana to be charged with the intent to distribute. In those cases, there is no diversion. In those cases, we prosecute to the fullest extent of the law.

Commissioner Bynum asked, I just want to know, as a person, how many of your cases are marijuana related, and then what percentage of that, to your overall caseload, you see in your court?

Judge Shultz said I don't have those statistics with me tonight. I know that part of the task force, we all provided from the District Attorney's Office and from Municipal Court, we provided statistics regarding the age. I can tell you the average age of people charged with possession of marijuana in our court is young. It's on the young side. It is the 18 to 24-year-old range. I do remember that from the statistics that we gathered. We do not see it nearly as much as we used to.

Chief Oakman's position, I believe, is maybe different than prior chiefs might have been. I believe that the police may exercise a little more discretion than they used to when especially something very small. We hardly even see possession of paraphernalia cases anymore, also. I think part of that is you could almost make—you can make things considered paraphernalia that may not actually be paraphernalia. So, I think the police are being very cautious about charging somebody with paraphernalia for something that may not actually be paraphernalia.

Commissioner Ramirez said thank you, Judge Shultz and Mr. Khalil and, of course, thank you, Mayor and your office for bringing this forward. This was something that I believe when you first got elected we talked about. I know I've had discussions in the past with Chief Oakman about this issue. It's sad to hear about the majority of the ones who are coming before Municipal Court with these possessions, and as you have said and as the Mayor said, they're young. It's already tough to be young in this community, but adding this, adding a charge and getting to the three strikes law that we have, it's detrimental. It's closing them out of opportunities.

I really appreciate you doing the hard work of trying to work within the constraints of the law and trying to find the wiggle room that you could.

Commissioner Ramirez said my next question is I believe either you, Judge Schultz, or from Judge Wittman's comments, why is it when you're going through diversion on a DUI, there's a conviction but not on possession? Is it because the severity of the crime?

Judge Wittman said the state statutes states a conviction is a diversion. If you go diversion, that will count as a conviction. That's in the statute. **Commissioner Ramirez** said for a DUI. **Judge Wittman** said for a DUI.

Commissioner Ramirez asked, why? I'm just curious of why it's not for possession as well. Is it just severity? **Judge Wittman** said I think the legislature was looking at first time DUI thinking that we'll give you a break in allowing you to go diversion, but if you're going to continue to be a repeat offender, that is going to count. It is not in the possession charge. **Commissioner Ramirez** said okay. I was just curious about that. That caught my ear when you had said that.

Commissioner Ramirez said going to the fee. We lowered it from \$300 to \$100, correct? **Mr. Khalil** said correct.

Commissioner Ramirez said I don't remember what year, I can look here on this article, 2019, the city of Lawrence and their Commission, they lowered the fee down to \$1. That was a significant drop. It says here their original fine was \$200. I know from Municipal Court, all the fees and fines that are collected is the revenue for the court.

Personally, for me, in the future, I would like us to look at lowering that even further because, again, that fine, that fee is still another obstacle that these young—the youth are trying to—they have to get through. That's something we've already talked about through the fee and

fine reform that the Municipal Court is already going through and implementing. I would like us maybe in the future, after the new Diversion Program has gone through a couple of years or so, re-look at maybe lowering that fine so that we can take away another hurdle. That's just my two cents on the fee that we currently have.

Overall, I do thank you for taking the time and looking into this issue. Like I said, trying to work within the law and trying to come up with a better framework that's more equitable and fairer to our youth and just to our residents in general.

Judge Shultz said, Commissioner, again, I just want to clarify. The money that's collected in Municipal Court, whether it comes from a diversion fee or a fine, it goes to the General Fund. It does not go to Municipal Court. Then there are what we call pass-through fees that we collect like the state fees that are imposed. We collect them and pass them on to the state.

Also, the reason, at least not on the diversion side but on the first time conviction side, we impose that \$150 fee/fine is waving of it is the carrot to get you to participate in the video. If you do what we ask of you, you're not paying that \$150. That's kind of our little carrot to get people to actually do it. Whether you come to a session in person or do it virtually online and do the survey so we know that you did it, as far as that goes. Then, on the second conviction, for us, we wanted to make clear to people, you're getting close to having a real problem. That's why the fine imposed would be \$300. You have to get that drug and alcohol evaluation, which costs about \$150. You do it in a timely manner so we waive \$150 of the fine.

I have concerns about being too light on the second and somebody tripping into a third without kind of really realizing it because I don't think—one of the biggest problems is when you are young, you sometimes make a decision that is probably not the best. For example, you may reject that offer of diversion. Just let me pay the fine. I don't even want to watch the video. Well, then, you're already setting yourself up for failure later on. I just think that sometimes young people, in particular, have a hard time to see that long-term impact that it can have and that's why we have done what we've done on that second one and imposed the probation and those other things.

Commissioner Ramirez said one last thing. Could we—because I know there is a lot of—there's changes and numbers and fees are being either waived at this. There's a lot of ifs or if this happens then this happens. Could we get either a PDF, a document, or a PowerPoint explaining all the

different changes that were made and just how the new process works? **Judge Shultz** said absolutely. I thought you were seeing something tonight. Yes. We can get you a PDF or something.

Commissioner Townsend said I just want to make sure I can leave here with a little bit of clarity about what's happening. The Mayor is to be commended for moving in a direction that will help keep those people who may be inadvertently caught with a third strike against them because Kansas does not recognize the legality of marijuana. We're in between two states that do.

Someone comes before your court. They've had two either DUI charges related to marijuana or possession. Now they're in Kansas and they have possession. What would happen to them but for the steps that you're taking? Is that a felony? Do they go to prison if found guilty, of course?

Judge Shultz said no matter how a third conviction comes to us, and DUI is a little harder because some things that are considered a DUI in other states are not considered a DUI conviction in our state for certain purposes. For example, at least at one point, Wichita, KS, their DUI ordinance actually included like DUI on a bicycle, like an actual bicycle. So, that doesn't count as a prior conviction when calculating a conviction for a DUI. It's a little complicated as far as the DUI situation goes.

The Prosecutor's Office is the one that reviews and makes a determination as to whether or not something would be considered a third charge. The Prosecutor's Office then dismisses it if they make that determination, based on a person's criminal history, and then they're the ones that create the informational packet that goes to the District Attorney's Office. I'm not going to have the knowledge as to whether or not something is—I'm not going to be able to see somebody's prior criminal history. When I go to sentence someone, the Prosecutor's Office is the one who provides us whether it's a DUI or, in this case, possession of marijuana. They're the ones who provide the records to tell us, Judge, this is a first conviction or, Judge, this is a second conviction.

With them making those changes to their diversion policy, no longer making it a once in a lifetime opportunity, that gives people a chance to avoid hitting that third one quite so early. For example, if someone did a diversion at 18 and then at 22 got another possession of marijuana charge, obviously, they'd be eligible for that Diversion Program that Mr. Khalil was talking about again. The marijuana diversions, they get dismissed. They don't count as convictions if they're

successful on the diversion. They really have made it, I believe, fairly easy for somebody to be successful. They're not having those long check-ins. Young people often move and you can lose paperwork and lose touch. Making it kind of an all in one thing really increases their probability of success on it.

People have to say yes when they're offered diversion. I see in my courtroom almost every day someone who either declines diversion or someone who just says I just want to plead guilty to everything whether it's a traffic ticket or whatever it is. I have to explain that I can only accept a guilty plea to all of your charges. I can't make you an offer. I cannot dismiss your charges, any of them. But if you get an offer, the prosecutor could dismiss some of the charges. You're under no obligation to accept any plea offer made by the prosecutor. You can decline it. We can get you a continuance. We can get you a trial date. Over and over, and I will say in particular, I've seen this with people who request our interpreter that I just want to pay and be done. I just want to pay and be done. I try to explain if it's a driving situation, the impact on their driving record. People have to listen to what we tell them for this to have a positive impact on them.

Commissioner Townsend said let me just try to back up here because I am now (practicing in the criminal realm, and to get the importance of what the Mayor is trying to do here and with working with all of you all. If someone comes to our jurisdiction and they've had two convictions on anything and they come here and they just have to have a marijuana related, is that the real just of this thing or do those two previous convictions have to be related to marijuana?

Judge Shultz said under the state statute, it's a third conviction for possession of marijuana. It is solely related to possession of marijuana.

Commissioner Townsend asked, and without this intervention, if this was the third time this person is in Kansas now, what would normally be the course of things? Would that automatically be a felony conviction if they are found guilty, of course? Is that it?

Judge Shultz said it would automatically be dismissed in our court and referred to the District Attorney's Office. If the District Attorney's Office decided to file the charges and the person was convicted, it would be a felony.

Commissioner Townsend asked, and then, they go where? Let's say they're found guilty and you're talking about a felony, are you talking about Leavenworth, talking about Lansing?

Judge Shultz said it also depends on their criminal history and the sentencing guidelines.

Commissioner Townsend said I'm trying to break this down so people not only here but at home really understand the impact of what is trying to be accomplished here.

Mr. Dupree said just to give clarification, once it is dismissed and sent over to our office, if we decide to move forward, it moves forward as a level 5 felony. A level 5 felony has the ability to send an individual to prison and for Kansas, there's multiple. You have one in Lansing, which is the one most folks are aware of, and throughout the state of Kansas. I think we have one in Eudora and other places as well. The point being is they are able to go to—excuse me, El Dorado—you have the potential to go to prison.

Having said that, our sentencing guide for the state of Kansas, we are guided by the sentencing grid and we have what's called a drug grid here in the state of Kansas. A level 5 felony is the lowest level of a drug conviction or pursuit that we could charge an individual with. So, if it comes over, they would be charged at a level 5, the lowest that we have, but still on the drug grid.

Now to make the determination on if they will go to prison will be based off of their criminal history, as the Judge indicated. With that, a person with the criminal history of A or B, which are the highest criminal histories that we have in the state of Kansas which means that a person has three person felonies or two person felonies on their record. If they have that on their record, then they could potentially go to prison for upward part of anywhere from 32 to 42 months in prison for that third conviction.

Having said that, the majority of the individuals that we run into, specifically in this area, fall into what's called the presumptive probation. That presumptive probation means that normally they don't have a huge criminal history, thus not person felonies. Because of that, if they get this conviction, they will get an opportunity on probation with an underlying sentence to go to prison. That range can go from 10 all the way to 32. So, if they get probation and they screw it up, then they can go to prison for 10 months up to 32 months, but it is based off of a person's criminal history. That is the Kansas sentencing drug grid. Feel free to look it up if you wanted to see more in-depth numbers on that.

Commissioner Townsend said if they have a felony, how long would it take—and this will tie into the great work that your department has been doing with expungements? How long would it be before that felony could be expunged?

Mr. Dupree said depending on what the criminal history is and ultimately when the conviction is. The expungement laws allows individuals to get an expungement usually three to five years after the conviction has occurred and the completion of whatever that probation or prison time was done, and that just depends on exactly what statute they were convicted under. But usually three to five years when an individual has completed their time, paid their debt to society, paid their restitution, then they have that opportunity to request, from a judge, that their record is expunged specifically to that conviction.

Commissioner Townsend said this is all by what the Mayor initiated, trying to avoid all of that. Ultimately, I guess, that's the bottom line. **Mr. Dupree** said I think it's safe to say yes, ma'am.

Commissioner Townsend said thank you and thank you for the work your department is doing on expungement.

Commissioner Ramirez said one last question I forgot to ask. Either you, Judge Shultz, or Mr. Khalil, so that the public knows, when you're on diversion, what are the tasks does that person have to complete or do while they're on diversion?

Mr. Khalil asked, are you speaking about if you're on diversion currently? **Commissioner Ramirez** said yes. **Mr. Khalil** said currently, the tasks that the person would have to complete is they would have to pay the \$300 diversion fee. They would have to come into our City Prosecutor's Office and sign a diversion contract. Then they would have to take an eight-hour drug education class. During the completion of that, they would have to check in with our office at the three-month mark of the six months for their diversion, and then check in again at the six-month mark so our office can monitor that they've done all the things that they need to do.

Mayor Garner said thank you all. I was a little guarded. I didn't want to spoil what they were going to talk about, so there's no more spoil alerts. We really know what our criminal justice professionals are trying to do. Really, what they're trying to do in light of Kansas being sandwiched in between several states where marijuana is legal.

We know that being young is universal. I've been to games. I've been to concerts. I've been to community events. Because we know that marijuana is readily accessible in two of our bordering states, particularly Kansas City, MO, where you can just go, in some instances, right

across the street and you're in the great state of Missouri and you have an opportunity to get marijuana and bring it back over. We've been to those locations and you can smell the marijuana blowing in various venues and smell it coming off people's clothing, so you know that people are not only in possession of marijuana; they're smoking marijuana.

The thing that we wanted to do in looking at what Kansas law boxes us in is how do we create a system here in Wyandotte County that at least could be more equitable in light of that accessibility, especially when you look historically. There have been concerns that have been brought to me by people in the minority community, of racial profiling, and what that could mean.

Chief Oakman, in speaking with him, he was part of the task force, he noted that unless you got a trunk full of bricks of marijuana in your vehicle or they do a search warrant and you got a garage full of marijuana. Just minor possession, yes, the officer has the discretion; but outside of any other extenuating circumstances, the officer is probably not going to charge you for that.

But in the case of the (inaudible) cities do for small, minor possession of marijuana, it doesn't matter. Three strikes and you're going to have a felony. Then you really put our DA in a bad position where he has to make a hard decision on whether or not to proceed for you and seek prosecution that could ultimately lend you a felony conviction. We know what that does and how that negatively impacts people's lives.

Really, in a short, what has come up is a two-tiered approach. The first approach is basically it costs you nothing if you go through the program, to just watch the video and get educated on the harms and all the things associated not just with marijuana use, but with possession, and educating yourself on what that means for you as far as Kansas law is concerned.

The second tier is the judges said we're going to up the ante because now if you didn't get it the first time, the second time, we've got to shock you into making a believer out of you that you're headed down a road where in the state of Kansas, you could get a felony. That's what we're trying to do. The approach is education, prevention, treatment, and ultimately expungement. That is really something that I really push when you talk about drug paraphernalia and minor possession. Even when I was a law enforcement officer, I'd go in some of these retail stores and I would see countertops full of little unicorn puffers or whatever you want to call them or whatever. It's drug paraphernalia. Sometimes our young people don't know the difference and they think it's cute. If they get stopped by a certain officer, at his discretion, which he is allowed to do, says I'm going to charge you for this, it could put that young person in a bad way.

I think what's really key to this was expunging those minor possessions of marijuana and drug paraphernalia for one year. So anybody that's out there, within sight or sound that's listening, please take that opportunity that our Wyandotte County courts and our judges have graciously extended to this community to get your record expunged, free of charge, if you meet those criteria that will be posted later.

I know our commissioners talked about wanting to know, and I'm sure the public wanted to know, are there materials? Is this information going to be put out in a way where I can look at it, read it, digest it, and share it so we can have a better understanding? Yes, that was part of the conversation as well was getting the materials put up on our UG website, marketing materials as well. Then working with our Police Department, our law enforcement to educate the community not just in Municipal Court, but out in the public on what Wyandotte County is doing to try and prevent you from becoming a felon if you continue down that road.

Thank you to all our law enforcement professionals, our District Attorney, our Chief of Police, Sheriff Soptic, Judge Shultz for just everything that you all have done. Judge Wittman, thank you as well. I know you came in late, but your expertise on just expungements and what DUIs mean, has really been valuable. To our legal team, they did a lot of the heavy lifting. Ashley Hand, that is working, as we speak I'm sure, to get those marketing materials and that information out to the public. Thank you for that presentation. I'm sure it will reap great value and be of benefit to people here in Wyandotte County.

Action: For information only.

Item No. 10 – 212539...COMMUNITY INPUT AND RECOMMENDATIONS

Synopsis: Public forum to allow citizens to express concerns and present solutions relating specifically and solely to the Unified Government's span of interest and control. Participants will be limited to three minutes in duration. Citizens appearing in the Municipal Office Building will be given priority, followed by a limited number of participants who have registered online through the Unified Government Clerk's Office. Those who have registered online may not be given an immediate opportunity to participate due to time constraints to be determined by the Mayor/CEO. If time allows, persons listening online who wish to make comments will be recognized. All interested participants should know that Mayor/CEO Garner has also placed a maximum time limit

of 45 minutes to host & conclude these discussions. In the interest of time, there should be no exception for the requested participant's guaranteed inclusion to be recognized for comment and participation.

Monica Sparks, Deputy UG Clerk, said at this time, we have had no sign-ups here in the chambers.

Mayor Garner asked, is there anyone in the audience that would like to come and participate?

Unidentified speaker said I want to speak about what I spoke about last week because before the meeting closed out, Ms. Townsend had said that they didn't raise the taxes because I talked about how we were redlining it and the Appraiser said we were redlined and he said it affected our appraisals. Commissioner Davis said it did affect our appraisals, that it was public knowledge. When I walked in here listening to her talking about discrimination and racism, it brought back something to me that Donald Trump said, I'm not worried about Black people because they don't have no Jesse Jackson anymore and no Martin Luther King. I said, he don't know the God I serve. He's greater than all those men. I'm not dependent on them.

Our community is struggling and suffering. Ms. Townsend, you said you all wasn't raising our taxes. You wasn't only raising our taxes once, you was raising them twice based on appraisals that we were discriminated against. It's very sad to not be able to afford to live in the fancy part of the neighborhood. It's very sad to be kicked when you're down.

Everybody wants to help the Northeast community because everybody knows the condition of the Northeast community. But when I spoke at this meeting with the sheet that the Appraiser gave me saying that Strawberry Hill's highest increase on appraisals was 19% and mine was 34%. Then he said down on 18th Street, fancy neighborhood, fancy homes, their highest appraisal was 19%. Then he went to Riverview, what you all call the lesser of us, and raised theirs to 32%. I don't know where that came from.

We're the last. God loves us all equally. It's not based on whether I serve him or not. It's not based on whether I love him or not. He loves us all equally. It is injustice, unfair, and I have not heard from not one of you commissioners since—I don't know if you are—you probably

already knew about it because Commissioner Davis spoke about it at the meeting, so you knew we had already been—they had already did violated us, our civil rights. You already knew that.

After I spoke up here, I didn't get one call from any concerned commissioner. I have a community meeting the second Saturday of every month. The community is saying, look...**Ms. Sparks** said you have one minute remaining.

Unidentified speaker said ...let the commissioners know that we want them to stand with us and make right what has happened to the Northeast community. If they can't, then maybe they should resign because we're humans. We're not animals. We're just poor. We're just not as fortunate as some of you all. We deserve the same consideration.

You said you didn't raise our taxes, Ms. Townsend. You raised them twice because when you voted after we had said what we said, you all said and voted to exceed revenue neutral knowing that our taxes were going to go up for those crazy appraisals and then for revenue neutral. I don't know what's happening in this county anymore. I really don't understand it all. I really don't. I just do not understand what's happening. **Ms. Sparks** said your time has expired.

Fanny Hill said I know it's injustice. It's unfair. Prosecutor, I'm glad you're here. I hope they do hear something from you and our community as well because if you are not going to speak up for us and we're not going to speak up for ourselves as Black people, we'll go back to where we came. That's ridiculous. Martin Luther King gave too much. I was down at the Civil Rights Museum. I looked at the redlining maps; says Kansas and Missouri are still doing that today. They are and it's shameful.

I listened to what she was saying about Black. The ARPA money came, \$85M. Our community shouldn't be in the condition it is. We didn't see any of the money. Where is it? There was a guy here last week wanting to know where's the money. We all want to know that. We didn't get that money. It specifically said for Black small business, for Black community to build their neighborhood. Any of you all sitting in here walk down through my neighborhood and you see anything that hasn't been there 30, 40 years. Nothing happened in my neighborhood. No street, no sidewalk, nothing.

It's shameful the way you all are doing the Northeast area saying you're trying to help by putting buildings down there to make us pay for it, to be more of a burden to us. You can't build us that way by building buildings. Build up the people and let the people build up the community.

The Northeast community, where are they? They at home disappointed, discouraged, no hope. You can't drag them down here. For what? They say they don't do nothing. They're going to do what they always do, more of the same thing. They're not going to listen. They're going to continue and they don't have no hope. They put their trust in you all. No hope. No trust; nothing.

We're asking you to consider the human race because we are a part of it.

Andrea, Wyandotte County resident said I just want to inform everyone that recently, at least, you guys turned off the lights at Cerner, combining both buildings. You got four on and four levels in one building, three in the other. They're each, what, eight stories, but the parking lot's still there. We're all putting that bill still. Everyone of them. Times are tough. I want to know. I get \$914 a month. What would you do? Six hundred dollars already goes to BPU and that's feeding my kid. That's it.

Cecelia (Cece) Manck said, "When the righteous are in authority, the people rejoice; but when the wicked beareth rule, the people mourn" (Prov. 29:2). The people of Wyandotte County have been mourning since the start of this unconstitutional (inaudible) without hope of getting rid of those of you who willingly sit in these seats meant for men and women who practice accountability, transparency, and integrity. Instead, most of you willingly took the seat knowing that you had every intention of ignoring and disrespecting the very individuals who provide you with your salaries and the salaries for the people across the street and your so-called administrative (inaudible), insurance benefits, and not to mention, your healthy pensions. When you decide to retire and make sure your seat goes to a family member, a friend, a business acquaintance, or someone else to line up; someone else willing to line up with your agenda that you obviously have to keep raping the people because you don't listen to us.

All the people have been able to—you ran for office promising to listen to the people. You swear to represent them and then you were voted in based on those promises while knowing that you had no intention of upholding your promise to us. You were supposed to take an oath to our Constitution, but then I'm sure you signed an allegiance to the Unified Government which would be contrary to the oath that you took—the oath given by office or the oath given to public officials. This can and should be taken as an allegiance to someone or something other than their country.

Ms. Sparks said one minute remaining.

Ms. Manck said I think there is a word for that and you all know what it is. You promised to ignore the people in favor of the Unified Government. It is against the law to take an oath contrary to our Constitution, and to willingly take an oath contrary to that Constitution for a public official should be in (inaudible 3:35:45). If, in fact, you all have sworn an allegiance to the Unified Government but not our Constitution, your official seat is ill-gotten, illegal, and invalid. It would only be in order for those of you who did this to step down immediately. This is a formal request on the 14th day of September 2023 for any sworn oath of office by any of you Board members, and also your bond numbers and the contact information for the holders of those bonds for all members of this full Commission Board.

Also, Gunner Hand...**Ms. Sparks** said your time has expired.

Ms. Manck said BPU Board members and all acting officers. You should provide this no later than 10 business days. Failure to comply will result in the application of late charges in the amount of \$100 per day for all items not produced. Sincerely, the people.

Stephanie Scott said I'm a lifelong resident of Wyandotte County. My heart is beating so fast not because I'm nervous, not because I'm afraid, but because my feelings are hurt. I don't know how much money anybody up here makes, but listening to the things that I have heard recently, and I don't know a lot. I'm not well versed in any of this, but I make a promise not to you but to myself to my children and to my grandchildren, I will in the weeks and months to come, I will know every one of your names. I will know your positions.

I don't know how I've been able to stay alive in Wyandotte County the way it has changed. I go to work every day. Everybody in my family does. I don't know how we pay BPU. Oh, forgive me. I am in error. I know exactly how. The only way I have been able to stay alive in Wyandotte County is our Lord and Savior Jesus Christ. We can't afford anything. It's nothing but the grace of God.

I rode down the street because I hand out water to the people of Wyandotte County that can't get water for themselves. I rode down the street last night with tears in my eyes because I live out, not far out, but out by Washington High School. I don't come down here except for on Sundays when I go to the great St. John's Missionary Baptist Church. When I come down, the plight, it just hit me like a ton of bricks. I don't notice it because I don't go anywhere.

I go to work and go home because I can't afford to go anywhere. I can't afford to get a new car. I deserve a new car. I bet everybody—I'm 54 years old. I worked my whole life and I'm sure somebody will say well, you know what, maybe you should have gone to college. I have 10 children. I have college graduates that live in my home. That's not it. It's just terrible the way that we have to live. I'm so embarrassed. I'm so hurt. I feel I'm mad at myself that I don't know...**Ms. Sparks** said one minute remaining.

Ms. Scott said Gayle Townsend, Mike Kane, and Tom Burroughs. I've heard the name Tyrone Garner. I voted for him and I probably will again. David Johnston. I don't know what any of you do. I've heard the name Andrew Davis. I voted for you as well. I don't know if I should have, but I did.

I am going to pray every day like a mad woman. I don't want anybody to be able to rest that is not doing what you know to be right for us. We should be able to live. Why can't I drive a new car? Why can't I drive a decent car? Why can't I take nice vacations? I do, but it's not because my county where I pay taxes is good to me, it's just because God is. I'm going to pray because I don't want anything bad to happen to anybody, but I don't want you to sleep. I don't want you to rest. We can't. I don't want anybody to be able—I don't want anybody to...**Ms. Sparks** said your time has expired.

Ms. Scott said...be able to rest because I want to leave this earth—if I leave next year, I want to be able to leave this world spent because I did all I could to help my people.

I just hate the way some of you are looking at us like we get on your nerves. It gets on your nerves, our nerves to not be able to pay our bills and still have money to go to Disney. Even if we save for 10 years, we can't go. It's so terrible, but God bless you all. I will be praying for you.

Alex Sanchez, 3800 Weaver Court, said you're probably hearing a lot of the same things from everybody that's been speaking. There's a lot of frustration in this county. In the primaries, we had 6.58% turnout. In the general, we're lucky if we get 11%. Why? Because the people of this county feel beat down and they don't have a voice. They come to Board meetings just like this whether it's USD 500, KCKCC, or here. They speak their peace and they're ignored because what's going to happen is going to happen.

The tax situation is ridiculous because we're probably now the highest tax county in the state. We have retired people in our neighborhood that cannot survive unless their family helps pay their bills. Between taxes, BPU, and if they have an automobile, insurance, nobody is cutting it. We're at a breakpoint right now.

To give you an idea, we purchased our house six, seven years ago for \$75K. I looked it up today. It's worth \$257K. Are you kidding me? Then I hear the ad valorem. Last year versus this year, what we're going to be taxed on has increased \$38,500. That's ridiculous. We cannot go to our employers and say we're not cutting it, we need a raise. But yet, the government bodies and the boards in this county seem to think that they can just continue to keep raising taxes over and over again. What we see is a pattern raising taxes, raising fees, raising salaries and it's got to stop. If you don't believe me and if you're not believing these people, come with us, come with me and we'll go door knocking and we'll talk to the people door-to-door at their homes and ask them if they want their taxes to continue to be increased. It's not going to happen. I guarantee you if there was...**Ms. Sparks** said one minute remaining.

Mr. Sanchez said ...going to be someone looking over the books. I guarantee that you'll be able to find an incredible amount of places to cut and have a budget. Do you even have a balanced budget? Is it even audited? We have to do that every month because most of us are living paycheck to paycheck.

I'm asking you to be responsible and just cut the game of raising taxes. Buckle down and act like a business. If a business were to operate the way county governments operate, they would be bankrupt and out of business. That's just the bottom line. So, I just ask you to be prudent, to be financially responsible, and I bet you if you dug deep and hard enough, you would probably be able to find ways to be able to cut taxes. I guarantee you. But for whatever reason, session after session, after session, the only thing...**Ms. Sparks** said your time has expired.

Mr. Sanchez said ...that people seem to know how to do is raise taxes.

Mayor Garner asked, anyone else? (No response). I'll close the public comment here in the audience. Clerk, anyone online? **Ms. Sparks** said no hands are raised online.

Commissioner Townsend said for anyone who wants to know exactly what I said, I would refer you back to the open meeting. During that time, I think the comment I made was that not one of

us up here wants to raise anybody's taxes. We control the mill levy rate. Not one time since I have been a commissioner, has that been raised here. What we all pay is a factor of that mill rate which this body controls and assessment. I look forward to working with someone in our administration and going to our state legislature to see what's going on with the assessments. That comes from the state, not from us. I just wanted to make that clear. Let you know? I'll be happy to let you know.

Action: The public forum was held.

CONSENT AGENDA

Mayor Garner asked, do any members of the Commission or County Administrator wish to set aside any item on the Regular Consent Agenda? If an item is not set aside, all items on the Regular Consent Agenda will be voted on by one vote.

Action: Commissioner Davis made a motion, seconded by Commissioner Markley, to approve. Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 1 – 212642...GRANT: FY23 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE

Synopsis: The Kansas City, Kansas Police Department has been allocated \$103,380 in federal grant funding for FY2023. The project period spans from 10/1/2022-9/30/2026, with no match required, submitted by Laura Cromwell, Management Analyst, Kansas City, Kansas Police Department. On August 28, 2023, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full Commission.

Action: Commissioner Davis made a motion, seconded by Commissioner Markley, to approve. Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 2 – MINUTES

Synopsis: Minutes from the Regular Session meeting on October 13, 2022.

Action: **Commissioner Davis made a motion, seconded by Commissioner Markley, to approve.** Roll call was taken and there were ten “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 3 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly Business material dated August 17 and 24, 2023.

Action: **Commissioner Davis made a motion, seconded by Commissioner Markley, to receive and file.** Roll call was taken and there were ten “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

PUBLIC HEARING AGENDA

Item No. 1 – 212638...PUBLIC HEARING: HOMEFIELD COMMUNITY IMPROVEMENT DISTRICT

Synopsis: Conduct a public hearing on:

- A. Creating the Community Improvement District (CID), levying sales tax, imposing special assessments, and issuing the CID bonds, known as the Homefield Community;
- B. Authorizing the issuance of Industrial Revenue Bonds for the Homefield Baseball Project;
- C. Authorizing the issuance of Industrial Revenue Bonds for the Homefield Training Facility, submitted by Jeff Conway, Assistant Counsel.

Resolution R-53-23 was passed by this Commission on August 17, 2023, scheduling the public hearing.

Angela Lawson, Interim Chief Counsel, said I’m going to turn it over to our outside council, Todd LaSala, who has worked on this matter.

Todd LaSala, Stinson LLP, said I believe I have a PowerPoint that we can use. A very quick presentation tonight. What we’re going to talk about tonight is something that we’ve talked about before. It’s prescribed in your Homefield development agreement that we amended this summer. I was back here a month ago or so to set this public hearing tonight to take some actions that are really about follow through on things that were prescribed in that amendment. As you know, we’re

in the process of working with underwriters, bond council to put a bond package together for Homefield. These are all steps along the way.



One of the things you will have before you tonight to consider is establishment of a community improvement district for Homefield. You'll get just a little bit of detail about this tonight. Happy to go as deep as you want, but the area that you see on that map is the Homefield Community Improvement District that includes multiple areas and multiple components of the Homefield project.



Among those new project components are the \$20M Big Shots Golf project; a live music and a sports arena, 55,000 square feet; the Atlas 9 Museum, first of its kind in our community which is a partnership with Dimensional Innovations, 30,000 square feet. It's a total of \$99M of new investment in the Homefield project.

STINSON

2. CID Components

- 2% add-on CID Sales Tax on entire district
- Resort fee of \$30 per room night for Margaritaville Hotel
- Ticket Fee of \$2 for admission to Atlas 9 Museum
- Ticket Fee of \$2 for tickets to Arena

The components of the community improvement district are these. There is a 2% add-on CID sales tax that would cover the entire district and then there are special assessments on various of the pieces that I just talked about. There's a resort fee of \$30 per room night for the Margaritaville Resort Hotel, a ticket fee of \$2 for admission to the Atlas 9 Museum, and a ticket fee of \$2 for each ticket to the arena.

STINSON

BUDGET FOR CID PROJECT

		Total Est. Cost	Use of CID Revenues
Themed Hotel/Homefield Outdoor	Area C	\$ 145,000,000	\$ 29,461,000 ¹
Homefield Indoor Training Facility	Area B	\$ 60,000,000	\$ 4,648,000 ²
Big Shots	Area C	\$ 20,000,000	\$ 1,034,000
Atlas 9	Area D	\$ 26,700,000	\$ 15,388,000
Arena	Area C	\$ 53,000,000	\$ 8,558,000
Total \$:		\$ 304,700,000	\$ 59,089,000
Percentage of CID			19.39%

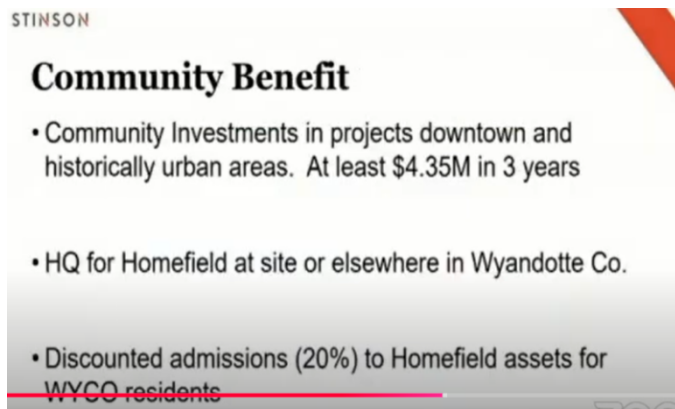
These numbers are estimates. It's probably as large a number. That \$60M is as large a number as you could hope for in the bond market today. I'll just tell you straight out, I think it's very unlikely that we get to \$60M. It's likely to be scaled down, but in theory, this is where that money from a community improvement district would go.

STINSON

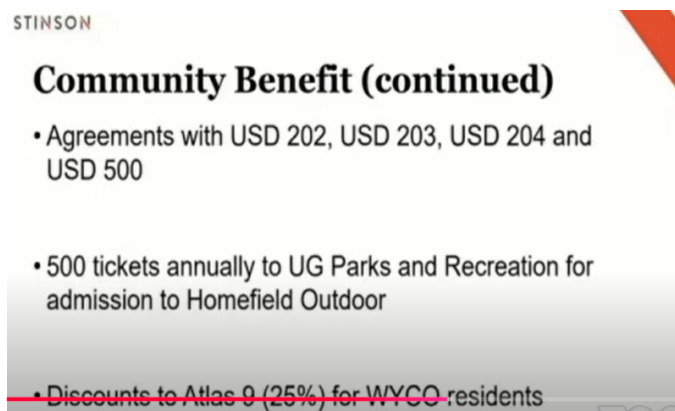
Map of HF Project Components



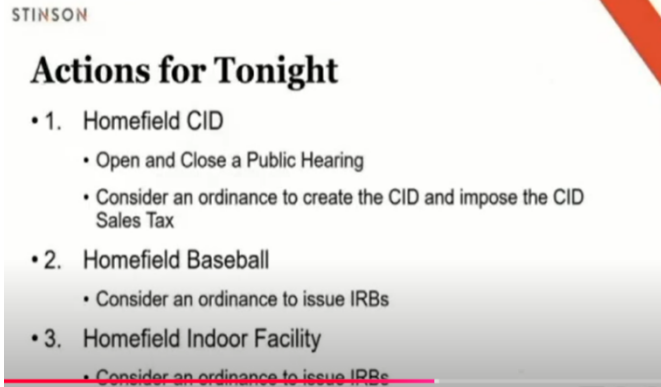
This is a map that you've seen many times before, but it shows you where the elements of the Homefield project reside.



I also know that this is important to many of the commissioners, so I'm also going to just very quickly articulate the community benefit provisions that are in this development agreement. You'll remember that this one's got \$4.3M of investments that the developer would make in downtown and historically urban areas. They've got to do that within three years. They also agree that the headquarters for Homefield would be at the site or elsewhere within Wyandotte County. This package also includes discounted admissions to the Homefield assets that we described, 20% for Wyandotte County residents.



They have agreements, as you will recall, for use of the facilities with the various school districts. They agreed to donate 500 tickets annually to UG's Parks & Rec Department for Homefield Outdoor. The last one is relatively new as a part of our amendments last summer. A 25% discount to Atlas 9, that museum, for Wyandotte County residents.



Here are the actions that you're going to be asked to consider tonight. Mostly what I've talked about so far is the Homefield CID. Tonight, the statute would require, and we've scheduled this so that you would open a public hearing about this, take any commentary that would be available, then close that public hearing. After that, the Commission can decide, consider an ordinance to create that CID and impose the sales tax. If you decide to vote yes for that and go forward, the special assessment component that I was talking about, would have to come back to you on September 28th for consideration. Procedurally, we have to do that separately at a later meeting.

The other two things that are before you tonight are also follow through from the development agreement, really contemplated from the very beginning of this back in 2020. IRB financing would be used really for the purpose of agreeing on a PILOT for two very unique assets: the Homefield Baseball part of the project and Homefield Indoor. You would have to take those up separately, vote on them separately, but you would be asked tonight to consider voting for industrial revenue bonds for those two components.

I'll stop there, offer to answer any questions. The developer's council, Curt Peterson, is here tonight if you have any specific questions for them. I tried to be brief. Mayor, if you want to go deeper any place, we certainly can.

Mayor Garner said I'll now open the public hearing and ask the Clerk if any notifications were received from the public who wish to express their comments regarding this item. **Ms. Sparks** said no comments were received.

Mayor Garner asked, is there anyone present here today who would like to speak on this item?

Alex Sanchez, 3800 Weaver Court, said I just have one real quick question. What kind of breaks in tax abatement and for how long of a period are these projects going to be granted?

Mayor Garner asked, is there anyone else? (No one appeared.) **Mayor Garner** asked, Clerk, is there anyone online who'd like to speak on this item? **Ms. Sparks** said no hands are raised.

Mayor Garner said if there are no further comments from the public, I will close the public hearing.

Commissioner Ramirez said I don't know if anyone can answer Mr. Sanchez's question.

Mr. LaSala said the question was, how long are the tax abatements. The IRB program in Kansas is a 10-year program really commencing when the assets are completed. This one is not really designed to be tax abatement as much as property tax certainty for these assets, so we've agreed on PILOT payments for the two components that are before you tonight. They are not really a function of taking the assessment and then updating it by 25% or 50%. We have agreed on specific numbers for the two assets. There are PILOT payments that are agreed to and there's an agreed upon schedule for the 10-year period.

Commissioner Ramirez said and to clarify, the PILOT is not the BPU PILOT. It's a payment that the development is going to pay to the Unified Government during that 10-year period. When that, correct me if I'm wrong, once that 10-year period is done, then they will pay the full force of the taxes.

Mr. LaSala said that's right. It's just assessed value at the end of the 10 years, whatever assessed value may be.

Mayor Garner asked, at the end of that 10-year pay, what would that tax revenue to the Unified Government, what would that look like? Do we have that number?

Mr. LaSala said I do have a schedule about the PILOTs for the 10 years. I would have a hard time telling you what the assessed value would be 10 years from now, but if I can have my slide back up, I can show you exactly what the schedule looks like for 10 years. I thought there was a chance we would talk about that so I did put that here at the end.

STINSON

Homefield/MGV Hotel PILOT Schedule

	Homefield Building	Homefield Baseball	Homefield Outdoor/Themed Hotel
Year 1**	\$ 241,253	\$ 85,362	\$ 801,500
Year 2	\$ 243,666	\$ 86,216	\$ 809,515
Year 3	\$ 246,102	\$ 87,078	\$ 817,610
Year 4	\$ 248,563	\$ 87,949	\$ 825,786
Year 5	\$ 251,049	\$ 88,828	\$ 834,044
Year 6	\$ 253,559	\$ 89,717	\$ 842,385
Year 7	\$ 256,095	\$ 90,614	\$ 850,808
Year 8	\$ 258,656	\$ 91,520	\$ 859,316
Year 9	\$ 261,242	\$ 92,435	\$ 867,910
Year 10	\$ 263,855	\$ 93,360	\$ 876,589

**For Homefield Building and Homefield Baseball, begins first calendar year after the date when IRBs are issued for either Homefield.

Those are the agreed upon PILOT schedules for the two assets, the Homefield building, the Homefield Baseball. You are not being asked to consider IRBs for the hotel and Homefield Outdoor tonight, so that third column is not applicable tonight, but those other schedules show you.

Mayor Garner said I guess to get through the smoke and mirrors of this, what would you normally be paying in property taxes outside of that PILOT schedule? Do you have that number? **Mr. LaSala** said I don't know. **Mayor Garner** said based on today's actual valuation.

Mayor Garner said I guess the other question would be, if you were to compare that to what you're actually paying in the PILOT, what would that percentage be if you were to come up with just kind of an estimate of what that abatement actually looks like in comparison to what you normally would pay as opposed to what the PILOT schedule would allow.

Mr. LaSala said these were designed and negotiated to be what we thought assessed value would be for the two assets. The answer is, at least theoretically, 100%. I don't know specifically what the assessment might be with these assets, but in looking at comparable assets, they are supposed to be 100%. It's really about providing the developers certainty for the 10 years given the unique quality of those two assets.

Mayor Garner said I get that. Let me rephrase my question. Do you know the assessed value of that property? **Mr. LaSala** said no. I do not today.

Mayor Garner asked, have you all done any type of just estimations of what that value would be upon completion?

Mr. LaSala said when we did this—I can tell you that in 2020, when we were talking about baseball and the building, there was analysis about what would comparable baseball assets look like. Two or three years ago, when these were originally negotiated, the answer is yes. We did look at that assessed value. Do I remember that specificity tonight, I’m afraid I don’t. I’m sorry.

Mayor Garner said I think the public’s interest, just kind of in line with the gentleman that came up, is what are you supposed to be paying. And then, if you were to equate that to what the incentives are, what would that be as opposed to this agreed upon PILOT schedule. I think some of the concerns historically, going back to the Unified Government prior to me becoming Mayor, is of giving away the farm. When you talk about tax increases, and you can say assessed values go up, this is part of the reason why assessed values go up because developers come in and they don’t pay their fair share and then average everyday people have to pay that.

Then we get into the revenue neutral discussion, which allows every municipality, every tax entity in the state of Kansas, no matter whether valuations go up, the state of Kansas, through the Truth Law that is there which is revenue neutral, has given governing bodies the potential to say we don’t care how much the valuation goes up. We can go revenue neutral. Even if we don’t go revenue neutral, we can at least control the mill levy rate in a way that does not allow for excessive tax increases on our residents. That is totally controlled by governing bodies.

Then you relate that back to these development rings which I’m totally in support so don’t take that as I’m not. I’ve always said that we need to make sure that we’re doing everything, as a Unified Government, that we’re investing taxpayers’ money in these developments and, hopefully, they’re sustainable.

Also, if you want to come into our community and have these great products, number one, we want to make sure that Wyandotte County people are getting these jobs. Number one. Then number two, that whoever these developers are that come in here and wanting these developments on the backs of taxpayers, that they’re paying their fair share. That the taxpayers of Wyandotte County can see a return on that investment in a way that is fair and equitable that offsets these tax increases over the years that we’ve seen; that I’ve watched even before I became Mayor, have a profound, questionable impact on our taxpayers and these people that have been begging for tax relief. That is a concern that I’m picking up from tonight, and I picked up everywhere I go in this community.

Mayor Garner said I get what you're saying but it would be good to just have some numbers to compare with on what this PILOT means as opposed to if you were to pay how that compares, I guess, if you were to pay full property taxes based on estimates on the valuation of that property, which you can get. I know you can get it. Then how would that equate if you didn't do this PILOT. How that would reflect to the overall percentage of incentives that is reflective in this PILOT compared to what you would be paying.

Mr. LaSala said I hear you. What I would tell you about that is we did study what other comparables would look like three years ago. These numbers—with the caveat that we adjusted baseball when it went from 10 fields to 8, these numbers were agreed to three years ago and approved by this body three years ago. At that time, I think, we had command of exactly what those numbers were. This thing is carried over from agreements we made three years ago.

Mayor Garner said that's my point. As Mayor, I got elected with the message that people are sick and tired of being sick and tired of giving away the farm, and that anybody that comes in here has to pay their fair share. It bothers me when I can't get numbers, as Mayor, that I don't have that. I mean, if you're coming before me and this body, I would hope that somebody somewhere could say here's the numbers, here's the facts, here's the information, here's the equivalent.

We want businesses to be successful in Wyandotte County. That's the whole point. Businesses are in business to make money and get a return on your investment as well. But as the Mayor and this governing body, we've got to make sure that the people of Wyandotte County also get a fair and equitable return on their investment in property taxes and jobs and in access to those types of resources that are out there.

Commissioner Burroughs said, Mr. LaSala, first of all, I want to thank you and your colleagues for answering a number of questions that were brought forward during Economic Development Committee. The question I have, and I think is something new that we were dealt with, was the CID. Is this the part of the CID that is paying for the PILOT basically; the CID is going towards the tax deferral or is that the IRBs?

Mr. LaSala said it's IRBs that have to do with the agreed upon PILOTs for the two assets. That's really IRBs. The CID is separate. The CID is add-on sales tax, that is not already there, 2% of add-on sales tax and 2% assessments that is really about ticket fees and resort fees.

Commissioner Burroughs said thank you for that clarification. I do remember the IRBs being used for the taxing portion, the PILOT program, the CID. The reason why I wanted to bring that up is I think it's important that the people of this community realize that this project has used every financial tool they can to come to fruition and it has almost priced them out in what they're putting on to even those that may want to come and visit. When you start talking about a \$30 per person per charge at the resort, when you start talking about the \$2 ticket fees and you start talking about the \$4M they're putting into the community, those things nearly price themselves out of the development. But some of that cost is being bored through the IRB process, the fact they're not having to pay sales tax on construction products and you're covering that PILOT over the 10 years through the IRBs.

Mr. LaSala said right. As you know, we had robust conversations in your committee. If Mr. Peterson was up here, what he's going to tell you is that their pro forma is razor thin in certain areas and without those agreements about PILOTs or without the CIDs, these things will not happen. That's what he would say.

Commissioner McKiernan said I move to create the community improvement district, levy sales tax, impose special assessments, and issue the CID bonds known as the Homefield Community. That's number one of three.

Mayor Garner said for the record, I did close the public hearing, so I just want to make that for the record.

Action: **ORDINANCE NO. O-101-23**, "An ordinance authorizing the creation of the Homefield Community Improvement District in the Unified Government of Wyandotte County/Kansas City, Kansas; authorizing the making of certain project improvements relating thereto; approving the estimated costs of such project improvements; and providing for the method of financing the same."
Commissioner McKiernan made a motion, seconded by Commissioner Markley, to approve the ordinance. Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley. (Prior to Commissioner Bynum's vote she said, for

clarification on the motion, Commissioner McKiernan, did you move approval of...**Commissioner McKiernan** said letter A in your agenda. **Commissioner Bynum** said just A. **Commissioner McKiernan** said yes. They have to be considered separately.)

Mayor Garner said the second item for this project is approval of an ordinance authorizing the issuance of industrial revenue bonds for the Homefield Baseball Project.

Commissioner Burroughs said just for clarification, how can we break out the amount of monies that are being used to pay down the PILOT through the IRBs? Is there a chance that we can do that? That is something that we have never done before, that I'm aware of as a commissioner. I know it's a new item that is being proposed to us. It's not that I have concerns about it. It's that our community's reputation risk should these go into default. The monies don't fall back on us but our reputation is out there; could be impacted if there's a default on them. So help me with that.

Mr. LaSala said this is a good question that you have probed before, and I know you're making a point. Industrial revenue bonds are very different than the bonds we take out there to the public and sell publicly. The answer to the question, ultimately, is there is no risk to the reputation of the Unified Government. There is no risk to our bond rating because the industrial revenue bonds are really used purely as a vehicle to make this agreement about property tax. In some cases, abatement. In this case, that PILOT schedule. In this case, they will flow through. The developer will buy their own bonds. There is no risk publicly; zero.

Commissioner Bynum said just a quick clarification. You put the PILOT schedule up on here. Year one, property tax payments, with the PILOT schedule, is a million dollars. Am I doing my math correctly?

STINSON

Homefield/MGV Hotel PILOT Schedule

	Homefield Building	Homefield Baseball	Homefield Outdoor/Themed Hotel
Year 1**	\$ 241,253	\$ 85,362	\$ 801,500
Year 2	\$ 243,666	\$ 86,216	\$ 809,515
Year 3	\$ 246,102	\$ 87,078	\$ 817,610
Year 4	\$ 248,563	\$ 87,949	\$ 825,786
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Year 7	\$ 256,095	\$ 90,614	\$ 850,808
Year 8	\$ 258,656	\$ 91,520	\$ 859,316
Year 9	\$ 261,242	\$ 92,435	\$ 867,910
Year 10	\$ 263,855	\$ 93,360	\$ 876,589

**For Homefield Building and Homefield Baseball, begins first calendar year after the date when bids are issued for either Homefield Building or Homefield Baseball.

Mr. LaSala said if you include all three together, that is correct. **Commissioner Bynum** said a million dollars in property taxes being paid to, and that's going to be across the taxing entities. **Mr. LaSala** said that's correct. Flow through in the same way. **Commissioner Bynum** said we collect it but then we disburse it. **Mr. LaSala** said I want to be honest about that. There is a possibility that these start at different times, so it's year one for each. It's possible that we're going to take the Homefield Outdoor themed hotel is likely to occur later, so it may not all occur at the same time. **Commissioner Bynum** said year one of that item. **Mr. LaSala** said right. But when you go to say year five and they're all on this schedule, those numbers will be...**Commissioner Bynum** said thank you very much. I just wanted to clarify that.

Commissioner Stites asked, Mr. LaSala, what's that property currently paying in property taxes? **Mr. LaSala** said it's very nominal. **Commissioner Stites** said it's not a million dollars. **Mr. LaSala** said it's nowhere close. **Commissioner Stites** said not even close to a million dollars. **Mr. LaSala** said not even close.

Mayor Garner said I guess over the total of 10 years, I'm not good at math, what would that be, I guess, total? What are we looking at? Is that about \$11M?

Mr. LaSala said I'm looking back there for help. There's no help anywhere. I would have to sit here and do the math. **Mayor Garner** said about \$11M I would estimate. **Mr. LaSala** said that's close to right.

Mayor Garner asked, what is the total projected cost of this project? **Mr. LaSala** said they're now north. Curt Peterson's telling me \$250M among these three components.

Mayor Garner said I think I heard at some point of like \$800M. **Mr. LaSala** said yeah. There's a huge number when you, and this is three components. There's a whole bunch of other things that are not on that slide including Live Nations, including Atlas 9. There are a bunch of other components. I think all in, when you look at the entire thing and not just these three things, it's close to \$800M.

Mayor Garner said but that's what you would be paying is the \$11M for all those other things as well. **Mr. LaSala** said no, no, no. Those other things, when it comes to the arena or Atlas 9 or Big Shots Golf, they're just on the tax rolls at whatever assessed value is. The IRBs and the deal, if you will, the certainty is about these three assets only. **Mayor Garner** said so about \$11M on about three, what was that? **Mr. LaSala** said \$250M for these three components. **Mayor Garner** said over a 10-year period. **Mr. LaSala** said that's correct.

Commissioner Stites said, Administrator Johnston, when you got here, you passed out a book and I'm going to reference this book again. I can't remember the name of it. If you would tell me what it is. **Mr. Johnston** said Economic Development is Still Not For Amateurs.

Commissioner Stites said if everybody was doing this, if it was easy, everybody would be doing it. This isn't easy. This isn't easy to put all these things together and figure out our way out. If you guys have watched our budget meetings, which I know you all have, you know for us to get sales tax dollars generated out here so that we can look at getting this mill levy under control and the things that we need to be able to do, we need to be able to build and bring people into our community. They need to eat. They need to pay for entertainment.

I believe with everything, going through the ED&F Subcommittee, is that they've done everything they possibly can to get us there. They worked hard. We've worked with them. We've asked what they can do for our community, our schools, the discounted rates. These guys have done a lot for our community and are still willing to do a lot more.

I think whenever we look at this in a way that the PILOT—I don't like the name PILOT for one because it gets misconstrued. It's like it's the BPU PILOT. It's not. It stands for it's a payment in lieu of their taxes. It's just another form of them paying their taxes, but it's called a PILOT. They are paying taxes to the tune of a million dollars, year one or two or three, whatever starts out, over the next 10 years. Then at the end of that period, it goes to its regular value.

I don't want that to get lost in all the discussion. Mayor, I appreciate you asking the questions and how this looks because those questions need to be answered. People need to understand what they're getting. Like you say, the ROI. What's the return? I think the ROI on this project heavily outweighs our investment.

Mayor Garner said I don't disagree with anything you said, Commissioner Stites. It's just, again, I think part of my commitment to the people of Wyandotte County, especially those that have told us time and time again—and I go to a lot of places in this community in all four corners. I have yet to go to one place in this community where people have not complained about their property tax or their BPU PILOT or their fees. Please, if you can find one person that says I'm fine with my property taxes, keep raising them; please show me who that person is.

I can tell you everywhere I go—and I'm out somewhere every single day in this community. If you don't believe me, you can come with me and follow my schedule. Everywhere I go it's like clockwork. People attack me sometimes because they think I'm at fault for raising their taxes when I don't even vote on raising anybody's taxes. I don't have a vote. I have to answer those hard questions, and sometimes I don't have an answer for them other than get a hold of your commissioners.

Part of my responsibility is to make sure that the people of Wyandotte County I look out for, I want to make sure that we support investment in our community. The main thing is we've got to make sure that it's responsible when we talk about incentives and the types of things that we've done. I think part of the problem, and I could be wrong—I've talked to people a lot smarter than me that have looked at practices over the last two or three decades and said we've given too much away in incentives that have caused property valuations to go up, and the average everyday hard-working person is paying for that to this day. You've got individual industry people that have millions of dollars. Some people told me it's corporate welfare that didn't need all that, and they pay very little, and it's on the backs of our taxpayers.

Part of this conversation and debate is just trying to ask the right questions to make sure that this Commission and this public, at least, is informed and, hopefully, can feel comfortable that whoever it is—Homefield, I don't support it. I think Homefield could be a great thing for Wyandotte County. We want it to be successful because it's here. You go out there and look. But any developer that comes in, that there is a good return on investment and that they are paying

their fair share because we have to expand our tax base. If we keep giving away the farm, like some people told me, my fears is that people are going to move up. They're going to take their hard-earned tax dollars with them to areas where the mill rate isn't as high and they've got a lot more resources and amenities that they can be proud of. I don't want that for our community. I don't want people being taxed into poverty, homeless, or out of Wyandotte County.

I want to make sure the developers that come in here, if they are given incentives, they want to pay their fair share. I don't want them coming here and saying well, if you don't give me the farm, I'm not going to come to your community. That tells me that you don't want to be a good neighbor. You're looking out for your self-serving business interests as well as wanting to come in here and provide something great for Wyandotte County and being a good neighbor. That's the concern that I have, and that's the fight that I'll be continue fighting for all those people that love Wyandotte County and those people that have been begging for tax relief.

Commissioner McKiernan said I move to approve Item B on the request for action, the issuance of industrial revenue bonds for the Homefield Baseball Project.

Action: **ORDINANCE NO. O-102-23**, “An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to issue taxable Industrial Revenue Bonds (Homefield Baseball Project), Series 2023, in a principal amount not to exceed \$45,000,000, for the purpose of providing funds to pay the cost of acquiring, purchasing, constructing, installing and equipping multisport recreational facilities, including land, buildings, structures, improvements, fixtures, machinery and equipment for the benefit of HFBB KCK, LLC, its successors and assigns; authorizing the issuer to enter into certain documents and actions in connection with the issuance of said bonds.” **Commissioner McKiernan made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Commissioner McKiernan said move to approve Item C on the request for action, the issuance of industrial revenue bonds for the Homefield Training Facility.

Action: **ORDINANCE NO. O-103-23**, “An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to issue taxable Industrial Revenue Bonds (Homefield Facility Project), Series 2023, in a principal amount not to exceed \$65,000,000, for the purpose of providing funds to pay the cost of acquiring, purchasing, constructing, installing and equipping multi-use recreational and commercial facilities, including land, buildings, structures, improvements, fixtures, machinery and equipment for the benefit of HFTF KCK, LLC, its successors and assigns; authorizing the issuer to enter into certain documents and actions in connection with the issuance of said bonds.” **Commissioner McKiernan made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

STANDING COMMITTEES’ AGENDA

Item No. 1 – 212705...RESOLUTION: AUTHORIZING AMENDMENTS TO THE KANSAS SPEEDWAY DEVELOPMENT AGREEMENT (ADDED PER BLUE SHEET)

Synopsis: Adoption of a resolution authorizing amendments to the Kansas Speedway Development Agreement and related documents regarding an exception for the Iowa Speedway (added at the request of County Administrator). This item was scheduled to appear before the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, on September 14, 2023. It was requested, and approved by the Mayor, to fast-track this item to the September 14, 2023 full Commission meeting.

Commissioner Burroughs said I believe Mr. Warren can explain it. The committee voted unanimously to push it forward as a blue sheeted item for tonight’s discussion. We had it prior to tonight’s meeting, so those that were in attendance already have a majority of the information.

Pat Warren, President of the Kansas Speedway, said 25 years ago, approximately, Lesa France Kennedy, who’s the granddaughter of the founder of NASCAR, came before this community and made a pledge to invest \$100M at the time, which would be \$185M today, in private funds from

our parent company at the time, the International Speedway Corporation, into western Wyandotte County to build the Kansas Speedway.

Since that time, Kansas Speedway, NASCAR, who has merged with ISC, the company that made the pledge at the time that Lesa was President of, has lived up to every single promise it's made. We made a commitment in 1998 that we would ask NASCAR to bring us the Premier CUP Series, the top form of motorsports in the United States, to Kansas City, KS, and Wyandotte County. We did that starting in 2001. We've done it every year since. In 2011, we had the second date and we've done that every year since.

Now, our sport's celebrating its 75th year of motorsports in the United States in an industry that was really built on the veracity of the word of the France family in many cases where they would go into a handshake deal with a track developer or someone else. When the developer lived up to their word, they would take those races back in the communities year after year, after year.

We're here today asking for an amendment to the development agreement to allow us to potentially run a race at Iowa Speedway, which was built after our development agreement was signed in 2008 by an independent developer, not related to us or NASCAR.

When that developer struggled in 2013, NASCAR bought the property. In 2019, NASCAR and ISC merged. ISC, again, was the company that made the initial pledge to Wyandotte County and Kansas City, KS. Now, Iowa Speedway sits within a 250 mile radius of our track, which presents a problem for our development agreement. So, we're here today asking for an amendment to the development agreement that would allow us to potentially put races at Iowa Speedway of NASCAR's national series. We are continuing the same pledge that we made. We began in 1998. We reiterated in 2011 to continue to bring races back to this community year after year.

Commissioner Bynum said I just have a question that maybe our team is going to have to answer. The amendment to the agreement was given to us for our packet tonight after the 5:00 special Economic Development and Finance Committee meeting. What I would like to have is the original development agreement, and I'm thinking that our staff is going to have to provide that. It's just for the record, I would like the original agreement delivered. I have no problem with the amendment that's being requested, but I am making a request for the original agreement.

Commissioner Ramirez said I guess I am not fully understanding why are we wanting to include the Iowa Speedway. For what reason?

Mr. Warren said NASCAR purchased the track in 2013. We merged with NASCAR in 2019. We're in the process right now, as an industry. It's not my responsibility. It's not something I'm doing. I'm sort of the tail on the dog in this case. We're in the process of trying to set our schedule for the 2024 season, and there's a possibility that Iowa Speedway could be a part of that, and that's why we're here tonight. It's to give our industry the flexibility, if it needs to, to potentially run a race there.

If I can say one more thing. The reason that we're going through this process in a rushed fashion, for lack of a better term, that it's been expedited, is that we are very close to announcing that schedule and needing to announce that schedule. It's something that on the current path would occur before this body meets again. I'm not saying that's going to occur definitely because there are other pieces and parts moving, but that's the current plan.

Commissioner Ramirez said I guess I'm understanding. I'm halfway understanding, halfway I'm not understanding. If races are chosen to go to Iowa Speedway, then those aren't races that will be here at the Kansas Speedway, correct?

Mr. Warren said no it's not. In fact, we're making the same commitment we've always made. We've expanded that commitment because the original commitment in '98 was to try to secure a single race. This amendment says two for the duration of the development agreement, so we're actually making a firmer commitment which is warranted given the change in circumstances between then and now. There's not a correlation between or any connection between the two in terms of races that will be here and a potential race in Iowa.

Commissioner Ramirez said I don't know if it's just me. It's been a long day. My brain is not braining. I will need to sit with this and just read it. I wasn't here for the 5:00 meeting. I was upstairs. I really didn't get a chance. I came at the tail end of the meeting, so I wasn't here for the full presentation and discussion amongst the committee members. I'm just having issues of the necessity. That's where I'm not understanding the agreement, the necessity for the amendment.

Mr. Warren said it's a request on behalf of NASCAR in order to give our industry the flexibility, if it chooses to do so. I don't know that this is going to happen, but to potentially run

a race at Iowa Speedway as soon as 2024. It's something that our schedule process involves negotiations with other racetrack owners.

We own many of our own tracks, 13. Not all of those run Cup Series races. It involves negotiations with other track owners. Indianapolis Motor Speedway is an example. It's owned by Roger Penske. Hopeno Raceway is owned by a different family. There are different track ownership groups. Our people, who manage the schedule, negotiate with all those folks, plus groups. Right now like the city of Chicago is running street course race. So, there are moving pieces and parts that if a race may not work in one location—

The reason I'm here is because we're seeking the flexibility to add a location where we can potentially move a date and still fulfill our obligations under the broadcast agreements to run x number of races, 36 point races. Point races are regular season races, in our case. We're, frankly, sort of standing on the history of living up to all of our commitments here in the hope that we can amend the agreement.

Commissioner Ramirez said I'm getting there.

Commissioner Ramirez said I do agree with the comment of Commissioner Bynum. The original development agreement predates all of us on this Commission. I can tell you I don't know what that DA says, what the original agreements were, what the promises—you can say the promises made between the Kansas Speedway and the Unified Government. I think I would second Commissioner Bynum's request of getting a copy of the original DA and an analysis of it just so that I just have a clear mind of what we're dealing with. I, personally, do not feel comfortable voting for something that I'm not fully understanding and not having full knowledge of the original agreement. That's just me. I will try to understand it.

Jeff Conway, Assistant Counsel, said I would say rather than pulling out that agreement and going through it line by line, I think the intent was and we tried to just grab that language and bring it over so that language that you see there is simply mirroring the operative language of the development agreement of "using good faith and commercially reasonable efforts to secure races and to maximize the utilization of the total project." That's borrowed exactly from the original development agreement.

Again, it's restating and reinforcing that original commitment that they have. I can get you the full development agreement as well. I don't know if the vote is going to hinge on that or not, but I can certainly provide that.

Commissioner Burroughs said let's see if I can help with this, Mr. Warren. The contract says you can't have a competing race within the 250 mile contract outside of the one that's already in the agreement. The fact that you acquired this new track is within that 250 mile boundary by, I'm going to say probably 15, 18 miles. NASCAR has purchased that track and they want to put a race there. Because there's other facilities that have closed and the potential of putting one there is what will occur if we agree to allow that amendment to our agreement.

Mr. Warren said yes. The one thing I would say is that NASCAR acquired the property prior to the merger, which is why we're here today. Had International Speedway Corporation, our old parent company, had done it, we would have had to come to you before we acquired the property.

Commissioner Burroughs said so we're not changing anything except putting in an agreement to allow a new raceway or a newer raceway into the fold, within the 250 mile radius. **Mr. Warren** said that's correct.

Commissioner Burroughs said and we have been good partners for the last 20 some years, and you have upheld your word to Wyandotte County/Kansas City, KS, to have two races in Wyandotte County. We're going to hold you to that. We do appreciate the fact that you've come forward and been as transparent to all the questions we've asked of you this evening. If I may, I really think that anytime we can help the industry grow and be a part of the process that has created a good partner for us then, I think, that's a good move for a community as well as for the industry.

Mr. Warren said I can tell you that spirit of partnership goes both ways. We're proud to be members of the Wyandotte community, Kansas City, KS community. We started in western Wyandotte County in conjunction with the state and the Unified Government.

Commissioner Burroughs said, again, I'd just like to reiterate. We have two races and I hope to continue to have two races. (inaudible) **Mr. Warren** said I don't know that anyone has three.

Commissioner Ramirez said thank you, Commissioner Burroughs. The light bulb went off. Now I understand what the amendment is and what we're trying to do.

Action: **RESOLUTION NO. R-58-23**, "A resolution authorizing the amending of existing non-competition provisions to provide for an exception for the benefit of the Iowa Speedway, and to reiterate certain terms of the development agreement and the non-competition agreement for the Kansas Speedway." **Commissioner Stites made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

ADMINISTRATOR'S AGENDA

Item No. 1 – 212686...PRESENTATION: FILL THE BOOT 2023

Synopsis: A presentation on the Fire Department's IAFF Local 64 involvement with the annual Muscular Dystrophy Association Campaign, "Fill The Boot," submitted by Dennis Rubin, Interim Fire Chief.

YouTube video is: <https://youtu.be/7H8NARvK5qc?si=zgt3ACIEqYlHaXon>

Dennis Rubin, Interim Fire Chief, said I got some really good news for you. I brought a couple of colleagues along. One of our best captains, Captain Thad from our Fire Station 14, happens to be the Treasurer of the National Association of Firefighters, and is one of the members that has done a tremendous amount of work to bring some really good news to you tonight. We have our Assistant Chief that is now directly responsible for the folks sitting here. I do believe that we have a quick, about a minute and a half, video clip, if we could roll that. (Video was played.)

Chief Rubin said Captain Lauritzen is one of those that protects us as well as does some tremendous community work.

Thad Lauritzen, Captain, Fire Dept., and Treasurer/Secretary for Local 64, said, basically, what we wanted to present tonight, and thank you to the Fire Department for putting this together.

I think Chief Rubin was the one that recommended that we put that film together, and it turned out pretty well. Jeff Lane was the speaker in that.

We've been going out every year for the last 70 years and collecting. The IAFF, International Association of Firefighters, made this their charity of choice. One of the things that I've learned since I've been involved with it, is the MDA doesn't just cover muscular dystrophy, although that's a major part of it. There are 40 neuromuscular diseases that are covered under the MDA, the association. Each of those benefit from the money that's raised, that we raise locally. This year we raised a little over \$25,200. All of that's donated to the MDA. Because KU is our regional site, it's our regional care center, all of that money stays locally.

In 2022, \$90,000 was given directly to the care centers at KU for muscular dystrophy patients and others with neuromuscular diseases. Also in 2022, due to, I think, KU was given a \$1.6M grant for research, and due to that research, the FDA finally approved an ALS drug that was released in 2022. As some of you know, we had a captain, a very good friend of mine, James Sparks, who passed away four years ago from ALS. This drug would have, hopefully, benefited him in improvement and lengthening of his life.

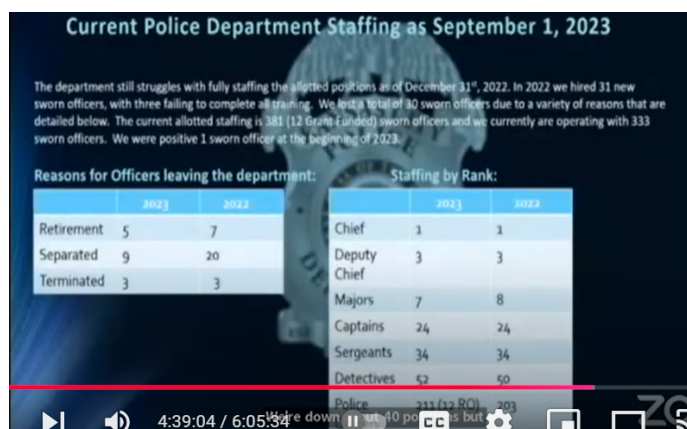
We're very proud to be associated with this association. It's all 100% charity. We thank you for allowing us to do that.

Action: For information only.

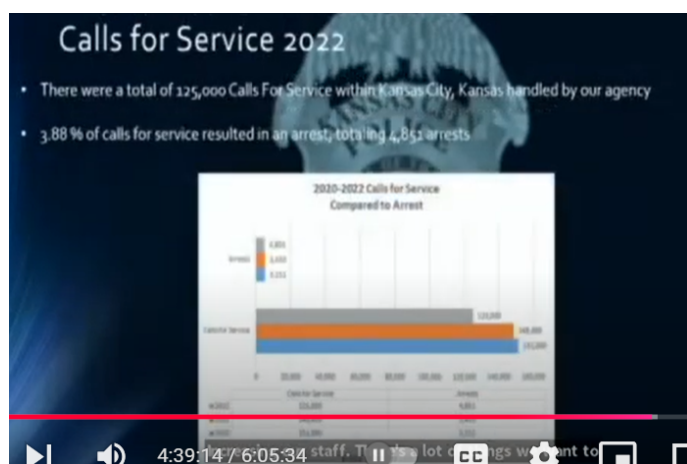
Item No. 2 – 212698...UPDATE: KANSAS CITY KANSAS POLICE DEPARTMENT

Synopsis: The Kansas City Kansas Police Department team will provide an update on new initiatives and programs, submitted by Chief Karl Oakman, Kansas City Kansas Police Department.

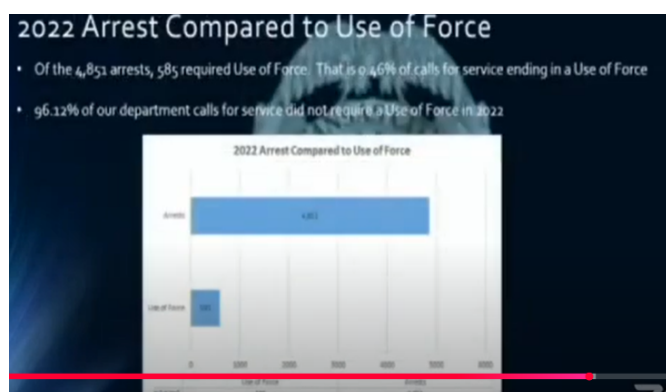
Karl Oakman, Police Chief, said I'll be very quick and brief. I just want to give you an update on some of the things that we were doing. I know we were talking earlier about recruiting. I believe that law enforcement, as well as the Police Department, needs to do a better job really communicating all the great things that we're doing in the community.



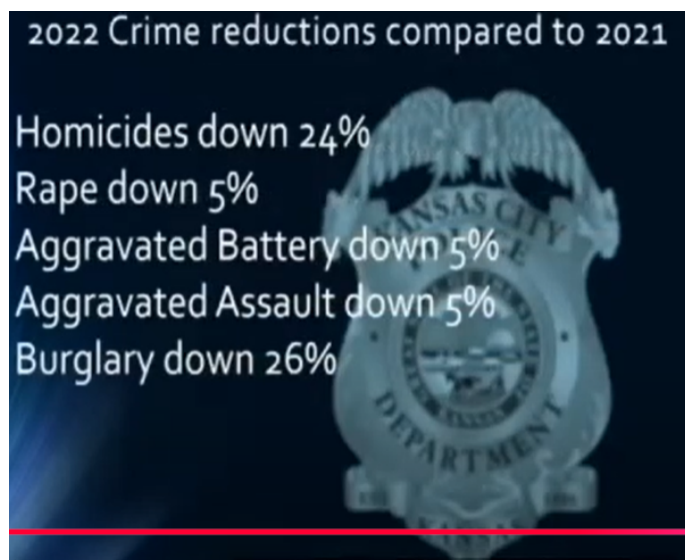
We talked about this earlier. On our sworn, we have 333 right now. We're down about 40 positions, but we're a little optimistic that we will be increasing our staff because there's a lot of things that we want to do with that added staff.



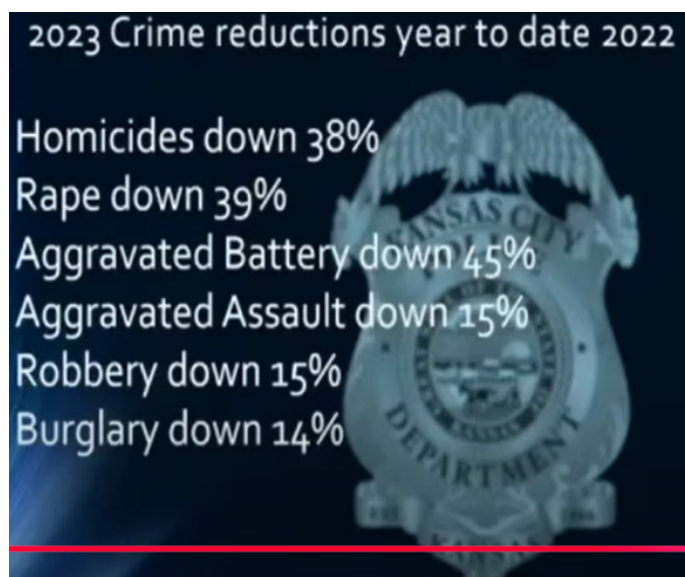
Calls for service last year. We did 125,000 calls for service. What's interesting about this is only 4,800 of those resulted in arrest, which means about 3.8% of our calls actually resulted in someone going to jail.



Of our arrests, of that 4,800, only 585 required any type of use of force. That could be anything from a basic thing like a wrist lock or having to take someone to the ground. That 96% of our calls did not require use of force.

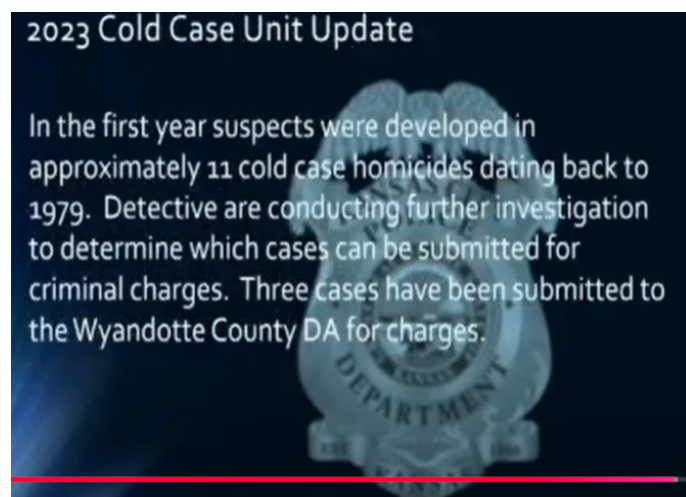


This is last year. Our homicides were down 24% last year. Our rapes were down 5%. Aggravated batteries down 5% Aggravated assaults down 5%. Burglaries down 5%.



Year-to-date, now keep in mind those numbers were reductions from 2022 compared to 2021. Now these are reductions compared to the reductions we had in 2022. We're down homicides 38%. This time last year in 2022, we had 29 homicides. Right now, we have 18. Rapes are down

39%. Aggravated batteries are down 45%. Aggravated assaults down 15%. Robberies down 15%. Burglaries down 15%. This is as of September 1st.



This is important. Our cold case squad, which we started in January 2022. After a year, we've identified suspects in 11 cold cases dating back to 1979. Detectives are conducting further investigation to determine which cases can be submitted for criminal charges. We're working hand-in-hand with DA Dupree's people over there. We've sent three cases over there that they're reviewing. The way that process works is, we have a pretty good relationship so we can get cases that people not only are going to get charged, but they can get convicted. DA Dupree's prosecutors work with our detectives to make sure that we get everything we need from the evidential standard to make sure we get a good case so we can submit it.

Overdoses				
OVERDOSES 2022				OVERDOSES 2023
	Died	Survived	Died % Diff of Total	Total
Adult	36	118	23%	154
Juvenile	4	16	20%	20
Total	40	134	23%	174

	Died	Survived	Died % Diff of Total	Total
Adult	37	84	31%	121
Juvenile	0	16	0%	16
Total	37	100	27%	137

Now I'll talk about real quick. Fentanyl, we've heard about it; our overdoses. 2022 compared to 2023, as you can see, they're going up. There is some good news. If you look at juveniles, last year we had 16 that overdosed. So far year-to-date, we have 16 but none of them have died. Some of that is due to Narcan. Other is due to our extensive fentanyl education that we're doing

throughout Wyandotte County, in all the schools, the colleges to make sure that we're putting a dent in that.

KCK is known throughout the state and the metro for our innovative way of approaching fentanyl. I'm going to show you some of those results.

Fentanyl Strategy	
PROCESS	RESULTS
• Detectives respond on every overdose	• 49 search warrants and vehicle takedowns
• Track overdose to the dealer/supplier	• 378,208 pills and 50lbs. Of powder fentanyl recovered
• Investigation leads to search warrant and prosecution	• 239 illegal firearms recovered
• 35 Fentanyl Awareness classes	• 19 suspects charged in overdose deaths

What we do is every detective is required to respond on every overdose, whether they pass or survive. Why that's important is because we started that process of finding out where that fentanyl tablet or powder came from. We track that overdose to the dealers and suppliers. We work with DA Dupree's Office to make sure that we get search warrants and investigations that lead to prosecution.

One of the things we've gotten from those search warrants it's given us the ability. We've done 49 search warrants and vehicle takedowns, and have gotten 378,000 pills and 50 pounds of powder. This is just in January 2023. We also recovered 239 illegal firearms that we recovered out of these fentanyl search warrants. This is something that Wyandotte County, and still I want to give kudos to DA Dupree's Office—we were the first in the metro to actually charge someone, a suspect, for a death on an overdose death. So far, we have 19 suspects in some different process of being charged for that. When you look at these 50 pounds and the 378,000 pills, that's equivalent to 8 million legal doses of fentanyl that we've taken off the streets since January.

Crisis Intervention Team

CIT Co-Responder and Officers continued to work with individuals in our city that are experiencing mental health crisis or are in need of assistance accessing mental health service. This period the CIT officers facilitated 94 hospital admissions, 8 diversions from jail and 8 diversions from the Emergency Room.

The Team also partnered with The Wyandot Center to host two 16-Hour CIT training courses (Spring/Fall). These training sessions included KCKPD Officers as well as officers from area law enforcement agencies including USD #500 Police, KU Medical Center, Police, Wyandotte County Sheriff's Office, Great Bend, KS Police, etc.

- Call outs – 53
- Collaboration – 559
- Repeat Contacts – 653
- Telephone Contacts – 887
- Self-Initiated – 463
- Outreach Attempts – 101
- Hospital Admissions – 94
- Jail Bookings – 8
- Diversions from Jail – 9
- Diversions from E.R. – 8



Our CIT, Crisis Intervention Team, and like I said, some of this, I think, you have the PowerPoint, but one thing we're looking at adding is a juvenile co-responder that will deal with just juveniles that are in a mental health crisis. We're looking at adding that to our other two co-responders.

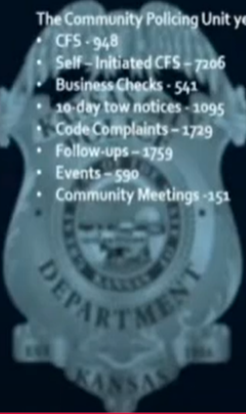
Community policing

Community Policing Programs:

- Harvesters Food Program
- Amazon Donation Distribution
- Police over Pizza
- Prep KC Video Engagement with Juveniles
- C.H.A.M.P.I.O.N. Program
- B.O.S.S. Program
- MCSP/PCS Saturday Clean-Ups
- Trash/Debris Abatement Activities
- Giving the Basics
- COPPS Christmas Program
- Summer Cadet Program
- Homeless Outreach
- City ID Program
- Illegal Dumping
- Graffiti Abatement

The Community Policing Unit year End Statistics 2022:

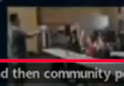
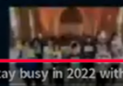
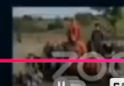
- CFS - 948
- Self-Initiated CFS - 7206
- Business Checks - 541
- 10-day tow notices - 1095
- Code Complaints - 1729
- Follow-ups - 1759
- Events - 590
- Community Meetings - 151



Community policing stayed busy in 2022 with all the different events that they've done.

Police athletic league

- PAL Kids completed 3180 hours of community service
- 133 Kids completed Driver's Education Classes (636 Hours of Driving w/ officers)
- 25 Kids certified in air rifle and 25 Kids certified in archery
- 50 children participated in art programming
- PAL Kids were certified in Hunter's Education and participated in hunting/fishing trips
- 800 Kids signed up for Fitness/Boxing (465 Kids a month on average)

And then community policing. Stay busy in 2022 with all

Our PAL, our driver's education program, which some of you know about it, it's up to about 180 kids now. Only one in the country where police officers are trained driver instructors. We get a lot of accolades throughout the country from departments that want to copy our program.

Initiatives since June 2021

INCREASED MORAL BY CREATING A POSITIVE WORK ENVIRONMENT BY ALLOWING EMPLOYEE INPUT AND SUGGESTIONS

- Created a Hispanic Community Liaison Officer
- Approved and Implemented the KCKPD ID project
- Collaborated with PAL to start a driver's education program
- Implemented a Homicide Cold Case Squad
- Violent Crime Review Process
- Trained Community Policing and Gang Unit in Risk for Retaliation
- Increased the use of NIBIN working on dedicated technician for KCKPD

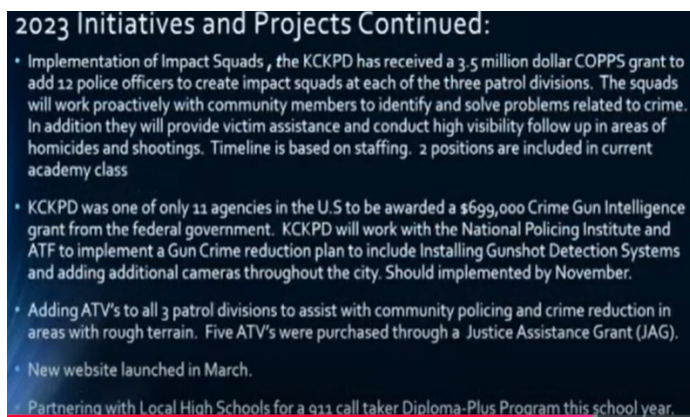
These are just a few things that we've done. Our ID Program, our Cold Case Squad, our NIBIN, our Risk for Retaliation, which has also helped us with our reduction in violent crimes, as well as our fentanyl. What we found out was where we had the violence attached to crack cocaine, we're seeing that with fentanyl. That directly accounts for some of our decreases in violent crime.

2023 Initiatives and Projects

- Spanish and English Citizens Academy- The Spanish Language citizens academy is scheduled for April 7- May 26
- Summer Youth Police Academies in each Patrol Division age 12 to 15. The academies will continue to focus on anger management, conflict resolution and police/youth community engagement. South Patrol Academy was scheduled for June 12- 16th and East/West Patrol July 24- 28. A total of 45 kids.
- Community and Police Peace Walk , April 1, 2023 at 5th and Washington.
- Continuing the second season of the monthly Facebook Live show entitled "Just the Facts with Chief Oakman" to engage with the community.
- Real-time Intelligence Crime Center- The RTICC objective is to generate leads and solve cases by providing real time analytic support to patrol and investigative personnel. This support will assist with crime reduction and apprehension of violent offenders. Hired and trained 3 civilian analyst in 2022. The RTICC is up and running as of May 1, 2023.
- Community Patrol Station Open Houses. East Patrol April 10th, South Patrol May 11th and West Patrol June 1.
- Summer Police and Community Violence Reduction Cook Outs, (Emerson Park, September 9, and City Park October 21).
- Collaborated with the Friends of Yates and Kansas Governor's Office to implement Domestic Violence Lethality Assessments for patrol officers. Domestic Violence check sheets completed and reviewed by patrol officers to offer 24/7 services to assist victims. This will help reduce the chance of serious injury or death related to Domestic Violence.
- Increase cameras and LPR's in violent crime.

These are just some of our initiatives. We do a peace walk every year. Our community opens houses. We've done three this year: East Patrol, South Patrol, and West Patrol. We did our last community crime reduction cookout with the Sheriff's Department at Emerson Park last Saturday. We're doing City Park in October.

Under, where I have increased cameras and LPRs, this is really exciting. We're rolling out—if you go to our website, you can see it's called KCK Connect, where every member of the community can sign up and register their video camera to help and those will pump through our real time crime center. Now, we're not going to tap into your cameras. It's just that if there's a crime in your neighborhood, we'll have a register knowing that this house has surveillance cameras and they're willing to share that footage with us to help solve that crime.



And then just continue, our Impact Squad. Some good news is we got the largest grant in KCK, \$3.5M, to add 12 officers that will be involved in community engagement, high visibility patrol. Something else we're doing is whenever we have a shooting or a homicide in a neighborhood, for 48 hours through our CBCR grant, we're putting officers in that neighborhood. Oftentimes, the shooting or the homicide may not have anything to do with the block. It may be an individual disagreement, but it still makes our residents feel comfortable if we're in that area showing them that we're concerned, we're here to help, and also to be of victim assistance.

Also, something else that we're getting. The ATF has just committed to giving us four agents so we can start an illegal gun squad here in KCK. So, pretty excited about that as well as our Gun Crime Intelligence Grant. Hopefully, in the next month and a half, we'll be in the process of installing gunshot protection around the city, which will be pumped through our Real-Time Crime Center.

Our new website, which we launched in March.

2023 Initiatives and Projects Continued:

- Conducted a KCKPD Community Safety and Self-Defense Classes in July another class will be scheduled for late fall.
- KCKPD Tackling Conflict Together Youth Football Camp, Partnered with the KC Chiefs, Dick's Sports and community partners focused on anger management and conflict resolution. 200 youths ages 8 to 18 attended the camp. All youth were given free football gloves courtesy of the Boys and Girls Club of KC.
- Fall of 2023 partnering with KC Lead to Read officers will be reading elementary students in USD 500.

That's about it. We did a self-defense class in July. We're going to do another one in late fall. Then our football camp every year where we had about 200 kids out there this year.

Action: For information only.

Item No. 3 – 212701... UPDATE: DISTRICT ATTORNEY'S OFFICE

Synopsis: The District Attorney's office team will provide an update on new initiatives and programs, submitted by Mark Dupree, District Attorney.

Mark Dupree, District Attorney, said I know all eyes are on me, and I will move faster than the Chief did. Having said that, I would give a kudos as he's walking out. He has absolutely brought the spirit of collaboration into this office. His detectives and his brass have sat down multiple times with my office and leadership and my deputies to make sure that we are doing everything that we can to get the bad folks off the streets and get them locked up. So, kudos to the KCKPD. It's about collaboration. It's about making sure the community, and safety is first.



September 14, 2023

This is just a screenshot of all of the different collaborative ways that we are working in your community with the schools, with our Sheriff's Department, our Police Department, and all other law enforcement, the organizations that are out here trying to make sure crime is down.

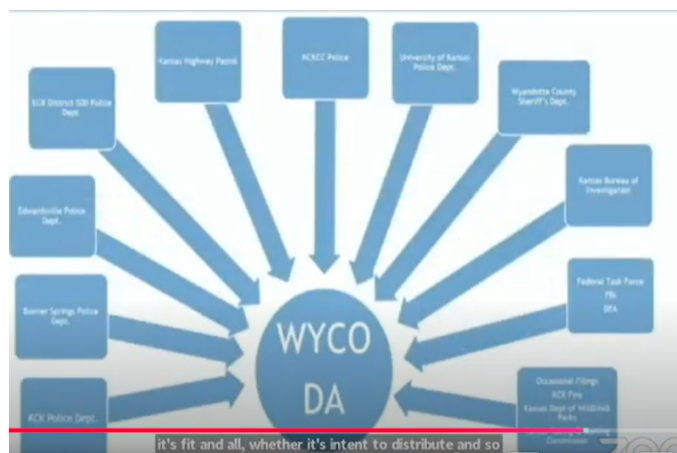


Year-to-date concerning cases, and I'll just throw some numbers at you. This year, year-to-date, we've had 1,166 adult criminal cases that we filed. I'll tell you that in previous years, we get up to about 15-1,600 criminal cases, so right now I'm suspecting that we will, indeed, reach that level of at least 1,400. CINC cases is 131. CINC stands for Child in Need of Care. That's your cases where abuse and neglect—the case or making a determination on if we need to take the child out of the home. Then 132 juvenile cases.



With that, about 65% of the cases that we have are quality of life crimes which also include drug crimes. The majority of our cases, not just here but across the country, are those quality of life crimes. Then you have your 35% that make up our violent crimes: your rapes, your assaults, and so on and so forth. I will tell you that quite a bit of those, of that 35% as stated kind of earlier,

when we're dealing with drugs, we have some type of drug involvement whether it's fentanyl, whether it's intent to distribute, so on and so forth.



Our thought is, we handle cases from all of these different agencies: KCKPD, Bonner Springs, Edwardsville. There's multiple task forces that include KBI, FBI, DEA, and all of these agencies send cases through our office to try to make sure we can get the folks across the board. So we have a wide net of folks who we receive cases.



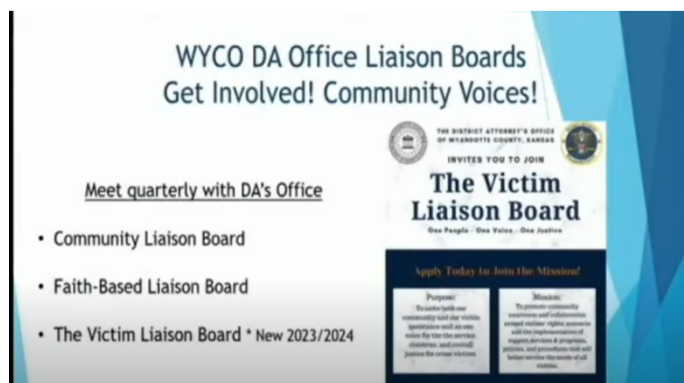
Just real quickly. Our Wyandotte County Experiment fair. This was, I believe, the fifth year that we did this. We had 115 folks sign up for expungement. Expungement is the process to allow individuals to get their record cleared if they have paid their restitution, paid their debt to society, finished their probation and/or prison sentence. They get an opportunity to request that from a judge. The judge then reviews all of the statutory obligations and see if they were fulfilled, and if so, then they will be allowed to have that record cleared.

It's also important to note that if you're over the age of 23, the last study showed that one in three Americans have a criminal record and/or an arrest record. I think that's important to note because when we say expungement and criminal record, a lot of people think those criminals. No, the fact is, you say one, two, three. I'm not going to do it up here. But the point is, there's a lot of folks in this country who have criminal records. This expungement fair is amazing. We are thankful to the Kansas City, KS Community College, to the Kansas Legal Services, and United KC for joining in with us to bring this opportunity to Wyandotte County to make sure that our citizens have the opportunity to get what is obligated from them for them.



We also have our alternative courts that we have worked heavily with the District Court in creating our Veterans Court. Judge Henry has been amazing in making that happen. Our Youth Court is important to note. Our Youth Court goes through our schools. Right now our pilot is Wyandotte High School as well as Schlagle High School. We are working and expanding into Piper and Bonner Springs and Edwardsville. One of those individuals that was part of our Youth Court just got hired on at the DA's Office. She's decided to be a participant in real life.

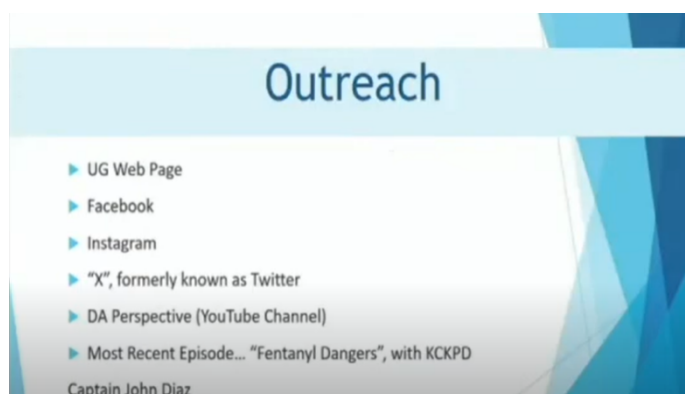
We also have our Behavioral Health Court. Then our Traffic, Criminal, Drug and DUI Diversion Programs.



Our Diversion Program, before I go to this slide, is something that gives individuals an opportunity to make better decisions. To say you know what, I made a mistake. It was silly. I'm sorry. Give me an opportunity to get my record right and to do what's right. As I stated earlier, they have an opportunity to sign up for that diversion across the board. Usually, it's low level felonies, possession, traffic, DUIs, depending on what number it is. They pay a fine or a fee and then we would monitor them for a year and if they do well. We've expanded that throughout the last couple of years, specifically on our lower level possessions to give folks an opportunity to have that diversion on their record.

We get out into the community and we stay connected and stay involved. Our Community Liaison Board, our Faith-Based Liaison Board, these are boards that give the community an opportunity to connect with their DA individually. Every quarter we meet with all of these folks to give them an opportunity to meet with us. Before COVID, we would sit down in the office with some cookies and water and we have now gone to Zoom. I've tried to pull them back in, but they tell me, DA, we're not coming to your office; we're staying in our home. We still meet on Zoom quarterly.

One of the new boards we have created is the Victim Liaison Board. That board is to give opportunity for past victims and survivors of crime in our community to be able to come and educate the criminal justice system on ways that we could better support them. We've also connected with many organizations within our region who work with survivors of crime that will participate with this board and, again, meet with me quarterly to figure out ways that we can better serve those who have come through the system.



We have continued to do outreach via Facebook, Instagram, the X, formerly known as Twitter. The DA's perspective, you will get an email, sent a link to the DA's perspective. The most recent episode was concerning fentanyl. I won't go into all of what the Chief said, but ultimately, fentanyl was a real big issue. I met yesterday with the FBI and the DEA and KBI concerning this issue. So, everyone is working across the board. We partnered with Captain Diaz in KCKPD to create this video, an educational video, that was sent out to all of the schools. Those schools sent them out to all of the students to make sure that they knew what was going on and, hopefully, educate them moving forward.



The growth and transition. We're excited that the DA's Office is an amazing office, but with that comes folks who say enough is enough. We've had multiple folks retire. Roger was one of them that spent 30 years with KCKPD and then spent 13 years with us and recently retired.

Then career advancement. You've seen Judge Wittman that became a judge. I was about to say you all stole from me, but she was excited to leave and became a judge. Then we have Judge Alcaraz, who's the first African-American female District Court Judge in Wyandotte

County. She left the office to go put on the robe. We've had others who left our office to federal opportunities.

With that, that causes us to do a lot more recruitment and expanding. We're at different fairs now. We're recruiting out there. We're going to the different universities both in law schools and undergrads and trying to make sure that we get our numbers back up. I'll tell you, we did get a big hit during the COVID years, but we are slowly but surely, climbing so that we can make sure we can fulfill our statutory obligation of prosecuting all of our cases.



Lastly, I want to make sure that I give you an update and concern of the digitizing and archiving project that you all funded. That project is number one, it's still on time. The goal was 6 - 18 months. Just a quick rundown. The estimated boxes, when I came before you all, was 4,000. After they finished cleaning out that old jail upstairs, we had 4,607 boxes. They began actually scanning in February 2023. As of to date, they have 13,097 boxes scanned, which is equivalent to about 10,700 files scanned in.

Our staff right now is receiving training from the folks who are doing the scanning in with that software so that we can have the ability to search every day and begin to review those files. I'll end with the project is on schedule. Thank you all for allowing us to do that. The files are not in our control. They're all away getting scanned in right now.

Commissioner Ramirez said I just want to thank you, Mr. Dupree, for everything you and your office do. You're the top prosecutor in our community. So, I thank you for all that you do for serving and protecting and keeping our community safe.

Just something for the community to know. Just as the Sheriff has his statutory authority, you do as well through the state, not through us, not through the Unified Government. I think that's something that the community should know. The DA, you run your office as you see fit, as you see within the state statutes. So, I just wanted to make sure that clarifies that for the community. But thank you for all that you do.

Mr. Dupree said hopefully, it's clarified. You are absolutely correct. We are not a part of the Unified Government except for statutory purposes and being funded. We are governed by statutory law and all the authority lies within the elected officials seat, and the electorates are the ones who then tell me what to do. Hopefully, I made it plain for them.

Commissioner Davis said we were having a discussion hours ago, if you all remember, about residency.

Mr. Dupree said I do not remember. I wasn't a part of this. I would also like to say that when you tell the Chief I was up here longer than him, it would be because of the questions. It was not because of my PowerPoints. Forgive me, Commissioner, but go right ahead.

Commissioner Davis said it's not your fault. Your actual presentation was good. I just wanted to ask, can you kind of provide an update? I know, at least, I heard some decisions were made on residency. Can you provide us, just info, what those decisions were and what the impact thus far has had?

Mr. Dupree said in concern of our residency requirements by way of the decisions that were made in the office, normally what we have tried to do throughout this administration is align ourselves with the processes that HR and that the Unified Government have. It allows continuity of things to go forth.

Throughout our time, we have utilized the residency requirement for the employees of the DA's Office despite not having to do so as the DA. One, I did that because I believe that it makes good sense as a homegrown Wyandotte Countian, and I'm the elected official. In order to be the elected official, I have to live here. So, I think it's important that the people who serve in my office, to the extent that we can, should live here as well. They can receive my money, my tax money, and all my kids' money. That's what we did and have done.

All of my staff, and I think we're at about 80 or so staff now, 29 of them are attorney seats and the rest of them are administrative assistants, investigators, and victim advocates. Throughout

the COVID timeframe, we lost nearly half of our attorneys so we were down to somewhere about 12-14 attorneys down, which put us in a position where we did not have the ability to fulfill our statutory obligations of going to court daily. For all of the fine works that our many agencies are doing to bring those cases, and the biggest pullback for us was making sure that we could have folks to go and prosecute those cases. With that, I then lifted the residency requirement concerning the attorneys only in my office so that we can fulfill that statutory obligation.

I think it's important to note that with that, what we found was a couple of obstacles after talking to several individuals that we interviewed. They let me know, Dupree, there's one, the residency. I don't want to move here. Number two, I don't want to move here because your taxes are high. Number three, I don't want to move here because your folks are making less money. Our biggest competition is the Unified Government. I've lost about four or five attorneys to across the street because you all pay your attorney's about \$10,000 more than I can pay my beginning, starting out attorneys. The funds and the residency were a big part and a big issue.

Having said that, I also lost multiples to Johnson County who pays \$20,000 more than what I'm able to pay my attorneys. In a 12-month period, we had about 14 applications looking back in 2022, I believe. Of those 14, I think I hired 1 because the rest of them said no to one of the reasons that I said. I then lifted that residency requirement and found a little bit of change to add to it. With that, within an eight-month period, I received 10 applications and 6 of them I hired on. It made a huge difference for my statutory obligation, but having said that, the remainder of my staff are still within that residency requirement. I do believe that it is necessary and if no one else in the office does it, I believe that my leadership should as well as everyone else. This allows me to fulfill the statutory obligation of prosecuting the cases that we need to prosecute in this county.

Mayor Garner said we appreciate the work that's going on in your office.

Action: **For information only.**

Item No. 4 – 212702...UPDATE: SHERIFF'S DEPARTMENT

Synopsis: The Sheriff's Department team will provide an update on new initiatives and programs, submitted by Daniel Soptic, Sheriff.

Daniel Soptic, Sheriff, said it's been a long night. I'll do one better. I'll be faster than both of those guys. Real quick, some updates. The Cadet Program, which you guys funded here for me not too long ago. We piloted it in USD 500. We learned a lot about what we wanted to do and what we didn't want to do. That is opened up to every high school in Wyandotte County now for this next go-around. Our recruiting team, along with HR, has visited every high school and we have two applications so far.

I'll put this out to you and anybody that's watching. Seniors in their last semester of high school when they're eligible to graduate January, February, March, April and May, is when the program will run. We will pay them to come work for us. They'll be trained in hopes that they leave that program and want to be a correctional specialist. We have, hopefully, nurtured and I've heard the word grown some of our own from our high schools. If you know anybody who's interested in that. Since it is a part-time, temporary job, they are posted on the website through our new Workday system. They're available; they're open, so send the youngsters our way.

Sheriff Soptic said accreditation. There's a couple of different ways accreditation can happen for law enforcement. I'm sure the room has heard of CALEA. That is quite the undertaking for an agency to take on not only in manpower, but there's a very big financial cost to that.

The Kansas Law Enforcement Training Center has developed its own accreditation program. When I say significantly less, I can't even begin to tell you how much significantly less, but they started it up with an accessor who used to work for CALEA. She's running that program. We have signed up with that program, and we are underway with that. Not only does it produce a better agency at the end of the day. Our policies and procedures, which are already rooted in best practices and what is required by law, this just takes it another step further. We are super excited about that and, hopefully, some more to come on that.

Sheriff Soptic said Number 3. We've been working through the Health Department. They've tried to secure some funding, some grant funding, which I'm told this week they did secure. We're going to pilot a co-responder program through the Sheriff's Office. Why we felt it would be a good fit through the Sheriff's Office is that is an asset they can use across the entire county. It can also be used in Bonner and Edwardsville. KCKPD, as you know, has a couple of co-responders.

This is another asset we can use across the entire county, so we're excited about that. More to come on that.

Sheriff Soptic said the Chief and the DA both mentioned fentanyl. Our partnership with the Police Department and the work we do with the DA's Office is an integral part of what we do every single day. We are working with the Police Department in a couple of different capacities. One, to combat fentanyl. I don't want to go into a whole lot more detail other than that, but what I will say is that's something that we're also on board and fighting in our community. I think Chief Oakman and the DA's Office are doing a great job with that. I would just give kudos to them as well.

Sheriff Soptic said finally, I'll just leave you with, since I came into office, I'll be honest, I've asked for a lot. You guys have supported it all. You supported the men and women of the Sheriff's Office. Thank you. I appreciate that. Thank you for everything you've done for us and your continued trust; and that what I'm bringing to you is the best, not only for the community, but for the department. Thank you for hearing me.

Action: For information only.

Mayor Garner said we've heard from pretty much tonight, we've heard, again, and I'd like to reiterate having a great Wyandotte County, you have to have a safe Wyandotte County. What you heard here today between all our public safety officials, including our Municipal Court, they're doing great work. Crime is down. Our DA is prosecuting the right people and being proactive in the community unlike any other district attorney you'd find anywhere across this nation. We have a Fire Department that is fully staffed with great men and women doing great things sometimes that are not traditional as well as the Sheriff's Department, the Police Department, and they're all working together to keep our great community safe. It goes without being said that we really appreciate your work. That is laying a foundation for this Commission, our Administrator, and our staff to do even bigger and greater things.

When people look at communities, I know one of the first things they look at is how safe is your community and what does that look like. That's probably one of the first things. If

people don't feel safe, from my experience, they're going to pack up and they're going to leave. So, thank you to all our law enforcement professionals and our criminal justice professionals, our judges, and our prosecutors, and all the supporting staff for everything you do. We greatly appreciate it.

Item No. 5 – 212690...RESOLUTION: DOWNTOWN CAMPUS PROJECT

Synopsis: A resolution setting a public hearing on TIF District changes and the New Project Plan for the Downtown Campus project, submitted by Jeff Conway, Assistant Counsel.

Angela Lawson, Interim Chief Counsel, said I believe Jeff might have stepped out. This is simply setting this matter for a public hearing. There's new boundaries for the Downtown Campus Project, given that some of the property initially in the project was provided to the junior college for their expansion downtown.

Todd LaSala, Stinson LLP, said Angie did a great job. Honestly, this is another one where procedurally, we're on a path based on the development agreement from April, as amended. There were some changes, as you'll recall, including removing a part of the TIF district and the athletic fields. It changed a number of things about the TIF and the structure of the TIF, as well as the budget and some caps. All of that requires an amendment to the TIF project plan.

So, procedurally, we have to come here tonight, ask you whether you want to approve a resolution setting a public hearing for October 26th, which would be my birthday and I'd be delighted to spend it with you. If you so choose that night, you would hear a more robust description of that TIF project plan.

In the meantime, the developer has been working on satisfying conditions in their development agreement. Mr. Lanier is here tonight if you wanted to hear from him and get an update tonight, or you can do that on October 26th. It's really up to your discretion. But tonight, you're being asked to consider setting a public hearing to approve the amended TIF project plan for Lanier.

Commissioner Bynum said the map in the packet has me thoroughly confused. I can't identify. It's got a blue box with lines drawn through it. I can't identify what that is. **Mr. LaSala** said

that's the Reardon Center. **Commissioner Bynum** asked, why is there blue strikeout lines around the Reardon Center? **Mr. LaSala** said that would be the remaining TIF boundary. **Commissioner Bynum** said so what's being removed is not even in this picture. **Mr. LaSala** said that's correct. **Commissioner Bynum** said, well, that's helpful. I'm like what is this.

Mr. LaSala said this TIF district, I probably should have brought you a map, but this TIF district went down the street and over by the community college, and the athletic fields area was over there. That part of the project is removed. When we redid the development agreement in April and went through the process and committee at that time, that part of the project went away. That area is useful to the community college, and I don't think we ultimately want it in that TIF district. So, procedurally, we've got to set a public hearing to remove it and approve a new TIF project plan. That's what we would do on October 26th.

Commissioner Bynum said just for me, Exhibit B is the legal description and it basically says 500 Minnesota Avenue, which is the Reardon Center and that's it. **Mr. LaSala** said that's right. When we amend, that's all that will still be in the TIF district. **Commissioner Bynum** said I was just making it way harder than it was. **Mr. LaSala** said I'm sorry that's not clearer.

Commissioner McKiernan said I shared Commissioner Bynum's confusion on this because when I saw Downtown Campus Project, I thought about the Community College Campus Project. Then, when Mr. Lanier's building was the highlighted one, I assumed that was being struck, not the piece that remained. So, once we clarified that, we're all good. I would make a motion to set the public hearing as proposed.

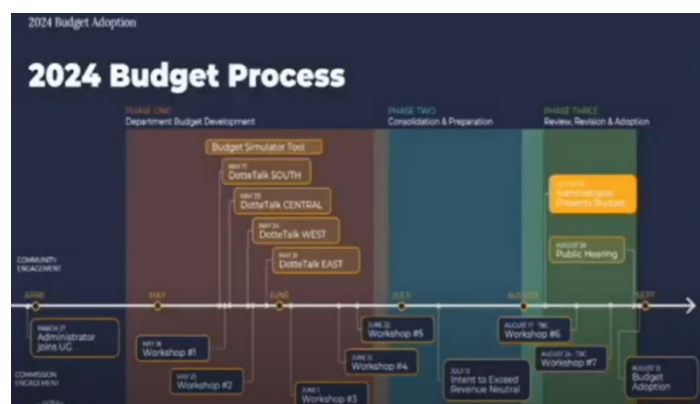
Action: **RESOLUTION NO. R-56-23**, "A resolution of the Unified Government of Wyandotte County/Kansas City, Kansas establishing the date and time of a public hearing regarding the adoption of a redevelopment project plan pursuant to K.S.A. 12-1770 et seq. (Downtown Campus) as October 26, 2023, at 7:00 p.m." **Commissioner McKiernan made a motion, seconded by Commissioner Stites, to adopt the resolution.** Roll call was taken and there were ten "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 6 – 211938...BUDGET ITEMS (UPDATED DOCUMENT PER BLUE SHEET)

Synopsis: Request adoption of the following resolutions and ordinances regarding the Self-Supported Municipal Improvement District, the Sewer Service Charge, Solid Waste Fee, the KCBPU PILOT, the 2023 Amended Budget, and the 2024 Proposed Budget; approve resolutions and ordinances authorizing public improvements contained in the CMIP and allowing debt financing to be issued to finance all or a portion of the costs and authorize the offering for sale of certain debt, submitted by the County Administrator and as amended by exhibit, if necessary, submitted by Reginald Lindsey, Budget Director, and Debbie Jonscher, Interim Chief Financial Officer.

Administrator Johnston said tonight, hopefully, will be the final acts by you for, I think, a very robust budget process that has occurred involving you over the last eight, nine weeks. You're at decision time. To help guide you through the processes that you have to go tonight, and it's not just our budget, but we have other things ancillary to that that are required. We have Debbie Jonscher, our Interim CFO, and Reggie Lindsey, our Budget Director, to guide you through the steps necessary for rest of the evening.

Reginald Lindsey, Budget Director, said Debbie Jonscher and myself, we're going to go through and give a recap of the budget season. Also, we're going to discuss items that are in the budget. Also, we're going to cover City General Fund options that came up at last week's budget session. We have an Option A for the City General Fund and an Option B for the City General Fund. Then we're going to discuss budget action items. We will vote on them tonight. Then we'll turn it back over to the executive body to discuss the options.



September 14, 2023

Our 2024 budget process. We have gone through three phases: budget development; consolidation and prep; and then review, revision, and the adoption phase of where we're at now. We started this process back in the spring. Now we're in our last phase.

We had four outreach events to the public that we refer to as Dotte Talks. Then we also had a public hearing a few weeks back. Then we had eight budget workshops throughout the three phases of the budget.



During our budget process, we had three priorities: foster fiscal discipline and responsibility, stabilize the Unified Government and creating operational resilience, and then prepare for the future today.



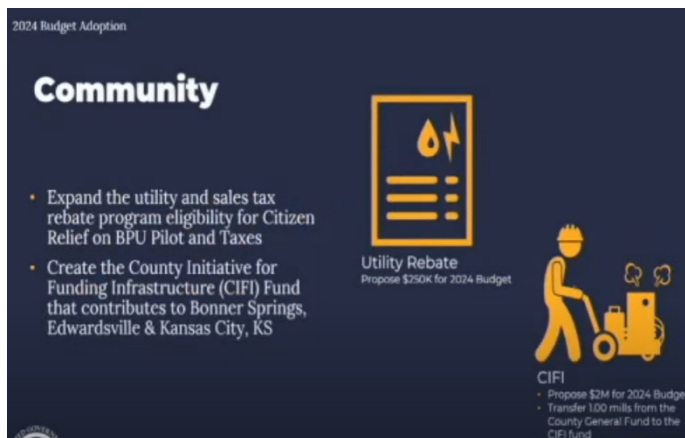
Some of the capital projects that were in our 2024 Proposed Budget included projects in Parks which include repairing Wyandotte County Lake's rock wall. Then we go to the Korean/Vietnam Veteran War Memorial. Then our Beautification Program, continuing it.

We also have some new facilities across the county. Kansas City, KS Police Department is getting a new West Patrol. We're going to replace Fire Station No. 20. We're going to have Memorial Hall renovations for preparation for the World Cup coming up in 2026.

Infrastructure wise, we stuck to our commitment of pavement preservation of increasing it by 25% each year. We also have funding within the budget for the Kansas Avenue Bridge.

Economic development projects that we have going on. We're moving with our Rock Island Bridge Project that we have committed to. We have a number of projects associated with World Cup readiness.

We have technology projects. One in the Parks Department for park asset management. Also, body cameras throughout the Unified Government. Technology related to what the Sheriff's Department will have and also the District Attorney and also the Police Department related to body cameras that we put in place. We need the technology funding to keep that going.



Some things we have in the budget for the community are we're going to expand our Utility and Sales Tax Rebate Program eligibility for senior citizens relief on BPU PILOT and taxes. That is a \$250K a year budget item. We also have an additional \$750K in the budget for additional PILOT relief.

We created a county initiative for funding infrastructure which contributes to funding infrastructure across the whole county in all three cities within the county, which are Bonner Springs, Edwardsville, and the city of Kansas City, KS, which is equivalent to 1 mill which is about \$2M.

2024 Budget Adoption

Parks

- Benchmark transfer from City General Fund to Parks Fund to city revenues
- Continue investment in parks infrastructure maintenance
 - Wyandotte County Lake Rock Wall Replacement 2023 \$500K
 - Korean/Vietnam Veteran Memorial 2024 \$35K
- Establish a Parks Asset Management System and hire a Project/Asset Manager for strategic prioritization of needs
- Anticipate a >\$1M grant/earmark for parks projects



Everthover Splash Park

Over in Parks, we increased the transfer from the City General Fund to the Parks Fund which is about \$450K. Then we continue investment in parks infrastructure. Then we established—we're going to have a Parks Asset Management System and we will hire a project asset manager for strategic prioritization of these needs. We'll have a million dollars in grants come in that are earmarked.

2024 Budget Adoption

CITY Police Department

- New West Patrol Station \$10M
- CSI Lab - Break ground on state of art facility
- Replace Fleet with Patrol Vehicle Equity Lease Program \$1.35M



KCKPD

Again, the Police Department has a number of different facilities coming. A new West Patrol, \$10M. We recently broke ground on the CSI lab. Then we'll replace the fleet with an Equity Lease Program that equates to about \$1.35M.

2024 Budget Adoption

CITY Fire Department

- Staff Station 15 with 9 additional permanent FTE and eliminate dependence on overtime
- Adjust personnel costs with the expiration of SAFER grant (18 FTE)
- Open new fire station in Turner
- Start construction of new fire station 20
- Includes funding for 3 additional fire apparatus on top of regular replacement schedule



The Fire Department. We have Station 15 at Fairfax where we've been running on overtime. We are hiring nine additional permanent employees to eliminate payments on overtime. We're adjusting personnel costs in the City General Fund where we had a SAFER Grant that was expiring. We will be paying 18 firemen that were paid from a grant out of the City General Fund now. Again, we're opening up a new fire station in Turner sometime in the fourth quarter, and then start construction on the new Fire Station 20. Also, we included in our budget, three additional fire apparatus on top of the regular replacement schedule.

2024 Budget Adoption		City General Fund				
2024 Proposed Budget: City General Fund		2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast	2028 Forecast
TOTAL REVENUES		\$ 189,185,882	\$ 175,788,284	\$ 184,823,879	\$ 188,588,447	\$ 195,690,868
TOTAL EXPENSES		\$ 179,583,501	\$ 177,684,106	\$ 185,077,218	\$ 192,785,952	\$ 200,823,999
Targeted PILOT Relief		\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000
Net Change in Fund Balance		\$ (1,482,519)	\$ (3,865,822)	\$ (2,253,339)	\$ (4,197,505)	\$ (5,133,131)
Cash Basis Ending Fund Balance		\$ 26,734,011	\$ 24,868,189	\$ 21,614,850	\$ 17,417,345	\$ 12,284,214
ACFR Ending Fund Balance		\$ 41,581,750	\$ 38,695,935	\$ 36,447,589	\$ 32,249,084	\$ 27,019,953
Reverse % of Expenditures		24.37%	22.34%	19.69%	16.17%	13.50%
Fund Balance 67% Target		\$29,000,000	\$30,296,198	\$31,403,327	\$32,173,687	\$34,140,000

Scenario: 1 Mill Cut		City General Fund				
1 Mill Reduction		2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast	2028 Forecast
TOTAL REVENUES		\$ 187,470,882	\$ 174,059,884	\$ 180,015,943	\$ 186,708,194	\$ 193,735,404
1 Mill Reduction		\$ (1,640,000)	\$ (1,740,000)	\$ (1,800,000)	\$ (1,880,000)	\$ (1,960,000)
TOTAL EXPENSES		\$ 188,953,501	\$ 177,684,106	\$ 185,077,218	\$ 192,785,952	\$ 200,823,999
1 Mill Expense Reduction		\$ (1,640,000)	\$ -	\$ -	\$ -	\$ -
Targeted PILOT Relief		\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000
Net Change in Fund Balance		\$ (1,482,519)	\$ (3,624,222)	\$ (2,063,275)	\$ (6,077,705)	\$ (7,088,586)
Cash Basis Ending Fund Balance		\$ 26,734,011	\$ 23,309,789	\$ 18,048,514	\$ 11,970,756	\$ 4,882,161
ACFR Ending Fund Balance		\$ 41,581,750	\$ 37,957,528	\$ 32,896,253	\$ 26,818,495	\$ 19,729,900
Reverse % of Expenditures		24.65%	21.36%	17.77%	13.93%	9.92%
Fund Balance 67% Target		\$29,000,000	\$30,296,198	\$31,403,327	\$32,173,687	\$34,140,000

We have two different scenarios for the City General Fund that we discussed in budget workshop No. 8 last week. One of these scenarios is to go with County Administrator Johnston's proposed budget with \$750K included for PILOT relief. One of the options is to, with the County Administrator's budget proposal, add a one mill cut to the revenue side and then also, if we add one mill cut to the revenue side, we were going to add a one mill cut to the expenditure side also. With that, we would also include \$750K for the BPU PILOT reduction for certain citizens within the community.

The slide on the screen right now, the top shows County Administrator Johnston's proposed budget with the targeted PILOT relief. You see in 2024's forecast, we have about a \$1.4M deficit, which equates to about a 24% fund balance. When we first started the budget process back in the spring, we had a \$10M deficit. With the proposed budget, we have a \$700K deficit, which is about a 24% fund balance. So with this fund balance in 2024, it is at 24%.

When we're looking at 2025, that fund balance drops to around 22%. In each of those years where we have the targeted PILOT relief, you can see that we are balancing the budget with

fund balance each year. We still have a negative fund balance going out from 2025 to 2028. The fund balance does get down to around 13%.

If we look at the financials below Scenario 1, we have a one mill cut on the expenditure side. That gets us down, and we also have the targeted PILOT relief of \$750K. With that, we end up having a 24% fund balance. As we move out to 2025, we end up having a 21% fund balance. As we move out to 2026, we end up having a 17% fund balance, which gets us near our floor which is 17%. We'd like to stay around 25%. That's what our fund balance policy reads. As we get down to 2028, we see we fall below the 17%. Also in 2027, we fall below the 17% fund balance. In each of those years with cutting a mill, we are definitely dipping into our fund balance to balance the budget and lowering our fund balance policy of where we go by 17% being the floor, but our target is 25%.

One of the things we did to line up the expenses with the one mill cut was we cut one mill within 2024. That equates to about \$1.6M. We did not do that in 2025 because the commitment, if we were to go with this option, we don't know exactly where the cuts would come from. They could be one time cuts or they could be recurring cuts, but we don't know which one it will be so we did not take it out into the future years.

2024 Budget Adoption		City General Fund				
2024 Proposed Budget: City General Fund		2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast	2028 Forecast
TOTAL REVENUES		\$ 189,519,982	\$ 175,784,284	\$ 181,823,879	\$ 188,586,447	\$ 195,490,868
TOTAL EXPENSES		\$ 179,583,501	\$ 177,684,106	\$ 185,077,218	\$ 192,785,952	\$ 200,823,999
Targeted PILOT Relief		\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000
Net Change in Fund Balance		\$ (1,482,519)	\$ (1,903,822)	\$ (3,253,339)	\$ (4,197,505)	\$ (5,333,131)
Cash Basis Ending Fund Balance		\$ 26,734,011	\$ 24,848,189	\$ 21,594,850	\$ 17,397,345	\$ 12,064,214
ACFR Ending Fund Balance		\$ 41,581,750	\$ 39,695,929	\$ 36,442,589	\$ 32,245,084	\$ 27,811,913
Reserve % of Expenditures		24.37%	22.34%	19.69%	16.73%	13.59%
Fund Balance 17% Target		\$29,090,893	\$30,206,298	\$31,453,127	\$32,713,402	\$34,089,080

SCENARIO: 2 Mill Cut		City General Fund				
		2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast	2028 Forecast
TOTAL REVENUES		\$ 185,830,982	\$ 172,321,484	\$ 178,208,007	\$ 184,827,941	\$ 191,779,940
2 Mill Reduction		\$ (3,280,000)	\$ (3,480,000)	\$ (3,620,000)	\$ (3,760,000)	\$ (3,910,000)
TOTAL EXPENSES		\$ 187,313,501	\$ 177,684,106	\$ 185,077,218	\$ 192,785,952	\$ 200,823,999
2 Mill Expense Reduction		\$ (3,280,000)	\$ -	\$ -	\$ -	\$ -
Targeted PILOT Relief		\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000	\$ 750,000
Net Change in Fund Balance		\$ (1,482,519)	\$ (5,362,622)	\$ (6,869,211)	\$ (7,938,010)	\$ (9,044,059)
Cash Basis Ending Fund Balance		\$ 26,734,011	\$ 21,371,389	\$ 14,502,178	\$ 6,564,167	\$ (2,499,892)
ACFR Ending Fund Balance		\$ 41,581,750	\$ 36,289,328	\$ 29,349,907	\$ 21,391,900	\$ 12,347,847
Reserve % of Expenditures		24.83%	20.38%	15.81%	11.83%	6.13%
Fund Balance 17% Target		\$29,090,893	\$30,206,298	\$31,453,127	\$32,713,402	\$34,089,080

The next scenario. The top financials are the same where it shows County Administrator Johnston's proposed budget with the targeted PILOT relief. We wanted to show comparison of how Scenario 2 would compare, which is a two mill cut. So we're looking at a two mill cut in 2024. We see we have like a \$1.4M fund balance or a negative fund balance of \$1.4M. The way we were able to achieve that is because we would be deducting \$3.2M from expenses and coming back to the Commission before the end of the year, going to the standing committees and also

finally bringing to full Commission to show what either the one mill cut or the two mill cut would look like in expenses.

We get down to 2025, we can see the fund balance does fall to 20%. As we get out to 2026, we can see the fund balance amount ends up being almost \$7M negative for the deficit. We end up falling to 15%, which is up under our floor of our fund balance policy of 17%. As we get out to 2028, we can see that our cash basis ending fund balance is a negative \$2.5M and we would not be able to approve a budget that year.

UNIFIED GOVERNMENT													
2024 - 2028 Proposed Capital Improvement Program (CIP)													
DEBT FINANCED PROJECTS													
Project Type	Dept	Priority	Ranking	WSP	CIP	2023 Original	2023 Amended	2024	2025	2026	2027	2028	2029-28
Utilities	1	23			PH25 - 21ST - H25TH Water Plant Station	-	-	500,000	500,000	4,500,000	4,500,000	-	10,000,000
	1				PH25C2 - Station CIP for 15th Avenue Water Plant Station	2,000,000	2,000,000	-	-	-	-	-	2,000,000
	1	16			PH25C3 - PH25C2 Station CIP	1,700,000	1,700,000	1,000,000	-	-	-	-	3,000,000
	Public Total					3,700,000	3,700,000	1,000,000	500,000	4,500,000	4,500,000	-	15,000,000
	3	16			PH25 - 21ST - San Sewer Expansion Project - Plant CIP	-	-	1,000,000	-	-	-	-	1,000,000
Other Dept Total					-	-	1,000,000	-	-	-	-	1,000,000	
						Utilities Total	3,700,000	3,700,000	2,000,000	500,000	4,500,000	4,500,000	16,000,000
Community Projects													
	1	13			AUTO - 38TH - CIP H25TH Water Plant	-	-	500,000	2,100,000	-	-	-	2,600,000
	3	17			PH25 - 21ST - San Sewer Expansion Project - Plant CIP	-	-	500,000	-	-	-	-	500,000
	3	16			PH25 - 21ST - San Sewer Expansion Project - Plant CIP	100,000	100,000	100,000	100,000	100,000	100,000	100,000	500,000
						Community Projects Total	100,000	100,000	600,000	2,700,000	100,000	100,000	2,700,000
						City Total Projects	3,800,000	3,800,000	2,600,000	2,600,000	4,600,000	4,600,000	18,700,000
Other Debt Projects													
Sewer System													
	1	15			PH25C2 - Annual Wastewater System Renewal, 2024	6,000,000	6,000,000	6,000,000	10,000,000	10,000,000	10,000,000	12,000,000	50,000,000
	3	16			PH25C2 - Annual Overflow CIP Reduction Program, 2024	7,000,000	7,000,000	6,000,000	6,000,000	4,500,000	5,000,000	5,500,000	30,000,000
	3	8			PH25C2 - Annual Sanitary Sewer System Capacity Upgrade, 2024	1,000,000	1,000,000	1,000,000	1,700,000	1,700,000	1,700,000	1,700,000	6,000,000
	3	11			PH25C2 - Annual Wastewater and Control Improvements, 2024	-	-	1,000,000	-	1,000,000	-	1,000,000	3,000,000
	1	8			PH25C2 - Relocation of Sewer Maintenance Facilities	5,107,000	5,107,000	5,107,000	-	-	-	-	10,214,000
						Sewer System Total	21,107,000	21,107,000	23,707,000	19,700,000	16,700,000	20,200,000	117,214,000
State Revolving Loan Fund													
	1	16			PH25C2 - Stormwater Retention & Replication	2,000,000	-	-	-	-	-	-	-
	1	8			PH25C2 - Stormwater Retention & Replication	1,700,000	-	-	5,000,000	5,000,000	-	-	6,700,000
	1	8			PH25C2 - Stormwater Retention & Replication	400,000	-	-	-	-	-	-	-
	1	16			PH25C2 - Stormwater Retention & Replication	-	-	-	1,228,787	1,228,787	1,228,787	1,228,787	4,916,348
						State Revolving Loan Fund Total	4,100,000	-	6,228,787	6,228,787	6,228,787	6,228,787	21,845,132

This slide right here represents two big pages in the budget document that needed to be replaced that were within the Capital section. They're pages 369 and 370. They're related to the stormwater projects within the Debt section in our State Revolving Loan Fund. What happened was two of the years, 2023 Amended and the 2024 Budget, we removed projects from those years.

UNIFIED GOVERNMENT 2024 - 2028 Proposed Capital Improvement Program (CIP) DEBT FINANCED PROJECTS												
Project Type	Exp Priority	Ranking	MP	CIP	2023 Original	2023 Amended	2024	2025	2026	2027	2028	2029- 28
Storm Water Utility												
1	10	10	10	WFO - 2021 - Turkey Creek Channel/Tunnel Repair		1,000,000				5,000,000		4,180,000
1	14	10	10	WFO/2179 - Annual Stream Bank Stabilization Improvements, 2024	100,000	20,000	100,000	100,000	100,000	100,000	100,000	520,000
1	5	10	10	WFO/2187 - Turkey Creek Watershed	100,000		100,000	400,000	500,000	500,000		1,500,000
1	12	10	10	WFO/2177 - Stormwater Enhancements				1,000,000				1,000,000
Storm Water Utility Total					200,000	200,000	200,000	1,000,000	600,000	6,000,000	100,000	6,280,000
Water Infrastructure Finance and Innovation Act (WIFIA)												
1	1	10	10	WFO - 2021 - Waterway Corridor Stormwater Improvements			1,000,000	1,000,000	1,000,000			3,000,000
1	10	10	10	WFO/2177 - Stormwater Remedial & Replacement	1,000,000		4,500,000					4,500,000
1	3	10	10	WFO/2180 - Argentine Basin Stormwater Improvements	1,000,000							1,000,000
1	3	10	10	WFO/2180 - Turkey Creek Basin Stormwater Improvements	800,000			1,200,000	1,200,000			2,400,000
1	10	10	10	WFO/2180 - Turkey Creek Basin Stormwater Improvements								
1	10	10	10	WFO/2180 - Turkey Creek Basin Stormwater Improvements								
1	10	10	10	WFO/2180 - Turkey Creek Basin Stormwater Improvements								
1	10	10	10	WFO/2180 - Turkey Creek Basin Stormwater Improvements								
Water Infrastructure Finance and Innovation Act (WIFIA) Total					4,100,000		4,500,000	2,200,000	2,200,000			10,800,000
Public Building Construction												
1	4	10	10	WFO - 2021 - Regional Emergency Operations Center			1,000,000					1,000,000
1	10	10	10	WFO - 2021 - WFO/Lake Road			1,200,000					1,200,000
1	10	10	10	WFO - 2021 - Community Care Center	1,000,000		1,000,000					2,000,000
1	5	10	10	WFO/2180 - Courthouse	1,000,000	1,000,000		800,000				2,800,000
1	5	10	10	WFO/2180 - Turkey Creek Office Construction	100,000			1,000,000				1,100,000
Public Building Construction Total					2,100,000	1,000,000	2,000,000	1,800,000				6,900,000
County Debt Projects												
1	10	10	10	WFO - 2021 - 2024 Digitizing Project	400,000							400,000
1	10	10	10	WFO/2180 - 2024 Digitizing Project	1,000,000	1,000,000						2,000,000
County Debt Projects Total					1,400,000	1,000,000						2,400,000
Storm Water Utility					200,000	200,000	200,000	1,000,000	600,000	6,000,000	100,000	6,280,000
Water Infrastructure Finance and Innovation Act (WIFIA)					4,100,000		4,500,000	2,200,000	2,200,000			10,800,000
Public Building Construction					2,100,000	1,000,000	2,000,000	1,800,000				6,900,000
County Debt Projects					1,400,000	1,000,000						2,400,000
All Debt Projects Total					8,700,000	3,000,000	4,200,000	3,800,000	6,600,000	12,600,000	100,000	26,900,000
Debt												
1	1	10	10	WFO - 2021 - 2024 Digitizing Project			1,000,000					1,000,000

This is page 370 where we also made adjustments. We removed projects from the 2023 Amended year. We also added some projects and took away some projects in the 2024 year for the Water Infrastructure Financing Innovation Act. In 2024, we did increase the funding about \$4.2M. That is a federal program that the EPA has to help us issue debt at a lower rate.

I'll turn it over to our Interim CFO, Debbie Jonscher, to talk about our SSMID.

Debbie Jonscher, Interim CFO, said in addition to the options that Reggie just discussed on the budget, we wanted to talk about the other items that you are going to be asked to approve tonight so I'll just go through those.

2024 Budget Adoption					
Budget Action - Self-Supporting Municipal Improvement District (SSMID)					
	2024 Proposed Mill Levy (SSMID Calculation) *	2024 Proposed Mill Levy (UG Calculation) **	2024 Current Mill Levy (UG Calculation) **	2024 Proposed Mill Levy (UG Calculation) **	2024 RMR Mill Levy (UG Calculation) **
Mill Levy	11.250000	11.250000	10.707026	9.967700	9.630483
SSMID Revenue					
Tax Assessment	212,836	241,122	228,623	212,836	205,636
Other Share	26,000	26,000	26,000	26,000	26,000
UG Share	127,500	127,500	127,500	127,500	127,500
BPU Share	17,500	17,500	17,500	17,500	17,500
Total Revenues	383,836	412,122	399,623	383,836	376,636
Total Expenses	383,836	383,836	383,836	383,836	383,836
Ending Fund Balance	107,024	135,310	122,811	107,024	99,824

* SSMID calculation - 2022 Real assessed valuation

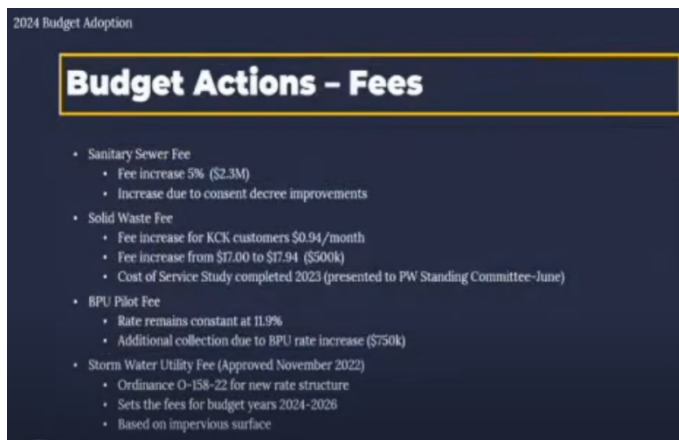
** UG calculation - 2023 estimated assessed valuation

The first item to be approved is the one for the Self-Supporting Municipal Improvement District, also known as the SSMID. Since we really hadn't discussed their levy, I wanted to at least just bring this; have a slide for their levy. Here, I'm just showing the calculations. Their proposed budget was actually an increase to their current mill levy. That first column in blue is what is their

projected budget. I believe that one of the things I found, the second blue column is the column that I recalculated. What I discovered was when they calculated their tax revenue, they used their assessment from the 2022 valuation, not the estimated June 2023 estimate. So, my calculation actually shows that number using the current valuation that was certified by the Clerk in June.

As you can see, I believe their increase was associated with they were trying to balance their revenues and expenses so that they'd have a structural budget. What I did was I went back and looked at their current budget with their current levy, which is the first middle yellow column there. Their current levy is 10.707026 mills. You'll see that with the current valuation, their revenue would be enough to support their expenses on the mill.

I also calculated the revenue neutral rate. So, just wanted to—I believe the resolution or ordinance that's out there is actually proposing to increase their mill levy, so we wanted to make sure we had those options shown before that item came before you.



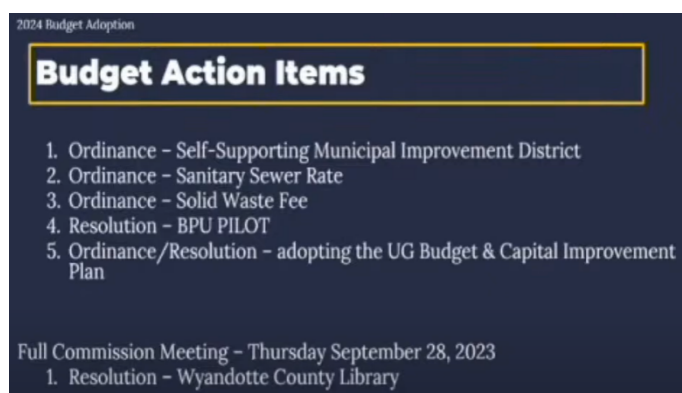
This next one just shows the other fees that you'll be asked to approve. I just wanted to go over those. We had been asked by one of the commissioners to see what was in the budget. For the sanitary sewer fee, there's an increase of 5%. That amounts to about \$2.3M in increased revenue for the Sewer Fund. This is due to the consent decree improvements and the increases that were outlined in the plan that was approved by the EPA.

The next one is solid waste fee. This is the trash and recycling fee. The increase there is \$0.94 per month for Kansas City, KS, customers. The current fee is \$17 and we're proposing to take that to \$17.94. This would bring in an additional \$500K in revenue. Public Works did bring the cost of service study to the Public Works Standing Committee in June to kind of outline these

increases. They went through and analyzed all the costs, and this was the projected increase for 2024.

The BPU PILOT fee, there's a resolution that currently the rate remains constant at 11.9%. That is one of the items. I did add in there the additional collection due to the BPU rate increase, \$750K that is for the additional PILOT relief, but that is not affected by the item you're going to approve tonight. We built that into the budget.

The last one is the stormwater utility fee. I think in our previous budget workshop, I said there would be an item for approval tonight for that. There is not. Ordinance 158-22 was actually approved with the new rate structure back in November 2022, and it sets the fees for the years 2024 – 2026. That new rate structure is based on the impervious surface, so there is no ordinance to approve for that one.



This next slide just shows those items. The first four were the ones I just talked about, and then the ordinance/resolution that Reggie talked about would be adopting the UG Budget and the Capital Improvement Plan.

Just a reminder, the resolution for the Wyandotte County Library will actually come before you at the next Commission meeting of September 28th.

With that, we'll turn it back over to the County Administrator for comment.

Administrator Johnston said, Debbie, Reggie, thank you very much. What was agreed upon last week was to have a discussion—well, you had a discussion on providing mill relief budget. At the end of the meeting, there was kind of a consensus to bring both options for tonight. Option A is the recommended budget that I presented to you, Commissioners and Mayor. The second one, Option B, is with a mill reduction. With that, you pass a policy reducing the budget by \$1.6ish

million. Then it'd be my job after that to find where that \$1.6M would come from after the budget's passed.

Mayor Garner said, Commissioners, we have several items for you that I'm going to walk you through to consider. Each of them will be a separate vote. I will start off with—these are all action items.

Commissioner McKiernan said I would propose to the Commission that, first of all, some background. When I looked at page 49 of our original budget document, which is the third of three pages of this mill rate, city, county, and then SSMID, I misread that as staying at the same mill rate for 2024 as they did for 2023. I would propose that since we have held the city rate constant and the county rate constant, that we would similarly hold the SSMID mill rate constant at 10.7. Debbie's calculations show that they still meet their budget with that constant mill rate. So I would move that we approve the SSMID item but with the amendment that we hold the mill rate constant at 10.707, which was the 2023 mill rate.

A. SSMID ORDINANCE

An ordinance expressing the property taxation policy of the Unified Government with respect to the financing of the 2024 Annual Budget for the Self-Supported Municipal Improvement District (SSMID) and approving, adopting, and appropriating the budget of the SSMID and levying a tax for the year beginning January 1, 2024.

Action: **ORDINANCE NO. O-104-23**, “An ordinance expressing the property taxation policy of the Unified Government of Wyandotte County/Kansas City, Kansas with respect to financing the 2024 Annual Budget for the Self-Supported Municipal Improvement District and approving, adopting and appropriating the budget of the Self-Supported Municipal Improvement District and levying a tax for the year beginning January 1, 2024, at a rate of 10.707.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

B. VARIOUS RESOLUTIONS AND ORDINANCES SETTING UNIFIED GOVERNMENT FEES FOR SEWER SERVICE AND SOLID WASTE, AND SETTING THE KCBPU PILOT

- i. An ordinance adopting a regulation establishing the rate for sewer service charges effective January 1, 2024.**

Action: **ORDINANCE NO. O-105-23**, “An ordinance relating to sewer service charges, approving the regulation establishing the rate, effective January 1, 2024, as authorized by Section 30-96 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, and repealing any previously adopted regulations establishing such rates; increasing rates by 5%.” **Commissioner Markley made a motion, seconded by Commissioner Johnson, to approve the ordinance, as recommended by the County Administrator’s budget.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley; and one “No,” Burroughs.

- ii. An ordinance setting the solid waste fee for single-family residences and residential units in buildings not containing more than four dwelling units, effective January 1, 2024.**

Action: **ORDINANCE NO. O-106-23**, “An ordinance relating to the monthly fee on residential units in the city of Kansas City, Kansas, to fund the Unified Government's solid waste services, amending Section 31-17(b) of the Unified Government of Wyandotte County/Kansas City, Kansas Code and repealing original Section 31-17(b). ” **Commissioner Markley made a motion, seconded by Commissioner Johnson, to approve the ordinance as read by the Mayor and recommended by the County Administrator in his budget proposal.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley; and one “No,” Burroughs.

- iii. A resolution setting the percentage of gross revenues to be set over by the Board of Public Utilities to the Unified Government for 2024 (the PILOT).

Action: **RESOLUTION NO. R-59-23**, “A resolution setting the percentage of gross revenues to be set over by the Board of Public Utilities to the Unified Government for the year 2024.” **Commissioner Markley made a motion, seconded by Commissioner Johnson, to adopt the resolution as recommended by the County Administrator’s proposed budget.** Roll call was taken and there were eight “Ayes,” Davis, Bynum, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley; and two “Nos,” Stites, Burroughs.

C. ORDINANCE/RESOLUTION APPROVING, ADOPTING, AND APPROPRIATING THE FUNDS FOR THE AMENDED 2023 AND 2024 BUDGET.

- i. A resolution and an ordinance approving, adopting, and appropriating the budget of the Unified Government of Wyandotte County/Kansas City, Kansas, for the Amended 2023 Budget and the 2024 Budget for the year beginning January 1, 2024, as proposed by the County Administrator.

Mayor Garner said we have the UG budget and adoption of the 2023 Amended Budget and the 2024 Budget. The Commission is being presented with two options, or has been. Option one is adopting and approving the budget as proposed by our County Administrator David Johnston. Option two is adopting and approving the budget with one mill levy rate reduction for the tax year 2024 for the city of Kansas City, KS.

Action: **ORDINANCE NO. O-108-23/RESOLUTION NO. R-57-23**, “An ordinance/ resolution approving, adopting and appropriating the operating and capital maintenance improvement project budgets of the Unified Government of Wyandotte County/ Kansas City, Kansas, as submitted and amended by attachment A, for the fiscal years beginning January 1, 2023 and the fiscal year beginning January 1, 2024; approving the five year Capital Maintenance Improvement Program for fiscal years 2024 through 2028.” **Commissioner Markley made a**

motion, seconded by Commissioner Johnson, to accept the County Administrator's proposed budget, Scenario A in our packet, including the \$750K BPU PILOT relief; approving the ordinance/adopting the resolution.

Commissioner Burroughs said this has been an arduous process and I do appreciate the fact that the Commission spent a tremendous amount of time on the budget. I do believe that there's real improvements to be made within the budget. I think over the last two to three months, we've heard from hundreds of taxpayers within our community that taxes are the biggest burden that they face within this community. While I do appreciate the work and effort that's gone into the budget, I will make my vote in support of the public and their wishes to have some tax relief.

Mayor Garner said the only comment that I can make—and you've heard me throughout this budget process and I said it last year and I'll say it again—is at some point, we have to take a hard look at our budget and identify what essential services are. We've got to streamline this government. We cannot continue to tax, spend, borrow, and expend our savings. That is not a good business practice or really a good business model for any successful business or government. If it was, we would not be in the amount of debt that we are in. We would not be looking at bankruptcy or the red or just whatever you want to call it, a shortfall, which all occurred before I got here.

We've got to change the way we do business here in Wyandotte County. Business as usual has to stop. We've got to find ways to listen to the people of Wyandotte County.

Again, I encourage every commissioner here to come with me. Every day I go out and I guarantee you will hear a resident saying, give us relief and saying we'll be willing to work with you in that regard. I will go outside of Wyandotte County and I can take you to several businesses that said, Mayor, we would love to come to your awesome community, like you like to call it, but your taxes are too high and your BPU PILOT fees are too high, and we're going to continue to look elsewhere unless you want to give us some huge incentives to come here and do business with you.

It hurts me and it's hurt me being mayor for the last two years and listening to people beg, which they shouldn't have to do because we should be community-driven, this Commission, to listen and to find ways to streamline and to cut, while also responsibly finding a way to provide

essential services. This business model has not worked well for Wyandotte County. This business model has been in effect long before I became mayor. I did not cause any of this. I don't vote on any of this.

It hurts me when I go out in the community and you've seen people plead with you all. I've gone out and literally have people break down and I've had to hug them.

Then I listen to the millions of dollars we give away to big business. We've done that for decades. A lot of them haven't paid their fair share and it's caused people's property valuations to go up and hard-working taxpayers are paying the price. At some point, we have got to put a pressure point on taxes, and we've got to change how we do business.

I just hope moving forward that this Commission finds the will to be community-driven, to put people above politics, above bureaucrats, and above the self-serving interests of this Unified Government, and start putting the people of Wyandotte County first. They've demanded it. They've asked for it. They've begged for it.

My fear is—I just went to a meeting yesterday and an elderly woman told me, Mayor, I can't take anymore. I'm moving out of Wyandotte County. I've lived here all my life. I hate hearing that because there's nothing I can do to convince her to stay.

Through the two years that I've been mayor and all these budget hearings, I have yet to hear one resident come up here and say I'm good with you all raising my taxes. I'm good with these fees. I haven't heard it. It hurts me, as mayor, and I care about these people knowing that I'm helpless to do nothing to give them the relief that they expect from this Unified Government because we represent them. We're supposed to be their voice.

There's a lot of areas where we could have cut, we could have streamlined. Unfortunately, this Commission has refused to act. I just hope moving forward that the people sitting up here with me take a different approach and we start doing the things that really reflect the will of the people and we expand this tax base and we do so responsibly so we can grow our tax base in a way that we can provide our services and get ourselves out of this mess that somehow we've gotten ourselves into.

I just feel bad for the people that are either going to have to pay more or not going to be able to pay more and they don't know what they're going to do.

Commissioner Bynum said just a couple of comments before the vote. We have talked through a number of budget hearings about potential ways to reduce the mill levy. We've spent many conversations around whether we could make reductions on the county side or the city side.

We had a budget hearing on the 24th of August such that there was a majority opinion among the commissioners to hold the mill levy constant. I had a call with the Mayor the next day. That led to the Mayor, basically, agreeing to go ahead and push the budget adoption off of the last day of August and to tonight.

Commissioner Burroughs and I spent time as a result of that with staff, including the County Administrator, and, of course, the Budget Director and CFO to just look at if a mill levy cut was possible. I appreciated the County Administrator. He had mentioned this earlier in his remarks, but I just want to be clear and clarify that the offer that he made was a one mill reduction on the city side of the budget would equate to \$1.6M. His offer to us was that if we chose that route, he would recommend that the motion for such action include that we would hold all staff positions, salaries harmless, that we would direct him to bring us that \$1.6M finding sometime in the future around November, and that he bring us regular updates between now and then. I say all of that just by way of trying to share with the public that was the intent of that exercise.

So, we brought that forward last week to a last and final budget workshop. We've talked among ourselves many times, both last year and this year, and I think we mean it that starting tomorrow, we're going to work really hard to find some relief. I do think we are sincere about that, and I think we have an Administrator who sincerely is going to lead us through that and we are going to find a way in the future to create some mill levy reduction.

My one request of the body is that I hope that as a mayor and a commission, as we do that really hard work, that we come to a consensus and agreement on what is considered someone's fair share. We heard the Mayor speak earlier tonight about people paying their fair share. So, I think it would be incumbent on us to have a conversation among ourselves about what does that look like. What is someone's fair share?

I'm happy that within this budget and with the help of these commissioners, we've done a few things that I think do impact the most vulnerable in our community. You all know that prior to tonight, we amended some ordinances that allow for expansion of our Sales Tax Rebate and our Utility Tax Rebate. I'm happy that we've been able to do those things. I want to make sure we all understand that when we talk tonight in our budget about PILOT relief, we are adopting PILOT

relief for that same target population that we are dealing with on the Sales Tax Rebate and the Utility Tax Rebate. We are mirroring PILOT relief to that same target population. That is an effort that this Commission supported in this budget, and I really do appreciate that.

Charter ordinance changes and ordinance changes are coming to standing committee meetings later this month so that we can enact those PILOT relief measures and have staff begin working on exactly how staff will bring forward that work. What that simply means is that there is a target population in this community that will not pay a PILOT. I appreciate the conversations that we've had around that because in addition to that, we do seek to actually lower the PILOT percentage for everybody else. I know it's going to be a really important part of the work that is ahead of us.

Mayor, I thank you for just allowing me to make a few comments because I wanted to explain the process that we have been through just in the last few weeks, and also make sure that we clarify the ways that we've been able to provide some small measure of relief, again, for that most vulnerable targeted population.

Commissioner Ramirez said it is, and within my own opinion, that we did what we could with what we had. Yes, we have to make tough decisions soon. Our Administrator is going to lead us down that road. To say because I'm not going the way that the Mayor wants, does not mean that I don't care about my community. I do. I wouldn't be here if I didn't. I've been door knocking. Yes, the number one thing is taxes I hear, but also at the same time I hear I want more. How do we make that balance? How do we find that perfect balance of being able to provide relief but also provide more? It's a tough balance that we have to carefully work together to do.

It was said that we have to take politics out of this. Is it not politics when you go out in the community spreading misinformation and mischaracterizations about this Commission, but also encourage residents to vote people who will work with this Mayor? Is that not politics bringing into the budget? It is. It goes both ways. Nothing is ever going to get done until we put all our agendas, our egos aside and do what's best for the community.

Mr. Mayor, you keep saying you have an open door policy. Why must we be the ones to come to you? I can't speak for my colleagues. My phone has an open door policy. You have my phone number. We used to talk on the phone a lot when you were first elected. I know you have my phone number. I'm not shying away from the conversation. We want to have the conversation;

let's have it. But the politics and the misinformation, we get enough of that at the national level of those tactics. We don't need that here in this community.

Mayor Garner said, well, since you mentioned me, I'll respond. Thank you. First of all, I don't play politics because I'm not a politician. I don't say one thing and do another. I've stayed true from the time before I campaigned to the time I'm here now. There's no need for me to play politics because I don't play politics on the back of hard-working citizens.

You admitted it. They talked about they want tax relief. There's no politics in that. There's no misinformation in people saying they want tax relief and they want a commission that works for them and that listens to them.

I'm not going to pick up the phone and call somebody when I've asked to meet with you and you refuse to meet. I refuse to. I put the olive branch out enough. Yes, I'm a professional. I will meet you wherever you want me, but that is a two-way street. I've invited you to sit on boards and you produce nothing. I've invited you to meet. You won't meet. That says to me that you don't want to listen to me or this community.

I don't spread misinformation. I spread truth and the truth of the matter is, is that people are sick and tired of being sick and tired of not being listened to by this Commission. I've listened to you before I became mayor and every year it's maybe next year, maybe next year. Kick the can down the road. We can't do it this year. People are sick of it. Find a way. I've been an executive and I've been in leadership roles. I've balanced budgets. I've done that. I've got that experience of doing those things. I can tell you I ran for mayor because I got sick of people hurting and I got sick of this Unified Government.

I moved out of Wyandotte County. Yes, I was one of those people and I moved back because people said do not leave us. You're our voice. You're all I have. People up here at the Unified Government aren't listening. They don't get it. Who else is going to speak up? I've watched people come up here and literally beg. I've watched people on their phones talking, not paying attention. I go out in this community. I can't tell you how many people—you want to talk about politics. They want commissioners to show up and answer hard questions. I'm answering the questions and trying to answer questions for this Commission.

I go everywhere, probably more so than any mayor in a very long time; all over Wyandotte County, in every community and the message is the same. Why aren't they listening to us? There's

no politics in that. I'm not running for re-election. I'm the mayor whether anybody likes it or not. I am the mayor and people voted me in on a platform and an agenda that said we have had enough. Some of you have ran and I've listened to you say, oh well, I'm going to do everything we can to lower your taxes. Then you get up here and you do something totally different. That's politics.

I'm not a politician. I'm an elected official and I take pride in that. The great Chester Owens taught me the difference between politicians that say one thing and do another, and elected officials that mean what they say and do what they say. They don't do what they want, but they do what the people want and they listen to the people and they push for an agenda.

I've offered this Commission for two years now an opportunity to work with me on a way to get to where we need to be. It's not about what I want. You keep saying, the mayor. I've heard that. The mayor's plan. The mayor. I don't want anything other than what's best for the people of Wyandotte County. I'm their voice. Take me out of it. All I am, I'm just the messenger.

I worry about the future of this county and our children, our young people. I've talked to young people. I go to these schools. So many of our young people don't even want to come back here. What do they have? We can talk about Village West and everything out west, and that's great, but we've given away too much to get it, in my opinion. Then you look east. The food desert, the blight, the hopelessness, the poverty. We won't make those same types of commitments and investments in the people that live east of 55th Street and that is shameful. It just so happens most of those people happen to be Black, Brown, and poor.

I'm not here for me. I don't need anything. I don't want anything. I'm retired. God has blessed me. I came back here because people asked me to. I didn't have to. I'm fighting for the very people that for 32 years supported me when I was in public safety and we worked together and we found solutions to problems.

I went to Dotte Talk for two years. I can count on one hand with fingers left over how many commissioners actually went and showed up, not only supported staff, but supported the community.

I'm not here to criticize. I'm here to point things out that there's always a way to do things better. I don't care about the mistakes of the past. We've got to work together to find a way to fix things moving forward because this community is demanding us to do it. I've gotten so much undermining, hate, rejection, and pushback since I've been mayor. I've never seen anything like it because I'm speaking up for the people. That's okay. I'm going to continue to fight. I'm going

to continue to speak up. I'm going to continue to push a community-driven forward to this Commission and to this staff because that's what I ran on.

I don't care. I don't fold like a wet paper towel. I'm sorry. I don't go along to get along. I do what I say I'm going to do and that's why people voted for me. That's why people asked me to run. I'll do it until I'm not mayor anymore. I don't really care who likes it because what matters to me most is the people in this community. I put service to them above this government and anybody in here because we're all public servants. We work for this community and somehow we've gotten that backwards. This community doesn't owe us a dime. We owe them.

So, I'm not here to play politics. I'm not running for any office. Don't know if I will ever again. But while I am your mayor, I'm going to fight for these people because it sounds like that's all they have. I don't hear anybody up here other than Tom Burroughs talking that way consistently without injecting politics into it.

Commissioner Markley said, Mayor, I call for the question.

Roll call was taken on the motion and there were eight "Ayes," Davis, Bynum, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley; and two "Nos," Stites, Burroughs.

- ii. A resolution and ordinance approving, adopting, and appropriating the budget of the Unified Government of Wyandotte County/Kansas City, Kansas, approving a one mill levy rate reduction for tax year 2024 for the City of Kansas City, Kansas.

Action: No vote required due to passage of Item C.i.

COMMISSIONERS' AGENDA

No items

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

No items

PUBLIC ANNOUNCEMENT

No items

ADJOURN

Action: Commissioner Johnson made a motion, seconded by Commissioner Markley, to adjourn. Roll call was taken and there were ten “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley.

MAYOR GARNER

ADJOURNED THE MEETING AT 11:10 P.M.

September 14, 2023

Monica Sparks
Deputy UG Clerk

cg

September 14, 2023