STATE OF KANSAS)
WYANDOTTE COUNTY)) SS **REGULAR SESSION**
CITY OF KANSAS CITY, KS) **March 7, 2024**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Regular Session Thursday, March 7, 2024, with nine members present via Zoom and on site: Bynum, Commissioner At-Large First District; Townsend, Commissioner First District; Burns, Commissioner Second District; Ramirez, Commissioner Third District; Hill, Commissioner Fourth District; Kane, Commissioner Fifth District; Lopez, Commissioner Sixth District; Stites, Commissioner Seventh District; and Burroughs, Commissioner At-Large Second District and Mayor Pro Tem, presiding. Davis, Commissioner Eighth District; and Garner; Mayor/CEO; were absent. The following officials were also in attendance: David Johnston, County Administrator; Angela Lawson, Acting Chief Counsel; Jeff Conway, Senior Attorney; Debbie Jonscher, Interim Chief Financial Officer; Pamela Kahao, Accounting Manager; Monica Sparks, Interim UG Clerk.

Mayor Pro Tem Burroughs said I'm Commissioner At-Large District Two. Tonight however, I will be acting as Mayor Pro Tem due to the unavailability of Mayor Garner.

Mayor Pro Tem Burroughs 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 mute their phones when not speaking to avoid 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 who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General's Office.

I will now call this meeting to order. Clerk, roll call, please.

Roll call: Ramirez, Hill, Kane, Lopez, Stites, Bynum, Townsend, Burns, Burroughs.

Mayor Pro Tem Burroughs said the invocation this evening is being given by Chaplain Clarence Miller III, of the Calvary Baptist Church, followed by the pledge of allegiance.

Commissioner Kane said I was pleasantly surprised by Sister Vicki being here. She's one of the very few people that have seen me when I was skinny and had hair and I dealt her a hard time all the way to four years at Bishop Ward High School, and it's fantastic to see you.

Mayor Pro Tem Burroughs said I'll ask the Clerk, are there any revisions to tonight's agenda?

Monica Sparks, Interim UG Clerk, said we do have two revisions to the agenda. We have an agenda update that added two items to the Administrator's Agenda. Item 2 is an ordinance regarding disapproval of bonds for the Kansas Development Finance Authority for Victory Hills. Item 3 is an ordinance expressing disapproval of the issuance of private activity bonds by the Kansas Development Finance Authority for the City Hall Place Apartments. Those are the only revisions.

Mayor Pro Tem Burroughs said we do have several items on the Mayor's Agenda this evening. The first three items are proclamations. Madam Clerk, would you please read.

6. MAYOR'S AGENDA

Item No. 6.1 – 213021…PROCLAMATION: WILLIE ETTA JENNINGS 105TH BIRTHDAY

Synopsis: Proclamation proclaiming March 2, 2024, as Willie Etta Jennings 105th Birthday, submitted by Tyrone A. Garner, Mayor/CEO.

Ms. Sparks, Interim UG Clerk, read a synopsis of the following proclamation.

Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, Willie Etta Lee was born on March 8, 1919, in Lathrop, MO, the daughter of Reuben and Katheran Lee. She attended school in Lathrop, MO, and Kansas City, MO. Later, she attended Lincoln University in Jefferson City, MO where she studied early childhood education, receiving a certificate of education in 1940; and

WHEREAS, Wille Etta met and married LaTell Jennings in 1942 and from this union of marriage, three daughters were born; and

WHEREAS, Willie Etta found peace, reverence, and support in the Catholic Church and worked within the dioceses as Director of Catholic Social Services Day Care, a position held faithfully until retirement; and

WHEREAS, Willie Etta has been a member of Our Lady & St Rose Catholic Church for over 60 years, serving on the parish council, as a lector and choir member; and

WHEREAS, Willie Etta is one of the founding members of Sanctuary of Hope Prayer and Retreat Center. Even after 15 years, Willie Etta served as the co-chair of Associate Members and is a strong advocate for this ministry of prayer; and

WHEREAS, Willie Etta is the founding member and support mother of Mother to Mother Ministry – a support group that partners mothers (or grandmothers) who are caring for young children with professional women to mentor and support them; and

WHEREAS, Willie Etta became a member of the Knights of Peter Claver Ladies Auxiliary and later became a member of the 4th Degree of Ladies of Grace. She is as active a member today as she was when she first joined; and

WHEREAS, Willie Etta has been a member of Delta Sigma Theta Sorority, Inc. for over 80 years, where she is still financially with the Kansas City (KS) Alumnae Chapter and a "Golden Life" member. She is also a lifetime member of the NAACP.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim Sunday, March 2, 2024, as:

"Willie Etta Jennings 105th Birthday"

in Wyandotte County/Kansas City, Kansas. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

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TOM BURROUGHS, MAYOR PRO TEM

Action: **Proclamation was read.**

Mayor Pro Tem Burroughs said It's quite a monumental task.

Item No. 6.2 – 213022…PROCLAMATION: HENRY WARREN SEWING DAY

Synopsis: Proclamation proclaiming March 16, 2024, as Henry Warren Sewing Day, submitted by Tyrone A. Garner, Mayor/CEO.

Ms. Sparks, Interim UG Clerk, read a synopsis of the following proclamation.

Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, Henry Warren Sewing, also known as H.W. Sewing, founded Douglass State Bank in Kansas City, Kansas, on August 25, 1947, as the first Black-owned and operated bank in the Midwest. Named in honor of civil rights leader Frederick Douglass, the bank captured his vision of providing financial opportunities and economic freedom for Black people; and

WHEREAS, H.W. Sewing served as chairman of Douglass State Bank and president of the H.W. Sewing & Company Inc. insurance firm and helped establish other business ventures, including Sentinel Loan & Investment Company, and Black-owned banks in Houston and St. Louis; and

WHEREAS, H.W. Sewing was born on February 15, 1891, into extreme poverty in Calvert, Texas, and was the third of seven children of Thomas and Margaret Sewing. He was determined to get an education and worked his way through college at Tillotson College in Austin, Texas, and Fisk University in Tennessee; and

WHEREAS, H.W. Sewing married his college sweetheart, Ina Rebecca Widmon, on September 20, 1917, and was devoted to her for 52 years until her death on June 23, 1969. They had two daughters, Margaret Walker and Dimple Jamison; and

WHEREAS, H.W. Sewing consistently endeavored to nurture and mentor a younger generation of entrepreneurs and business leaders, including his nephews, Donald Sewing of Overland Park, Kansas, and Richard Sewing of Houston, Texas; and

WHEREAS, H.W. Sewing, who died November 1, 1980, led a remarkable life governed by his unwavering faith and desire to uplift, educate, and help advance Black people.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim March 16, 2024, as:

"HENRY WARREN SEWING DAY"

in Wyandotte County/Kansas City, Kansas. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

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TYRONE GARNER, MAYOR/CEO

Action: **Proclamation was read.**

Mayor Pro Tem Burroughs said congratulations, Mr. Warren. The final two items under the Mayor's Agenda are companions. Item 3 tonight's activities are proclamations, recognizing Women's History Month. I'd ask the clerk to please read the proclamation.

Item No. 6.3 – 213020…PROCLAMATION: WOMEN'S HISTORY MONTH

Synopsis: Proclamation proclaiming the month of March 2024, as Women's History Month, submitted by Tyrone A. Garner, Mayor/CEO.

Ms. Sparks, Interim UG Clerk, read a synopsis of the following proclamation.

Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, annually during the month of March we celebrate the achievements, contributions, and progress of women and girls in the United States and around the globe; and

WHEREAS, each year, Women's History Month offers an important opportunity for us to celebrate our extraordinary legacy of trailblazing women and girls who have built, shaped, and improved upon our community; and

WHEREAS, as a result of the pandemic, women have been hardest hit with many seeing previous economic gains erased given their responsibilities to their families, both immediate and extended, who were most disproportionately impacted; and

WHEREAS, many women were charged with managing their homes and maintaining a sustainable income while balancing the educational and social needs of school-aged children; and

WHEREAS, Wyandotte County | Kansas City, KS Unified Government (UG) employs 35% of women residing in the local area who contribute greatly to our organization; and

WHEREAS, our local awardees have enacted policy, provided community service, and partnered with other agencies in our community to provide support to residents and other women from underserved and/disadvantaged circumstances for many years throughout their careers; and

WHEREAS, the world comes together annually during March to celebrate women's social, economic, cultural, and political achievements and to reinforce our commitment to women's equality.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim the month of March 2024, as:

"Women's History Month"

in Wyandotte County/Kansas City, Kansas, and we reaffirm our commitment to support women in our community, workplace, schools, and colleges; enabling our daughters, sisters, mothers, and friends, equitable access to all the resources available which enable women to thrive. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

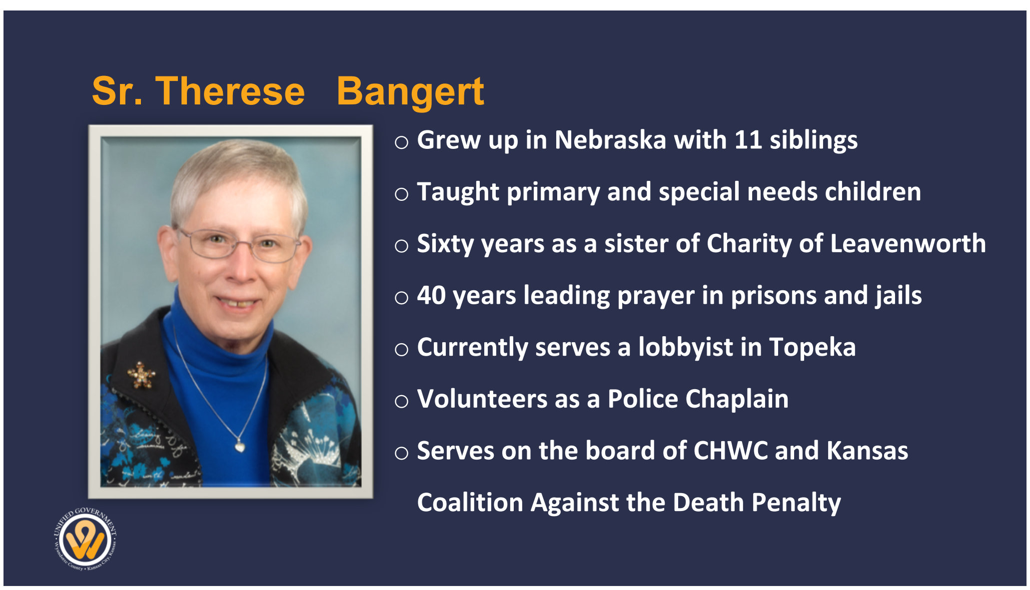
TYRONE GARNER, MAYOR/CEO

Action: **Proclamation was read.**

Item No. 6.4 – 213017…RECOGNITION: WOMEN'S HISTORY MONTH

Synopsis: Recognition of three notable women from Wyandotte County in honor of Women's History Month, submitted by Tyrone A. Garner, Mayor/CEO.

Mayor Pro Tem Burroughs said this would be my favorite part of the agenda this evening to recognize the three ladies on behalf of the Unified Government's acknowledgement of March as Women's History Month. A time to recognize and celebrate the achievements of women throughout history. Mayor Garner recognizes three Wyandotte County women who are making a positive impact in our community. On behalf of the Mayor, tonight we recognize three women who are activists, artists, and neighborhood leaders making an impact in Wyandotte County. Each honoree would be brought up in front and introduced, given flowers and a gift card.



And with that, the first one will be—we want to ensure that if any of you ladies need a chair, that we will have one available. Okay, wonderful. Please join me in celebrating these three incredible aspiring ladies. First, Sister Teresa Bangert. Sister Teresa Bangert grew up on a Nebraska farm with seven sisters and four brothers. She has been a Sister of Charity of Leavenworth for 60 years. Sister taught primary school with special needs children and was a childcare worker for children who were forced out of their own homes because of abuse and abandonment. For the past 40 years, she has led prayer in prisons and jails. Since 1987 Sister has been a lobbyist at the Kansas State Capitol, working with legislators on issues such as immigration, tax policy, programs impact low-income families, and the death penalty issue. Since 1996 Sister Teresa has served as a volunteer police chaplain, serving at the scene of numerous homicides in Kansas City, Kansas and the deaths of three of our Wyandotte County law enforcement community. She has served 16 years as the coordinator of social justice and serves on the boards of Community Housing of Wyandotte County and the Kansas Coalition against the death penalty. One thing the sister does for fun is goes back to the farm at harvest time and rides the combine and grain trucks with her nephew and brothers. This really epitomizes Sister Theresa Bangert, but above all, Sister says she strives to be a gospel centered woman who believes in Jesus and his message in Matthew 25. Please help me congratulate again, Sister Theresa Bangert.

Mayor Pro Tem Burroughs said next we have Carolyn Newton. Carolyn Newton was born on September 15, 1936, in Kansas City, Kansas, where she was raised and has lived most of her adult life. Ms. Newton is a 1954 graduate of Sumner High School. After high school, she graduated from Donnelly College and continued her education at the University of St. Mary in

Leavenworth, Kansas. Ms. Newton was employed as a federal agent by the Federal Aviation Administration, traveling and working in Brussels, Italy, England, Scotland, Egypt and Turkey. Ms. Newton retired from the FAA in December of 2000. She has been an active member of Strangers Rest Baptist Church for over 60 years, serving as a church secretary for over 23 years. She is also a member of the Deaconess board, an adult Sunday school teacher, and one of the founders and members of the church's grief ministry, as well as a facilitator of the church's bereavement support group. Ms. Newton has been an active member of the Strugglers Hill Neighborhood Association for more than 20 years, and a member of the Unified Government's Land Bank Advisory Board. Currently, Ms. Newton is the president of Livable Neighborhoods Executive Board. Ms. Newton believes and encourages all residents to be active in her community to ensure that their voices are heard for changes to happen. Her husband Harle created one big family to share and love. Help me congratulate and recognize Ms. Carolyn Newton.

Mayor Pro Tem Burroughs said our third nominee and honoree is Rose Marie Mendez. Rose Marie Mendez was born August 13, 1944, and grew up in the Armourdale neighborhood of Kansas City, Kansas. After graduating from Argentine High School in 1963, she spent time in Moken, Mexico studying music, dance and culture. In 1965 she opened the Fine Arts Center at St. Thomas School to bring art to neighborhood children. In 1966 supported by family, friends and her parents, Rose Marie started several dance programs focusing on dances from Mexico on school playgrounds in the area. By 1970 her dance troupes were showcasing their talents at summer socials throughout the community, as well as in Wichita, Garden City, and Oklahoma. In November of 1972, Rose Marie had the honor to dance for Cesar Chavez, a national labor leader and civil rights activist, who was a featured speaker at Penn Valley Community College. Ms. Mendez continues to teach children and adults traditional dances from Mexico performing all over our region. She has received numerous awards and participated on several boards, including the YWCA National Board of Directors, and since 1990 serves as a commissioner representing Mexico for the Kansas City, Missouri Ethnic Enrichment Commission. Please help me recognize and applaud, Ms. Rose Mendez.

JD Rios said Mayor Pro Tem will take a photo with the ladies, and then we'll ask the Commission if any of you would like to say a few words, welcome that, and then we'll have the ladies make concluding remarks.

Mayor Pro Tem Burroughs said at this time, I will ask the honorees if any of them would like to say a few short words, it'd be our pleasure to hear from you.

Sister Teresa Bangert said I will be short. I just want to say I accept this honor in the name of all the women of Wyandotte County. I have watched the women of Wyandotte County, and it is my pleasure to be a part of this community. So, thank you.

Ms. Newton said good evening. I'm just so overwhelmed by all of this, but I just want to let you know how important this is to me and how much it means. And the main thing is it's important for me to continue to serve my community, and I will continue to do that in whatever way that I can. Thank you again.

Ms. Rose Marie Mendez said gracias to each and every one of you. We all play a significant element in our Wyandotte County. When I started many years ago, to my surprise, about five years later, I was given a gift. It stands still right behind McDonald's on Eighth and Minnesota. You will always see that until it shreds. But it's a huge landscape of the trajes, the costumes of

Mexico. I leave it as a stamp. It just remember one thing in your lifetime, Si se puede, that means you can do it.

Mayor Pro Tem Burroughs said thank you so much, ladies, it's our honor to have you here this evening and recognize your accomplishments and your commitment to our community. At this time, I'll ask the commissioners, anyone who would like to say a few words.

Commissioner Ramirez said I want to thank the three women we are honoring tonight for all the efforts and the tireless work you did for our community. We have a great, great community of amazing women, men, children, all Wyandotte County. So, I thank you for all that you've done. I will say the one I know the most is Sister Bangert from Topeka. Being an intern in Topeka, and then once in a while, going out to the Capitol. I can tell you, she will, in the nicest way, be as candid as she can when she talks to you about the issues, and I greatly appreciate that Sister. So again, thank you for everything that you have done. You are an inspiration for the future of women in our in this city, this county, in this state. So I thank you.

Commissioner Lopez said I'm just so overwhelmed. Just my cup runneth over completely. We are in the presence of greatness. That's all there is to it. These ladies just show the greatness that we have in America, in this city, in this state. I'm overwhelmed with what you guys have accomplished, what you ladies have probably lived through, and the fight, and I'm just overwhelmed with this greatness. It's beautiful, thank you.

Commissioner Townsend said good evening to everyone who's come out and to the Mayor in his absence thank you for I think this is the second year in a row, possibly the third, he's set aside this opportunity to call out specifically women leaders and women servants to this community. So, in his absence, thank you. I met Sister Bangert my first term, when I was at the Parkwood pool, and she was a constant there. A very supportive individual through the ups and the downs, with not only the kids being able to swim there, but being able to have a place to eat and throughout the week pool was open—well six days a week, and she was very supportive during a dark time when we didn't have the lifeguards, which was something that a lot of pools across the country went through, but she was very supportive and understanding, and to this day, I am so appreciative of her. Thank you, Sister Bangert.

Ms. Newton I met some years ago at the Federal Aviation Administration. She worked in security, which was heavily occupied those jobs by men. So, it was quite an accomplishment to see Ms. Newton there and someone who looked like me and someone who welcomed me as the first African American attorney that office had. I was just overwhelmed and regaled by her stories of representing the agency before 9-11 in dangerous missions and you heard some of the places that she went to. She's also, as you've heard, a public servant in so many other ways. The boards that she sits on and with her church. So she's so deserving of this honor, and I'm so happy for her.

And Ms. Mendez, I have not met you but anybody who danced with Cesar Chavez or for him, that is significant, and I will be checking out the location that you mentioned. We have similar styles in that you're a Leo, so I'm not surprised that you were drawn to the arts. What an accomplishment for all three ladies, congratulations.

Commissioner Hill said I just want to say to the honorees on this evening, thank you for being such an example for the rest of us. For not quitting, for not giving up. I'm sure people got on your nerves. You wanted to tell them where to go and where to throw it, but you are able to hang in there and thank you for that example. God bless you. Thank you again.

Commissioner Bynum said congratulations to you and thank you for the service that you've given to Wyandotte County. We aspire to achieve the levels of leadership and love that you've shown and shared with this community and thank you again.

Mayor Pro Tem Burroughs said well, I just want to say that Sister Teresa, she has spent many of time with me at State Capital, and we've set and prayed many times on some of the tough decisions this community has faced, and personal challenges that I have lived through. She's been a stalwart supporter of this community, and her actions speak louder than any words that anybody can give her praise.

Ms. Newton, a world traveler. I'm surprised we haven't bumped into one another somewhere, but I commend anyone that wants to take in more than what they have in front of them and experience what all life of God's creation has given us to travel known as this world. So kudos to you and thank you for what you've done for our community over the years and through the federal government and your service to them. So thank you.

Ms. Mendez, I've witnessed your dance creations numerous times, the colorful costumes and the cultural sharing that you have given our community and continue to provide throughout the community for Hispanic Latino population. I just want to say how beautiful the costumes and dance routines are, and how proud you are when I see you standing by the young people that are doing those dances. So thank you for sharing that with us. And I would just want to say it's been a joyous evening indeed. Thank you, ladies, for all you do. Our community is blessed to have you. God bless.

Action: **For information only.**

Mayor Pro Tem Burroughs said that takes us to our Regular Consent Agenda. Does any member 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 Ramirez made a motion, seconded by Commissioner Townsend, to approve.** Roll call was taken and there were eight "Ayes," Ramirez, Hill, Kane, Lopez, Stites, Bynum, Townsend, Burns.

7. CONSENT AGENDA

Item No. 7.1 – 212967… GRANT: FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS

Synopsis: Resolution Approving the Assistance to Firefighters Grant (AFG) to meet the firefighting and emergency response needs of the KCK Fire Department in the amount of $146,006.60, submitted by Dennis Rubin, Fire Chief. Matching funds will come from current budgeted funds.

On February 26, 2024, the Public Works and Safety Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to the full commission.

Action: **RESOLUTION NO. R-30-24** "A resolution authorizing the Kansas City, Kansas Fire Department through the Unified Government of Wyandotte County/Kansas City, Kansas to submit the grant application for the FEMA Assistance to Firefighters Grant." **Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve.** Roll call was taken and there were eight "Ayes," Ramirez, Hill, Kane, Lopez, Stites, Bynum, Townsend, Burns.

Item No. 7.2 – 212941…GRANT: YOUTH FATALITY REVIEW BOARD

Synopsis: Acceptance of a $70,000 grant to the National Center for Fatality Review and Prevention (NCFRP) to build capacity of the Youth Fatality Review Board, submitted by Wesley McKain, Health Department Manager. No matching funds are required.

On February 26, 2024, the Administration and Human Services Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-31-24** "A resolution authorizing the Wyandotte County Public Health Department through the Unified Government of Wyandotte County/Kansas City, Kansas to submit the grant application for Building Capacity for Local, State, and Tribal Child Death review and Fetal-Infant Mortality Review Teams to the National Center for Fatality Review and Prevention ("National Center") and to accept and administer such grant." **Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve.** Roll call was taken and there were eight "Ayes," Ramirez, Hill, Kane, Lopez, Stites, Bynum, Townsend, Burns.

Item No. 7.3 – 213018…NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: UG Park Board:

Appointment of Karen Daniels, Term 3/7/24 to 12/15/27, submitted by Commissioner Hill.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Townsend, to approve.** Roll call was taken and there were eight "Ayes," Ramirez, Hill, Kane, Lopez, Stites, Bynum, Townsend, Burns.

8. PUBLIC HEARING AGENDA

No items.

9. STANDING COMMITTEE'S AGENDA

No items.

Mayor Pro Tem Burroughs said that takes us to the Administrator's Agenda. I'll ask the Administrator if he would like to make any comments and introduce staff.

10. ADMINISTRATOR'S AGENDA

Item No. 10.1 – 213016… REPORT: ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE PERIOD ENDED 12/31/22

Synopsis: Presentation of the Unified Government's Annual Comprehensive Financial Report for the Fiscal Year ended December 31, 2022. ACFR was submitted by Debbie Jonscher, Interim Chief Financial Officer, and Pamela Kahao, Accounting Manager. The full document may be accessed at

575.000 - 2022 ACFR - FINAL - 2022 (Unified Government of Wyandotte County and Kansas City, Kansas 1231326 [12/31/2022] (In Process)) (wycokck.org)

David Johnston, County Administrator, said as a practice of all local governments, we are required to undertake an objective audit of our finances and to lead us through this process, introduce us to our auditors, Debbie Jonscher our Interim CFO.

Debbie Jonscher, Interim Chief Financial Officer, said as County Administrator, Johnson, said, we're here tonight to present the results of the 2022 financial audit. We are late bringing this to the Commission. We have—typically, the audit would be done in June following the fiscal year, and then we would bring it to the Commission. We did have several delays this past year. 2022 was definitely a year of transition, and so we had a new auditor in place. They started on the audit in June of 2023. Normally that would be when we are finishing up the audit. So we did have a late start. Then we also had some other things that caused the delay. There was significant turnover in the Finance Department, so we had a lot of new people. We had a lot of the same people doing the audit as well as we were also in the middle of an ERP implementation. All of that kind of contributed to the to the audit. I did want to recognize Pamela Kahao, our Accounting Manager. She has put in a lot of work and a lot of hours toward this, she and her staff are to be commended. I did want to note before I turn it over to our auditors, they did provide this report to the Commission. It is included in your packet for you to read, but now I'm going to go ahead and just turn it over to our auditors. We have Jacob Holman and Shane Nickel from Forvis, and they're going to talk about the results, introduce themselves and talk about the results.

Commissioner Ramirez said Ms. Jonscher, we do not have that report in our packet. I may be mistaken, if other commissioners do not have it,

Ms. Jonscher said my understanding is, I thought it was uploaded to the system. I can double check that. If not, we'll make sure we get that out to the Commission. I believe I thought there was—did we provide the link? Oh, it was a link. Sorry, it was a link to the financial report as well as the auditors' report. Sorry. **Commissioner Ramirez** said thank you.

Jacob Holman said I'm a partner with Forvis, the accounting firm that performed the audits today. With me is Shane Nickel, he is the Project Manager, a Senior Manager at Forvis. Both of us really specialize in our public sector practice here, both out of Kansas City. So tonight, I'm going to spend a couple minutes and go through a couple things. I'm going to talk about the status update of where we are at from an audit standpoint. Talk about the two different types of audits that we were engaged to perform. Talk about the components of the audit. And really step back and talk about a scorecard. A 10K foot level, what are the most important things, if I was sitting in your shoes, what would I want to hear communicated as part of an audit process. So first, the status update and scope of the audit, we were engaged to perform two types of audits, a financial statement audit, which is really the aquifer. So if you see that this is kind of how thick the set of financials are for the Unified Government. That'll be the main thing that we're talking about tonight. The second audit we are still working on, from a status update, it should be completed over the next two months, and that's a compliance-based audit. So that's over your federal award programs, and that compliance are things like period of performance, eligible uses, and procurement rules, so that audit is ongoing. Tonight's focus really is going to be on the financial statement audit.

We issue the financial statement audit at the end of January, so hopefully everybody received a copy of that audit. Like Debbie said, we were engaged in the middle of June 2023 to start the audit process for both the financial and the compliance audit. Right away, we started what we call planning a risk assessment. So that's our first phase of the audit. Planning really comes in and that helps document what are the major transactions, the new things that happen in the organization during the period and really make sure that we understand the accounting implications of those major transactions. The second thing is what we call risk assessment. Risk assessment is where we gain an understanding of the control environment as it relates to financial reporting. Some areas that we focused on, some transaction cycles were the entity level transaction cycle, IT, cash inflows, cash outflows, payroll, investing and financing. And finally, the pension and OPEB transaction cycles. In addition to that, we looked at a segregation of duties around your cash inflows, cash outflows and your payroll transaction cycle. Finally, we did some extended walk-through testing on your property taxes. So, a lot of work on the listing of your property tax parcels, matching them up so we understood what was a change year over year, and then looking at new things that we thought should be added to make sure that they were added to that listing. At the conclusion of that, if there is any control related items that relate to financial reporting, we'll talk about that later in the evening when we go over the scorecard.

At the conclusion of our planning and risk assessment, we designed and performed audit procedures responsive to those risks that were designed as part of our planning procedures. This field work testing went through December as files were made available to our team. One of the important things I want to point out is there's a lot of significant estimates in your financials. Some of the significant estimates that I want to point out that we focused on were the useful lives of capital assets, estimated property tax collections, the actuarial assumptions in your pension liability, as well as your OPEB liability or your retiree health care liability. The estimate for unpaid claims liability. So, the types of unpaid claims liability are those that are self-insured, will include general litigation, workers compensation, and health insurance. The next estimate that we spent a significant amount of time on was your landfill post closure liability. There was a current study that was done by a specialist during the year, Burns and McDonald, and we wanted to make sure from an accounting perspective that that was incorporated into your financials tonight. And the last significant estimate is the obligation and reporting around both the STAR Bond liability as well as conduit debt. These are certain types of liabilities that are not recorded in your financial statements that are disclosed in a footnote. Accounting says, from a significant estimate standpoint, we have to do enough work to make sure that we're comfortable that there's not an additional or voluntary commitment on those types of liabilities. So that's kind of a high level overboard of the different parts of the audit and the different audits that that we conducted.

And before I get into the scorecard, I really just want to reiterate kind of what Pam was talking about this. This was a year of change, a lot of change. So, you know, management really had a dual focus this year to get the audit done timely and accurately, as well as to go through a large system conversion from a legacy ERP system to a new modern ERP system. This coupled with the fact of key staff transitions, individuals in interim positions, as well as just working with a first-year auditor. Our audit approach, just like every firm, is slightly unique to our firm. That audit approach has different types of requests that has not been requested of them in the past. It's a heavy lift to go through both an ERP implementation as well as a first-year audit. Truly appreciate all of the hard work from Pam and Debbie's team. Through that, I also wanted to say that they maintained their professionalism, they were courteous to my team and truly appreciate all the hard work from all the accounting department. When I talk about the scorecard, kind of the 10K foot level, what are the most important things as part of the financial statement audit. The first item I wanted to report on is the accounting policies and management estimation process for those significant estimates that we focused on. The policy utilized at the conclusion of the audit were appropriate for what they were utilized for. The estimation process used in the financial statements had no management bias and had a reasonable and supportable approach.

There was one new accounting standard that was adopted during the current year that was required, the standard setting body, it was a new accounting standard. It was called GASB 87 or leases. I talked about this last time I presented at the front end of the audit. What this accounting standard really does is bring onto your statement and net position, or your balance sheet, your lease liabilities. If you go to the market and borrow money through a bond to build a capital asset, or if you go and lease a capital asset, the accounting after you adopt this standard is going to look very similar. The implications of that, there was $2.6M increase to your net position or your equity at the beginning of the year. This was a positive transaction from an accounting perspective. There was one restatement for a correction of an error to bring on the Land Bank as a component unit. It is what's considered a blended component unit or essentially consolidated into your General Fund. The big impact of that, there was about 4,000 properties and bringing that inventory and accounting for that inventory included in your financial statements. That impact was about 10.5M. Again, it was to bring the inventory on, so that also was a positive increase to your net position on the government activities. From a journal entry perspective, there's two sets of journal entries, those that were proposed and recorded in your financials today, and then those that are included at the back of this government packet. And will include that we work with management, and both management as well as Forvis both agree that individually in the aggregate that they are not material to your financials. Those are what are called past adjustments. Those that are recorded, there was five material entries that were recorded as part of the audit process. Those are such things as classification of capital assets, an increase to your post closure liability for your landfill, bring on the assets held for sale as part of the Land Bank, a reduction in the outstanding STAR Bond liability and a reduction in a CIP or construction in process.

The pass adjustments you'll see at the back of the letter, there's about 10 pass adjustments that we both agreed were individually in the aggregate not material. Material enough to disclose, but not material enough that we had to report that would impact your audit opinion. So those 10 entries were areas such as increase for a litigation accrual, allowance for accounts receivable. There's receivable from the Board of Public Utilities, allocation of an internal service fund net position and classification of the liability for post retirement health insurance. From a control deficiencies when the single audit, or the compliance audit, is finalized here in about two months, on the back of that compliance audit, we are required to report both the financial statement deficiencies as well as any deficiencies that come out of the single audit all in a combined document. So once that comes out, those will all be in writing. And the thing I want to point out is, not only is there items in there that we'll go over tonight and talk about the actual deficiencies, there's actually a section in there for a management response and a corrective action. When the single audit is finalized, I think that that's important to show that management actually has a plan to correct these items as well. And I think that that's always important to talk about. The control deficiencies, there's what we consider five material weaknesses and one significant deficiency. These items are—the first one is around the number of material audit adjustments. Like I said, there was five audit adjustments. Whenever you have material audit adjustments, it is something that we have to report to governance from a control item. The second is around IT related limitations. Now remind you, this is in the old system. This is in Cayenta and not Workday. In the old system that we were performing our audit under, there was IT related limitations. Canned reports were not readily available without manual manipulation. So certain canned reports we would expect as part of a financial statement audit. The third thing is the Land Bank reporting. Whenever there is a material restatement that obviously will elevate to a controlled efficiency that we have to report to those charged governance.

The next thing is the ability to track and record grants, including the ability to draft a complete and accurate schedule of federal awards as part of the audit process in a timely fashion. That schedule is required for all organizations that receive federal awards. That audit is due at the end of September on an annual basis. Anytime that schedule cannot be completed by that time it's something that we want to make sure we communicate from a control item. The next thing relates to segregation of duties in the Treasury Department related to cash inflows. Due to turnover and staffing there were certain individuals in the Treasury Department that had segregation of duties conflicts as it relates to cash inflows. And the last thing is around purchase cards. We did a sample of 10 purchase cards, a random sample of 10 purchase cards. Throughout the year of those 10, seven followed the policy around the monthly recon policy and approval, three did not. So, just wanted to make sure reported that. I'm getting close.

The next thing I just want to talk about high level is what's called your ACFR, or your annual comprehensive financial report. This is a really important financial disclosure of the Unified Government. And really, I want to give back credit to Pam, management prepares this document, and that's really their responsibility. Our responsibility includes what's included at the first section of the financial section, what's called an Independent Auditor's Report. And what that Independent Auditor Report does is talks about what we did from a responsibility and what management did as from a responsibility. A lot of really important things in here. The first section is what's called Management Discussion Analysis. It gives a two-year snapshot and narrative about some of the changes. The other thing I like to point out every year is, at the back of the section is the statistical section. The statistical section gives 10 years of information, both financial trends, trends in debt, trends in principal tax employers. So if you're looking about what that looked like 10 years ago all the way through today, it's a great place to look.

The other thing I want to point out is on our Independent Auditor's Report, the thing to point out is we did issue what's called a clean or unmodified opinion. What that means is, as auditors, we believe the financials in front of you are materially accurate. All the disclosures that are required to be included are included, and it's the right reporting entity. When we talked about the blended component unit of the Land Bank, all of the right reporting entities that should be included are included from a materiality purpose. And that is the highest level of opinion that a government can receive. That's the opinion that you do want.

The next section is Financial Metrics. I think it's always good to at the conclusion of an audit to just talk about some of the high level financial metrics. Now these are at the end of 2022 so just want to remind you what we are looking at. The General Fund ended a fund balance of $67.2M, of that $67.2M, 58 is considered unassigned. Unassigned fund balance represents 3.4 months of revenues, which is a common industry metric that is tracked in the profession. That 3.4 months of revenue is up from the prior year of 3.36, so consistent, but slightly up. The special grants fund is what's considered a major fund in your governmental funds. One thing I wanted to point out that is unique this year is there's a little over $50M of unearned revenue. That unearned revenue is a grant, the ARPA grant, and that is cash that has been received but has not had eligible expenses that have matched up against that cash yet. That will be recognized in future years and future audits. The next thing is the government activities net position or equity, increased from $12M in the prior period to $37M. The business type activities, including the Board of Public Utilities, increased from 650M to 725M.

The last thing that I want to point out or discuss is some other matters. The 2023 audit will have another new accounting standard. This will be very similar, it's the companion standard to leases. It is called Subscription Based IT Arrangements, or GASB 96. High level you're going to bring on the balance sheet your future obligations and your right to use that obligations for software. The big software, the largest software, is really the workday contract that will have to be analyzed as part of that audit. The next thing is, really, there was one best practice that came out of financial statement audit. And I wanted to communicate that really around the statement of substantive interest or a conflict of interest statement. Part of our audit was not only done in what's accordance with generally accepted auditing standards, but in the state of Kansas, we have to follow a state guide it was called the KMAAG, Kansas Municipal Accounting and Audit Guide as well that require municipalities to follow certain rules and auditors to have to go through a check box to see if they follow those rules. One thing that came out of that is really a best practice around that conflict of interest in having an annual disclosure of that conflict of interest statement. In conclusion, I truly appreciate the opportunity to work with the Unified Government and for the time to present tonight. If there's any questions, I'm happy to address those questions tonight.

Commissioner Stites said when you mentioned—thank you for the presentation. When you talked about the P-cards, and there being 10 of them, and three of them didn't comply. Now, and I'm not asking to—what happens now with that, with the three that didn't comply, or what it's been identified that's reported now, then what happens?

Mr. Holman said I think that there's, there's two things to think through on that of those 10 cards that we looked at, all of them had proper support for business purpose. I think that that is the first thing to think through there, right? The issue was that they didn't go through the pride approval process as identified in your guys' policy. I think that that's really up to management on how they want to handle those types of issues.

Commissioner Stites said do you know how many P-cards are issued at the Unified Government? **Mr. Holman** said I don't have that statistic. We got a master listing that included all the transactions for the fiscal year. So it didn't—it had like card numbers and that type of identification, but it's not statistically looked at.

Commissioner Stites said, okay? And then on the if you can just expand just a little bit on the $50,000 of the ARPA money that's not been allocated. For one is that on the city side or is that the county side. **Mr. Holman** said Debbie, do you know if that's city or county side? We look at it on consolidated basis.

Ms. Jonscher said no, I don't remember if it was city or county, but one thing to remember that this was the end of 2022. So having $15M and unspent out of the $87M, I know we had additional expenditures in 2023. I think we're going to be providing a report, I think, in a special session coming up on the ARPA related expenses. **Commissioner Stites** said which will probably address that that 50? **Ms. Jonscher** said yes, it will.

Commissioner Burns said concerning the Treasurer's Office, have things improved from the time you did your—I don’t want to say investigation, but what you found to be the problem? **Mr. Holman** said yeah, and that's a really good question. So, we have not started our 2023 audit yet. When we start that, I can report upon that, but it's something that we look at on an annual basis, and that cycle hasn't started yet.

Ms. Jonscher said I'll address that. In Cayenta, we did have that issue where we had staff being able to perform multiple duties. In Workday, roles are assigned specific so that they do not overlap, so that has been corrected in Workday.

Commissioner Bynum said I'm just curious with the 2022 report delayed, when will we anticipate 2023. I think you said normally we would see these things around June. So are we on track for sort of being back to the regular schedule for ‘23?

Ms. Jonscher said we are behind for 2023. Normally, they would have started the audit probably in the fall, September, October, with their beginning procedures. So, we are behind. We did meet with four of us last week, I think, or two weeks ago, and kind of went over what we're late on providing, and what we should have. And we're working with them to provide as much as we can with that by the end of the month, and then some additional stuff so that we can hopefully get caught up. We may not make the June 30th deadline, but our hope is that we would be no later than July.

Commissioner Hill said I'm trying to do this right. Okay. Now, here's my question. Could you explain just a little bit more, I heard you mentioned 650 to 725 million, I think for BPU. Did I hear that correctly? So could you explain what you were sharing about that.

Mr. Holman said great question. I talked about net position or equity of all of your business type activities, which includes the Board of Public Utilities. That’s not the net position or equity of only the Board of Public Utilities. That's all of your business type activities, including for example sewer. What that means, that's really the that's a long term. So, when you're looking at your financial statements, that's your long-term view, your equities, so just difference between your assets and deferred outflows, minus your liabilities and deferred inflows that residual. In the corporate world they call it equity. In governmental it's net position, but the difference between assets and liabilities. Any other questions or comments?

Mayor Pro Tem Burroughs said not a bad audit, considering everything we went through with the change in personnel, changing commissioners, and kudos to staff. Thank you and I know that this next audit for next year will probably a little easier fact that you've already worked through the system once, and we have the personnel in place to assist you and you develop that relationship. I look forward to the next audit but thank you for your thoroughness and your guidance and what we need to do to assist the ladies in getting the jobs well done.

Mayor Pro Tem Burroughs said committee, we have an issue that was raised by a member of the community, we're going to have Legal address it.

Angela Lawson, Acting Chief Counsel, said yes, there was a question about the Consent Agenda. And on our agendas, we have two different kinds of agendas. We have the Regular Agenda, as we do tonight, where there is a Consent Agenda, and on that agenda the elected officials and the Administrator have the ability to pull items off the Consent Agenda. For Planning and Zoning Consent Agendas, the public also has the right to pull an item off that agenda, but that is not the same language that is contained in our Regular Agenda. Most of the public comment is received at Standing Committee, and only when state law requires public comment, is it done or is it required to be done in a regular commission meeting, and the items that were on the Consent Agenda did not require public comment or a public hearing rather.

Mayor Pro Tem Burroughs said thank you Angie.

Action: For information only.

Mayor Pro Tem Burroughs said committee that takes us to item number two and then item number three. They are dealing with actions from—these are action items, and I will have Legal give a presentation. The first one is an ordinance of disapproval of the Kansas Development

Finance Authority private activity bonds for Victory Hills Development. And I would ask the Administrator, or Jeff Conway or Legal, just whenever you get a moment.

Item No. 10.2 – 213025…ORDINANCE: DISAPPROVAL OF KANSAS DEVELOPMENT FINANCE AUTHORITY FOR VICTORY HILLS (ADDED PER UPDATE)

Synopsis: An Ordinance expressing disapproval of the issuance of private activity bonds by the Kansas Development Finance Authority for the residences at Victory Hills in Kansas City, Kansas, submitted by Jeff Conway, Assistant Counsel.

Ms. Lawson said as Jeff makes his way to the podium I will tell you that the rush on this item is that once this is received—**Mayor Pro Tem Burroughs** said could you speak up or speak into the mic, please. **Ms. Lawson** said the rush on blue sheeting was in order for this to come before the committee or the Commission, it has to be done within 15 days if there is an action, if the Commission desires to take an action. So, if we had waited till the next commission meeting the Commission would have been out of time to hear this and make a decision. Then I will let Jeff present the items.

Jeff Conway, Assistant Counsel, said Mayor Pro Tem and commissioners, I just wanted to give a few basic comments about how this, how these two items got here before you tonight. Essentially, both of these projects, these developers, and two different developers approached KDFA, Kansas Development Finance Authority, and requested private activity bonds from that entity. And I just wanted to clarify that if they get those bonds from KDFA, that would not obligate the state of Kansas, it wouldn't obligate the UG, it would just be strictly through KDFA. Now, and there's a whole set of statutes that lay that out about the process, how do you get the bonds, etc, etc. One of the pieces in there says that the locals have the ability to, through ordinance or resolution, express their disapproval of that local project and it gives us a very short window of 15 days from the time of notification. And we were notified yesterday by KDFA that there was these two requests for these two projects. And the two projects, again, are the residences of Victory Hills that I think you may be familiar with. And the other project was the City Hall Place, which is just literally just the next block over here. That one—that project would be the existing building and rehabbing it across the street, and then a new construction on the corner where there's nothing there. So we have the 15 day period and of course, this is the first time you could address it is tonight. And then if we waited for the next commission meeting, that would just be beyond the 15 days. We basically have one crack at it to express disapproval. I've got ordinances that do that, that would express the disapproval. If that passed, then that would be sent to KDFA. The effect of that would be then to prohibit the issuance of bonds through KDFA for a year through them. Now the developers, as I understand it, are pursuing parallel courses. One is asking for bonds through KDFA. They also are retaining the ability to look for incentives or whatever on the local level here, and probably in the form of IRBs. I guess I can stand for questions. I don't want to go into all of the weeds, but if you have any questions about that. So that's the timing, and that's the projects that are involved.

Commissioner Stites said I'm confused, totally confused. So since we haven't heard about these projects, we haven't seen these projects, why would we vote on something to deny funding when we haven't even—we don't know the details of the projects.

Mr. Conway said right, that's good question. It's just so we're—you're preserving your ability to disapprove because you have this 15 day window to do it. You’re a little bit more familiar with the Victory Hills project. It's the City Hall project has been pretty quiet lately so, and it's kind of an interesting posture. I think the reason that was put into the statutes was because KDFA has this whole procedure, and there's the request they can issue the bonds, and they can do all of that. But my guess is they put that in the statute so that they're not going to pursue a project and issue the bonds if the locals don't like the project.

Commissioner Stites said and I guess that's where I'm going, is, how do we know if we like the project we haven't seen it?

Mr. Conway said sure, I could do a quick overview of the project. **Commissioner Stites** said no, I'm okay. I’m just kind of—I'm just confused as how, and we haven't seen the project. So, I don't know how we I mean, it's kind of like, I mean, there's a saying about, yeah, anyway.

Mr. Conway said the flip side would be if we don't take—if the commissioners take no action, then that 15 days would expire, and then there is no ability to disapprove if you wanted to disapprove.

Commissioner Stites said but if they got their funding. I mean, whatever project, wouldn't they have to come back to us for project approval? I mean, okay, they got their money in place, but it doesn't mean that we've approved the project right. Am I right or wrong there.

Mr. Conway said they can pursue the KDFA bonds, which really doesn't involve the UG at all. They can pursue that if they want, and then it's a matter of, would they do both KDFA and local. The math doesn't work out. In a sense, it would be getting more money than they needed by doing both. But there are some reasons that they might choose this path or this path. Right now, the developers are kind of keeping both options open.

Ms. Lawson said if you don't—if the Commission does not act this evening, you don't lose your role as Planning and Zoning Commission. So, anything that would require approvals for land use would still come before you.

Mr. Conway said in a sense, the legislature provided this opportunity for the locals to weigh in and express their disapproval, but you get this very small window to do that and I understand that you haven't heard all of the details. **Commissioner Stites** said I'm still going back to we're expressing our disapproval of a project we've never even seen. I don't get it.

Commissioner Ramirez said my first question goes to our Administrator. Have these projects gone through the planning process yet? Are they still in their own planning process?

Mr. Johnston said well, the only thing I think it's important that you have been briefed on Victory Hills one that was done in January. So, you do know what that project is about. The other one has been before the Commission. But last year, I want to say early summer, as Jeff intimated, this has been quiet until we got a letter yesterday, and it's been a while. I doubt that the three new commissioners have ever seen this project, but what we're stuck on is a state statute requirement. And that's when we received the letter yesterday, and Legal came and showed me it's like, what do we do? Just like you're asking. We haven't seen this in a while. Gunner, would you like to add something to this?

Gunner Hand, Director of Planning and Urban Design, said both projects have gone through full entitlements, both at the City Planning Commission and the Board of Commissioners.

Commissioner Ramirez said I think I'm in the same position as Commissioner Stites, is just confused. I know you had mentioned that one of the projects you said Victory Hills, is in the they're kind of keeping both lanes open. And you said that there's a possibility they could have, they could take both lanes, but let's say we allow them to take KDFA funds. We still have the ability to deny their IRB application. **Mr. Conway** said correct. **Commissioner Ramirez** said we still have that authority, that pathway to close that other path if they take the KDFA path. I agree, I do not feel comfortable denying, because these are private funds. We have no obligation. If they can't pay, we have no obligation to pay for it. The project it's the developer’s ability, it's their responsibility to pay those back. **Mr. Conway** said right. **Commissioner Ramirez** said if they want to go for the private funds, we should allow them. But I agree, if we haven't been—commissioners who have been here, don't remember, haven't been briefed, and especially the three new commissioners, I believe, I think, with administration and with staff, bring back those two projects so that we are briefed on what is happening and what those projects entail. But again, I just don't feel comfortable denying something that I fully don't remember yet. Thank you.

Mr. Conway said if I could just say that the flip side of that would be if we got notified yesterday, and then we just didn't do anything, we didn't notify it, we didn't tell anybody about it, then the 15 days would expire, and then you had no ability to disapprove if you wanted to disapprove. I know it's an odd posture, but that's where we're at. We felt that we needed to inform you of this provision and that you have that ability to do that if you choose.

Commissioner Kane said okay, we saw something a year ago. The three new commissioners haven't seen any of it. So, if we don't act on this, then they get their monies, but they still have to come through us, right? **Mr. Conway** said what was the last part. **Commissioner Kane** said if we do not do anything to this, just no vote, no nothing, they get their monies, and they still have to come back through us. **Mr. Conway** said if they want to pursue some of the IRB possibilities, yes. **Commissioner Kane** said but we're still going to be able to—they’re still going to have to come in front of us no matter what, right.

Mr. Conway said I think so. I'm not sure they're able to get everything through the KDFA. **Commissioner Kane** said yeah, but they still got to come through planning and zoning. **Mr. Conway** said Yes. **Mr. Johnston** said that's done, right? **Mr. Conway** said I think so. **Commissioner Kane** said the bottom, first of all, in the 19 years I've never seen anything like this, and it's confusing. And I'm sitting here trying to figure out it, we disapprove it, but as long as we don't take any action on it, it doesn't—no sweat off our back, right? **Mr. Conway** said in the sense that the bonds and obligations, right. It's the UG is not on the hook with the KDFA bonds. **Commissioner Kane** said okay. I'm more confused now than when I asked the question.

Mr. Conway said I'm sorry if I've contributed to that, but I think, like I said, I think the intent of the statute was that KDFA didn't want to pursue any project that the locals did not want. So, it gives you one opportunity to express that.

Commissioner Burns said Jeff, should I make a motion on either one of them? Could they be joint or would it have to be each individual? **Mr. Conway** said I think it's separate, because they're two different projects. Both are flowing through their request through KDFA, and they were notifications from KDFA. But they're two different projects, two different developers, two separate things.

Mayor Pro Tem Burroughs said Gunner, you want to—**Mr. Hand** said, yes, I'm here. **Mayor Pro Tem Burroughs** said there was a question. Somebody want to pose that question again.

Mr. Johnston said Gunner, I think everybody's wanting to know, did they go through the entire planning and zoning process. **Mr. Hand** said yes, both projects have completed all of their entitlements. I believe they are waiting for these LIHTC funds in order to proceed. I am not aware if they do or do not need any other development incentives from the Unified Government.

Mr. Johnston said then, I guess, just for idle curiosity, on the City Hall project, catty-corner from our property, receiving this letter it's the first time in months that the Unified Government has heard anything about this project. Has your office been working with them over the last few months to get it to this stage? **Mr. Hand** said the project continued into the building permit stage where staff, including the Neighborhood Resource and others, began the review. I believe they are holding for funding to begin construction, yes.

Mr. Johnston said okay, did everybody understand? So, they've done everything necessary through planning and zoning. They both have had presentations to you. Most recently was Victory Hills in January and sometime last year before the Commission. So, it's been silent for a while. I guess, unfortunately, that's the best information we can share with you all.

Commissioner Townsend said I sit on the Economic Development Board, and my recollection is that January we did not have a meeting because of inclement weather. So, there was nothing heard about anything, that's my recollection. In fact, it was one of the first meetings that's going to come back after my bereavement leave, and it began to snow and everything. So that is my recollection. I think the record will bear me out. From what I understand of this, one question was already asked, so I'll ask it again for clarity. Is it true we have to take some action, up or down tonight. We don't have to take any action. So, if we took no action, or if we move to deny the resolution, that would keep funding options open for both of these entities through KDFA, whatever happened, it would keep the option open. **Mr. Conway** said correct. **Commissioner Townsend** said okay, so what would be an appropriate option if we just, if I wanted to make a motion to take no action tonight. That preserves the opportunity, and that's what motion is. **Ms. Lawson** said you could also if no one on the Commission made a motion, and then it would just die. It dies. **Commissioner Townsend** said it dies. Thank you. I like simplicity.

Mayor Pro Tem Burroughs said we're having trouble with audio. Receiving texts that the public can’t understand what's going on. The audio is really garbled. They're having a difficult time following along.

Commissioner Stites said I'll make it quick. I just have a follow up question. I don't remember, I'm just going to say that right now. I don't remember the projects. I don't remember for sure don't remember the City Hall projects that we're talking about. I'm not saying that I'm for or against either project, but what we could have done, what I feel like we could have done, because we are on this time clock of 15 days, is we had a five o'clock meeting today, right. We could have brought this in front of and squeezed it in and at least been brought up to speed real quick. Then we could say, okay, we did hear about it, now we're familiar with the project. I think that that's a failure on our part, that we didn't bring everybody back up to speed and have fully, you know, wet their lips for this discussion tonight.

Commissioner Burns said I move for disapproval on number two, the ordinance concerning Victory Hills.

Mayor Pro Tem Burroughs said that would be a yes vote for the resolution to do for disapproval. Is there a second? We have a motion and a second.

Action: Commissioner Burns made a motion, seconded by Commissioner Lopez, to approve as submitted.

Commissioner Bynum said I apologize, but I'm not—I need clarification on the motion. Are we—is your motion to disapprove the issuance of the private bonds. In other words, a yes vote would be in concurrence with disapproving the bonds, I need to have clarity.

Mr. Conway said yeah, that's what I heard commissioner. **Commissioner Burns** said yes. **Mr. Conway** said on Victory Hills, is that right? **Commissioner Burns** said yes.

Commissioner Townsend said well, I thought I had it. If the motion is to—what is the motion again? **Commissioner Burns** said the motion is to support this resolution for disapproval as stated. **Commissioner Townsend** said all right, okay, and that is a yes vote to the proposed motion would prohibit—well it would certainly send a signal to the state that this body is not in favor of it and lessen the chances that these developers could have access to those funds, correct.

Mr. Conway said the effect would be, once KDFA is notified, then KDFA could not issue those bonds for a year. **Commissioner Townsend** said okay, all right.

Mayor Pro Tem Burroughs said any other questions or comments?

Action: Roll call was taken and there were two "Ayes," Lopez and Burns and six "no's," Ramirez, Hill, Kane, Stites, Bynum, Townsend.

Item No. 10.3 – 213026…ORDINANCE: DISAPPROVAL OF KANSAS DEVELOPMENT FINANCE AUTHORITY FOR CITY HALL PLACE APARTMENTS (ADDED PER UPDATE)

Synopsis: An Ordinance expressing disapproval of the issuance of private activity bonds by the Kansas Development Finance Authority for the City Hall Place Apartments in Kansas City, Kansas, submitted by Jeff Conway, Assistant Counsel.

Mayor Pro Tem Burroughs Jeff, I think you explained everything pretty well. It's the same thing,

Mr. Conway said different developer, same mechanism, same KDFA bonds, same situation. So that if there's a motion to adopt the resolution or the ordinance of disapproval, then it would be the same one year prohibition on those bonds.

Mayor Pro Tem Burroughs said and these, if I may just want to remind you, these are low-income tax credit developments, just so you're aware of that. I believe the process that we're going through is not the normal process that we usually go through, and so I think there's been an action taken that really puts this Commission in a spot to act within 15 days, set forth by the developer to ensure that we take action on their item. So just wanted to ensure that the public knew that as to why we're doing this this evening.

Commissioner Burns said move for disapproval.

Mayor Pro Tem Burroughs said we have a motion and a second, any other comments questions? Clerk, please call roll.

Ms. Sparks said if we could just clarify the motion is to support the ordinance.

Action: **Commissioner Burns made a motion, seconded by Commissioner Lopez, to approve as submitted.** Roll call was taken and there were two “Ayes,” Lopez and Burns and six “no’s,” Ramirez, Hill, Kane, Stites, Bynum, Townsend.

11. COMMISSIONERS’ AGENDA

No items.

12. PUBLIC ANNOUNCEMENT

No items.

13. ADJOURN

Mayor Pro Tem Burroughs said okay, committee that takes us to—there's no further business to come before the governing body tonight. I'd entertain a motion to adjourn.

Action: **Commissioner Kane made a motion, seconded by Commissioner Ramirez, to adjourn.** Roll call was taken and there were eight “Ayes,” Ramirez, Hill, Kane, Lopez, Stites, Bynum, Townsend, Burns.

Mayor Pro Tem Burroughs said that concludes our meeting for this evening, I'd like to thank all who attended, and thank you committee for your work, and we're adjourned.

MAYOR PRO TEM BURROUGHS
ADJOURNED THE MEETING AT 8:23 PM
March 7, 2024

Monica L. Sparks
Interim Unified Government Clerk

BM