

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

SPECIAL SESSION, THURSDAY, DECEMBER 1, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, December 1, 2016, with eleven members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO, presiding. The following officials were also in attendance: Gordon Criswell, Joe Connor and Melissa Mundt, Assistant County Administrators; Bridgette Cobbins, Unified Government Clerk; Ken Moore, Chief Legal Counsel; Kathleen VonAchen, Chief Financial Officer; Maureen Mahoney, Asst. to Mayor/Chief of Staff; Mark Wiebe, Asst. to Mayor; Mike Taylor, Public Relations Director; Alan Howze, Chief Knowledge Officer and Officer Doug Bailey, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane, Holland.

PRESENT: Senator Pat Pettey, Representative Louis Ruiz, Representative Stan Frownfelter, Representative Kathy Wolfe-Moore, Representative Pam Curtis.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, December 1, 2016, at 5:00 p.m. in the 5th floor conference room of the Municipal Office Building for a legislative briefing and dinner.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in

such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Holland said tonight annual meeting with our Legislators in Wyandotte County with the Commission to go over our Legislative Agenda. I just want to start off by thanking all of you here for your tremendous work on behalf of our community in Topeka. Topeka has been a tough place for Wyandotte County and for democrats the last several years and we really appreciate the work you have done, the yeoman's task that you all have done to hold the line on issues that are important to our community. Really, I can't say thank you enough to each of you for the hard work that you do on our behalf.

There's a few that that were not able to be here tonight. They called in and let us know they had other commitment, but those of you are here present tonight I really appreciate.

I would like to start off by having each of us go around and introduce ourselves and where you serve and what area you serve in. You might not just do the number, you might do the area because I will confess I have not memorized the numbers, but knowing everyone here I kind of know where you serve already but I think for those watching and for everyone else that would be very helpful.

Commissioner Harold Johnson said I serve as Commissioner for District 4. I like to say its right in the heart of the city but looking at the map right now that's not quite true but it's probably the geographically smallest district. I think Commissioner Murguia and I debate on that so if I'm not number one, I'm number two in terms of the smallest district geographically in Wyandotte County.

Commissioner Brian McKiernan said I serve Commission District 2. Welcome to District 2, you're in it right now. It's from State Line on the east to 18th Street on the west to State Avenue on the north to the Kansas River.

Senator Pat Pettey said I represent the Senate 6th District which encompasses Argentine, Rosedale, Armourdale, Turner; it takes in all the way to Schlitterbahn along State Avenue and I have all the south side and all the way to 7th Street actually, all around the St. Peters area, as well St. Peters Cathedral, and then a small portion of Johnson County from Switzer to Foster from Johnson Drive to County Line.

Commissioner Melissa Bynum said I'm the At-Large District 1 Commissioner. My district covers Commission Districts 1, 4, 5 and 8 which is basically the northern half of the county.

Representative Stan Frownfelter said 37th District. It's basically south of Central, Wyandotte County; 73rd & State to 20th & State Avenue and it mingles down to County Line Road.

Commissioner Hal Walker said 2nd District At-Large. It includes the 2nd, 3rd, 6th and 7th Commission Districts; elected At-Large.

Representative Louis Ruiz said I represent the 31st District which encompasses Rosedale, all the southeastern part of Wyandotte County, State Line, County Line and then west north to the river and then to the west part of Argentine and I go up the hill and circle around part of Maple Hill and go to the west there and south and I just acquired that district after redistricting. Representative Frownfelter and I abut up against each other. **Mayor Holland** said geographically you mean. **Representative Ruiz** said yes.

Mayor Holland said I'm Mayor of Kansas City, Kansas/Unified Government of Wyandotte County.

Gordon Criswell said County Administrator's Office.

Representative Kathy Wolfe-Moore said I'm the Representative for western Wyandotte County so I have all of Piper, I go into approximately 67th Street and I don't go any south of State.

Commissioner Angela Markley said Commission District 6 which serves Turner and part of Argentine.

Commissioner Ann Murguia said District 3 and my district covers the rest of Argentine that Commissioner Markley does not cover and all of Rosedale.

Commissioner Jim Walters said District 7, the southwestern corner of the county including Bonner Springs, Edwardsville, up to Parallel and into approximately 78th Street so it includes the Legends, Schlitterbahn and about a third of my district is in Kansas City, Kansas.

Commissioner Mike Kane said District 5 and a lot of people refer to it as the Piper area. That is not true at all. It actually starts at 72nd & Parallel works out to 75th over to State and out to 86th Street back over and it picks up back on 75th & Leavenworth Road across from

Washington High School all the way out to 83rd and just as you get past the lake everything north and west of there.

Commissioner Gayle Townsend said representing District 1, traditional northeast, upper northeast end of Wyandotte County/KCK, bordered to the east basically by the Missouri River and Kansas River to the south, Parallel generally speaking is the boundary bordered by District 4 to the north of the Kansas River. I'm proud to have Fairfax in that area and to the west District 8 is our neighbor and it extends as far out as there is a little slip of 62nd Street and so it's a pretty big area physically.

Commissioner Jane Philbrook said District 8 and I'm kind of the middle of the road from river to river and just west of District 4 and southwest of District 1 and then I go out depending on how crooked the dogs leg is anywhere between 72nd Street to 83rd Street so I'm the one picking up the middle for that gerrymandering.

Representative Pam Curtis said I'm sorry for being a little bit late. I had a prior appointment that I had to stop by. I represent District 32, river to river, State Avenue to about 28th Street. My district pretty much mirrors Commission Brian McKiernan's district.

Mayor Holland said welcome again to everyone. I appreciate you coming out. I want to ask Mike Taylor who we all know; Mike Taylor serves as our communication person as well as lobbyist in Topeka to go through our legislative program, not in its entirety, but in highlight form and then open it up really to both question and dialogue. If you all have insight, representatives and senators have insight in terms of how we can better present something, any input that you have on trends that you see coming, other things we need to be aware of and then just some dialogue about how we can best work together on the issues for the betterment of our whole community. Again, thank you and, Mr. Taylor, I will turn it over to you at this time.



Mike Taylor, Public Relations Director, said I want to give a quick little overview of the situation we're looking at for the 2017 Legislature. The elections changed the legislative landscape. There is no doubt about that. We will have 59 new lawmakers due to either retirements or the result of the elections in the primary and the general election. Clearly there will be a more moderate make-up in the legislature than we've seen in the past few years.



In the Kansas House, in 2016 the last session, there were 97 Republicans and 28 Democrats. As a result of the elections in 2017 we will see 85 Republicans and 40 Democrats and so a big gain in the democratic caucus.

I would say, and there could be some debate about this, but I'm just kind of guesstimating that as many as 30 of the newly elected Republicans could be considered

Moderates. I say that because many of them ran on a platform opposing past decisions of the legislature or Governor Brownback's tax cuts and that kind of thing.



Kansas Senate

- ▶ 2016: 32 Republicans. 8 Democrats.
- ▶ 2017: 31 Republicans. 9 Democrats.
- ▶ Senate will be more conservative than House, but somewhat more moderate than before.
- ▶ Leadership showing signs of challenging Governor Brownback on key issues.

2017 KANSAS LEGISLATIVE PREVIEW

If you add the potentially 30 Republicans with the 40 Democrats, that becomes a majority that could, if they can work together and I don't think they will on all issues, but if they can work together and create a coalition, actually can make some major changes in the courses we've seen.

In the Senate a less dramatic change, there were 32 Republicans and 8 Democrats in the last session. There are now 31 Republicans and 9 Democrats. The Senate will be a lot more conservative than the House but somewhat more moderate than I think in past years. There are signs, and we will see how this carry's out, that leadership in the Senate is showing signs of wanting to challenge Governor Brownback on some key issues. For example, the Senate has said we're going to develop our own budget and present it as opposed to just dealing with the Governor's budget. We will see how all that plays out. Both bodies' still have to do their leadership elections.



There is a very large freshman class. There will be new leadership in the House for sure because the former speaker is retired and there will be a number of new committee chairs. In terms of what I do over there I've got to wait and see kind of who gets what role on what committees and how that all plays out.

Democrats, because of the change in election, will increase the number of members that they have on committees which means I think Wyandotte County legislators will play some bigger roles or we will have more Wyandotte County folks on some of those committees.

Difficult issues that the legislature will face: School Finance will be a major issue. We're still all waiting and sort of guessing when the Supreme Court will hand down a decision about School Finance and what may or may not need to be done there. Some folks say the court may order the legislature to spend \$400M to \$500M more a year on K-12 education. Speculation at this point, we don't really know. The bottom-line is if that's the case, that money doesn't exist so we're not sure how they would pay that.

Budget and Taxes will be a big issue. I will get more into budget in a minute but we know that through the election campaigns and some of the people that won the budget shortfalls and discussion about the tax plans that have been in place since 2012 are a major topic.

Leadership and the Legislature Coordinating Council anticipate that putting a budget together will be so difficult that they extended the statutory 90-day session to 100 days. They've already changed that so we know that we will be there at least 100 days. The longest session was 114 days and that was with a veto or wrap-up session so I'm not planning a vacation for June at all just to let you know.



► **Budget and Revenue**

- \$350 million shortfall in 2017 budget year
- \$582 million shortfall in 2018 budget year
- Governor will unveil his budget in January
- Every agency submitted 5% cuts in budget
- Senate will write its own budget

2017 KANSAS LEGISLATIVE PREVIEW

Let's look at the budget situation. The new revenue estimates that just happened in November, they're projecting now a decrease in the revenues so a \$350M shortfall in the 2017 budget year. Keep in mind that the State budget goes from July 1st to June 30th. We're in December already so by the time the session starts there will only be six months left in the budget year and they will be \$350M to have to make-up.

They will work on a two-year budget is what we're anticipating the Governor will propose. By 2018 the shortfall will be \$582M so that's a lot of dollars to make up and we're not sure exactly—the Governor has been very quiet about what he will propose. He said he will not unveil his budget until January. He had the option to do a Rescission Bill or allotments. He has indicated he's not doing that so he is basically going to wait until the new legislature gets here and say here's what I'm proposing, you all deal with it and fix it.

Every agency though has been asked to submit what it would look like in 5% budget cuts. I point that out because it doesn't just affect the state. We've known for years when different departments cut their budgets it trickles down to the local government and we end up picking up the costs. One quick example, it's what happened with Aging and you all as commissioners approved an additional, if I remember right, \$80K in our local government budget this year out of our local tax dollars to pick up costs for the Area Agency on Aging so that we didn't have seniors who are left unserved because of the State cuts and so it trickles its way down.

The Senate, as I mentioned, has said it will write its own budget and we will see how that all plays out because it could very well be a conflict with what Governor Brownback proposes.



I want to point this out because this is a pretty well thought of and respected survey that's done every year out of Ft. Hays State University, the Docking Institute for Public Affairs, and it's generally pretty much on target. This was done before the elections in November but 70% of Kansans they surveyed, and it is a strategically valid survey, said Kansas is on the wrong path, 74% were dissatisfied with the job Governor Brownback is doing, 57% were dissatisfied with the Kansas Legislature was doing, 54% were dissatisfied with the job President Obama was doing. Now, let me just point out in case you missed that, in red state Republican Kansas 74% were unhappy with our Republican Governor, 54% were unhappy with our Democrat President and 53% were satisfied with the job the Supreme Court was doing and that was reflected in the fact that all the Justices were retained.

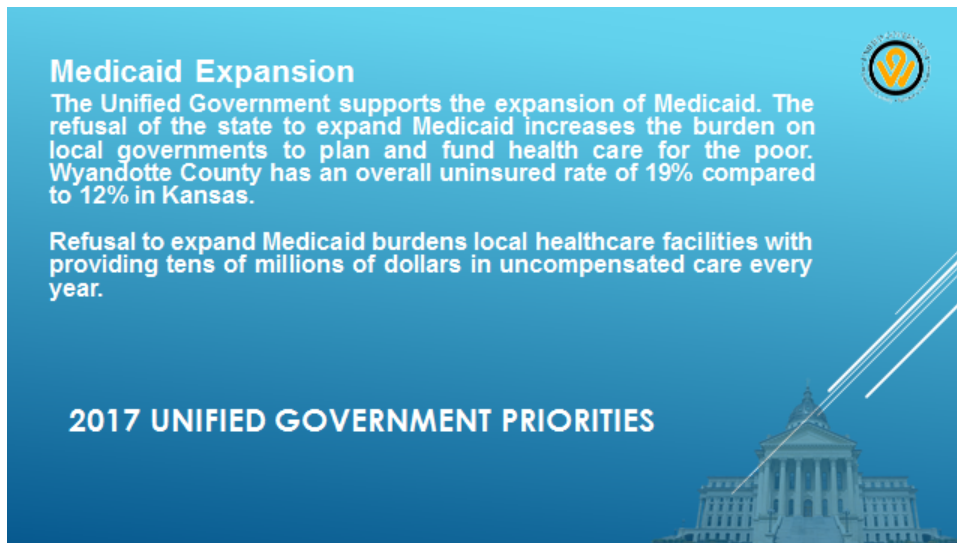


► Docking Institute for Public Affairs Poll

- 62% favor expanding Medicaid
- 61% favor closing the LLC tax loophole
- 62% favor training for concealed carry

2017 KANSAS LEGISLATIVE PREVIEW

I put these in because these are issues that all affect our UG Legislative Program. 62% of the people surveyed favor expanding Medicaid or known in Kansas as KanCare which has been a priority issue for us and you will see in a minute it continues to be, 61% favor closing the LLC tax loophole. That's the measure that allows 330K businesses to not pay any tax at all and 62% favor some kind of training for concealed carry which of course was eliminated in the last session of the legislature. Let's get to our priority issues.



Medicaid Expansion

The Unified Government supports the expansion of Medicaid. The refusal of the state to expand Medicaid increases the burden on local governments to plan and fund health care for the poor. Wyandotte County has an overall uninsured rate of 19% compared to 12% in Kansas.

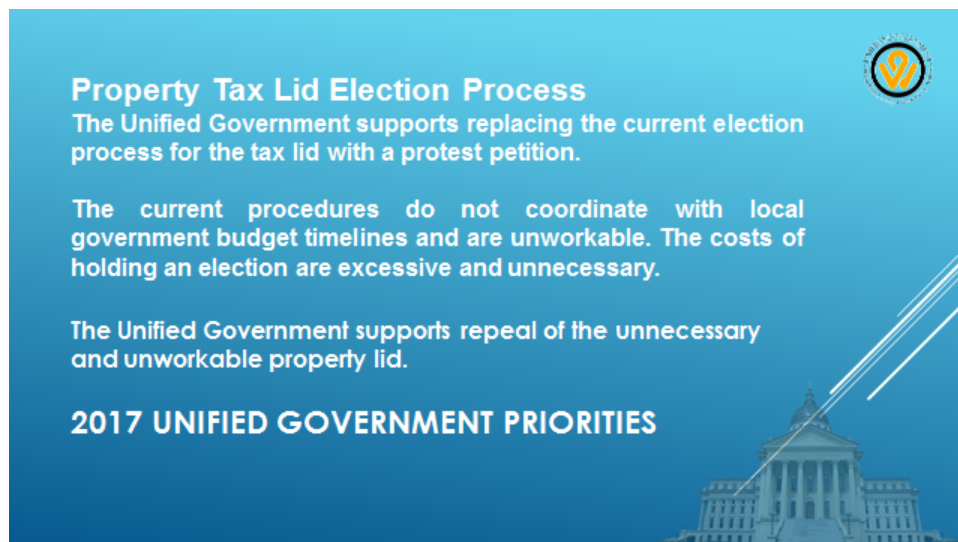
Refusal to expand Medicaid burdens local healthcare facilities with providing tens of millions of dollars in uncompensated care every year.

2017 UNIFIED GOVERNMENT PRIORITIES

We've had this on our agenda for a number of years. I put it number one this year because I think there is actually an opportunity to make this happen. There has been a huge groundswell of support from a number of groups but the Unified Government has for several years now supported expansion of Medicaid. It would help thousands of Wyandotte County residents in

getting insurance. Now, we've done a great job after the Affordable Care Act came into place of signing up people for insurance. In fact we're getting some attention for the great job we did, but there are still thousands of people who don't qualify and expanding Medicaid or KanCare would help do that.

We have been for three or four years now part of a coalition working to make that happen and we will continue to be. It looks like politically in the Statehouse there is a chance that will pass. I mean even a committee chair from the past who said he wouldn't allow the bill to go to the floor, the speaker who has said I think it will happen and I think if it gets to the floor it will actually pass. The wild card in this is with the results of our Presidential Election because of what President-Elect Trump is saying so I'm thinking at the State level if we can get this done fairly quickly, the Congress is going to take a while to repeal and replace or whatever it is they decide to do with the Affordable Care Act. My view is we still work to make the expansion happen in Kansas and then we will just see what happens at the federal level, but it will take a long time at the federal level.



The Property Tax Lid—there are a couple of different positions here. On our Priority Agenda what we've decided to work with, with the other cities and the state through the League of Kansas Municipalities and the Associated of Counties, is to replace the current election process for the tax lid with a protest petition. The election process simply doesn't work. It was ill conceived and, of course, this is a measure that had no actual bill at first, no real hearings, it was kind of done on a fly on the floor of the Senate originally. We would love to see the whole thing

repealed which is why I put that last line there. Politically and realistically we don't think that's probably going to happen repealing it before its ever actually gone into effect, but it will affect our next year budget that we do because it goes into effect January 1st. We decided it would be a little more practical to simply try to replace the election process with a protest petition. We're also working already on adding some additional exemptions to the bill. For example, one thing we tried to get in initially that didn't make it was personnel cost, well benefits, for example, Health Insurance Premiums. We said look we don't control those and we should be able to exempt those from the tax lid. That didn't pass; we're going to try to do that again as well as a couple of others. Costs that we can't control we don't think we ought to be constrained in those terms. That's going to be a major issue and it's not just a UG issue, it's a statewide issue that we're working with all the other cities and counties on.



Representative Frownfelter's favorite topic, Abandoned Housing, one that we've worked together for years on and actually got the legislation passed last year by large margins in the House and the Senate only to see it vetoed by the Governor for reasons—I've talked to a lot of you about it and I won't go into all the details of that but he vetoed it—well, I will just say it, for pretty bogus reasons. We're going to try it again and there are already meetings in reintroducing that bill and trying to get that measure done. One of the things that we added at the League of Municipalities, the counties and in ours is if you want to expedite the process and it fits well into a major effort we're making at the UG known as SOAR or the Blight Remediation Effort, but we kept hearing about property rights. Well, what about some of these property rights? We decided

to just be very blunt about it and add what about the property rights of surrounding homeowners. Yeah, okay, owning property is a right. I've argued in testimony that owning property also carries responsibilities with that right and there are people who clearly don't meet that responsibility.

We went on a tour a couple years ago in Topeka, and a very nice neighborhood in Topeka, but there was one house where the owner had died and the grown children were living across the country, weren't interested and the house was falling in on itself and it was a blight on the neighborhood. We took legislators on a tour of that neighborhood and several neighbors came out and said what about my rights because I'm keeping my house up. These were homes that were in the \$200K to \$300K range so we're making a big point about the rights of surrounding property owners in trying to get that stressed.



Tax Appeals, we support procedural changes to the Tax Appeals process that are balanced and sensible for both the taxpayer and the county government. A number of changes were made in legislation last year and the year prior that are not sensible. They're not workable and they really put county governments and our appraisers at a real disadvantage in terms of trying to appraise the real value of properties. We're going to work kind of systemically to make some incremental changes in some of those rules. I don't want to get too much in the weeds. It's too detailed and really boring to go into but there were changes made that don't make sense and really allow property owners to appeal and use bases that aren't fair and put us at a real disadvantage in making our case.



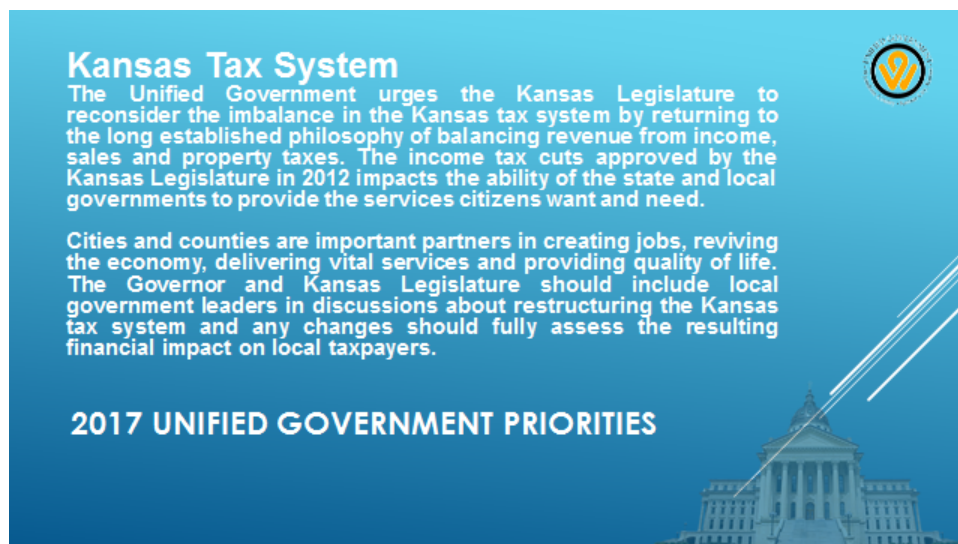
Prevailing Wage, the Unified Government does, has and always will I think support paying prevailing wage on our public work projects and our economic development projects when we give tax incentives of some kind; STAR Bonds or other kinds of tax incentives. That ability for us to do that was striped three years ago I think now despite a very hard fought fight and all the members of this delegation joined us in the effort to oppose that. It was really a hard fought fight. We're going to try again. I think given the change and the makeup of the legislature and some other efforts I know that are kind of afoot I think we've got a shot at trying to get that back.

I will admit that I didn't get a lot of help on that fight from my other city colleagues because we're the only local government in the State of Kansas that required prevailing wage. We did get the League of Municipalities to change their platform. They always said we oppose mandates requiring prevailing wage. We got the language changed to say we oppose mandates that require or prohibit the paying of prevailing wage. If we get some kind of bill and a hearing, the League will be there representing and supporting us saying let them do it if they want to do it and I've argued that's the sense of our community, it fits our community, and we ought to be allowed to do it. You shouldn't get yourselves involved as a State Legislator and so that's going to be a fight that I hope we can make some headway on and actually win.



The Legislature; were about less regulation, less intrusion in people's lives. The Legislature decided that they would engage themselves in our own personnel policies and those of all local governments in the state and tell us that we can't prohibit our employees from carrying guns while they're on the clock. We fought hard against that. We loss that and so there will be efforts to try to get that repealed. We just believe that in trying to run a workplace whether it's our Fleet Maintenance Garage or our Code Inspectors that if they're not required to carry a gun, police officers and security guards, that we ought to be able to set that priority when they're on our clock and the Legislature shouldn't preempt that. We're going to try to make that incremental change in the concealed carry laws.

There is going to be, by the way, a huge effort by the universities to try to change because starting July 1st every college kid and every frat or sorority or dorm is going to be able to carry a gun on campuses in Kansas. The Board of Regents and others have a real issue with that in terms of the safety and so there will be a real push and so we will see where that goes. Our piece is simply to say to stay out of our own local personnel policy and let us set our own rules for our employees.



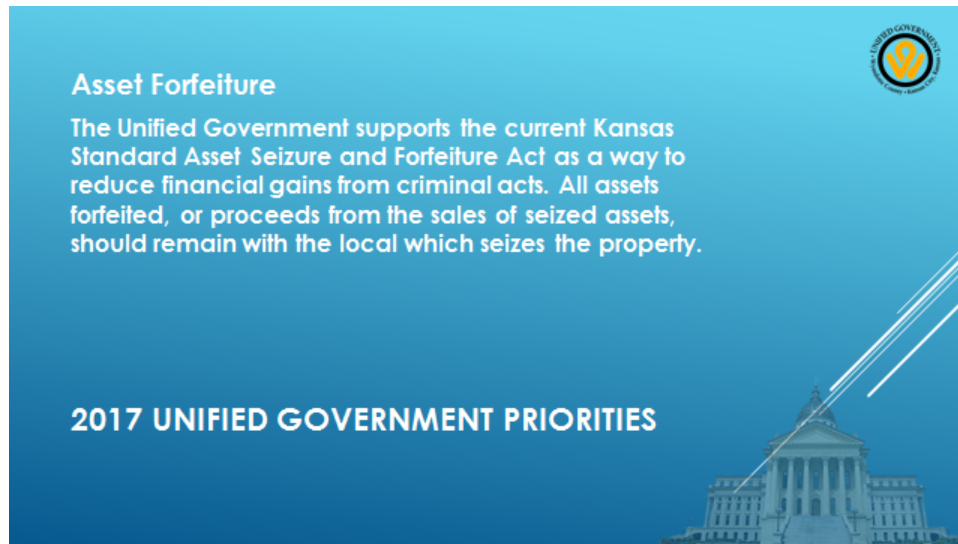
The tax system, we've never really weighed in on this before. It's a lot of words but basically what it says is we're urging the Legislature to reconsider the imbalance in the Kansas Tax System by returning to the long established philosophy of balancing revenue from income, sales and property taxes. That's known for a long time as the three-legged stool. What the Legislature did several years ago was they cut that one leg off, the income tax leg, so the stool has gone like this. We've really stayed out of that in the past because it was a State issue but it has cost us millions of dollars as a local government because of the trickle down effects of the State losing that revenue. We're proposing that we actually have a policy so when there is a proposal, and there will be several I think, to look at the tax system that we can actually—I've got the authority with endorsement from this Commission to weigh-in on that and look at how it affects local governments. That's the biggest thing that we're talking about is they did that without really looking at the effect on local governments and the effect was they just either cut services that we had to pick up the cost for or they cut funding that we traditionally got so it did affect us. I'm proposing that we weigh-in on that issue and say look you need to consult with us as well and I'm hoping in conjunction with this, a number of us are hoping; that with the change in the Legislature that we get back to a point where the state government views local government as a partner in providing public services and making it a great state and not the enemy which has been what we've dealt with over the past four years.



I wanted to talk about this one. We're off our priorities, but I wanted to talk about a few other key issues that I think that are a hot button here. One of them is Casino Gaming. I wanted to reinforce with all of you the Unified Government's position regarding The Woodlands. Our official position last year and again this year will be that we support measures to assist The Woodlands in reopening as a gaming facility so long as The Woodlands provides benefits to the local community which are on par with the benefits provided by the Hollywood Casino at Kansas Speedway. That means negotiating a development agreement with us, paying the same share to the local government that the casino has to pay because they cut that in half in their proposal, perhaps making charitable contributions; but at least sitting down and talking with us. We know that dollars won't be the same but we want to make sure that it's at least on par in terms of the kinds of things that are required. That's our official position and we made a number of attempts last year to get the new owner of The Woodlands to sit down with us to talk about his plans and development agreement, it never happened. We will continue that. I'm not sure there will actually be legislation again this year, there may well be, but we want to be prepared for that.



One thing that I almost forgot and I'm adding this because it will be discussion is the STAR Bond legislation expires June 30, 2017. There will be a bill to—there has to be a bill to renew STAR Bonds or it will go out of statute and STAR Bonds will no longer be an available tool. We've obviously used them very successfully here in Wyandotte County and we think that option should continue. We will be weighing-in in support of continuing STAR Bonds, but continuing them in a way that's sensible and reasonable and allows local communities the option they need to make it work. There are some STAR Bond Districts in the state that have not been as successful. I had a conversation the other day with the Secretary of Commerce who said that he uses the Legend's and Village West as the crown jewel example of how STAR Bonds should work in the state and how they were designed to work and so I think we will have a lot of support for continuing that. I wanted to bring that up that that will be an issue we will be supporting.



This one there is kind of a grassroots effort but Asset Forfeiture; our Police Department is very concerned about this because there are a number of proposals out there. In fact three bills are already prefiled that would change the way we can keep assets. Being blunt, if we bust a drug dealer and we find \$100K in cash in his car and a bunch of drugs, we confiscate that and can keep it and eventually put that back into our treasury or use it for police sources. There are a number of changes they want to change the way that would work. We're concerned about that and so we will be opposing efforts that one of the proposals would be that the State gets to take all that money and then we'll dole it back out to the locals as we see fit. Our argument is no, if our police do that bust and we arrest that drug dealer as an example, and we confiscate that money; we should be able to keep it and use it to help offset that enforcement. You will hear a lot about this and that's why I'm bringing it up.



There is going to be some efforts to change the way Municipal Courts operate. One, we've fought this battle before and won it, but it's going to come back. It has to do with the authority that local judges have in municipal courts to actually set the operating rules of the court and to set the decisions in whether bail bondsmen can work in our court or not work in our court or how those bail bonds procedures work. We think we should still be able to control that on the local level and so that's going to be an issue that I wanted to point out to you all as well because it will become an issue again. We're different than District Courts in the kind of cases that we try. We try misdemeanors, not felonies and so we think we ought to be able to set those rules.



Those are kind of the highlights, the priorities, and a few of the highlights and now while we have time I will just open it up for any questions you may have of me or certainly invite discussion amongst yourselves.

Representative Pam Curtis said I have a question on the Civil Asset Forfeiture position that you all have. It's my understanding that part of that was that those assets being seized and then before a person is actually convicted, so you all are not opposed to that part of legislation or what is your position there? **Mr. Taylor** said we actually are proposing and we support the current law which allows us to seize those assets and not necessarily give them back. We're concerned that because a conviction could take years and so what happens to those funds in the meantime and there is concern by the police that if you just turn them back over that they suddenly get relaunched and disappear back to the drug dealers or the Cartel or the gang that had them. The person then later gets convicted and you're like okay we want those assets back and they're like well they're gone, they're in Columbia now or wherever and so that's our concern. **Representative Curtis** asked what happens to the person that is found—not convicted and found not guilty and then their assets are then gone. That's the argument that's been brought forward. **Mr. Taylor** said I understand that and I don't have a real detailed answer to give you right now because I'm going to bring the Chief Police over to testimony when this issue comes up.

Commissioner Kane said when I was talking to some of the legislators last year about the prevailing wage they said something about like Home Rule. You know that they let the municipality make that decision on their own and I think language wise, as Representative Curtis is looking at me, I think that would be more palatable for the ones that opposed it last year because they're not saying they agree with it, they're just saying you guys make your own decisions. When you guys start working on that I would like to know about it because I would like to be in the committee meetings. **Mr. Taylor** said that's an interesting strategy because, and I would need to check with our Legal staff, but the way the Home Rule amendment works is if the statute is inconsistent, if it doesn't apply to all cities equally, my understanding is the way they pass it though they applied it to all local governments so it would not give us the option to opt out of it through Home Rule.

Representative Stan Frownfelter said when we worked that on the floor there were amendments brought to leave it up to individual county or city to do what they wanted. This was ran through by one construction company who was upset that was not getting his due share in Wyandotte County because he didn't want to pay the wages. I think there is a possibility the House could hear it and move it, but your problem is going to be in the Senate because—well there will be a definite problem there between what goes on with the leader of that Senate race and their family members. **Mr. Taylor** said I understand and that's what actually happened before is we actually got the issue dealt with in the House and it was when it got to the Senate that provision got put back in and passed. I'm hoping it won't be just our fight, that there will actually be some labor unions that want to help us and maybe some other folks that want to help us as well as the League because I got them to change their language so that they would be there to support us and say, again, it's a local control issue. If that fits the nature of that community, why not let them do it.

Representative Louis Ruiz said one of the items that wasn't discussed was the immigration issues. We had several bills come through last year and possibly they—we circumvented some issues on the sanctuary cities. We defeated the amendment to repeal in-state tuition, but right now we're looking at—I think you made a statement before the Congress can come in and mix things up with the new administration; what do you see this local governments rule and role in helping the State identify areas that are sensitive to business needs, health needs, educational needs for our people who are already here and versus circumventing ICE coming in to pull people out of our community. Has there been any discussion along those lines? **Mr. Taylor** said there has been and actually we do have a position under the Community Development piece about we oppose State Immigration Enforcement measures because they place unreasonable and expensive burdens on local government. For five years now I've worked with the, I've forgot the name of it, Business Owners for Sensible Immigration Reform, its Alli Divines group and a number of the others, I became really the only local government person working with them. As I read the bills that had been introduced by our current Secretary of State I realized that the cost burdens of all of that fell onto local governments and so I became very active in that coalition, with the endorsement of this Commission, and we've been able to successfully stop all those bills that he has tried. I think he may be reinvigorated and may bring those bills back. We'll still

be there to fight them because some of the bills—you know it affects everything from not just our jails and what our Police Departments have to do, but our Health Department and the services that we give through our Health Department trying to verify citizenship for our prenatal clinic for example.

The other thing that we propose to proactive legislation was that we enact a system of state-based worker Visas. It would be outside the federal government and there is legal authority to do it; we've never really followed through with that, but I will tell you that the debate on this is very interesting because western Kansas is very much opposed to everything that Secretary of State Chris Kobach has proposed. It will kill the Ag economy in Kansas if these kinds of measures come in. It did in Georgia, it did in Alabama; the Governor is aware of that and so there is going to be a very interesting debate there. That's one of the reasons these bills never advanced. In our community we're almost what 30% Hispanic, it would affect thousands of our residents. Unless my Commission tells me differently, we're on the side to fight any of those kinds of anti-immigration measures.

Mayor Holland said and to really emphasize, keeping families together. We have families some with documents, some without documents; the idea of deporting the parents and leaving the children under SRS care is crazy. Deporting half the kids and not the other half—I mean just breaking up the families is not what this country is about and I think finding some reasonable access, a path to work Visas, a path to citizenship really is the path that we need. Obviously, we have an administration that has said they oppose all of that, now what actually comes to pass nationally we don't know, but we want to be sure on the local level to be advocating for our people and for our families.

Representative Ruiz said, Mayor, I understand that you had a meeting with the new Mexican Council. **Mayor Holland** said I did. **Representative Ruiz** said he's willing to partner with any local government statewide because he has Missouri, Kansas and parts of Oklahoma is what we're talking about today and using his office as a resource for people to ascertain IDs, Visas, and start working along—he in turn is really fearful of what is going to happen after the inauguration in January. I think it's incumbent upon us as a State and the UG to try to get the information out because—I don't know if he gave you the information to be put on the websites that people can read and also to our local schools, El Centro, Donnelly, JUCO; disseminate that information to make sure people know that they have access to—I wouldn't say—it would be a

good secure way for information to help them out when it comes to being fearful of ICE, being fearful of local governments coming in. I think Representative Yoder was getting federal funds and they were being named Johnson County, one of the city's there, as a sanctuary city and so we're looking at those also for those types of situations as well. **Mr. Taylor** said right, and I'm keeping an eye on that federally. This whole thing about how do you—there actually is no definition of a sanctuary city so we're kind of waiting to see but I would think—I was honestly when that story came out and it was a little bit bogus in the factual basis of it that we weren't actually named as one. Just given the nature of our population we weren't, but Johnson County was which pretty much upset their Sheriff because he said that they clearly were not. We're watching that closely.

I want to assure you, Representative, I've been again with the permission of this Commission; very engaged in the immigration coalition in Topeka working with those groups to block all of this.

Commissioner Johnson said I was going to ask Mike and maybe some of our friends in the Legislature, what is the general mindset with regards to the Expansion of Medicaid in the State? Is it best move forward or is it let's wait and if it is to move forward then my second question would be has the Governor's mindset changed any relative to that? **Mr. Taylor** said I will just say that everything I'm hearing and from the groundswell that's happened, I think the change from absolutely no to its very possible is kind of where we are right now.

Representative Kathy Wolfe-Moore said I think initially after the November election and President-elect Trump's feelings with regard to Medicaid Expansion caused everyone to take a step back for a moment, but then from what I understand the Hospital Association, the Foundations across the State of Kansas are working very hard and they say we are moving full speed ahead; we can't afford to wait. If he is going to do something different, it serves us much better to at least be one of the States that has already passed Medicaid so I think for a moment there was a stutter-step, but I think its full speed ahead and I don't think the Governor has changed his mind. There has been no indication whatsoever that he has unfortunately. **Mr. Taylor** said I will say that since the enrollment period under the ACA reopened in November 25,000 additional Kansans have signed up for insurance through the Exchange so there is clearly support. I would just point out politically if I'm in Congress and there are 25M Americans that

are getting insurance because of this program, I would be hard-pressed to vote to take it away from them.

Mayor Holland said well, we have been able in Kansas City, Kansas alone because we have 5% of the state's population and 10% of the state's uninsured to take our uninsured rate down from 26% to 18% is the last number I saw, 18% or 19%. I mean nearly a third of the people in Kansas City, Kansas that did not have insurance have insurance under this program. We've had a very aggressive enrollment process with Enroll Wyandotte, the Community Health Council, and Healthy Communities Wyandotte; it's been a very successful program to get the health care into the hands of the people that need it the most. It's a critical issue for our community because Expansion of Medicaid could cut the number of uninsured in Wyandotte County in half and it's a goal that we need to reach.

Senator Pat Pettey said I just want a clarification. On the Property Tax Lid, and I will say since I share that portion of Johnson County, that earlier this week I was at a meeting with the Johnson County Commission and the Property Tax Lid repeal is their number one issue. In fact, not a protest petition, but the repeal; that's their number one issue. I just want clarification here. So, the Unified Government position is go for the protest petition, but really we want the repeal. **Mr. Taylor** said we fully support repeal of the whole thing and there was a lot of discussion about that at the League of Municipalities, Association of Counties, and with various local government representatives. I think the conclusion was trying to repeal a law before it has even gone into effect is probably going to be difficult. We would love to see that. We would love to have the whole thing repealed but then we took the more practical approach and said alright if that can't happen, let's at least make it workable. I've been asking a few attorneys what happens if the Legislature passes a law that is so badly construed and dysfunctional that it can't even be applied, can you just ignore it. I'm waiting on an attorney opinion on that because this law can't work the way it was written. If we could get it repealed, that's what we would fully support but, again, we kind of put down more incremental steps thinking we might be more successful in getting that done.

Senator Pettey said just to follow-up with that, I know in Johnson County to do an election is \$1M. What's the cost in Wyandotte County? **Mr. Taylor** said about a quarter of a million. **Mayor Holland** said the other piece too, the State did not apply that to themselves.

The increase in the sales tax did not go to a popular vote, but they want us to go to a popular vote in order to do our elected duty, but for the State to do their elected duty they can raise taxes all they want without a popular vote. It certainly doesn't make any sense on that level and we do have a representative democracy in this country where we elect local leaders to make the decisions about our mill levies. It's going to hurt rural Kansas much more than it even will the cities because we have such a large budget and different diversified stream of income, but it's a big hit to us as well and really inappropriate to use the language of the legislature government overreach. **Mr. Taylor** said quite honestly I've been to several different seminars on this. No one from some of the best known appraisers in the state to state officials at the Revenue Department have any clue how to actually implement this tax lid. The Department of Revenue has said we're not even going to send guidance to local governments until at least May or June of 2017. Well, we would have to declare an election by July 1st before we've even approved a budget in order to meet the election schedule. It's totally unworkable. We're hoping that more reasonable minds will come together in this session that we can get that fixed.

Mayor Holland said I want to say one other thing about that which would be ammunition for you all as we talk about the tax lid. You know Wyandotte County; the total taxable valuation of our county is \$1B. The total taxable valuation of Johnson County is \$8B so every mill we levy we get \$1M, for every mill they levy they get \$8M so their taxes are half ours but they are spending double per capita what we are on their residents for the amenities that have made Johnson County Johnson County. If this tax lid had been put on Johnson County 30 years ago, it would not be the economic engine that it is today and what they have done for Wyandotte County is basically capped us at a poverty level of spending. It is not that we're spending too much in Wyandotte County, it's that we're undervalued and raising the value of our community—we're about to do a \$25M redevelopment of Leavenworth Road. My expectation is all the properties around Leavenworth Road are going to increase in value because of the quality of that development and that infrastructure that we put in. By this tax law definition we're not able to capture that value of our own property increasing based on our investment because the properties that are increasing are not new development. Even though we invest in our infrastructure and it raises the valuation of our community we can't capture that value by this tax lid and we're doing exactly what we should be doing, investing in the infrastructure of our community. In terms of the messaging capping Wyandotte County at a poverty level of spending

with this tax lid is inexcusable in terms of us being able to provide the quality of life for our citizens that other people want. Even in a year—wouldn't it be great if we got a 5% increase in valuation, I'm praying for that. I praying for 10%, but say we had a 5% increase and we lowered our mill levy but only lowered it 4%; to capture the additional 1% even though we lowered taxes, we would have to go to a vote. I mean that's how unworkable and ridiculous it is and that's what Johnson County did through the years. The valuations went up, they lowered the mill levy a little bit but captured the valuation, lowered the mill levy, captured the valuation. If we're not able to do that, that's exactly what we should be doing to lower our tax rate in this community and to make us more competitive. They've capped us from being competitive and that's the part that is infuriating about this tax lid. So, full repeal, yes; absolutely yes. Going to a protest petition would be a much better solution in terms of just a workable piece that would give the people checks and balances beyond the election, but really it's a very untenable process for us right now.

Representative Wolfe-Moore said just to add on to that I was going to mention another topic is the really sad thing is the real reason this even came up in the State House this past year is so they could use it as a political weapon. They were more concerned that they would get reasonable legislators like those in this room who choose to support their local government and will vote against such a thing so then they could use it against you in an election and say your representative doesn't support lower property tax. That's how ridiculous the State Legislature has become when they use their power for political reasons instead of supporting your local governments or to pass reasonable legislation.

The point I wanted to bring up in case people aren't aware, I know you have mental health and jail beds on your agenda which I think is very appropriate. It's kind of disturbing news that you might have read about the State has issued an RFP for privatization of Osawatomie and we're already very, very short of mental health beds. In fact, law enforcement can often or emergency rooms can often not get a bed available to transport a person who's involuntary that needs to go there. It's been a really, really in a crisis point and so now they've issued an RFP for privatization and at this point we understand the only people that are interested are out-of-state for-profit. The concerning thing is that there is already not enough money in the mental house system so if you're a for-profit you're obviously going to have to take out money

for that profit. The silver lining though if there is one, is that to do this we put in statute last year that it takes legislative approval so at least they cannot do this without legislative approval but still it's disturbing. Be aware of that and if you have a chance to ever speak up or speak out about that that would be helpful.

Commissioner Bynum said I just wanted to ask Representative Frownfelter, so you're going to try again on the abandoned housing? **Representative Frownfelter** said yes. **Commissioner Bynum** asked do you feel like things might look better or no? **Representative Frownfelter** said with the number of new people I don't have a count right now where they're at. Last year in the Senate and the House I had a pretty good unity even with a lot of people on the, well it's obvious on the Republican side, it passed 32 to 8 and 90 to 35; with 59 new people I have no way to wage whether they're going to be receptive or not. I feel it's a little more moderate so there probably won't be the strong right side that says property right owners and all that stuff like Americans for Prosperity, but last years' bill Clear came out which is a Republican organization that said it was not only stronger on the frontend on property rights than the original bill is right now. It was just a political maneuver by the Governor is all it was. I think it's got a good chance of passing both. I can't speak for the Senate. It passed there last year but I think it should have a pretty good chance to pass there again.

Mr. Taylor said I agree with you and I think since we started this effort it has grown. The city of Topeka is huge on this issue, the city of Wichita and what we've found is it's not just an urban issue; there are towns of 500 people and when we did surveys that said we have 500 residents and we've got 50 abandoned homes in our community it became a statewide issue. I'm optimistic that we can get it done again.

Representative Ruiz said as we look and I go through this deal about the Medicaid Expansion kind of jotting down some of the people who have enrolled in Wyandotte County and, Mike, you stated that the ACA and statewide 25,000; Mayor, I didn't get the amount written down from Wyandotte County residents who now are insured. Can you give me that figure? **Mayor Holland** said 4,000 I believe is the number we have right now who have received insurance, but it represents about a third of the people who were uninsured. **Representative Ruiz** said the key along that and to follow that up I was reading about the Wyandotte County outcomes recently,

we're in bad shape again. We've been since Mayor Reardon—**Mayor Holland** said 2009. **Representative Ruiz** said correct. Can you give me a briefing on what's going happening, what are we doing in Wyandotte County to focus on along with infant mortality, health outcomes; we discussed that at our dinner the other night at the Med Center or the hospital. I would like to know what the UG and what the Health Department and how we partner if anything. **Mr. Taylor** said I would say the Healthy Communities Wyandotte is doing a lot and I would defer to the Mayor.

Mayor Holland said Healthy Communities Wyandotte is one of my three priorities. Economic Development, Innovation, Healthy Communities. Healthy Communities Wyandotte is now an organization of over 100 different organizations partnering together in eight different areas. They include communication, education task force, a task force on access to healthy food, access to healthy infrastructure, access to health care and we have a tobacco sensation group now that we passed. We were the first city in Kansas and partnered with Kansas City, Missouri to do it on the same day to pass Tobacco 21 to get tobacco out of the high schools. We also have an advocacy group that's primarily working on the Medicaid Expansion so that's seven actually. I said eight, but there are seven task forces that are actively working and we have several of the commissioners here. I know Commissioners Bynum, McKiernan and Johnson are all engaged in Healthy Communities Wyandotte on the various work levels that we're doing.

We have an active Infant Mortality Task Force that has been working for the last year and a half since the data came out that's doing a case-by-case study of how we're losing infants and what can be done in terms of prenatal care and post-natal care, post-birth care for the mothers and the families to identify how this is happening. We know that our minority groups are hit much higher and there is a direct correlation to the loss of infants with the lack of health care that people simply don't have health care for themselves or for their children.

There is a lot of work going on. That group has leveraged over \$8M in grants. The most recent has been a \$2M grant from United Healthcare that is for health workers that are going door-to-door to help people with the new Affordable Care Act to actually help them use it because a lot of people have insurance for the first time and they've never used it. They don't have a primary care doctor, they've never been for an annual checkup, and you know we have people in their 40s, 50s and 60s who have never had an annual checkup, men and women. Now they have health care and that's covered 100% and so we have health workers from the

Community Health Council actually going door-to-door to get people doctor appointments with their new insurance. There is a lot happening. We're still ranked last. The bummer is we just enrolled a third of the people that didn't have health insurance and we're still last in the state. Commissioner McKiernan has done a ton of work on this about looking at the correlates, the top two correlates for poor health in Wyandotte County are unemployment and children in poverty. Creating jobs, good paying jobs for people, getting them connected and one of our challenges is housing. We have some deplorable housing that's geared toward the unemployed. We get people a job, we do our Workforce Development work and get them a job; they take their first paycheck and move somewhere else and then we have housing that attracts another person without a job. We've got to have affordable workplace housing, quality housing. This is what Frownfelter's bill is working on is helping us get those properties in our hands before they are completely dilapidated and have to be torn down, get them in the hands of the not-for-profit that's going to turn them over and put them into good use and make it a good livable house. It's all hands on deck for Healthy Communities Wyandotte. We have a lot of enthusiasm. Obviously, Joe Reardon started the initiative as Mayor and we are continuing to try to take that even to another level in terms of getting a healthier community, but socioeconomics are the number one driver and pervasive poverty has got to be addressed if we're going to be healthier.

There is a ton of stuff going on and I would be glad to get you the latest information. Everyone on our delegation I will send out the latest information on Healthy Communities Wyandotte because there is great stuff happening. We're working with KU too, the University of Kansas to find additional—and the Lawrence Campus actually, to look at additional metrics that we can measure the work that we're doing because the county by county health rankings come out on a two year lag time and they're comparing us to other communities in Kansas. Obviously, Johnson County is number one in the state and we're last. We need to have metrics where we compare the progress of what we're doing in our community and compare ourselves to other urban communities across the country and not just to other suburban areas when we look at health outcomes so that we can mark our progress and show that we are making progress because we are but it's not showing up in health rankings because of the delay. I appreciate you asking that question because there is a ton of work going on countywide to make this a better place to live.

Commissioner Johnson said I'm just curious about, Mike, you said something about the Urban Opportunity Zones, is that tied directly to the success of the STAR Bond liability or—**Mr. Taylor** said no, we had proposed a year or so ago; again, I worked with Wichita, Topeka and a number of other cities to try to introduce a concept of incentives for urban areas. You've heard of the Rural Opportunity Zones. We tried to get something moving in a similar capacity that would fit into urban areas and I will be honest, it was a little bit disappointing, it just didn't take off, but I didn't want to take it out because I think there may be a possibility that we can craft together some package of incentives and other development tools that can work for urban areas so I left it in. **Commissioner Johnson** asked is there a champion for that? Is it on someone's desk? I mean where do we stand with it? **Mr. Taylor** said I've had a lot of conversations with the Department of Commerce, some with the Governor's office and I will tell you who is very supportive and we met, Greg Kindle with WYEDC was involved in those meetings, the head of the Chamber in Topeka, Kansas, the city of Topeka, Mayor Wolgast office was very involved in that. The city of Wichita was very involved and their economic development folks so you have your larger urban areas that are very supportive of crafting something. It just kind of with everything else going on at the State just didn't get much traction, but we're not giving up on it.

Mayor Holland said I do want to thank you all for being here and I think this meeting is important and symbolic because our legislators, we talk a lot about the Kansas Legislature as a whole, we need to be clear that the legislators from Wyandotte County are working on behalf of our community and are doing the hard work to try to make our state a better place to live and our community a better place to live. I just want to thank you all again for your hard work, for being here tonight, for the open lines of communication that if there is anything that we can do to support you, I want you to reach out and let us know. Obviously, if there is something you can do for us, you know we will reach out and talk to you. We really appreciate the open dialogue and your leadership that you have.

Tonight we are going to conclude the televised portion of this and we will eat here but the televised portion of the meeting is over at this point and then the televised portion will start again at 7:00 p.m. downstairs in the Chamber.

**MAYOR HOLLAND ADJOURNED
THE MEETING AT 6:09 p.m.**

dt

Bridgette D. Cobbins
Unified Government Clerk

December 1, 2016