



UPDATE
Public Works and Safety Committee
Standing Committee Meeting Agenda
Monday, August 28, 2017
5:00 PM

Location:

Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
5th Floor Conference Room (Suite 515)

Name

Absent

Commissioner Melissa Bynum, Chair

☐

Commissioner Harold Johnson

☐

Commissioner Mike Kane

☐

Commissioner Angela Markley

☐

Commissioner Jane Philbrook

☐

Jeff Bryant, BPU Member

☐

I. **Call to Order/Roll Call**

II. **Revisions to August 28, 2017 Agenda**

Item No. 1 - BLUE SHEET - DELETE COMMITTEE AGENDA ITEM #1

Item No. 2 - PINK SHEET - NEW ITEM FFY17 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

Synopsis: Approval to apply for and accept the FFY17 Edward Byrne Memorial Justice Assistance Grant in the amount of \$106,511. The grant will begin October 1, 2017 and end September 30, 2020. There is no match required for this grant, submitted by Laura Cromwell, Management Analyst, Public Safety Business Office.

It is requested that this item be fast tracked to the August 31, 2017 full commission meeting.

Tracking #: 171284

III. **Approval of standing committee minutes from June 26, 2017.**

IV. **Measurable Goals**

V. **Committee Agenda**

Item No. 1 - GRANT: KDOC JUVENILE REINVESTMENT GRANT AND REGIONAL COLLABORATION GRANT FY 2018.

Synopsis: KDOC issued this juvenile grant opportunity with a due date of September 5, 2017. The notice is attached. The final version of the application will be submitted by August 17th, submitted by Phil Lockman, Community Corrections.

Tracking #: 171234

Item No. 2 - RESOLUTION: DONATING OBSOLETE 2007 DODGE CHARGER SHERIFF'S VEHICLE

Synopsis: Authorizing the Wyandotte County Sheriff Department to donate an obsolete 2007 Dodge Charger Sheriff's vehicle to Kansas City, Kansas Community College for training purposes, submitted by Grant Williams, Legal.

Tracking #: 171239

Item No. 3 - ORDINANCE: BICYCLE LAMP TRAFFIC

Synopsis: The Kansas Legislature amended state statutes during the 2017 session. The attached Bicycle Lamp Traffic ordinance amends the Section 35-694 -- Lamps and other equipment on bicycles, in the Municipal Code to reflect the changes in state statutes, submitted by Casey Meyer, Legal.

Tracking #: 171245

Item No. 4 - ORDINANCE: AMENDING OFFENSES IN THE MUNICIPAL CODE

Synopsis: The Kansas Legislature amended state statutes during the 2017 session. The attached Offense ordinance amends the following sections in the Municipal Code to reflect the changes in state statutes: Section 22-41 -- Domestic Battery; Section 22-290 -- Narcotics and other drugs; Section 22-317 -- Possession, use of simulated controlled substances, drug paraphernalia prohibited; Section 22-352-- Violation of Protective Order, submitted by Casey Meyer, Legal.

Tracking #: 171246

Item No. 5 - JUVENILE INTAKE AND ASSESSMENT CENTER POLICY

Synopsis: The Juvenile Intake and Assessment Center (JIAC) is updating its procedure for placing children who are in police protective custody. Children may be in the Juvenile Intake and Assessment Center's custody for up to three business days before a court makes a decision about a long-term placement. This is an informational session about the community volunteers who take care of these children during this time period and the JIAC program that places children with them, submitted by Susan Alig, Legal.

Tracking #: 171247

Item No. 6 - PRESENTATION: STORM WATER RATE TRANSITION ANALYSIS

Synopsis: Staff from Public Works Engineering will inform the standing committee on the Storm Water Rate Transition Analysis being conducted by Black & Veatch. The analysis will look at an impervious surface area calculation to determine storm water fees. Presentation will include purpose, analysis approach and anticipated timeline, submitted by Jeff Fisher, Director of Public Works.

Information only

Tracking #: 171248

Item No. 7 - RESOLUTION: BPU WATER DISTRIBUTION (SOUTH BETHANY-MUNCIE SITE IMPROVEMENT)

Synopsis: This Resolution declares that this project is a necessary and valid improvement project. This Resolution directs the Chief Counsel to cause a survey and description of such parcels to be undertaken and prepared by a licensed land surveyor or a professional engineer to identify and describe the property to be acquired for this project, and to submit an Ordinance authorizing the exercise of eminent domain and to undertake all other necessary actions to complete the acquisition of such parcels, submitted by Ryan Haga, Legal.

Tracking #: 171250

VI. Public Agenda

VII. Adjourn

**AGENDA UPDATE
PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MEETING
MONDAY, AUGUST 28, 2017**

V. COMMITTEE AGENDA

DELETE

**ITEM NO. 1 – 171234...GRANT: KDOC JUVENILE REINVESTMENT GRANT
AND REGIONAL COLLABORATION GRANT FY2018**

Synopsis: The grant submission deadline has been extended from September 5th to October 20th; therefore, Mr. Lockman has requested this item be rescheduled to the September 25th standing committee meeting.

**AGENDA UPDATE
PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MEETING
MONDAY, AUGUST 28, 2017**

V. COMMITTEE AGENDA

NEW ITEM:

**ITEM NO. 8 – 171284...GRANT: FFY17 EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT**

Synopsis: Approval to apply for and accept the FFY17 Edward Byrne Memorial Justice Assistance Grant in the amount of \$106,511. The grant will begin October 1, 2017 and end September 30, 2020. There is no match required for this grant, submitted by Laura Cromwell, Management Analyst, Public Safety Business Office.

It is requested that this item be fast tracked to the August 31, 2017 full commission meeting.



Staff Request for Commission Action

Tracking No. 171284

Full Commission Meeting Date: 8/31/17

Committee: Public Works & Safety

Date of Standing Committee Action: 08/28/17

(If none, please explain):

Publication Required: No

<u>Date:</u> 08/25/2017	<u>Contact Name:</u> Laura Cromwell	<u>Contact Phone:</u> (913) 573-5856	<u>Contact Email:</u> ldcromwell@wycokck.org	<u>Department/Division:</u> Public Safety Business Office (PSBO)
----------------------------	--	---	---	--

Item Description:

The Police Department is seeking approval to apply for and accept the FFY17 Edward Byrne Memorial Justice Assistance Grant in the amount of \$106,511. This funding will be used to send senior command staff within the Police Department to advanced leadership training through the Senior Management Institute for Police (SMIP). Additionally, funding will be used to replace out-of-date software within the Internal Affairs Unit in order to adequately and efficiently monitor and manage data with respect to internal affair complaints.

The grant will begin October 1st, 2017 and end September 30th, 2020. There is no match required for this grant.

It is requested that this item be fast tracked to the August 31, 2017 full commission meeting.

Action Requested:

Approval to apply for and accept grant.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Project Abstract

Project Abstract

Applicant's Name: Wyandotte County and Kansas City Unified Government

Project Title: Training, Internal Affairs Software Upgrade

Amount Requested: \$106,511

Problems to be addressed:

- 1.) Gap in leadership training
- 2.) Inadequate/antiquated software in the Internal Affairs Unit

Targeted area/population: Wyandotte County/Kansas City, KS

Program Goal(s):

- 1.) The Police Department wants to provide intensive leadership training to its senior command staff so that they will be better equipped to face the ever-changing challenges impacting law enforcement. The goal of the training is to provide command staff with the latest management practices and concepts to ensure that they are providing the best leadership possible to their sergeants and patrol officers. With fewer resources available but a wider scope of service needed, there is a definite need for superior leadership training. Ultimately, this training will offer better officer and community safety.
- 2.) The Police Department wants to also provide up-to-date software to handle the everyday tasks associated with monitoring and managing internal affair complaints. Currently, the Internal Affairs Unit houses all of its data and statistics in an Access Database that was created in-house in 2007. As such, the program no longer fits the needs or demands of the Internal Affairs Unit. More effective and efficient service could be provided with the implementation of a more current software program.

Description of Strategies to be Used:

- 1.) Funding will be used for travel/training expenses for select command staff members to attend the Senior Management Institute for Police training. Training will be sought for counter terrorism, cyber-crime, forensic science, hate crimes, law enforcement leadership, law enforcement professionalism, officer safety, and general policing.
- 2.) Implement IAPro software to better accommodate maintaining/monitoring IA complaints. IAPro software is designed to assist agencies in identifying potential problems early on so proactive action can be taken to ensure the most efficient handling of citizen complaints, administrative investigations, use of force reporting, and other types of incidents while also providing the means to analyze and identify areas of concern. IAPro has automatic reminders to ensure necessary casework is completed and documented in a timely manner. A broad range of statistical reports/charts are available, which include aggregate trend, exception, and comparative formats.

Project Identifiers:

- | | |
|--------------------------------|----------------------------------|
| 1. Conferences and Training | 6. Officer Safety |
| 2. Conflict Resolution | 7. Officer Wellness |
| 3. Evidence-Based Practices | 8. Training – De-escalation |
| 4. Justice Information Sharing | 9. Training – Racial/Ethnic Bias |
| 5. Law Enforcement Leadership | 10. Use of Force |

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, June 26, 2017**

The meeting of the Public Works and Safety Standing Committee was held on Monday, June 26, 2017, at 5:00 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Bynum, Chairman; Commissioners Philbrook, Kane, Murguia, Johnson; and Jeff Bryant, BPU Board Member. The following officials were also in attendance: Gordon Criswell, Joe Connor and Melissa Sieben, Assistant County Administrators; Misty Brown, Deputy Chief Counsel; Henry Couchman, Senior Attorney; Ryan Haga, Assistant Counsel; Meaghan Shultz, Attorney; Jeremy Rogers, Director of Parks & Recreation; Kathleen VonAchen, Chief Financial Officer; Matt May, Emergency Management Director; and Jack Webb, Deputy Director of Parks & Recreation.

Chairman Bynum called the meeting to order. Roll call was taken and all members were present as shown above.

Approval of standing committee minutes for April 24, 2017. **On motion of Commissioner Markley, seconded by Johnson, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

Item No. 1 – 171164...RESOLUTION: JUVENILE CENTER/MEMORIAL HALL WEST REPAIRS

Synopsis: A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary for the construction, maintenance, operation, use and repair of the Unified Government Juvenile Center Complex and attendant parking area, submitted by Ryan Haga, Assistant Counsel.

Ryan Haga, Assistant Counsel, said this item is a basic resolution or Kansas law that we have to pass in order to acquire any lands by condemnation for the property west of Memorial Hall for a parking lot that's going to be created in conjunction with the Juvenile Center Complex construction.

Action: Commissioner Markley made a motion, seconded by Commissioner Johnson, to approve. Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Markley, Kane, Johnson, Bynum.

Item No. 2 – 171163...RESOLUTION: BPU ROSEDALE ELECTRIC SUBSTATION

Synopsis: A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary for the construction, maintenance, operation, use and repair of the Kansas City Board of Public Utilities' new 161kV Rosedale Electric Substation, submitted by Ryan Haga, Assistant Counsel.

Ryan Haga, Assistant Counsel, said the same thing is required by Kansas law for any potential condemnation proceedings for the land that we need for the building of the Rosedale Electric Substation. If you have any other questions regarding condemnation, I can answer that. Any questions regarding the substation project, Pat Morrill is here to answer any questions.

Action: BPU Board Member Bryant made a motion, seconded by Commissioner Johnson, to approve. Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Markley, Kane, Johnson, Bynum.

Item No. 3 – 171161...ORDINANCE: AMEND SECTION 35-651 RELATING TO SEAT BELT FINES

Synopsis: An ordinance amending the fine set for violating the seat belt ordinance as set out in Section 35-651 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, submitted by Misty Brown, Deputy Chief Counsel. These changes are necessary to comply with state law. It is requested that this item be fast tracked to the June 29, 2017 full commission meeting.

Meaghan Shultz, Attorney, said Kansas State Legislature passed a statute changing the seat belt fine. It has increased for adults from \$10 to \$30; \$20 of which the municipalities and counties must send to the state treasurer to increase the amount of money for the SAFE Program. This is required by state statute so we have amended our ordinance. We have left it in our ordinance, not

specifically at \$30. We've had it as a Municipal Court order, that way if they change the ordinance in the future, we do not have to change our ordinance.

Chairman Bynum said so basically we're coming into compliance with a state law and we've left the wording such that if the state law changes again, we won't have to go through this process again. **Ms. Shultz** said correct.

Action: **Commissioner Markley made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken and there were six "Ayes," Bryant, Philbrook, Markley, Kane, Johnson, Bynum.

Item No. 4 – 171168...RESOLUTION: WHOLESALE WASTEWATER TREATMENT SERVICE CONTRACT WITH EDWARDSVILLE, KS

Synopsis: A resolution authorizing the Unified Government to enter into a wholesale wastewater treatment service contract with the city of Edwardsville, KS, submitted by Misty Brown, Deputy Chief Counsel.

Misty Brown, Deputy Chief Counsel, said what we have before us tonight is a resolution that would authorize the Unified Government to enter into an agreement with Edwardsville for a wholesale wastewater sewer agreement. Staff has worked on this agreement for—I would love to say quickly, but it's been over the last two years as we've hammered out the details of it. We believe we've finally gotten to a place where we've calculated an appropriate wholesale rate. State statute would require Commission approval before we could enter into the agreement with Edwardsville. I do know it's going in front of their Commission this evening so we think this is going to be the beginning of a very positive thing.

Chairman Bynum said I just wanted to comment briefly that the city of Edwardsville, as I read the packet, they believe this to be in their best interest so there is no sentiment against it. They are in agreement. **Melissa Sieben, Assistant County Administrator,** said Edwardsville actually requested the wholesale rate and we worked with them to come up with it. This has been a multi-year project to get this to fruition.

It's also part of the reason, as we were stating in the budget, that we want to do a sewer rate study as well. Part of the hold up this last year on finalizing this agreement was the fact that we weren't easily able to quantify a wholesale rate with them. We had to come out to some agreed upon terms that Misty has had to work through to help us kind of get there. Ideally, this has been aspired for some time and it has taken us some since I came on board to get this moved through. It's exciting to see tonight both communities working to implement this.

Action: **Commissioner Markley made a motion, seconded by Commissioner Philbrook, to approve.** Roll call was taken and there were six "Ayes," Bryant, Philbrook, Markley, Kane, Johnson, Bynum.

Chairman Bynum said items five, six and seven are all revisions to County Emergency Operations. Mr. May is here. I think we've asked this question in the past that these have to be approved one at a time. Is that correct? **Misty Brown, Deputy Chief Counsel**, said that is correct. **Chairman Bynum** said I had asked Mr. May, prior to us approving these three items, to give us a very brief update of his department's work over this storm weekend that we experienced a week ago because I just thought here we are in the middle of all of these upgrades and here comes a pretty massive storm. I appreciate you taking the time to do this, just very quickly. I think it's important that our community understands that number one, what I thought was a really well done response, so if you would just show us what you did.



June 26, 2017

Matt May, Emergency Management Director, said most importantly, let me start with it was certainly a team effort. **Chairman Bynum** said I agree. **Mr. May** said Public Works, law enforcement, Fire; we were all in on this. Let me just show you a little bit of the impact if you haven't had a chance to ride around town and see it. This is going to be a lot of pictures and just a little bit of text here to start with.

Debris Management



This is what I ran into Saturday morning about 3:30 when I went to check on a friend of mine at 83rd Terrace & Yecker. It was about six blocks of this and for me to get to her house, it took an hour. That's what people were dealing with.

What, When, Where, Why...

- ▶ Friday evening, June 16th, severe thunder storms with extremely high winds entered into Wyandotte County. Winds approximately 80 mph were recorded by an official observer as well as the National Weather Service.
- ▶ These high winds resulted in significant vegetative debris damage with large trees.
- ▶ Primary impact area was between State Avenue and Leavenworth Road along with 50th & 90th Street.
- ▶ Significant power outage, 11,000 out

The 16th we had severe thunderstorms that moved through. We had report of an 80 mile an hour wind here in the county. That's just into the hurricane range, right. We were into a class one hurricane. The result, as we all know, is a significant amount of tree damage and a lot of power line outage. We had 11,000 out at one point. That was Friday night, Saturday morning.

What, When, Where, Why...

- The following day, Saturday June 17th, was a repeat performance ___ weather structure with only slightly less impactful ___ winds at 70 mph.
- Damage area was primarily 50th & 78th Streets, south of State Avenue.
- Primary impact was tree vegetative debris which resulted in power loss over 13,000 customers.
- Debris management began with public works clearing the streets so that emergency response could have access to those in need and residents to move to another location if needed.

The next day guess what, we got to do a repeat of that, a little different area of impact, a little more to the south than that one and we had about 13,000 out at one point. The biggest challenge for our friends at BPU was that it was a lot of single outs because it was a live tree taking our power connections to homes. They were struggling to get caught up on all that but they did very quickly. Public Works again out clearing those streets trying to make sure at least we have a passageway for emergency response and for people to get in and out of their neighborhoods.

What, When, Where, Why...

- In the week following over 1,000 calls were reported by 311 requesting information on debris removal. Proper guidance was given that home owners should place debris curb side and easement for the waste management department or public works to remove.
- Among the 1,000 calls into 311, were 5 that indicated they did not have the means to remove the debris to the curb or easement.

In the week following we had about 1,000 phone calls. I think it's more than that. Our 311 folks can tell more. I know that we're still getting calls because I got the report this morning, right. Out of those 1,000 calls for service to get pickups done, we identified 5 people who had said I just don't have the wherewithal to get that debris to the curb, either based on size or just inability to do that.

What, When, Where, Why...

- ▶ Thursday 22nd, Community Emergency Response Team (CERT) volunteers were organized by the emergency management office and were given access from the home owners to remove debris for them.
- ▶ On Saturday 24th, within 5 hours, a team of 9 CERTs were able to clear 4 of the 5 lots.
- ▶ The 5th home, due to extremely dense, large scale trees, the EM department is attempting to find resources for debris removal.



I rallied in my office our CERT Team (Community Emergency Response Team) volunteers, asked them to come and show up on Saturday and went out and in five hours we were able to clear four of those five homes. One home we couldn't really support was a home that was so densely treed and the trees were so large. They were really outside of the scope of my volunteer group to do. I'm going to try and work with some other volunteer organizations that have more power, so to speak, to take care of this stuff and see if I can get that one lady taken care because she genuinely has a need.

Debris Management



Here are a couple of those pictures. Again, more pictures from 83rd Terrace & Yecker.

Debris Management



June 26, 2017

Debris Management



Debris Management



June 26, 2017

Debris Management



Debris Management



This was later in the week as we went around and Amy Hays, my intern, and I went around today. She's with me back here. We went around and actually inspected the homes before we committed to doing them. We wanted to make sure it was, again, within our scope. So you see some of these are just big pieces that they couldn't—they had done all the rest. They had picked up all the pieces. You can see that. There's no small debris lying. This was stuff they couldn't handle. That's what you see, what it looked like, big pieces in some cases.

Debris Management



Debris Management



This is what the home at 2046 N. 32nd Street looked like when we got there to inspect it.

June 26, 2017

Debris Management



Debris Management



This is what it looked like after my team got it done. They did an awesome job. It's a great group of volunteers. I'll show you a picture here in a second.

June 26, 2017

Debris Management



Debris Management



June 26, 2017

Debris Management



Debris Management



This is them cleaning up those yards, getting this stuff moved out. Again, a morning's work and we got these folks taken care of.

June 26, 2017

Debris Management



There's the team; a great group of folks.

Chairman Bynum said that's awesome. Thank you so much! One quick question for you because I know of two places where nothing has been moved. I don't have any way of knowing if they're two of the five that have called you. Apparently they aren't. If I were to reach out to them to ask do you need help. **Mr. May** said what I would ask is that we follow the same process. Have them call 311 and self-identify as I don't have any other way to get this to the curb. If we need to rally the troops again, we'll do it. **Chairman Bynum** said I really appreciate the update and like I said, it was just very timely.

BPU Board Member Bryant said I want to put a plug in while you're on this topic. You know the second storm came through and it was really actually more damaging than the first. At one point, the BPU actually called in three other cities for assistance. The one that I want to give the shout out to is Ottawa who sent their entire electric force to Kansas City, KS, knowing that if anything would have happened in their city, they had no one. They informed us that hey, we may have to in an emergency leave, but their entire crew came to KCK to help. It was a joint effort. **Mr. May** said that's great. Utilities are always impressive on how you guys do mutual aid with each other. It's awesome.

Chairman Bynum said I would just thank you, your staff and all of the departments that were involved in it. It came up quickly. It did a surprisingly amount of damage. All of us that were

June 26, 2017

out the next morning were just kind of shocked at what it had done. Like you said, again, on Saturday night—and I'm just really appreciative of the entire response at both the UG and BPU level.

Commissioner Philbrook said the biggest thing I noticed it was so spotty. **Mr. May** said it was. **Commissioner Philbrook** said it was very spotty. I mean one or two houses, things were just torn apart around them and the next, you know the whole block everything else was like nothing and so I imagine it made it even more difficult to figure out. **Mr. May** said there's no path to go look for. **Commissioner Philbrook** said there was no path, there was no rhyme or reason as just to get hit and that was it. You were just looking at pieces, little pot marks all over the place.

Mr. May said really we didn't get a feel for how this was until the 311 calls came in. Working with 311, getting our residents to understand that was the best methodology to know where the issues are, I think, worked well and we worked really closely with the Chief Knowledge Officer, the 311 staff and Brett to make sure they had good information. I thought we did a pretty good job of getting the public information out.

We did open a cooling center. We had several cooling centers that are on our regular lists. We opened what I call the late hours, one because of the issue there. Fortunately, nobody came. That's good. That means they're taking care of themselves but we wanted to be prepared for that.

Item No. 5 – 171162...PROPOSED REVISIONS: COUNTY EMERGENCY OPERATIONS PLAN, ESF 4 - FIREFIGHTING

Synopsis: Request approval of proposed revisions to Section ESF 4 – Firefighting of the County Emergency Operations Plan (CEOP), submitted by Matt May, Emergency Management Director.

Matt May, Emergency Management Director, said ESF 4 is just that, its fire suppression. Again, like we've been doing all along with this we held a workshop meeting, got the key stakeholders involved, asked for revisions, made sure that they met the Kansas Planning Standards. We've got this before you to hold. We're very close. We probably have two more rounds of this to do and we'll be ready to call this good and get this thing in the books.

Action: Commissioner Markley made a motion, seconded by BPU Board Member Bryant, to approve. Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Markley, Kane, Johnson, Bynum.

Item No. 6 – 171165...PROPOSED REVISIONS: COUNTY EMERGENCY OPERATIONS PLAN, ESF #9 - SEARCH AND RESCUE

Synopsis: Request approval of proposed revisions to Section ESF 9 - Search and Rescue of the County Emergency Operations Plan (CEOP), submitted by Matt May, Emergency Management Director.

Matt May, Emergency Management Director, said that would be ESF 9. Again, more or less, in our world, that’s the same group of folks so we did them together with ESF 10, which we’ll bring you next month, the stakeholders.

Action: Commissioner Markley made a motion, seconded by Commissioner Johnson, to approve. Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Markley, Kane, Johnson, Bynum.

Item No. 7 – 171167...PROPOSED REVISIONS: COUNTY EMERGENCY OPERATIONS PLAN, ESF 14 - ASSESSMENT, RECOVERY AND MITIGATION

Synopsis: Request approval of proposed revisions to Section ESF 14 - Assessment, Recovery and Mitigation of the County Emergency Operations Plan (CEOP), submitted by Matt May, Emergency Management Director.

Matt May, Emergency Management Director, said this is the big piece. This is the part that can go on for literally years. Joplin, for example, six years later now is still in the recovery phase so it’s really important that we understand that this is the launching blocks for a full recovery plan.

My intentions are in the next couple of years to develop a stand-alone, long-term recovery plan. This gets us going because you have to start thinking recovery during the middle of the response phase to get that going correctly. We had a lot of different stakeholders in this one. Not

so many of the usual suspects, if you will, a lot of community involvement, the Chamber of Commerce; those kinds of folks because everyone gets impact in recovery.

Action: **Commissioner Markley made a motion, seconded by Commissioner Johnson, to approve.** Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Markley, Kane, Johnson, Bynum.

Commissioner Philbrook said I’m for—I just want a clarification real quick because you were saying the recovery. The recovery you said starts immediately; that kicks in immediately right along the assessment **Mr. May** said you got to be thinking about it for sure. **Commissioner Philbrook** said well, no. I’m just asking because it’s like when does recovery start now. The recovery starts right along with what’s going on and follows through until you’re through with mitigation. **Mr. May** said there’s a whole cycle for this. It’s the beginning of the next go round, which is, in fact, mitigating, trying to stop what happened. We can’t do that; we prepare for it and then we go back into response and recovery. We just keep going through that cycle.

Item No. 8 – 171172... UPDATE: MOWING

Synopsis: Public Works and Parks and Recreation will be updating the Commission on the status of the new mowing initiative that the UG adopted out of the SOAR program, submitted by Jeremy Rogers, Director of Parks and Recreation.



June 26, 2017

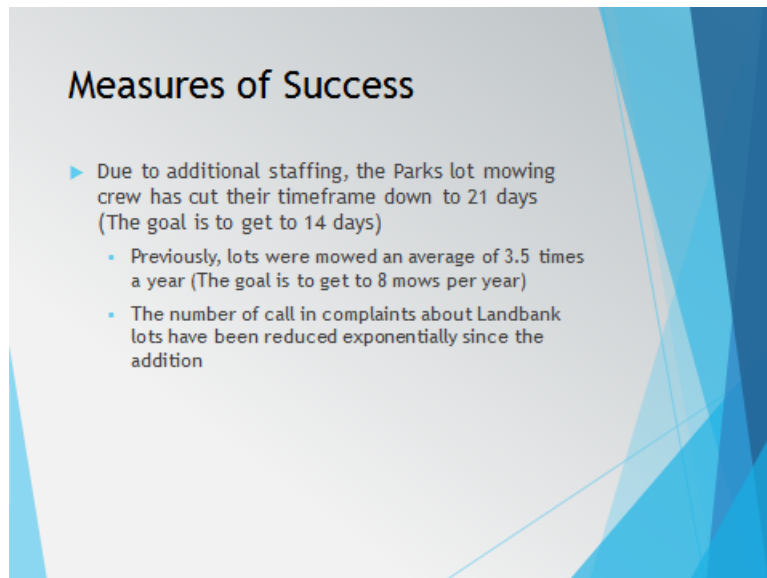
Jeremy Rogers, Director of Parks and Recreation, said we are here to give you an update on the mowing program that we spoke to you about last fall and let you guys know where it stands.



Here are some of the changes that we made for 2017. We reorganized Parks & Recreation to include a new reassigned staff dedicated to lot mowing and a Quick Response Trash Team (QRTT.) Those folks were currently employed under the Public Works system and now they are working for us in Parks & Recreation.

We increased communication between Parks and Code Enforcement. We are in the process of creating an inventory/classification of lots to establish a new tiered mowing system. That is ongoing. As we get into it, we're learning what requires a higher priority than other lots. We're working through that as we speak.

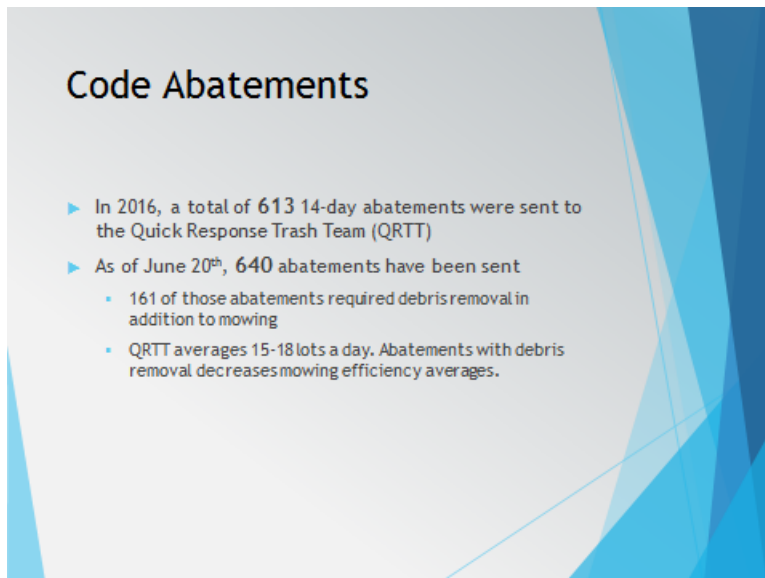
We initiated a Chemical Spraying Program for Parks and Land Bank lots. The first round was done not too long ago. It takes 30 days to do a complete cycle. We won't see the effects of that for a couple of month, but we anticipate that being very successful. We have implemented Lucity Asset Management Program to provide increased monitoring, tracking and reporting. That's a software system that Public Works used previously. We're using it now to track where we stand.



Here's how we measured success. Due to the additional staffing, we have cut our timeframe down to 21 days. Our goal is to get to 14 days on a turnaround time. Previous lots were mowed on an average of 3.5 times a year. Our goal this year is to get them at 8 times. We're excited about that. The number of call-in complaints about Land Bank lots has gone down significantly. We just aren't getting the complaints that we had previously been getting. We're excited about that.

Melissa Sieben, Assistant County Administrator, asked can you remind the Commission where we were at a year ago or even two years ago just on rounds for the parks. **Mr. Rogers** said absolutely. Two years ago we were mowing lots, Public Works was mowing lots, the Street Department was mowing lots and we weren't communicating. No one knew what each was doing. We knew we had a lot of lots. There are about 6,000 lots that were being mowed and we weren't sure who was mowing them and whatnot so we all sat down and worked through the plan to put all of our resources into one basket and to keep a level of communication and that's where we are now.

Our turnaround time for the lots previously, the last two years, was 60 days and now we're down to 21 so that's the big change that we've noticed. I think our residents are noticing that as well.



In 2016, a total of 613, 14-day abatements were sent to the QRTT Team. So far this year we have done 640 abatements; 161 of those required debris removals in addition to just mowing. I'll show you some pictures of those here in a minute. The QRTT Team averages 15-18 lots a day. They are out constantly. Those guys are working their tails off. I'm very appreciative of them.

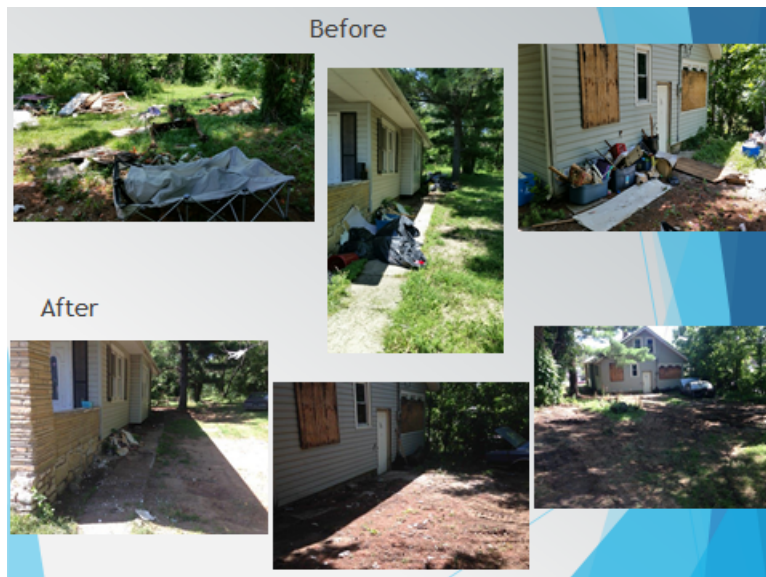
Ms. Sieban said I'm going to hop in here again, Commission. This is a huge change for our staff. Last year, that is just total that was sent over for the whole year. Six hundred forty is what we've done year-to-date and a lot of that is change in process, right, that we were working on with NRC.

Back on February 1st they transitioned to not giving a courtesy notice, going directly to a 14-day abatement, giving people two weeks to become good neighbors and this is the result of that. What's amazing is we were out at 8 weeks a year ago on this and we're at 21 days. Doubling the volume, this is a lot of efficiency and hard work on the part of the Parks team to make this happen.

Mr. Rogers said absolutely, thank you Melissa. Obviously, I'm not a one man show. We're a team and when we combined our resources we combined a team. Part of that team is to my right, Jack Webb, Deputy Director of Parks and Recreation. He's kind of overseeing this project and has been the catalyst. Helping him is Kristen Love. She's been very supportive and very instrumental in making this a success so thank you guys.



Here's the abatement that I was talking about before and after pictures. I know the lighting is kind of off but there are a lot less weeds there. Much more presentable and more curb appeal there.



Here's some more where they had to go in and clean out trash and just make the place look nicer. Those guys have done a great, great job.

June 26, 2017

Mowing Requirements	Responsible Party	Mowing Area	Frequency
Right of Way	Street Department	250 acres	Bi-Monthly
Code Violation Lots	Parks Department	600-800 lots	As needed
UG Buildings	Contractor	25-30 locations	Once a week
Parks Facilities	Contractor & Parks	54 locations 2700 Acres	Every 7-9 days
Cemeteries	Contractor & Parks	14 locations 105 Acres	Bi-Monthly
Ball Fields	Contractor	23 fields 40 acres	(13) 2 times a week (10) 1 time a week
Medians	Contractor	26 miles	Every 7-9 days
Land Bank Lots	Contractor & Parks	2400 lots	6-8 times a year

This is the turnaround time in frequency. I've showed this slide to you guys a couple different times so you've seen it before, but it's an updated of the turnaround time and response time that we are getting to each of those individual lots.

Commissioner Philbrook said instead of your whole report, could you just send me that one page. **Mr. Rogers** asked this page. Absolutely! Are there any other questions? **Chairman Bynum** asked why don't you just send it to the whole committee. **Mr. Rogers** said okay, perfect.

Chairman Bynum asked are there are any other questions for Mr. Rogers or anybody else on the team.

Commissioner Markley said it's not really a question, but I would just say hopefully other commissioners are having the same experience, but I am getting less calls as well so I am deeply appreciative because we used to get a lot of the same calls that would come downtown asking for the mowing. It's nice not to have to pester you about it and it's nice not to get them myself. I just really appreciate all of your work and this is exciting.

Commissioner Philbrook said I'm also not getting the negative feedback that I would have been through my community activities group. They're pretty forthcoming in letting me know if there's an area that really needs attention whether it's a lot or a neighbor or whatever it is. I have

to thank them for being proactive because without them, I'm not going to know whether it's a lot that we own or if it's somebody else's lot and they usually know. They usually know if it's something we own or somebody else is just not taking care of something.

I will tell you that we also still have people in the community that are mowing their next door house even though it doesn't belong to them because they don't want it to look like it does. I just thought I would mention that. Kudos to those people that don't make their neighbor mad and get in trouble. That's all I have to say, but thank you for your hard work and we really do appreciate your restructuring.

Commissioner Johnson said I'd also add that in just driving down some of the main thoroughfares in District Four, I was sharing with a group the other day about the fact that we've put money into the SOAR initiative and I've seen houses going down but more as equally as important I've seen the lots being mowed and trimmed. I would add that you convey to our contractors the importance of consistency in how we mow our lots, and particularly our parks. I'm talking about making sure that the sidewalks are trimmed and neatly manicured there. We just need to make sure that we're consistent from park to park. I noticed some parks looks like they look a little bit cleaner than others in my district, and so I would ask that would reiterate the importance of being consistent with that. I can see that they're getting to it a lot quicker. I can see that they are trimming, but I just want to make sure that the consistency and our quality assurance is kept up.

Chairman Bynum said well we appreciate this. This is an update only and it's very much appreciated.

Action: For information only.

Adjourn

Chairman Bynum adjourned the meeting at 5:26 p.m.

tpl



Staff Request for Commission Action

Tracking No. 171234

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action:

(If none, please explain):

Publication Required: No

<u>Date:</u> 08/03/2017	<u>Contact Name:</u> Phillip Lockman	<u>Contact Phone:</u> x8099	<u>Contact Email:</u> plockman@wycokck.org	<u>Department/Division:</u> Community Corrections
<u>Item Description:</u> Grant application with a quick turnaround due to KDOC September 5, 2017. Requires full commission approval.				
<u>Action Requested:</u> Approve and forward to full commission.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> KDOC Reinvestment Grant Application				

Kansas Department of Corrections Reinvestment Grant and Regional Collaboration Grant FY 2018 Request for Proposals (RFP)

Overview

In 2016, Kansas passed the Juvenile Justice Reform Bill, a Bill intended to improve the way in which the state works with and assists the youth served by the juvenile justice system. As part of this reform, the Evidence-Based Programs Fund was developed to provide for reinvestment in community programs and practices. Research that led to the creation of the Bill found that communities lacked evidence-based programs, that services were costly and that, often, lengthy waitlists existed.

In keeping with one of the goals of the initial workgroup, to “improve outcomes for youth, families, and communities in Kansas,” the grant opportunities outlined in this document specifically focus on providing support to and help for juvenile offenders and their families.

In the first year of reform implementation, the Kansas Department of Corrections (KDOC) began funding Functional Family Therapy, Moral Reconciliation Therapy, Aggression Replacement Training, Youth Advocate Program, and sex offender assessment and therapy serving approximately 350 youth between July 2016 and June 2017. These programs have been expanded in the second year of implementation and are expected to serve approximately 600 youth and family members in FY18. While these programs will be incredibly beneficial to youth, KDOC understands that each community also has needs specific to its location. To fill this need, the KDOC is announcing two grant opportunities for Boards of County Commissioners (BOCCs): the Reinvestment Grants and the Regional Collaboration Grant. The Reinvestment Grants are available to BOCCs in each judicial district to implement evidence-based programs and practices for juvenile offenders and families. The Regional Collaboration Grants are competitive grant opportunities to support regional and inter-branch collaboration among BOCCs to deliver services that, absent this approach, may be difficult to deliver efficiently and effectively.

Applicants are encouraged to review the Office of Justice Program’s Crime Solutions website to ensure that their juvenile intervention proposal has a methodical and measurable approach to reducing juvenile recidivism. This can be accessed at <http://www.crimesolutions.gov>.

Unless noted otherwise, the information listed below applies to both the Reinvestment Grant and the Regional Collaboration Grant.

Eligibility

Boards of County Commissioners (BOCCs) are eligible to apply for one or both grants for juvenile offenders who are served by community supervision offices, including, but not limited to, Juvenile Intake and Assessment, Court services, Immediate Intervention Programs, and Community Corrections. The funds provided by this grant must be used for development and implementation of evidence based community programs and practices for juvenile offenders and their families. Priority for these funds will be given to communities with high levels of out-of-home juvenile offenders per capita and where community-based alternatives are lacking.

Award Period

October 2017 – June 30, 2018, with up to two additional one-year renewals upon demonstration of program operation and implementation.

Deadline

All applications are due at 5:00 p.m. on September 5, 2017.

Award Amount

Reinvestment Grants: See Appendix A for *maximum* award amount.

Regional Collaboration Grants: Up to \$250,000

Contact Information

For assistance with the requirements of this solicitation, contact:

Megan Milner, KDOC Director of Community Based Services: Megan.Milner@ks.gov

Grant Award Agreement

Continuation Funding: All grantees are eligible for two additional one-year renewals after the initial grant award. Submission of a new grant application will NOT be required for continued funding. To receive a continuation of grant funding, grantees who demonstrate program operation and implementation, will be invited in the spring of 2018 to complete only the following:

1. A revised budget for the next fiscal year;
2. A brief narrative of needed changes, including budgetary and programmatic; and
3. A description of any quality assurance mechanisms implemented by grantee to ensure program is adhering to evidence-based practices.

Continuation of the grants are awarded to applicants that demonstrate the following:

1. Professional management of grant funds and compliance with administrative requirements;
2. Accurate and prompt submission of required program and financial data and reports;
3. Positive performance history with achievement of program goals and objectives; and
4. Cohesive continuation plan for their program.

Modification of Funds: The KDOC reserves the right to make changes to the application budget at the time of the grant award and will communicate any changes to the applicant. KDOC may negotiate all or part of any proposed budget after execution of the grant award agreement due to funding or provisions to program requirements.

Disqualification Factors: Any application electronically time-stamped after 5:00 p.m. on September 5, 2017 will be regarded as late, excluding extenuating circumstances, and may not be considered for funding. It is the responsibility of the applicant to ensure the proposal is received by the specified deadline.

Additionally, KDOC may not consider funding any applicant that fails to comply with all application requirements. Disqualification factors may include any of the following:

- Failure to include complete application narrative, budget summary and narrative, and application attachments;
- Funds will not be used for juvenile offenders and/or their family;
- Funds will not be used for evidence-based programs and/or evidence-based practices; or
- Application lacks original signatures where appropriate.

Prohibited Use of Funds:

Only costs directly attributed to serving juvenile offenders and families are allowable through the Reinvestment Grant and Regional Collaboration Grant. The following items are unallowable expenditures from this funding source:

- Grantees cannot increase staffing levels of existing programs, or levels of compensation, beyond those in the FY18 Graduated Sanctions grants or approved by the Legislature for the FY18 Judicial budget;
- Funds may not be used to purchase equipment, office furniture, or vehicles.
- Funds may not be used to pay administrative costs. If the BOCC contracts with a non-profit agency for operation of the program, the entity must have a federally approved administrative cost rate and provide documentation as to the approved rate and effective date;
- Out-of-state travel is limited to obtaining the specific training required of the evidence-based program or practice and cannot be used to attend conferences or other events that are not required for the implementation of the program or practice. If travel costs are requested, bids from the vendor for conducting training in Kansas compared to personnel traveling out of state shall be obtained and submitted to justify this expense as part of the application.

If the applicant believes use of reinvestment funds in one of the above areas is required for implementation of the practice or program, the applicant may submit an exception request to the KDOC. Any such request shall be submitted to the Director of Community Based Services.

Reporting Requirements

Grantees are required to comply with and fully participate in the financial, program, and evaluation reporting for this grant program. Grantees shall adhere to the guidelines set forth in the KDOC Financial Rules, Guidelines, and Reporting Instructions, which can be located on the KDOC website. Grantees shall

utilize the fiscal workbook distributed by KDOC for financial reporting. The fiscal workbook will be distributed at the same time as the award letters.

Financial Reporting Requirements:

1. Quarterly Expenditure Report: Each grantee shall submit quarterly expenditure reports to KDOC as set out in the KDOC Financial Rules, Guidelines and Reporting Instructions. Failure to submit program reports in a timely fashion could result in the suspension or termination of grant funding. Quarterly expenditure reports are due 30 days after the end of each quarter.
2. Grantees shall be paid in equal payments on a quarterly basis. The KDOC reserves the right to alter future quarterly payment to adjust for excessive unexpended funds by the grantee.

Program Reporting Requirements: Grantees must submit monthly program reports. Failure to submit program reports in a timely fashion could result in the suspension or termination of grant funding. The KDOC shall develop and distribute a format for the monthly program report that includes the desired outcomes listed in below in Proposal Narrative. Monthly program reports shall be submitted within 15 days of the end of reporting month.

Planning Period: To allow for the successful integration of evidence-based services into juvenile justice operations, KDOC will allow grantees a planning period of 90 days, starting on the date of award approval. This will allow time for staff to be hired, trained, and contracts with service providers to be established. The planning period is optional and all new projects must be operational no later than 90 days from notification of grant approval. If grantee needs an extension of the planning period, a request may be submitted to KDOC, outlining reason for needed extension and new timeline for startup. KDOC is available to assist through providing technical assistance and feedback during the planning period.

Evaluation: One of the key components of being an evidence-based program is maintaining fidelity to the curriculum. To assist with this maintenance, KDOC may be conducting model fidelity visits and evaluations. These are intended to help improve programs and assist districts in verifying that providers are delivering high quality programming.

PROPOSAL NARRATIVE

The following information provides a description of necessary components to be contained in the narrative portion of your proposal. The narrative is a detailed statement of the work to be undertaken and answers who, what, when, where, why, and how about the grant proposal. If an applicant is applying for both grants (Reinvestment and Regional Collaboration Grant), or is submitting more than 1 proposal, a separate proposal narrative must be submitted for each grant application.

Regional Collaboration Grant: If several districts or agencies are applying together, only 1 proposal narrative needs to be completed on behalf of all involved in the proposal.

Fact Sheet:

1. Name of proposed program
2. Identify which grant the applicant is applying for: Reinvestment Grant or Regional Collaboration Grant
3. Provide contact information of individual writing grant for follow up questions from KDOC

4. Please provide contact information for general oversight of the proposed program
5. For Regional Collaboration Grant, please list all agencies involved in the proposal and contact information for each

Statement of Need: Provide a clear and concise statement of need, including the following:

1. Item/Program purpose
2. Is there already a statewide contract for this program?
 - a. If so, please elaborate on reason for using grant funds for this program
3. Description of who would be served by this item or program
 - a. Characteristics of youth served (at a minimum, identify age, gender, risk level, supervision level)
 - b. Number of youth expected to be served
 - i. Please provide estimate of youth expected to be served through each agency involved (e.g. community corrections, court services, or by judicial district if there are multiple districts participating)
4. Description of why this item/program is needed
 - a. Does this item/program attend to:
 - i. Criminogenic needs
 - ii. Responsivity factors
 - iii. Other needs
 - b. Describe existing data that demonstrates a need for this item/program
 - i. How many youth in your community demonstrate a need for this item/program?
5. Description of Research
 - a. Please provide any citations showing this program or practice as evidence-based

Administration

1. Provide the Name and description the implementing agency, if not the same as the applicant
2. Description of oversight to be performed by implementing agency and/or applicant
 - a. Description of needed oversight
 - b. Description of who will provide oversight
 - c. What will occur if the item/program is found to be not working in the way intended?
3. List the program goals in a clearly defined and measurable manner
 - a. Explain fully how all stated goals and objectives will be reached and evaluated
4. Timeframe
 - a. How quickly implemented
 - b. How long it will take to utilize item/complete program (basically, how long until data collection can commence)
 - c. How long it will take to see expected results (realizing this is an estimate)

Sustainability

1. Are there organizational, structural, or cultural changes needed to sustain positive outcomes over time?
2. Are there internal or external challenges/barriers to continuing this proposed program beyond 1 or 2 years? If so, identify what those barriers are and possible solutions for addressing.

Outcomes and Evaluation

1. Description of data collection
 - a. Description of what data will be collected
 - b. Description of the data collection methods, including the person/role/agency responsible, data storage method, and data transfer method
2. Description of quality assurance
 - a. What training will staff need?
 - b. Please provide a training plan that includes initial trainings, booster trainings, and any certification process
 - c. Description of local processes for monitoring fidelity of implementation of the evidence-based program or practice. How will the program be reviewed to determine what is working with the initiative, what is not working, and a process for making necessary changes.
3. Description of evaluation methods
 - a. What outcome(s) does the item/program seek to change
 - i. At a minimum, programs must report on the following outcome measures:

Outcome	Target
Percent of youth living at home at completion of program	100%
Percent of youth living at home 1 year after completion of program	90%
Percent of youth in school and/or working at completion of program	90%
Percent of youth in school and/or working 1 year after completion of program	90%
Percent of youth with no new arrests at completion of program	80%
Percent of youth with no new arrests 1 year after completion of program	80%
Percent of youth successfully completing program	80%

- b. Applicants may describe any additional outcome measure the program will seek to change

Budget Proposal

1. Please submit a proposed budget for the program using the attached Budget Summary and Narrative spreadsheet (Appendix B)
 - a. Budget proposal should describe the use of funds for the first 9 months in FY18, as well as how funds would be used in FY19 and FY20, should the grants be extended.

Letters of Agreement (for Regional Collaboration Grant Only)

1. Please provide letters of agreement from all entities involved in the Regional Collaboration Grant proposal. Letters should explain commitment to proposed program and agreement to fully participate in effort to operationalize and sustain the program.

Application Submission

Please submit completed applications to:

KDOC_JS_Grants@ks.gov

Applications must be submitted no later than 5:00pm on Tuesday, September 5, 2017.

Attachments

Appendix A – Reinvestment Grant Allocation Amounts, by District

Appendix B – Budget Summary and Narrative

Appendix A

Reinvestment Grant Allocation Amounts, by District¹**FY18 Reinvestment Grant Allocations**

District	Admin County	Reinvestment Grant Allocation
1st JD	Leavenworth	\$116,470.00
2nd JD	Jackson	\$77,430.00
3rd JD	Shawnee	\$240,811.00
4th JD	Franklin	\$73,464.00
5th JD	Lyon	\$81,939.00
6th JD	Miami	\$90,152.00
7th JD	Douglas	\$98,348.00
8th JD	Geary	\$125,951.00
9th JD	McPherson	\$69,405.00
10th JD	Johnson	\$320,619.00
11th JD CR	Crawford	\$66,262.00
11th JD LB-CK	Labette	\$54,091.00
12th JD	Cloud	\$47,201.00
13th JD	Butler	\$113,607.00
14th JD	Montgomery	\$112,317.00
15-17-23 JD	Ellis	\$142,079.00
16th JD	Ford/Geary	\$107,692.00
18th JD	Sedgwick	\$614,028.00
19th JD	Cowley	\$80,210.00
20th JD	Barton	\$128,313.00
21st JD	Riley	\$67,230.00
22nd JD	Brown	\$70,514.00
24th JD	Pawnee	\$39,719.00
25th JD	Finney	\$144,239.00
26th JD	Seward	\$106,462.00
27th JD	Reno	\$130,512.00
28th JD	Saline	\$157,253.00
29th JD	Wyandotte	\$375,503.00
30th JD	Pratt	\$88,710.00
31st JD	Woodson	\$59,469.00

¹ Amounts shown are maximum award amounts. This document does not serve as a guarantee that actual award amount is same as what is listed on this page.



Staff Request for Commission Action

Tracking No. 171239

Full Commission Meeting Date: 9/14/17

Committee: Public Works & Safety

Date of Standing Committee Action: 8/28/17
--

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
08/10/2017	Grant Williams	x5077	gwilliams@wycokck.org	Legal

Item Description:

Authorizing the Wyandotte County Sheriff Department to donate an obsolete 2007 Dodge Charger Sheriff's vehicle to Kansas City, Kansas Community College for training purposes.

Action Requested:

To adopt the resolution and forward to the full commission.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Reso for Sheriff's Vehicle

RESOLUTION NO. _____

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas is the present owner of a 2007 Dodge Charger Sheriff's vehicle; and

WHEREAS, the 2007 Dodge Charger Sheriff's vehicle has become obsolete for the purposes of the Wyandotte County Sheriff Department; and

WHEREAS, the 2007 Dodge Charger Sheriff's vehicle is still serviceable, and Kansas City, Kansas Community College needs one Sheriff's vehicle for its training purposes; and

WHEREAS, the City of Kansas City, Kansas wishes to donate said Sheriff's vehicle, in accordance with K.S.A. 12-101; and

WHEREAS, Kevin Steele, the Law Enforcement Coordinator for Kansas City, Kansas Community College has given his permission KCKCC to accept the 2007 Dodge Charger Sheriff's vehicle as a gift from the Wyandotte County Sheriff Department.

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

That the City of Kansas City, Kansas does hereby give, convey and assign to the Kansas City, Kansas Community College the above described 2007 Dodge Charger Sheriff's vehicle to have and hold the same absolutely.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS ____ DAY OF AUGUST, 2017.**

Mark Holland, Mayor/CEO

ATTEST:

Unified Government Clerk

APPROVED AS TO FORM:

Grant Williams
Assistant Counsel



Staff Request for Commission Action

Tracking No. 171245

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 8/28/17

(If none, please explain):

Publication Required: No

<u>Date:</u> 08/14/2017	<u>Contact Name:</u> Casey Meyer	<u>Contact Phone:</u> x2851	<u>Contact Email:</u> cmeyer@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> The Kansas Legislature amended state statutes during the 2017 session. The attached Bicycle Lamp Traffic ordinance amends the section in the Municipal Code to reflect the changes in state statutes.				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Bicycle Lamp Traffic Ord.redline, Bicycle Lamp Traffic Ord.Final				

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 35 Traffic, amending Section 35-651 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

WHEREAS, the Kansas Legislature passed House Bill No. 2170 which changes the times a bicycle in use has to utilize a lamp, and

WHEREAS, an amendment to the Code of the Unified Government of Wyandotte County/ Kansas City, Kansas is required to comply with state law.

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

Section 1. That Section 35-694 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and is hereby amended to read as follows:

Sec. 35-694. - Lamps and other equipment on bicycles.

- o (a) Every bicycle, when in use ~~at nighttime~~, between sunset and sunrise shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and ~~with either: (1) a red reflector on the rear of a type approved by the secretary which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle;~~ (2) A a lamp on the rear that shall emit emitting a red light visible from a distance of 500 feet to the rear; may be used in addition to the red reflector. or (3) the operator of such bicycle shall be wearing a device that emits a red or amber light that shall be visible from a distance of 500 feet to the rear.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(c) No person shall sell a ~~new bicycle or~~ pedal for use on a bicycle, ~~that is not equipped with a reflector of a type approved by the secretary; unless such pedal is equipped with a reflector which on each pedal of such bicycle that~~ is visible from the front and rear of the bicycle to which it is attached during darkness from a distance of 200 feet, and no person shall sell a new bicycle, unless it is equipped with pedals meeting the requirements of this subsection.

Section 2. This ordinance shall take effect and be in full force after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CIYT, KANSAS

THIS _____ DAY OF _____, 2017.

Mark Holland
Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to form:

Meaghan Shultz, Assistant Counsel

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 35 Traffic, amending Section 35-651 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

WHEREAS, the Kansas Legislature passed House Bill No. 2170 which changes the times a bicycle in use has to utilize a lamp, and

WHEREAS, an amendment to the Code of the Unified Government of Wyandotte County/ Kansas City, Kansas is required to comply with state law.

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

Section 1. That Section 35-694 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and is hereby amended to read as follows:

Sec. 35-694. - Lamps and other equipment on bicycles.

(a) Every bicycle, when in use between sunset and sunrise shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and either: (1) a red reflector on the rear which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle; (2) a lamp on the rear that shall emit a red light visible from a distance of 500 feet to the rear; or (3) the operator of such bicycle shall be wearing a device that emits a red or amber light that shall be visible from a distance of 500 feet to the rear.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(c) No person shall sell a pedal for use on a bicycle, unless such pedal is equipped with a reflector which is visible from the front and rear of the bicycle to which it is attached during darkness from a distance of 200 feet, and no person shall sell a new bicycle, unless it is equipped with pedals meeting the requirements of this subsection.

Section 2. This ordinance shall take effect and be in full force after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CIYT, KANSAS

THIS _____ DAY OF _____, 2017.

Mark Holland
Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to form:

Meaghan Shultz, Assistant Counsel



Staff Request for Commission Action

Tracking No. 171246

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 8/28/17

(If none, please explain):

Publication Required: No

<u>Date:</u> 08/14/2017	<u>Contact Name:</u> Casey Meyer	<u>Contact Phone:</u> x2851	<u>Contact Email:</u> cmeyer@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> The Kansas Legislature amended state statutes during the 2017 session. The attached Offense ordinance amends the section in the Municipal Code to reflect the changes in state statutes.				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> offense ord. red line version, Offense Ord. Final				

Published _____

ORDINANCE NO. _____

An ordinance relating to Chapter 22 Miscellaneous Offenses and Provisions, amending Sections 22-41, 22-290, 22-317, and 22-352 and repealing Sections 22-41, 22-290, 22-317, and 22-352 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

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

Section 1. That Chapter 22 Miscellaneous Offenses and Provisions, Sections 22-41, 22-290, 22-317, and 22-352, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

ARTICLE II. – OFFENSES AGAINST PERSONS

Sec. 22-41. – Domestic Battery.

(a) Domestic battery ~~means~~is:

(1)

Knowingly or recklessly causing bodily harm ~~by-to~~ a person with whom the offender is involved or has been involved in a dating relationship or a family or household member ~~against a family or household member~~; or

(2)

Knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member ~~by a family or household member~~ when done in a rude, insulting, or angry manner.

Family or household member means person 18 years of age or older who are spouses, former spouses, parents or step-parents and children or step-children, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common, regardless of whether they have been married, or who have lived together at any time. The term "family" or "household member" also includes a man and a woman, if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or lived together at any time.

*In the presence of a child*Dating relationship means in the physical presence of the child or knowing that a child is present and may see or hear an act of domestic battery a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the

trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship exists or existed, frequency of interaction between the parties and time since the termination of the relationship, if applicable.

(b)

Violations; penalties.

(1)

Upon a first conviction of a violation of domestic battery, a person shall be guilty of a class B violation and sentenced to not less than 48 consecutive hours nor more than six months' imprisonment and fined not less than \$200.00 ~~or nor~~ more than \$500.00, or, in the court's discretion, the court may enter an order which requires the person offender to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program ~~enroll in and successfully complete a domestic violence prevention program, or any combination of such penalties. As a condition of any grant of probation, suspension of sentence, or parole or of any other release, the person shall be required to enter into and complete a treatment program for domestic violence prevention.~~

(2)

If, within five years immediately preceding commission of the crime, an person offender is was convicted of a violation of domestic battery a second time, such personthe offender shall be guilty of a class A violation. ~~and sentenced~~

(3)

~~A person convicted of committing a battery under circumstances which constitute a domestic battery, when that battery was committed in the presence of a child, shall be guilty of a class A violation.~~

(4)

~~A person convicted of domestic battery pursuant to subsections (b)(2) and (b)(3) of this section shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$500.00 nor more than \$1,000.00. The five days' imprisonment mandated by this subsection may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program. or, in the court's discretion, the court may enter an order which requires the person to enroll in and successfully complete a domestic violence prevention program or any combination of such penalties. The person convicted of domestic battery pursuant to subsections (b)(2) and (b)(3) of this section offender must shall serve at least five consecutive days' imprisonment before the person-offender is granted probation, suspension, or reduction of sentence or parole or is otherwise released. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the person-offender shall be required to enter into and complete a treatment program for domestic violence prevention undergo a domestic violence offender assessment conducted by a certified batterer intervention program and~~

follow all recommendations made by such program, unless otherwise ordered by the court; and

~~or such other order as the court may deem appropriate. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program.~~

(53)

For the purpose of determining whether a conviction is a first or second conviction in sentencing under this section:

aa.

Conviction includes being convicted of a violation of this section or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;

b.

Conviction includes being convicted of a violation of a law of this state, another state, an ordinance of any city, or a resolution of any county which prohibits the acts that this section prohibits, or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;

c.

Only convictions occurring in the immediately preceding five years, including prior to the effective date of the ordinance from which this section is derived shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for the first or second offender, whichever is applicable; and

d.

It is irrelevant whether an offense occurred before or after conviction for a previous offense.

e.

A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of K.S.A. 21-3412a, this section or an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits only twice during any five-year period.

State Law reference – Similar provisions, K.S.A. 21-5414.

ARTICLE VI. – OFFENSES AGAINST PUBLIC MORALS

Sec. 22-290. - Narcotics and other drugs.

- (a) Except as authorized by state law, it shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, deliver, administer, dispense or compound:

- (1) Marijuana or marihuana, as defined in K.S.A. 65-4101.
 - (2) All other controlled substances, as defined within K.S.A. 65-~~4127b~~4105, K.S.A. 65-4107, K.S.A. 65-4109, K.S.A. 65-4111 and K.S.A. 65-4113.
- (b) A person convicted of violating section (a)(1) is guilty of a class B violation, unless that person has a prior conviction under any city ordinance, county resolution, or state statute for a substantially similar offense, then the person shall be guilty of a class A violation. A party person convicted under this division of violating section (a)(2) is guilty of a cClass A violation.
- State Law reference**— Similar provisions, K.S.A. 21-5706.

Sec. 22-317. - Possession, use of simulated controlled substances, drug paraphernalia prohibited.

- (a) No person shall possess, use or possess with intent to use:
- (1) Any simulated controlled substance;
 - (2) Any drug paraphernalia to use, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the uniform controlled substances act;
 - (3) Any drug paraphernalia for the planting, propagation, growing or harvesting of less than five marijuana plants; or
 - (4) Anhydrous ammonia or pressurized ammonia in a container not approved for that chemical by the state department of agriculture.
- (b) A person convicted of violating section (a)(1) or (a)(4) is guilty of a class A violation. A person convicted of violating this section is guilty of a class A violation-section (a)(2) or (a)(3) is guilty of a class B violation.

State Law reference— Similar provisions, K.S.A. ~~61-4152~~21-5713 and K.S.A. 21-5709.

ARTICLE VII. – OFFENSES AGAINST GOVERNMENT FUNCTIONS

Sec. 22-352. - Violation of protective order.

- (a) Violation of a protective order is knowingly, or intentionally violating:
- (1) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106, and 60-3107, and amendments thereto;
 - (2) A protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. Section 2265, and amendments thereto;
 - (3) A restraining order issued pursuant to K.S.A. 23-3707, 38-2243, 38-2244 or 38-2255, and amendments thereto;

- (4) An order issued in this or any other state as a condition of pretrial release, diversion, probation, suspended sentence, postrelease supervision or at any other time during the criminal case that orders the person to refrain from having any direct or indirect contact with another person;
 - (5) An order issued in this or any other state as a condition of release after conviction or as a condition of a supersedeas bond pending disposition of an appeal, that orders the person to refrain from having any direct or indirect contact with another person;
 - (6) A protection from stalking or sexual assault order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto.
- (b) As used in this section, "order" includes any order issued by a municipal or district court.
- (c) No protective order, as set forth in this section, shall be construed to prohibit an attorney, or any person acting on the attorney's behalf, who is representing a defendant in any civil or criminal proceeding from contacting the protected party for a legitimate purpose within the scope of the civil or criminal proceeding. The attorney, or person acting on the attorney's behalf, shall be identified in any such contact.
- (d) Violation of a protective order is a class A violation.

State Law reference— Similar provisions, K.S.A. 21-~~3843~~5924.

Section 3. That said original Sections 22-41, 22-290, 22-317, and 22-352 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas are hereby repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS,

THIS _____ DAY OF _____, 2017.

Mark Holland, Mayor/CEO

Attest:

Unified Government Clerk

Approved As To Form:

Unified Government Counsel

Published _____

ORDINANCE NO. _____

An ordinance relating to Chapter 22 Miscellaneous Offenses and Provisions, amending Sections 22-41, 22-290, 22-317, and 22-352 and repealing Sections 22-41, 22-290, 22-317, and 22-352 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

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

Section 1. That Chapter 22 Miscellaneous Offenses and Provisions, Sections 22-41, 22-290, 22-317, and 22-352, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

ARTICLE II. – OFFENSES AGAINST PERSONS

Sec. 22-41. – Domestic Battery.

(a) Domestic battery is:

(1)

Knowingly or recklessly causing bodily harm to a person with whom the offender is involved or has been involved in a dating relationship or a family or household member; or

(2)

Knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member when done in a rude, insulting, or angry manner.

Family or household member means person 18 years of age or older who are spouses, former spouses, parents or step-parents and children or step-children, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common, regardless of whether they have been married, or who have lived together at any time. The term "family" or "household member" also includes a man and a woman, if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or lived together at any time.

Dating relationship means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship,

length of time the relationship exists or existed, frequency of interaction between the parties and time since the termination of the relationship, if applicable.

(b)

Violations; penalties.

(1)

Upon a first conviction of a violation of domestic battery, a person shall be guilty of a class B violation and sentenced to not less than 48 consecutive hours nor more than six months' imprisonment and fined not less than \$200.00 nor more than \$500.00, or, in the court's discretion, the court may enter an order which requires the offender to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program.

(2)

If, within five years immediately preceding commission of the crime, an offender is convicted of domestic battery a second time, the offender shall be guilty of a class A violation and sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$500.00 nor more than \$1,000.00. The five days' imprisonment mandated by this subsection may be served in a work release program only after such offender has served 48 consecutive hours imprisonment, provided such work release program requires such offender to return to confinement at the end of each day in the work release program. The offender shall serve at least five consecutive days' imprisonment before the offender is granted probation, suspension, or reduction of sentence or parole or is otherwise released. As a condition of any grant of probation, suspension of sentence or parole or of any other release, the offender shall be required to undergo a domestic violence offender assessment conducted by a certified batterer intervention program and follow all recommendations made by such program, unless otherwise ordered by the court; and

(3)

For the purpose of determining whether a conviction is a first or second conviction in sentencing under this section:

a.

Conviction includes being convicted of a violation of this section or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings on a complaint alleging a violation of this section;

b.

Conviction includes being convicted of a violation of a law of this state, another state, an ordinance of any city, or a resolution of any county which prohibits the acts that this section prohibits, or entering into a diversion or deferred judgment agreement in lieu of further criminal proceedings in a case alleging a violation of such law, ordinance or resolution;

c.

Only convictions occurring in the immediately preceding five years, including prior to the effective date of the ordinance from which this section is derived shall be taken into account, but the court may consider other prior convictions in determining the sentence to be imposed within the limits provided for the first or second offender, whichever is applicable; and

d.

It is irrelevant whether an offense occurred before or after conviction for a previous offense.

e.

A person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of K.S.A. 21-3412a, this section or an ordinance of any city or resolution of any county which prohibits the acts that this section prohibits only twice during any five-year period.

State Law reference – Similar provisions, K.S.A. 21-5414.

ARTICLE VI. – OFFENSES AGAINST PUBLIC MORALS

Sec. 22-290. - Narcotics and other drugs.

- (a) Except as authorized by state law, it shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, deliver, administer, dispense or compound:
 - (1) Marijuana or marihuana, as defined in K.S.A. 65-4101.
 - (2) All other controlled substances, as defined within K.S.A. 65-4105, K.S.A. 65-4107, K.S.A. 65-4109, K.S.A. 65-4111 and K.S.A. 65-4113.
- (b) A person convicted of violating section (a)(1) is guilty of a class B violation, unless that person has a prior conviction under any city ordinance, county resolution, or state statute for a substantially similar offense, then the person shall be guilty of a class A violation. A person convicted of violating section (a)(2) is guilty of a class A violation.

State Law reference— Similar provisions, K.S.A. 21-5706.

Sec. 22-317. - Possession, use of simulated controlled substances, drug paraphernalia prohibited.

- (a) No person shall possess, use or possess with intent to use:
 - (1) Any simulated controlled substance;
 - (2) Any drug paraphernalia to use, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the uniform controlled substances act;
 - (3) Any drug paraphernalia for the planting, propagation, growing or harvesting of less than five marijuana plants; or

- (4) Anhydrous ammonia or pressurized ammonia in a container not approved for that chemical by the state department of agriculture.
- (b) A person convicted of violating section (a)(1) or (a)(4) is guilty of a class A violation. A person convicted of violating section (a)(2) or (a)(3) is guilty of a class B violation.

State Law reference— Similar provisions, K.S.A. 21-5713 and K.S.A. 21-5709.

ARTICLE VII. – OFFENSES AGAINST GOVERNMENT FUNCTIONS

Sec. 22-352. - Violation of protective order.

- (a) Violation of a protective order is knowingly, or intentionally violating:
 - (1) A protection from abuse order issued pursuant to K.S.A. 60-3105, 60-3106, and 60-3107, and amendments thereto;
 - (2) A protective order issued by a court or tribunal of any state or Indian tribe that is consistent with the provisions of 18 U.S.C. Section 2265, and amendments thereto;
 - (3) A restraining order issued pursuant to K.S.A. 23-3707, 38-2243, 38-2244 or 38-2255, and amendments thereto;
 - (4) An order issued in this or any other state as a condition of pretrial release, diversion, probation, suspended sentence, postrelease supervision or at any other time during the criminal case that orders the person to refrain from having any direct or indirect contact with another person;
 - (5) An order issued in this or any other state as a condition of release after conviction or as a condition of a supersedeas bond pending disposition of an appeal, that orders the person to refrain from having any direct or indirect contact with another person;
 - (6) A protection from stalking or sexual assault order issued pursuant to K.S.A. 60-31a05 or 60-31a06, and amendments thereto.
- (b) As used in this section, "order" includes any order issued by a municipal or district court.
- (c) No protective order, as set forth in this section, shall be construed to prohibit an attorney, or any person acting on the attorney's behalf, who is representing a defendant in any civil or criminal proceeding from contacting the protected party for a legitimate purpose within the scope of the civil or criminal proceeding. The attorney, or person acting on the attorney's behalf, shall be identified in any such contact.
- (d) Violation of a protective order is a class A violation.

State Law reference— Similar provisions, K.S.A. 21-5924.

Section 3. That said original Sections 22-41, 22-290, 22-317, and 22-352 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas are hereby repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS,

THIS _____ DAY OF _____, 2017.

Mark Holland, Mayor/CEO

Attest:

Unified Government Clerk

Approved As To Form:

Unified Government Counsel



Staff Request for Commission Action

Tracking No. 171247

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 8/28/17

(If none, please explain):

Publication Required: No

<u>Date:</u> 08/14/2017	<u>Contact Name:</u> Susan Alig	<u>Contact Phone:</u> x5085	<u>Contact Email:</u> salig@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> The Juvenile Intake and Assessment Center (JIAC) is updating its procedure for placing children who are in police protective custody. Children may be in the Juvenile Intake and Assessment Center's custody for up to three business days before a court makes a decision about a long term placement. This is an informational session about the community volunteers who take care of these children during this time period and the JIAC program that places children with them.				
<u>Action Requested:</u> no action required.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> 2017 JIAC Policy				

WYANDOTTE COUNTY JUVENILE INTAKE AND ASSESSMENT CENTER

Protective Homes Policy

1. Purpose and Construction:

- a. The purpose of this policy is to:
 - i. Provide a safe, home-like environment for children in Police Protective Custody who are awaiting either discharge or a temporary custody order during the 72 hour period pursuant to K.S.A. 38-2232.
 - ii. Establish the requirements and definition of an “appropriate adult” with whom a child in Police Protective Custody may be placed during the 72 hour period.
- b. This policy shall be construed to:
 - i. Provide a safe, home-like placement for children in Police Protective Custody
 - ii. Consider the safety and welfare of a child to be paramount
 - iii. Provide that each child who comes within the scope of this policy shall receive the care that will best serve the child’s welfare
 - iv. Make the physical, mental, and emotional needs of the child the decisive considerations
 - v. Encourage the reporting of suspected child abuse and neglect
 - vi. Provide for the protection of children who have been removed from their homes and placed in protective custody

2. Definitions:

- a. “Appropriate adult” means an adult over the age of 21 who resides in a Protective Home with whom a child in police protective custody may be placed. An appropriate adult is an adult who passes a criminal history background check, a child abuse registry check, whose home passes a walkthrough inspection, and, in good faith and her best judgment, the Director believes the adult is an appropriate caregiver for the child.
- b. “Child abuse registry check” means a search for substantiated child abuse or neglect allegations against an individual in the Child Abuse and Neglect Central Registry.
- c. “Criminal history background check” means a search for criminal charges and convictions of an individual in the National Crime Information Center database.
- d. “Director” means the director of the Juvenile Intake and Assessment Center.
- e. “Juvenile Intake and Assessment Center” means the designated location law enforcement officers bring children 0 to 17, who are considered in Police Protective Custody.
- f. “Placement” means the designation by the individual or agency having custody of where and with whom the child will live.

- g. “Police Protective Custody” means that a law enforcement officer has taken custody of a child without a court order for the child’s protection for a period of up to 72 hours, excluding legal holidays, weekends, and days on which the office of the clerk of the court is not available.
- h. “Protective home” means a residence at which an appropriate adult lives that meets the requirements set out in 5(a)(ii), and, in good faith and her best judgment, the Director believes the home is an appropriate placement for the child.
- i. “Resident adult” means any adult or juvenile over the age of 12 who lives in a Protective Home.

3. Scope:

- a. This policy applies to the placement of children in Police Protective Custody in Protective Homes by the Juvenile Intake and Assessment Center during the statutory 72 hour period before the child is discharged or a court enters a temporary custody order.
- b. The Juvenile Intake and Assessment Center shall follow all applicable statutes and standards regarding the release of children in police protective custody to appropriate adults. This policy is supplemental to all requirements in the statutes and standards.

4. Authority:

- a. A law enforcement officer who takes a child into custody without a court order shall deliver the child to Juvenile Intake and Assessment if the law enforcement officer believes it is not in the child’s best interests to be delivered to the custody of the child’s parent. K.S.A. 38-2232.
- b. Upon proper application by the law enforcement officer, Juvenile Intake and Assessment, shall have physical custody and provide care and supervision for the child. K.S.A. 38-2232(c).
- c. Juvenile Intake and Assessment shall discharge the child not later than 72 hours following admission, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, unless a court has entered an order pertaining to temporary custody or release. K.S.A. 38-2232(e).
- d. The Department of Children and Families contracts with the secretary of corrections to provide for the Juvenile Intake and Assessment Center. K.S.A. 75-7023.
- e. The Department of Corrections promulgates standards that define the process for determining the release and placement of each youth that goes through Juvenile Intake and Assessment. These regulations permit the release of a child to an “appropriate adult.” Standard No. JIAS-04-109.

5. Procedure:

- a. Maintenance of a Protective Homes List

- i. The Director of the Juvenile Intake and Assessment Center shall maintain a list of Protective Homes in which children in Police Protective Custody may be placed.
- ii. All Protective Homes shall meet the following qualifications:
 - 1. All resident adults pass an annual criminal history and child abuse registry check, and
 - a. No resident adult has any felony charges or convictions.
 - b. No resident adult has any person misdemeanor charges or convictions.
 - c. No resident adult has been substantiated or investigated for child abuse.
 - d. No resident adult has any pending child abuse or person crime allegations.
 - e. The Director shall evaluate any non-person misdemeanor or infraction allegations or convictions on a case-by-case basis.
 - 2. The residence passed a walk through inspection completed by an organization approved by the Director, and
 - 3. The appropriate adult has completed a training program developed by the director of the Juvenile Intake and Assessment Center or
 - 4. The Protective Home is a currently licensed foster home.
- iii. Private organizations
 - 1. Private organizations may maintain a list of available Protective Homes.
 - 2. All Protective Homes, including those available through a private organization, shall meet the qualifications described above.
- iv. Removal of Protective Homes from the list:
 - 1. If any appropriate adult or resident adult is discovered to have allegations, charges, or convictions for child abuse or neglect or any felony or any person misdemeanor, the home shall be removed from the Protective Homes list and no child shall be placed in the home.
 - 2. All resident adults have a duty to report any known allegations, charges, or convictions for child abuse or neglect or any felony or any person misdemeanor on the part of any adult who has had contact with a child placed in Protective Custody.
 - a. Knowing failure to report contacts under this section will result in the removal of the resident adult's Protective Home from the list.

3. The Director shall have the discretion to remove any Protective Home at any time from the list.
- b. Care of Children in Protective Homes
 - i. The Director shall promulgate rules regarding the care of children in Protective Homes with which all Protective Homes shall apply.
 - ii. No child in a Protective Home shall have contact with any person against whom there is a pending or past allegation of child abuse or neglect.
 - iii. There shall be no illegal drugs in Protective Homes.
 - iv. No child in a Protective Home shall have contact with any adult who has consumed alcohol to the point of intoxication or who is under the influence of any illegal drug.
 - v. No child in a Protective Home will be allowed access to email, internet, cell or land line telephones.
 - c. Placing a Child in a Protective Home
 - i. When a child arrives at the Juvenile Intake and Assessment Center in Police Protective Custody, the Director or her delegate shall determine whether placement in a Protective Home is appropriate based on the best interests of the child.
 - ii. If placement in a Protective Home is appropriate, the Director or her delegate shall attempt to contact the Protective Homes on the list to match the child to an available home.
 - iii. If the director is able to successfully match the child to a Protective Home, the director shall arrange for the home's appropriate adult to take custody of the child at the Juvenile Intake and Assessment Center.
 - d. Documentation
 - i. The Director shall maintain a list of Protective Homes that shall include the following information:
 1. The street address of the residence
 2. The full name, date of birth, and contact information for the appropriate adult
 3. The full name, date of birth, and contact information for all resident adults in the home
 - ii. When releasing a child in police protective custody to an appropriate adult, JIAC personnel will comply with the documentation requirements promulgated by the Kansas Department of Corrections-Division of Juvenile Services.



Staff Request for Commission Action

Tracking No. 171248

Full Commission Meeting Date: Information only

Committee: Public Works & Safety

Date of Standing Committee Action: 8/28/17

(If none, please explain):

Publication Required: No

<u>Date:</u> 08/15/2017	<u>Contact Name:</u> Sarah White, Jeff Fisher	<u>Contact Phone:</u> x5724, x5415	<u>Contact Email:</u> sfjell@wycokck.org, jfisher@wycokck.org	<u>Department/Division:</u> Public Works
----------------------------	--	---------------------------------------	---	---

Item Description:

Staff from Public Works Engineering will inform the standing committee on the Stormwater Rate Transition Analysis being conducted by Black & Veatch. The analysis will look at an impervious surface area calculation to determine stormwater fees. Presentation will include purpose, analysis approach and anticipated timeline.

Action Requested:

Information Only

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:



Staff Request for Commission Action

Tracking No. 171250

Full Commission Meeting Date: 9/14/17

Committee: Public Works & Safety

Date of Standing Committee Action: 8/28/17

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
08/15/2017	Ryan Haga	x5075	rhaga@wycokck.org	Legal

Item Description:

Kansas City Board of Public Utilities Water Distribution improvement project for its Muncie site

This Resolution declares that this project is a necessary and valid improvement project. This Resolution directs the Chief Counsel to cause a survey and description of such parcels to be undertaken and prepared by a licensed land surveyor or a professional engineer to identify and describe the property to be acquired for this project, and to submit an Ordinance authorizing the exercise of eminent domain and to undertake all other necessary actions to complete the acquisition of such parcels.

Action Requested:

To adopt the resolution.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

BPU Muncie Site Reso

(Published _____)

RESOLUTION NO. _____

A RESOLUTION

declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned or otherwise acquired for the construction, maintenance, operation, use and repair of the Kansas City Board of Public Utilities Water Distribution improvement project for its Muncie site, all in Wyandotte County, Kansas.

**BE IT RESOLVED BY THE COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

SECTION 1. It is hereby found and determined necessary that certain lands be condemned, or otherwise acquired, for public use providing for land necessary for construction, maintenance, operation, use and repair of Kansas City Board of Public Utilities Water Distribution improvement project for its Muncie site. The project will include the construction of two storage buildings, a guard house and new truck entrance for BPU's Muncie site. This project is all in Wyandotte County, Kansas.

SECTION 2. The Board of Commissioners hereby directs and authorizes its Chief Counsel to cause a survey and description of such parcels to be undertaken and filed with the Clerk of Wyandotte County/Kansas City, Kansas; to thereafter prepare and submit to the Board of Commissioners an ordinance authorizing the exercise of eminent domain with respect to such parcels; and upon approval of the same by the Board of Commissioners to initiate eminent domain proceedings in the District Court of Wyandotte County, and to undertake all other necessary actions to complete acquisition of such parcels.

SECTION 3. This resolution shall be published once in the official County, newspaper, The Wyandotte Echo.

**ADOPTED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

THIS _____ DAY OF _____, 2017.

UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

RYAN P. HAGA
Assistant Counsel