

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, August 28, 2017**

The meeting of the Public Works and Safety Standing Committee was held on Monday, August 28, 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 (arrived at 5:10 p.m.), Markley, Kane, Johnson; and Jeff Bryant, BPU Board Member. The following officials were also in attendance: Gordon Criswell, and Melissa Sieben, Assistant County Administrators; Angela Lawson, Deputy Chief Counsel; Ryan Haga, Assistant Counsel; Susan Alig, Casey Meyer, Meaghan Shultz, and Grant Williams, Attorneys; Emerick Cross, Commission Liaison; Kathleen VonAchen, Chief Financial Officer; Don Ash, Sheriff; Mary Pollock, Director of Juvenile Intake Assessment Center; Jeff Fisher, Executive Director of Public Works; and Sarah White, Project Engineer for Public Works.

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

Chairman Bynum said we do have two revisions to tonight's agenda. We have a blue sheet that was distributed. It reschedules Item No. 1 from the agenda to a later meeting in September, so the Juvenile Grant will not be presented tonight. Item No. 1 won't be heard tonight. We also had a pink sheet that went out last Friday that added an item, which is the Edward Byrne Memorial Justice Assistance Grant.

Approval of standing committee minutes for June 26, 2017. **On motion of Commissioner Markley, seconded by BPU Board Member Bryant, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

Item No. 1 – 171234... 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.

Action: **Item rescheduled for September 25, 2017.**

Item No. 2 – 171239... 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.

Grant Williams, Legal, said I am proposing a resolution for the Sheriff's Department to donate an obsolete 2007 Dodge Charger Sheriff's vehicle to the Kansas City Kansas Community College for their training purposes. Currently the car has a lot of dents in it, cracked bumpers, rusted floorboards, torn carpet and upholstery. Mechanically it still runs but it's not fit for duty as it stands right now. The car can fetch probably about \$1,000 at an auction being optimistically. We've spoken with the Kansas City Kansas Community College Criminal Justice Program Coordinator and he would like to use it for their Auto Technology Program as well as their Criminal Justice Program. It will be stripped of all the Sheriff's decals but they leave the light bar on and the consoles, the toggles and the transport cage because they will not fit the current Sheriff's vehicles.

Action: **Commissioner Kane made a motion, seconded by BPU Board Member Bryant, to approve.**

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Chairman Bynum said before we vote I would like to acknowledge Sheriff Ash is here, who also serves on the college board of trustees. Do you have anything at all you want to—**Donald Ash, Sheriff**, said I think all the pertinent information's been covered.

Roll call was taken and there were five "Ayes," Bryant, Markley, Kane, Johnson, Bynum.

Item No. 3 – 171245...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.

Meagan Schultz, Legal, said the state statute has changed their statute regarding bicycle lamps and we're just attempting to come into compliance with the state statute. **Chairman Bynum** asked is it that they're required now. **Ms. Schultz** said yes. They have to be able to be seen from 500 feet on the front. **Chairman Bynum** said I think that's a good idea. Anyone have any questions?

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

Item No. 4 – 171246... 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.

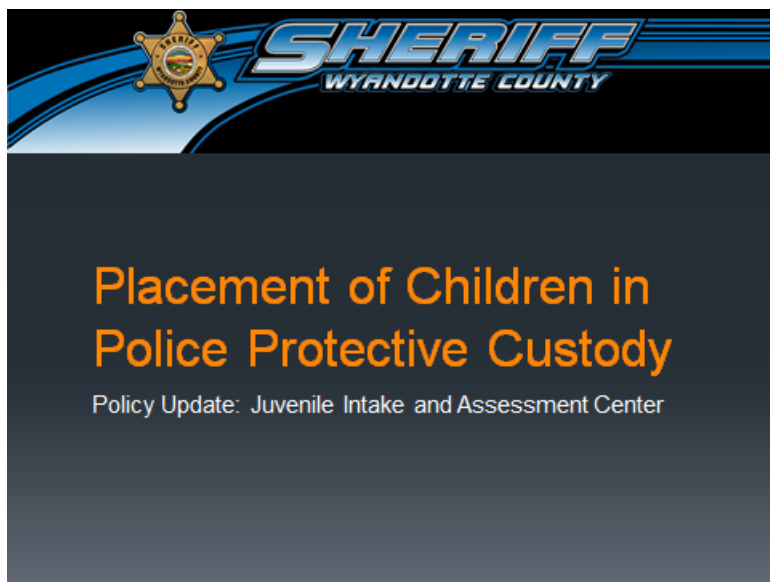
Casey Meyer, Legal, said these are updates regarding Section 22-41, which is the Domestic Battery Ordinance; Section 22-290 which is the Narcotics and other drugs section; Section 22-

317 which is Possession, use of simulated controlled substances and drug paraphernalia; and also Section 22-352 which is a change in the Violation of Protective Order. These are all 2017 statutory amendments which we are making our changes to be consistent with.

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

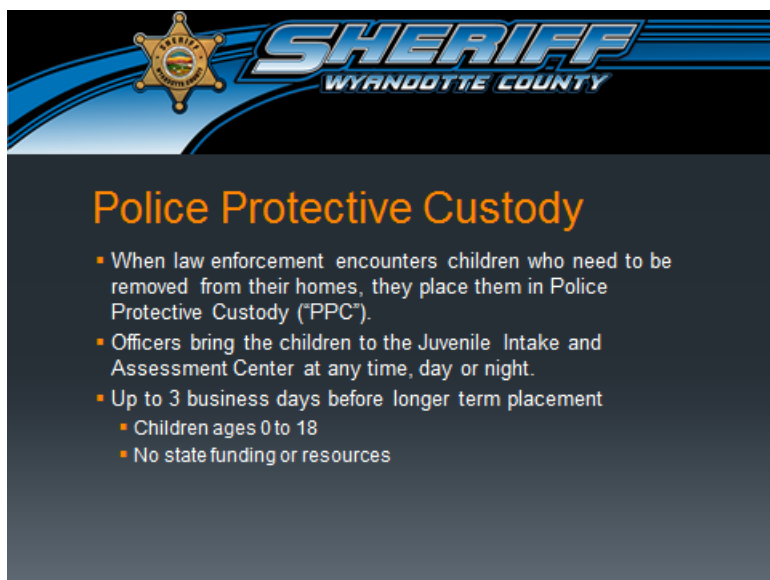
Item No. 5 – 171247... JUVENILE INTAKE AND ASSESSMENT CENTER POLICY

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.

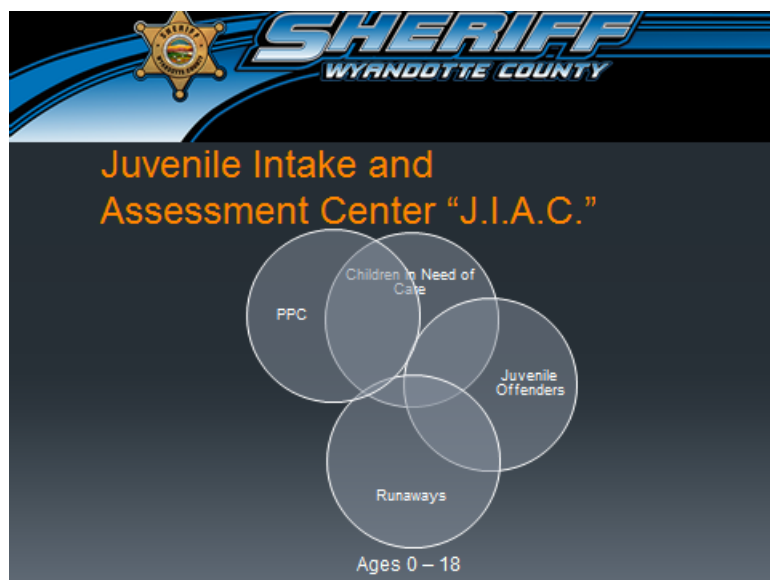


Susan Alig, Legal, said I am with the Legal Department. I have Mary Pollock here who is the Director of the Juvenile Intake and Assessment Center and we also have Sheriff Ash here. We’re here to give you a little bit of information about children in police protective custody. I just have a very brief PowerPoint to explain the situation that we found ourselves in and the policy that the

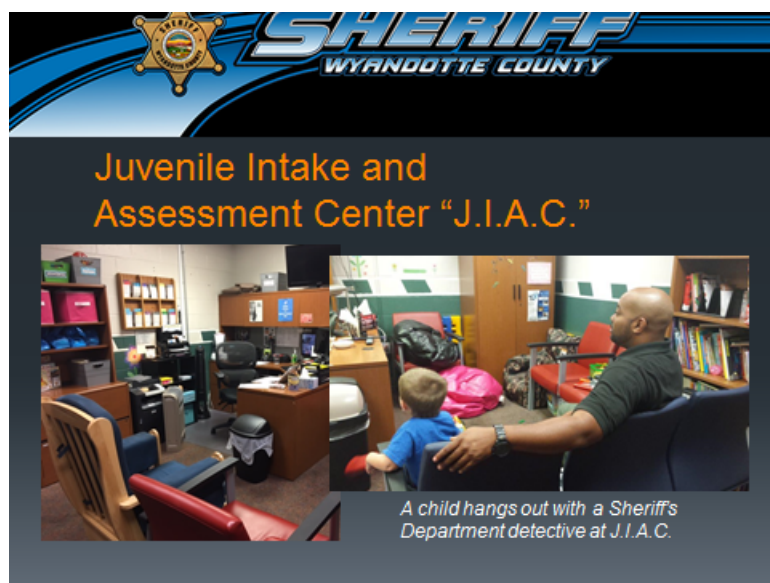
Sheriff has adopted. Ms. Pollock is here to answer any questions that you may have about the placement of children in protective homes.



This situation comes up when we have children who the police have taken into police protective custody. There can be a window of three business days before children who are taken into custody for their own protection see a judge and receive a longer term placement. Those children are taken to the Juvenile Intake and Assessment Center which is located in the Sheriff's Department. Ms. Pollock has to find a place for those children to spend that time period. That's three business days. That means that it could be five days if there's a weekend in there. It could be six days if there's a holiday.

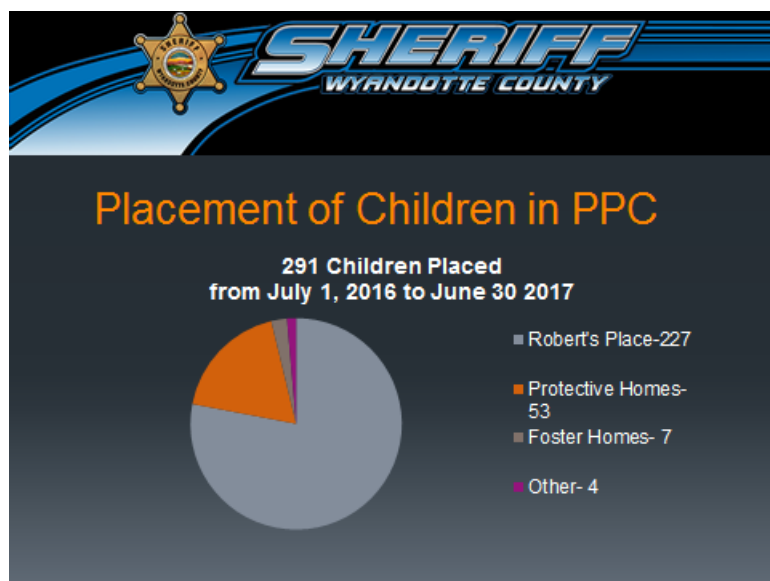


We're talking about children who are ages 0-18. There is no state funding or support for this time period for the care of these children. This is something that our community takes care of itself. We're talking about children who come through JIAC (Juvenile Intake Assessment Center) range from infants who have been immediately removed upon birth and placed in protective custody to juvenile offenders. Obviously, juvenile offenders are a different population from the kids that we're talking about here.



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Here are a couple of pictures of the Juvenile Intake and Assessment Center. We have a little kiddo there hanging out with one of the Sheriff Department detectives. This is where the children are taken by law enforcement.



Ms. Pollock provided these statistics. You're probably all familiar with Robert's Place. I definitely don't want to give the impression that we're not using Robert's Place. We love Robert's Place. We have placed 227 children there. Robert's Place is licensed for children ages 3-18 and a lot of time it's a great place for teenagers, but not appropriate for the little tiny kids. Protective homes are fantastic for our little tiny kids or teens who just aren't quite appropriate to place at Robert's Place.



Protective Homes for Small Children



Protective Homes provide a safe, family environment for children who are too young for Robert's Place. For some children who are old enough for Robert's Place, a protective home may still be a better fit.

Robert's Place is licensed for ages 3 and up and is a valuable resource for older children.



Protective Homes

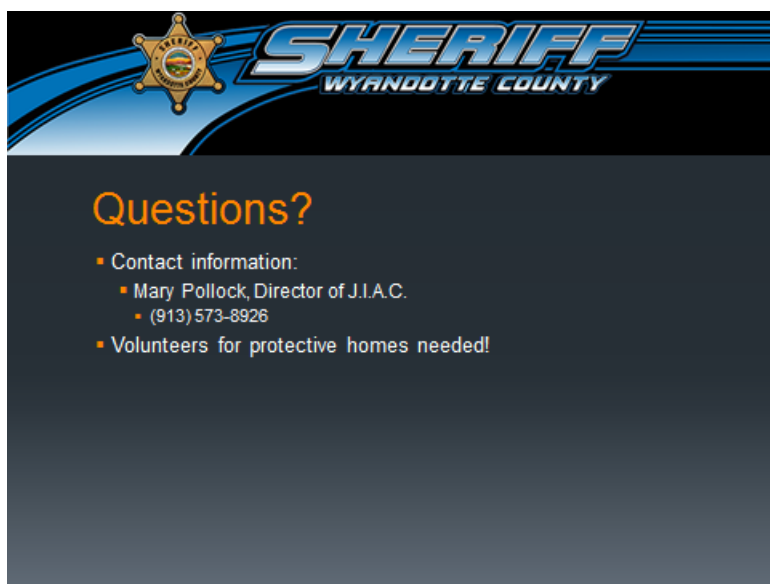
- Volunteers
- May be through a private organization
 - Global Orphans Project- faith based
 - Recently restricted Protective Homes to members of certain churches
- New policy allows us to run the program in-house
 - Background check- criminal and child abuse
 - Home walk-through
 - Training
 - Reporting requirements

Protective homes are community volunteers. They may be through a private organization. Before this policy we used the Global Orphans Project, which was a faith based organization that organized protective homes where we could place these children. Global Orphan's Project is still part of our group of resources. Unfortunately, they limit protective homes to members of certain churches.

We want anybody in our community who is an appropriate placement to be able to volunteer to do this, so we developed a new policy that allows us to run the program in-house

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which gets us around that faith based requirement. The policy includes a background check for obviously a criminal history background check but also a child abuse registry background check, a home walkthrough, training which Juvenile Intake and Assessment will be developing and requirements that the responsible adults in the home report any violation of background check, walkthrough anything like that. We just came here to share the good work that Juvenile Intake & Assessment is doing and also to inform our elected officials in our community about this community need and the fact that we have some very altruistic community members that are stepping up to the plate and taking care of kids.



Do you have any questions? **Commissioner Johnson** asked is the only update that you're removing the faith based requirement. **Ms. Shultz** said the update is that instead of relying 100% on Global Orphans to identify the homes, train them and do the background checks, we are running a parallel program in-house where we identify the homes and do the background checks and all that. **Commissioner Johnson** said both. **Ms. Shultz** said yes.

Chairman Bynum asked do you currently need more volunteers. **Ms. Shultz** said yes. **Chairman Bynum** said so someone who would be willing then Mary, could call you at this number. **Mary Pollock, Director of Juvenile Intake Assessment Center (JIAC)**, said yes. What we're going to do is pick a couple of dates and put some training curriculum together and then we'll schedule a time for everybody to come in, hopefully in a group and do like maybe a

two to three hour training and be done. We're going to ask KVC to do the walkthroughs since they are the experts on that. We've got other little things that we'll have to work out, but if they can pass the background checks and everything, we desperately need them.

Chairman Bynum asked could we go back a slide or two where you showed us the pie chart. In a year's time 291 kids needed this. **Ms. Alig and Ms. Pollock** said yes. **BPU Board Member Bryant** said almost one a day. **Chairman Bynum** said that's a lot of kids. I mean I'm glad, like you said that Robert's Place can manage the bulk of them but you still have that gap that you're needing. **Ms. Pollock** said well and if we have several teenage children at Robert's Place and we get a six year old in, we're going to try to put the six year old in a protective home rather than over there with a bunch of teenagers.

Commissioner Johnson asked can you talk about your trends. If you're talking about basically one per day right now that would come out to obviously close to 350-375 children. How is that trending year-to-year? Are we taking in more now, less? Where are we in that scope? **Ms. Pollock** said it stays about status quo. We really don't see much fluctuation. I will say about two months ago, I believe it was May we had 40 in one week. No, I'm sorry. We had 17 in one week. We had 40 for the whole month. It's desperately needed. We've got some great protective homes through the Global Orphan Project. Unfortunately, we've lost some great protective homes because they don't go to a church that's affiliated with the project. We're really anxious to see what we can do with you know our people in our community.

Commissioner Johnson asked when you talk about bringing this in-house, is there a dollar number attached to bringing it in-house, the portion that we are. **Ms. Pollock** said no. Robert's house and foster homes get reimbursement by the state for the kids that they take in as protective custody. The protective homes, it's strictly voluntary. There's no money involved. Now as J.I.A.C. we try to send about three days worth of clothing with the kids if the parents won't bring clothes up or if the home wasn't clean enough to warrant having some clothes brought up then I've got funding in my grant that pays for clothing and hygiene products and shoes.

Commissioner Johnson said my final question is, do you have backlog by any chance or are there times that you do have backlogs during the year? **Ms. Pollock** said meaning like we have

kids sleeping in the office. **Commissioner Johnson** said yes, basically. **Ms. Pollock** said yes, we do. Traditionally our kids that are sleeping in the office are ones that have been placed at Robert's Place before and they have ran and so Robert's Place doesn't want them to come back. We try to find a foster home or a protective home but you know a 14, 15, and 16 year-old male it's hard to find placement for. So we've had them live in J.I.A.C. We've had little ones that have had to stay there because it was late at night and we couldn't find placement.

Commissioner Philbrook said so for those youth that can't go back to Robert's Place for whatever, and I'm sure there are reasons why, what type of care are we asking for, for those kiddos? What are we looking at? **Ms. Pollock** said for the older ones that have run from Robert's Place. **Commissioner Philbrook** said yes. I'm just saying well what type of facility do you have to have for that. **Ms. Pollock** said just a home. I mean we can't restrain. You can't lock them in. They can't be in a secure facility. It has to be staff secured; meaning they can yell at you please don't run. **Commissioner Philbrook** said I'm just asking because I think there's people out there that need to know as well as I that there are restraints but not that kind of restraints. **Ms. Pollock** said absolutely. **Commissioner Philbrook** said you can't lock them in the place so they can't go out the door. **Ms. Pollock** said they are not offenders. They are children that are in need of care. That's a whole different set of rules.

Gordon Criswell, Assistant County Administrator, said just a thought. I know you guys are developing some marketing materials to try to get the community to participate. Can we get that and run it through our HR Volunteer Program? We have a Volunteer Coordinator so as many hands I think as can touch what we're trying to do might get us a larger number, just a thought. **Ms. Pollock** said the only concern I would have is that if several different departments know who the protective homes are, then that kind of loses the creditability of it being protective. **Mr. Criswell** said well, we use non-UG employees for some of our volunteer stuff. I wasn't thinking of departments as much as our Volunteer Services Coordinator in HR. So it wouldn't be department heads. It would be regular citizens who volunteer. **Ms. Pollock** said just notifying them of the program, absolutely. **Mr. Criswell** said yes, okay. That's just another thought.

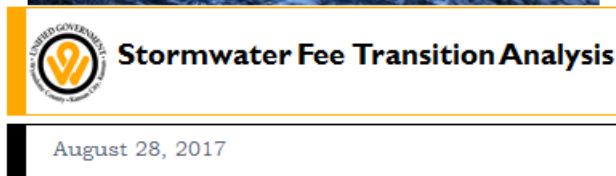
Chairman Bynum said thank you both for bringing the information. It is an information only item and we do appreciate the update and also just taking that on.

Action: For information only.

Item No. 6 – 171248...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, Executive Director of Public Works.

Jeff Fisher, Executive Director of Public Works, said you may be familiar with Sarah White who's our Green Infrastructure Engineer; she'll be the staff project manager and then Anna White to her right is with Black & Veatch, she'll be the project manager and subject matter expert. We have two important objectives over the next couple of years regarding stormwater. One is master plan and the other is the fee analysis. They are going to be running in parallel.



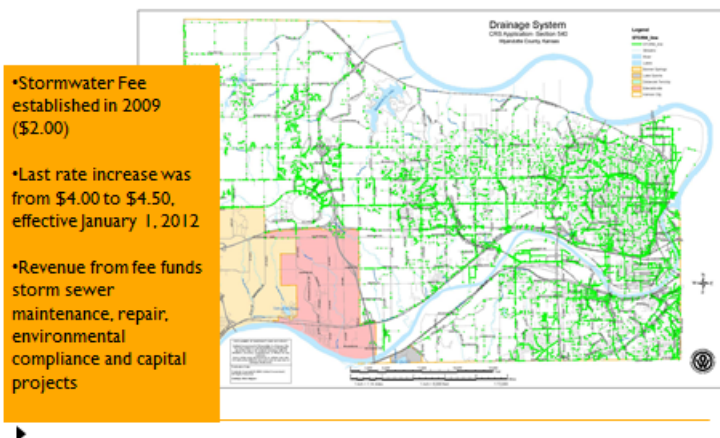
The Stormwater Master Plan is just getting ready to kick off so we have limited information but it will at a high level evaluate the system, how it's handling things, known issues that are

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reoccurring and a few of them we are all very familiar with and then come to some conclusions on those, kind of a rough scope for those kinds of projects, big and small.

The fee analysis is then going to use that information to determine revenues needed. We choose Black & Veatch primarily because they're qualified, of course they're under contract and they've been working with BPU on similar analysis so it made sense. I'm going to hand over the project to Sarah. She's going to run through this. It's a short presentation. Anna's going to jump in in certain parts and then we'll field questions and comments at the end if you don't mind. **Chairman Bynum** said that sounds great.

History of Stormwater Fee



everybody what NPDES? **Ms. White** said National Pollutant Discharge Elimination System **Commissioner Philbrook** said so how clean our water is and we get charged every month. **Ms. White** said yes. It's our permit that we have with KDHE for stormwater. **Ms. White** said this map just shows, the lime green color our stormwater system in the areas that we do maintenance on. I'll hand it over to Anna and she's going to explain a little bit about the program.

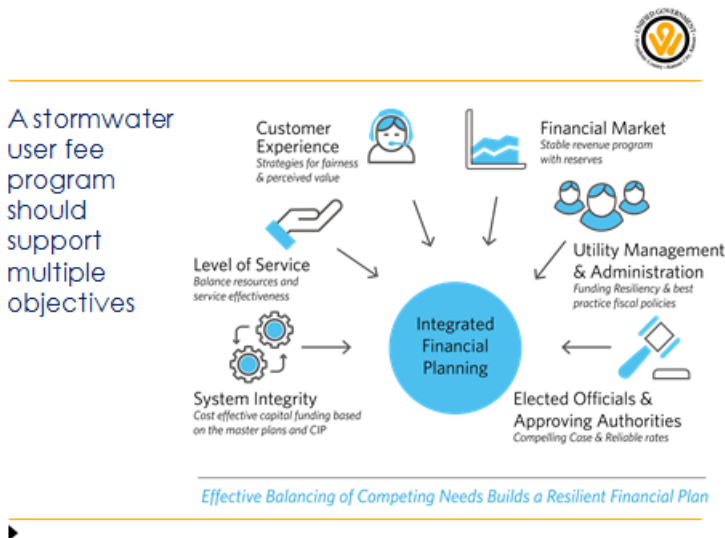
Purpose of Stormwater Utility Fee



- ▶ Mitigates burden on general funds, property taxes, and other sources
- ▶ Provide funds for maintenance of existing system, compliance with EPA mandates (Consent Decree) and new capital improvement projects
- ▶ Match revenue to service provided



Anna White, Black & Veatch, said there's a couple of different ways that stormwater costs can be recovered by a city or a county. It's not uncommon to recover those costs from the General Fund or from taxes or from another source, but it's becoming more and more popular and more of an industry standard to have a dedicated stormwater user fee to fund the costs necessary for stormwater control. The UG already has a dedicated stormwater fee for that so as Sarah mentioned, what this fee provides for is a dedicated funding source for the maintenance of the existing system, compliance with the EPA mandates, and for new capital projects that will be coming up in the future. One of the main reasons why it's becoming more and more popular to have a dedicated stormwater user fee is it provides a way to match the revenue that's being recovered with the services that are being provided. Therefore, we can tie the charge to the actual services being provided.



When we talk about a stormwater user fee program, there's a lot of different objectives that we're trying to meet with this program. The main two that I think everyone thinks about and what we've kind of mentioned already this evening is system integrity. That's making sure that we're taking care of the assets of the system as well as the level of service, that's the operation and maintenance expense associated with keeping the system running and providing the services necessary.

We also though need to take into account the customer experience and this is where we're talking about engaging the customer, involving the customer in the decisions surrounding the utility such as the user fee and what kind of services are being provided. So making sure that information is being provided to your stakeholders and your customers so that they are informed regarding what the user fee is being used for.

The financial market is also important to keep in mind if you plan on going out to the market for revenue bonds or some kind of funding source. It's important to make sure that we have a stable revenue source that will provide the support for getting loans or bonds in the market.

Utility Management and Administration; again we want to make sure we have a stable source of revenue so that the utility can be managed properly as well as having financial policies in place such as a certain amount of emergency reserve or an operating reserve so that all those policies are in place to make sure that the revenue that's being required is sufficient in order to fund the capital and the operating needs as well as to maintain revenue stability.

Finally, Elective Officials And Approving Authorities; we want to make sure that we're providing the information necessary so that the officials can make the decisions that need to be made with regard to the fee and the utility.

Why are we doing this analysis?



- ▶ Assessment of program needs and to enhance level of service
- ▶ Develop a 10 year financial plan
- ▶ Impervious area based rates to reflect stormwater runoff
 - ▶ Align with industry best practices
- ▶ Create a fair and equitable rate structure
 - ▶ Currently, Mr. Smith pays the same fee monthly as Mega Box Store



Why are we doing this analysis now? There's really kind of three big reasons. The first one is, we're going to do an assessment of the program needs and look at the level of service being provided and see if it needs to be enhanced. This kind of goes along with the Stormwater Master Plan that Sarah mentioned. This study is timed so that it will be wrapping up this first phase of it right when the Stormwater Master Plan will be done. Then we anticipate we would integrate the findings of that Stormwater Master Plan into the final findings for this study.

The second one is to develop a ten-year financial plan. So as I mentioned, looking at the revenue stability for the utility and making sure that it's bringing in the amount of revenue necessary to provide the services needed. What we're going to develop is a ten-year financial plan looking at how much revenue is currently brought in with the current fee and how much revenue is needed, so looking at all the different revenue requirements for the system and making sure our revenue matches our revenue requirements. The third thing that we're going to be doing is looking at the actual rate that's being charged and the rate structure. Sarah mentioned it's currently \$4.50 per month for an electric account. Industry best practice indicates that while some utilities do still have that flat fee per account, that's not that uncommon, more and more utilities are moving to the impervious area based fee and the reason for this is because it's a way

to create a fair and equitable rate structure. If I can explain this to you using an example of water, because as Jeff mentioned, we also work with the BPU. If you think about how you pay for your water, you pay based on the amount of water that you used. For stormwater having a flat fee based on your electric account, there's absolutely no connection there between the stormwater runoff that comes off of your property and your electric account; the fact that you have an electric account. So by moving to this impervious area based fee we're doing the connection there between what causes the need for stormwater control and a stormwater utility to how we recover the fee. In other words customers that have more impervious area would pay more versus customers that have less impervious area and so we're creating a fair and equitable rate structure and Sarah's going to talk a little bit about what that means.

Example: Target

- ▶ Target at 119th and Metcalf (Overland Park)- approximately \$534/month
- ▶ 663,000 sf impervious area X \$2.00 per ESU per month
- ▶ Target at Village West (KCK)- \$4.50/month
- ▶ flat fee of \$4.50/month



Ms. White said during the Economic Development & Finance Committee meeting, Commissioner Murguia brought up a question of, what is the Target paying at 119th in Overland Park compared to our Target out at Village West and what that looks like. This is just some data that we got. Overland Park, their current ESU (equivalent stormwater unit) is \$2 per ESU. Their rate study that they did came up with that number based on their revenue needs. If that Target at 119th & Blue Valley Parkway—they are paying approximately \$534 per month. The Target out at Village West since we have the flat fee, they're paying \$4.50 a month. That's quite a bit of difference there.

Example: Residential

- ▶ Single Family Residential at 119th and Metcalf (Overland Park)- \$2.00/month
- ▶ Single Family Residential at Hutton & Parallel (KCK)- \$4.50/month



Here's an example of the residential. I took two neighborhoods that are near the Target at the different locations and a single-family residential near the Target on 119th in Overland Park is paying \$2 a month and then here's a neighborhood near the Target out in Piper and they're paying the flat fee of \$4.50 a month. This is an example of something that's not quite fair but it's going on.

Credit Program



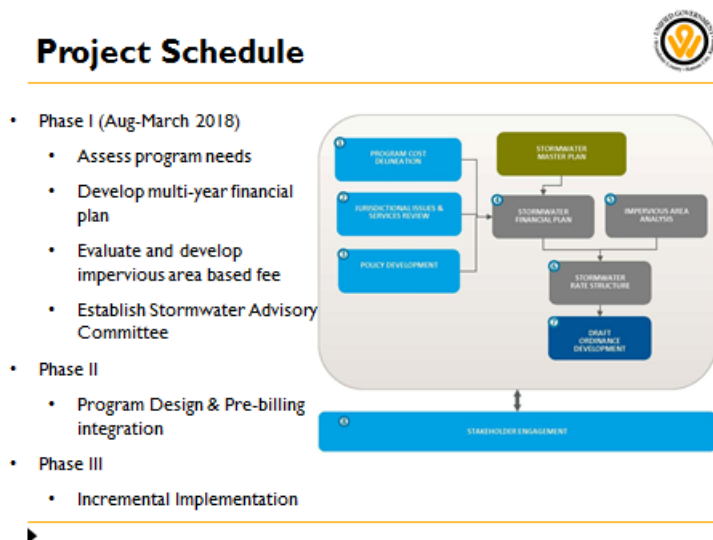
- ▶ Customer has some ability to control their fee
- ▶ Align with the UG's Green Infrastructure Initiative



One of the things that an impervious based rate structure lends itself to is the ability to have a credit program. This would be something that we look into having. This wouldn't be until a later

phase, but a credit program would allow the customer to have some ability to influence their fee. As you know with our development process anything over an acre is required to do some form of stormwater treatment, best management practice. This would be a way to encourage and help these businesses that are already doing this stuff and get credit for the stormwater that they're capturing onsite and keeping onsite.

Chairman Bynum asked can I stop you there. Such as, if they were to develop with like what you're showing in the lower corner, the pervious payment and the pond—**Ms. White** said pervious payment for the wet land. **Chairman Bynum** said it cleans the water as it filters it. Is that what you mean? **Ms. Anna White** said yes. There's different stormwater treatment that's required that can help with facilitating the flows that would be coming off a now impervious site. With the impervious based structure you could implement these kinds of credit programs. Target, who built would have maybe a detention basin and they would be able to maybe reduce their stormwater fee if they had an up and running detention basin. This also aligns with our—the UG's Green Infrastructure Initiative.

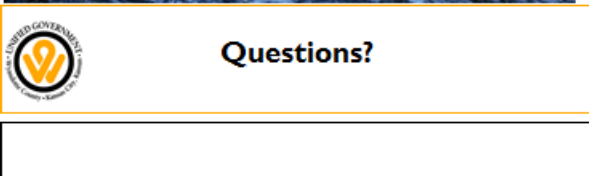


This is our project schedule. We're currently in Phase I and that will be going until March 2018 and I'll have Anna kind of talk a little bit about the different phases. **Ms. Anna White** said in Phase I we're really targeting the three things that I mentioned earlier. Looking at the program needs, developing that financial plan and evaluating the impervious area based rate. We are

going to go through the process of determining what the revenue requirements are and the amounts of impervious area that we have available and look at it on a customer basis and determine what that fee would look like if we did move to that.

Another real important step in Phase I is developing the Stormwater Advisory Committee. This is going to be a group of 12-15 individuals representing all different parts of the community. Representing the schools, health associations, faith based programs, condominiums, multi-family, residential, and industrial. We're going to try to find somebody from every area to be a part of this committee and they'll serve in an advisory role so we can present our ideas and our findings to them and get their feedback. That will give us a good idea of how the public and the community will react to this change. That's what we're doing in Phase I is developing the advisory committee and coming up with a preliminary user fee if it was based on impervious area. At that point it will be up for decision by the board to decide whether to move forward with Phase II which will be actually creating and implementing that fee.

In Phase II, we would do some of the program design and the prebilling and then Phase III is when we would actually work that into the billing system and start billing based on impervious area. We would anticipate if we got through Phase III, the Stormwater User Fee would be effective January 2020.



Chairman Bynum asked are there questions.

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BPU Board Member Bryant said so from my calculations if you're collecting \$4.50 per electric account and we have about 65,000 electric accounts in Wyandotte County, you're getting about \$3.5M a year. Do we know what the future budget needs will be annually for stormwater? **Mr. Fisher** said no, we have some work to do. We need to identify capital needs and ongoing operational needs. We don't know that yet until we get to that master plan and get a little bit further into this process here. **BPU Board Member Bryant** asked do we know what we've been spending annually for the last five years. **Ms. White** said our current budget we have for stormwater maintenance, we have \$1M for stormwater maintenance. For example, the Stony Point Project, we had a budget of about \$4M for that. You can see that that uses up a year plus of revenue just for the one project. **BPU Board Member Bryant** said yes, that's why I was wondering if we knew what the average was. I get this. I get asked a lot about this specific fee on the utility bill. I'm assuming there are a number of streets in our city that don't have storm drains and I get asked because I'll give you a prime example. The street I live on does not have a storm drain and the water just runs down the street out into a field and down into a creek, but yet my neighbors have asked me why they have a fee for a storm drain that they don't have. Will one of two things happen? Will either that be looked at and eliminated from those residences that don't have storm drains or will the funding be used to ultimately bring storm drains to those streets. **Ms. Anna White** said I would say yes to both of those. We are looking at—part of Phase I is looking at the services being provided and to whom they are being provided too. So it would fall under that but also as part of, and I would assume it would come up in the Storm Water Master Plan, is what areas are not receiving service now that maybe should be and should that be included in the revenue requirements is enhancing the program to include everybody.

Ms. White said and part of another item I forgot to mention for the budget is also our MS4 compliance. Our stormwater compliance through EPA, which right now we have about \$400,000. That doesn't include all the other things that we're doing so that number can be a lot higher than that. The stormwater fee that everyone pays does include that compliance because any of the stormwater that's going to a creek, stream or lake, we are you know responsible for that as well. Even though you might not have a structure or pipe there is some contributing factor to that. **BPU Board Member Bryant** said yes and I mostly bring this up for educational purposes. It's just not the UG. The BPU has the same issues. I think our community college has the same issues about some of the fees and charges that we pass on to the residents. Not saying

that any of them are wrong or overly. It's mostly just a matter of educating the public on what value they're getting for that cost of living in a city and the charges that go a long with the things that you get from being a city dweller. I just think a lot of it is taking the time to make sure that we're educating our residents on why those fees are necessary and what the value is. **Chairman Bynum** said thank you. I appreciate that.

Commissioner Markley said so I have been a longtime advocate of stormwater maintenance and construction of new stormwater partially because my district is one of those that just doesn't have a lot of infrastructure in that area. What I know from the couple of projects I've been able to sort of force through in my few years here is it's ridiculously expensive to fix a stormwater issue that impacts maybe 10 houses but it's a huge impact to those 10 houses but it just costs a lot of money. I love this. I think this is a great idea.

I know over the past few years we started tracking in a more manageable way what already existing issues we are aware of. Obviously, recent flooding has given us a whole different perspective on what areas may have issues and I'm hoping that we can start to aggregate that information as part of this study and figure out where are those priority areas and where can we begin putting this money. I'd love to get there before 2020, but I understand if that's as quick as we can do it, but I'm glad we're taking steps in that direction.

Commissioner Philbrook said just being the structure of our typography and of our community, we have a whole lot of little streams, creeks and stuff that run through and people don't realize how important it is that we actually pay attention. We do a lot of repair work around those and put new pipes and stuff in place and passovers. We work a lot around those just because of our community. We're not flat you know and thank God we're not like Houston, but we do have a lot of responsibilities because of all those extra waterways that we have. I don't know how you guys do it keeping track of all these. I want to thank you because I know there's been times that out of those little streams and stuff, occasionally we find some folks that are dumping stuff in our little streams and we fine those and it may not be us that fines them, maybe the state fines them, and then we have to go backwards and see who that bad person is or that group that's dumping a lot of stuff in that little stream. But we are responsible for that and as a community as a whole population everybody is responsible for making sure that we're not causing problems for others. That's how I can understand that even though I may not have something right by my place and I

don't and I'm right off of State Avenue and I don't have one. It goes down into it. It runs down the street and goes down into the stream that runs under State. I'm all for paying my two cents worth for that, but I know we really need to restructure on how we're paying for it. **Chairman Bynum** said I appreciate that comment.

Chairman Bynum said I just had a couple of comments kind of piggybacking off of BPU Board Member Bryant and also Commissioner Markley. Your comment about a large part of our work I think is education and helping our citizens, taxpayers and ratepayers understand what the fee is and why you pay it. For example, whether or not you have a storm drain in your neighborhood or not I think that's a really important piece for us as elected officials to help you with, if not take the lead on.

It might be a clumsy analogy, but you know within the taxes I pay, I am paying for police and fire protection whether or not I call the police ever and gladly doing that. That may or may not be a clumsy analogy, but it's the one that pops right to my head. As you said, those stormwater fees are technically doing work all across the community whether or not there's a storm drain in the neighborhood or not. I mean I live in area where there's no sign of a storm drain anywhere near me.

Then secondarily with Commissioner Markley's comments, I want to make sure that I'm understanding that our Stormwater Master Plan process hopefully is going to help us get to those answers of we know where the storm drains are not. Hopefully, the master planning process is going to help us not only with the fee structure but also the plan moving forward as to prioritizing where the next place for them should be. **Mr. Fisher** said yes, that's exactly right. There will be a scoring process for every project that's objective based on a number of different factors.

Commissioner Johnson said I was just thinking about what Commissioner Philbrook was talking about. I've got family and some of us also have family down in Houston and when you see situations going on as they are occurring right now it brings situations like this into clearer view. I'm just curious. It seems to me that we would be unlikely to receive the kind of rain that they are receiving down there, but what would it take for us to find ourselves in a similar type situation. While I know flooding is a reality in some of our districts right now and it could get a lot worse. Are we ready for something like that or is that such an unlikely occurrence given our typography and our location within the country. **Mr. Fisher** said yes, I'm not quite sure how to

answer that one. It's almost impossible to prepare for something like that and using an example from our past I think would be the 1993 flood. Right, that would be the last event here in this community that was that significant. That would be—that happens—the one before that was 1950, 1951. It's possible. It's hard to prepare for something like that but I think based on what I've seen since I've been here, the UG is in good shape. Our preparations are good.

Commissioner Johnson said I want to talk about the map a little bit on the impervious area fee. You know I get caught up in those numbers. When you talk about the \$2 analysis that you have in Johnson County, can you kind of walk me through how you get to like a \$534 per month fee? I mean what numbers are you using to get to that number? **Ms. Anna White** said it should be 663,000 square feet times \$2 divided by 12. **Commissioner Johnson** said okay. I figured it was easy but I was sitting here tinkering and I couldn't get that number to save my life. Okay, so I'm talking about a similar type of equation, is at least what we're going to be analyzing, whether its \$2 or some other number we don't know but that's what we're looking at.

The next slide was showing that in a residential, is that on a—are you saying that some of them will remain on a flat fee basis. Are the residential to remain on a flat fee basis or no? **Ms. White** said no, this is just an example. I mean we're paying—you know everyone pays a flat fee. In Overland Park a single family residential is at \$2. **Commissioner Johnson** said it's a flat fee. **Ms. White** said well, I think it's based on—it's still that ESU, that equation but—**Ms. Anna White** said if you paved your whole front yard, would it be different. **Ms. White** said it could bump you up I think. Some of the options are, there are some different alternatives. One would be just strictly that equation using percent and pervious. That would be kind of difficult for—we're going to look at that but that would be difficult for each house you'd be a little different. What a lot of people do is a tiered rate structure. So you'd have your single family residential 0-500 sq. ft. would be one, 500-1,000 sq. ft. and then yes maybe if you a large addition onto your house, would that bump you up, maybe but you're not going to have those meticulous calculations for each house. You'd fit into a tier.

Commissioner Philbrook said so in other words if you were figuring out how much impervious area there is like for instance out at our big complexes out just west of the Legends, that would be totally different than just suburbia so to speak. **Ms. White** said from what Anna and her colleagues have said the condos and apartment buildings can get a little tricky because it's based

on how they divide up their electric accounts and their bills but we have met with BPU and we'll continue to meet with them on how they do their billing structure.

Chairman Bynum said any more questions on this topic. We will look forward to hearing more from you as you move through that process. That was an information only item. That was a lot of good information.

Action: **For information only.**

Item No. 7 – 171250... 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.

Ryan Haga, Legal, said with me is Durward Johnson from BPU Water. This is a simple resolution survey for any kind of nation of action that might be required for the site improvement project at the South Bethany & Muncie. Basically, my understanding of the project is that it will involve the building of a storage building and a new entrance site and a guardhouse. If you have any more specific questions regarding the project again, I have Mr. Johnson here with me.

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. 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.

Pamela Waldeck, Assistant Chief, Police Department, said this is Captain Schumaker, the Commander of our Internal Affairs Unit. Laura couldn't be here tonight. I believe she is maybe having a baby. I'm filling in for her. We are seeking approval to apply for the Justice Assistance Grant. This grant we hope to use to replace antiquated software within our Internal Affairs system and our employee early tracking system which tracks pursuits, use of force and discipline that the officers are involved in. Currently the software that we're using is about 15 years old. We're not able to update that software. This system that we're trying to go with IAPro which is a sealed source provider is best practices and it's also in line with CALEA and we're asking for about \$55,000 on the grant and then the other portion of that grant we're asking for \$50,000 to send Commanders to the Senior Management Institute for Police which is a school that lasts about 20 days and we would like to be able to send the Commanders to that. It's held on the Boston University campus. It costs about \$10,000 all-inclusive to send each Commander.

Action: **Commissioner Johnson made a motion, seconded by Commissioner Kane, to approve.**

Chairman Bynum said we have discussion. **Commissioner Philbrook** said at the risk of asking a question that some of us may be assuming, this has all been looked at and it integrates well with the rest of our information and our IT stuff that we're doing for the overall information network now being taken care of for our city. Do you understand what I'm saying? I mean it's kind of a convoluted comment but it's—**Ms. Waldeck** said yes, this will be a standalone system but it will talk to our new CAD system that we're currently integrating. This will take some of the reports that actually aren't developed. They're not state mandated reports but our department reports,

we'll be able to do them in this software and then it will talk to, there's two sides to this software. It will talk to both sides and then it will be able to be uploaded into New World.

Chairman Bynum said in this grant, that I know our PD has applied for many times through this particular Justice Assistance Grant, are there times when they give you less than what you asked for? Is this kind of an all or none? I guess the second part of that is if they give us less than what we need, can we still do something? **Ms. Waldeck** said I believe we're told how much we can apply for on the front end. We were given a number of \$106,000 and told that we're eligible for that amount and we're applying for about \$105,500. We try to maximize. That's how we pick the projects is so we can maximize the amount we're being allotted. Does that kind of answer your question? **Chairman Bynum** said yes—do you have experience receiving less than what you asked for? **Ms. Waldeck** said not in this specific grant. I've seen it in other grants but this—**Chairman Bynum** said not this one. **Ms. Waldeck** said this specific grant, no.

BPU Board Member Bryant said in other words you don't need any additional monies for these. **Ms. Waldeck** said we should be able to complete both of these projects. I do know that if something comes up we can amend these grants once they're awarded so what we could do if we needed more money to implement the software program, we could send less people to the training and move that money over to the software side. I think we can work it out that way.

Roll call was taken and there were six "Ayes," Bryant, Philbrook, Markley, Kane, Johnson, Bynum.

Adjourn

Chairman Bynum adjourned the meeting at 5:52 p.m.

tpl