

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

SPECIAL SESSION, THURSDAY, MARCH 28, 2019

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, March 28, 2019, with nine members present: Bynum, Commissioner At-Large First District (left meeting at 6:38); Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District (left meeting at 6:30; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. Townsend, Commissioner First District; and Markley, Commissioner Sixth District; were absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell, Assistant County Administrator; Alan Howze, Knowledge Director; Rob Richardson, Director of Planning; Patrick Waters, Senior Attorney; Maureen Mahoney, Chief of Staff in the Mayor's Office; and Officer Ron Sutton, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

ROLL CALL: Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs, McKiernan, Alvey.

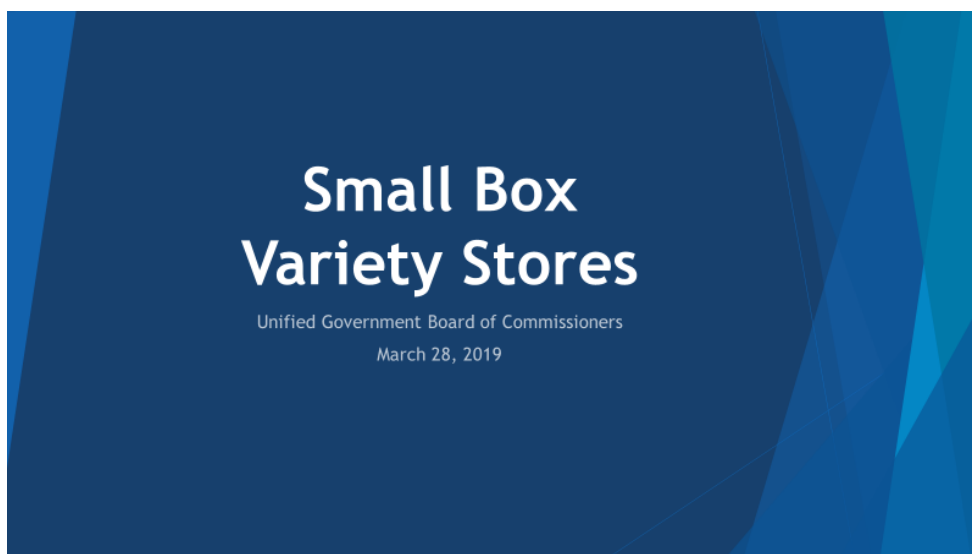
NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, March 28, 2019, at 5:00 p.m. in the 5th floor conference room of the Municipal Office Building, for a presentation on the small box variety stores followed by the 2020 Census.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Alvey said as you said, we will have two presentations. The first is a presentation on the small box variety stores and the second presentation will be the progress on the complete count of the 2020 Census.

Doug Bach, County Administrator, said as noted, our first item is on the small box variety stores. This is an issue that came up in our community when we were looking at the number of smaller box variety stores that were coming into the community and was having some impact on the ability, or at least what we thought was the impact of the ability, of some grocery opportunities to come into the store where they could provide different types of fresh food varieties for our residents by them eating up part of the market with this. So, that's where we started looking at what are our options and evaluating this and looking at come comparables in other communities. Tonight, while we have moved forward on some actions tonight, we want to come back to you and show you some of the work we've done in looking at other areas and then talk about it. As this healthy initiative has been a prominent point for us, and looking at it for some time, that's why it's really a key factor to discuss.

I'm going to turn this over to Patrick Waters, from our Legal Department, who has done some research on this and he will present from here.



Special Session

1. How many small box variety stores are in the KC Metro Area?
2. Are any other metro cities regulating them?
3. What are other cities doing to incentivize healthy food option?
4. Discuss other issues pertaining to small box variety stores.

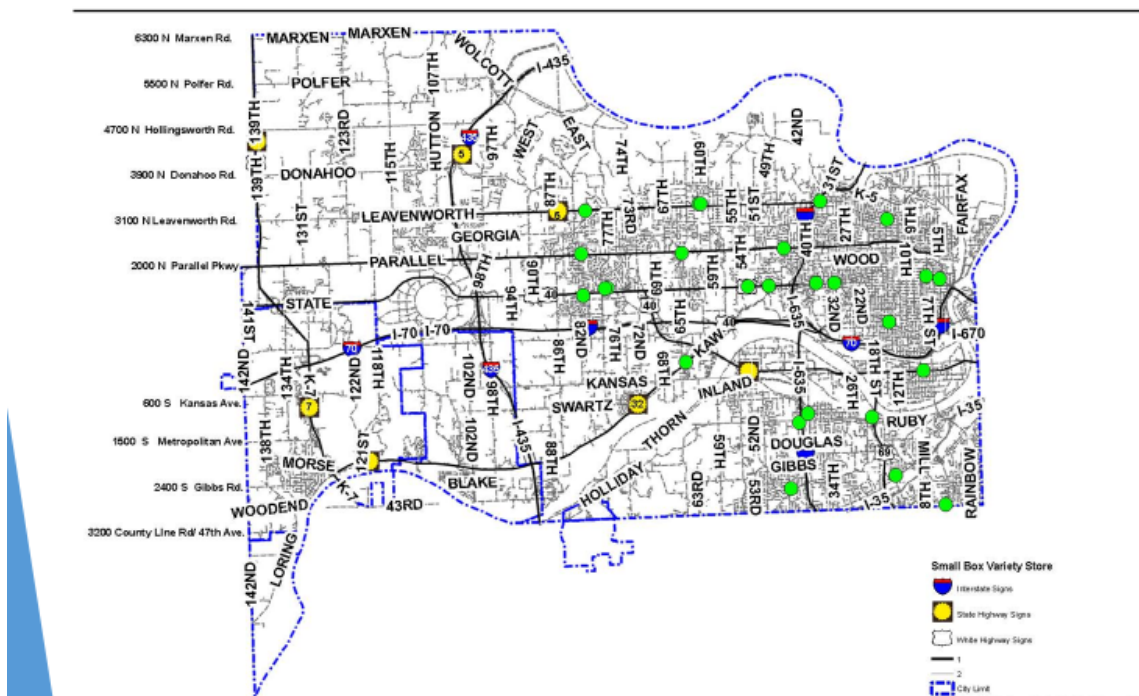
Patrick Waters, Senior Attorney, said last month the Commission requested a Special Session and the four reasons that were given was first wanting to know more information about how many of these stores were in the Kansas City metro area. Second, are any other metro cities regulating them and if so, how? Third, how are other cities doing to incentivize healthy food options? Fourth, to discuss other issue pertaining to these small box stores.

Approximate number of variety stores in KC Metro Area

KCK - 26	KCMO - 49
Overland Park - 10	Olathe - 3

Based on our research we've determined there are approximately 26 small box variety stores in KCK, about 49 KCMO, as a comparison Overland Park 10, and Olathe 3. I will tell you that this is only an estimate. I believe it probably undercounts the number. We did our best to look at

business licensing data and mapping data, but I don't represent that this is a complete count. We could have missed some.



Here is a map showing the locations that we have in Kansas City, Kansas that we were able to determine, stores that most likely fall under this definition. As you can see, mostly concentrated in central, northeast, and the south. We did not find any out in the Piper area.

Regulations In Other Cities

- ▶ **Roeland Park** - requires SUP for small box discount retailers. Minimum separation distance of 5,000 feet
- ▶ **Tulsa, Oklahoma** - established a Healthy Neighborhood Overlay District. Minimum separation requirements for small box discount stores is 1 mile.
 - ▶ Stores are exempt if they dedicate at least 500 square feet of space to fresh foods.
 - ▶ To encourage growth of full-service grocery stores, minimum parking ratios are reduced by 50%.

The question was asked about regulations in other cities. The only city in the Kansas City metro area that has a similar regulation is Roeland Park. They have a 5,000-foot separation requirement. Their reasoning was based more on the concern about the affect of property values rather than as a healthy food initiative. Those were the reasons they gave.

Outside of the KC metro area, you have Tulsa, Oklahoma. They established a Healthy Neighborhood Overlay District and within that district there is a separation requirement of one mile. However, there is a way that stores can exempt themselves, if they provide at least 500 sq. ft. of space to fresh foods. They also encourage full-service grocery stores by reducing their parking ratios to make it easier for them to open.

Regulations In Other Cities

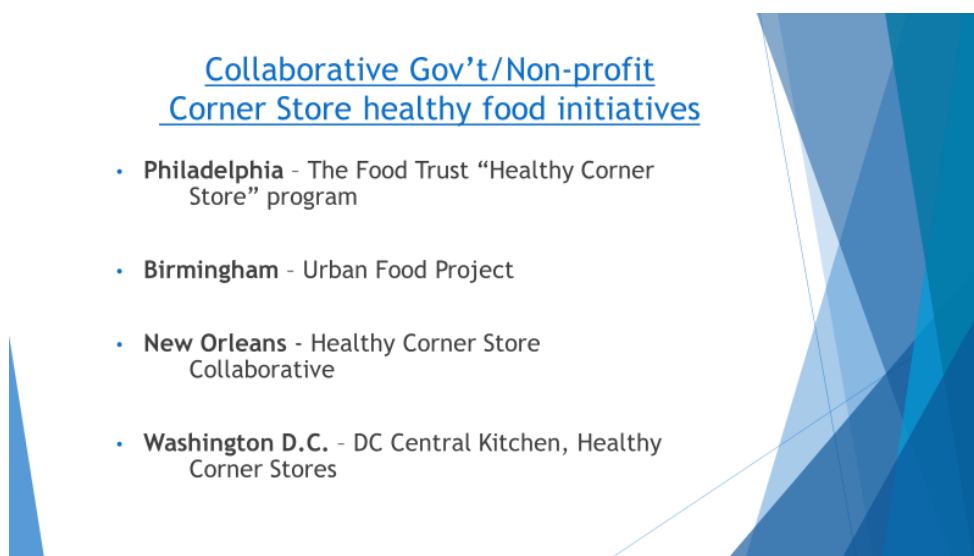
Mesquite, Texas - requires SUP for “variety stores”. Minimum separation requirement of 5,000 feet

New Orleans - minimum separation requirement of 1 mile in the conservation district, 2 miles everywhere else. Provides exemption if they dedicate at least 15% of shelf space to fresh or fresh frozen food.

In Mesquite, Texas they also have a 5,000 sq. ft. separation requirement and then in New Orleans there is a one-mile separation in what they deem a conservation district and two miles in the rest of the city. Similar to our ordinance, they have a way that stores can exempt themselves by dedicating at least 15% of their shelf space to fresh or fresh frozen food.



The question was asked what other cities are doing to incentivize healthy food options. A lot of these options came from the study that's shown on the left by the Public Health Law Center. It was done a few years ago. I will just go through a few of those.



A very popular initiative for corner stores is when the government, the non-profits, team up to provide grants to these small corner stores. What they typically do is, they provide grants that allow them to buy refrigeration and freezer units and other supplies that would make it easier for these small stores to provide the kind of fresh food that their residents are looking for. So, you have a lot of what they call Corner Store Projects around the country and these are just a few examples of those.

Healthy Food Initiatives

Allen County, KS

- ▶ Ranks 87th in county health. Large farms but only 1% of crops stay in the county.
- ▶ The Allen County Growing Rural Opportunities Works (GROW) program aims to increase access to affordable, nutritious and safe food.
- ▶ Active Facebook page that promotes farmer's markets, mobile food markets, and development of local food infrastructure.

Junction City, KS

- ▶ Amended zoning code to allow farmer's markets in residential zones to increase access to residents.

In Kansas, one example that was given was in Allen County, KS. They ranked pretty low on the county healthy index. They have a large number of farms but only about 1% of their crops actually stay in the county, most go to large commercial feedlots and other places.

They developed what's called the Allen County Grow Program which sought to increase access to affordable, nutritious and safe food. They promote a lot of local events, farmer's markets, and other types of events like that.

In Junction City they amended their zoning code to allow farmer's markets in their residential zones so it was easier for their residents to access those markets.

Healthy Food Initiatives

Douglas County, KS - Culinary Commons Food Kitchen

- ▶ This program allows residents to rent out a commercial quality kitchen on the Douglas County Fairgrounds to prepare large meals for friends and family or test out recipe ideas for budding culinary entrepreneurs.

Maize, KS - Farm to School Program

- ▶ Students are taught cooking skills and learn about food production.

Kansas City Metro - KC Grocery Store Access Task Force

- ▶ Created the *Stimulating Supermarket Development in Bi-State Kansas City* report.

Douglas County has an interesting program where they allow people to rent out a commercial kitchen on their fairgrounds. This allows—it can be just as simple as friends and families meeting up to cook a large meal or if people are entrepreneurs and want to open up their own food business, they can test out their recipes by using a commercial quality kitchen.

Maize County, the example was given about teaching students to learn cooking skills and teaching about food production.



In the metro area, we had a recent study by the Kansas City Grocery Task Force. Here is a copy of the cover and there is a link at the end of my PowerPoint.

Task Force Recommendations

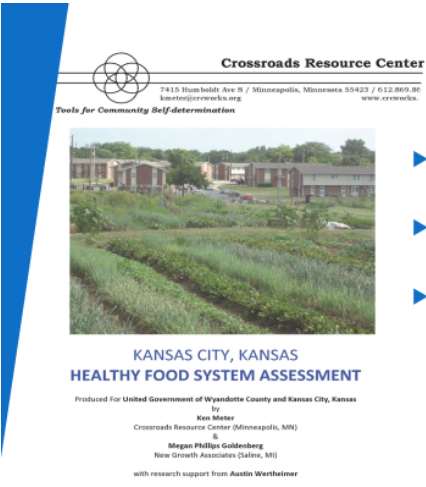
1. Centralize information related to financial incentives for grocery store development and renovations.
2. Partner with charitable foundations and the financial sector to invest in existing healthy food financing programs.
3. Develop safe, affordable and convenient transportation options to residents who do not live within walking distance of a grocery store.
4. Investigate new and emerging food delivery models.
5. Promote healthy food educational efforts.

Some of the recommendations were to centralize information regarding the financial incentives that are available to grocery store developers. Partnering with charitable foundations and the financial sector to invest in healthy food options. Working to make sure that residents have transportation options for those that don't have cars so they can actually get to the grocery store and get there in a decent amount of time because having perishable foods is very difficult when you're having to take a long bus ride and cold foods are melting. Investigating new and emerging food delivery models. I think the mobile food grocer would be an example of a new type of a new food delivery model, and then just generally promoting healthy food education.

UG Healthy Food Initiatives

- Modified zoning code to allow for mobile grocers in residential areas.
- Approved and provided space for several community gardens and giving groves.
- Provided public space for Farmer's Market at 6th and Barnett.
- H2O to Grow Program - installed water taps at community gardens.
- Building and investing in a new downtown grocery store.
- Identified a Northeast grocer as a key strategy in the Northeast Area Master plan and gave a small start up stipend through the Master Plan Process.
- Partnered with local organizations to commission the KCK Healthy Food Assessment Report (2017).

At the Unified Government, here are some of the initiatives that we've worked on in the last few years. We too have modified our zoning code to allow for mobile grocers in residential areas. We've allowed people to plant community gardens on Unified Government lots. We've provided space for the Farmer's Market downtown here. H2O to Grow Program which has installed water taps for community gardens and urban farms. Of course, building and investing in a new downtown grocery store. Through the Northeast Master Plan, we've identified that a northeast grocer is a key component in that Master Plan Process and provided a small start-up stipend through that process. Partnering with local organizations to commission the KCK Healthy Food Assessment a couple of years ago.



Recommendations

- ▶ Increase availability of healthy food choices in neighborhood stores.
- ▶ Avoid concentrations of unhealthy food retailers.
- ▶ Create public incentives and tax credits for healthy food.

Here's a picture of that, and again, the link is in the PowerPoint. Some of the recommendations they had that are relevant to the discussion tonight were increasing the availability of healthy food choices, avoiding concentrations of unhealthy food, and creating public incentives and tax credits for healthy food.

Unified Government Grocery Store Development Incentives

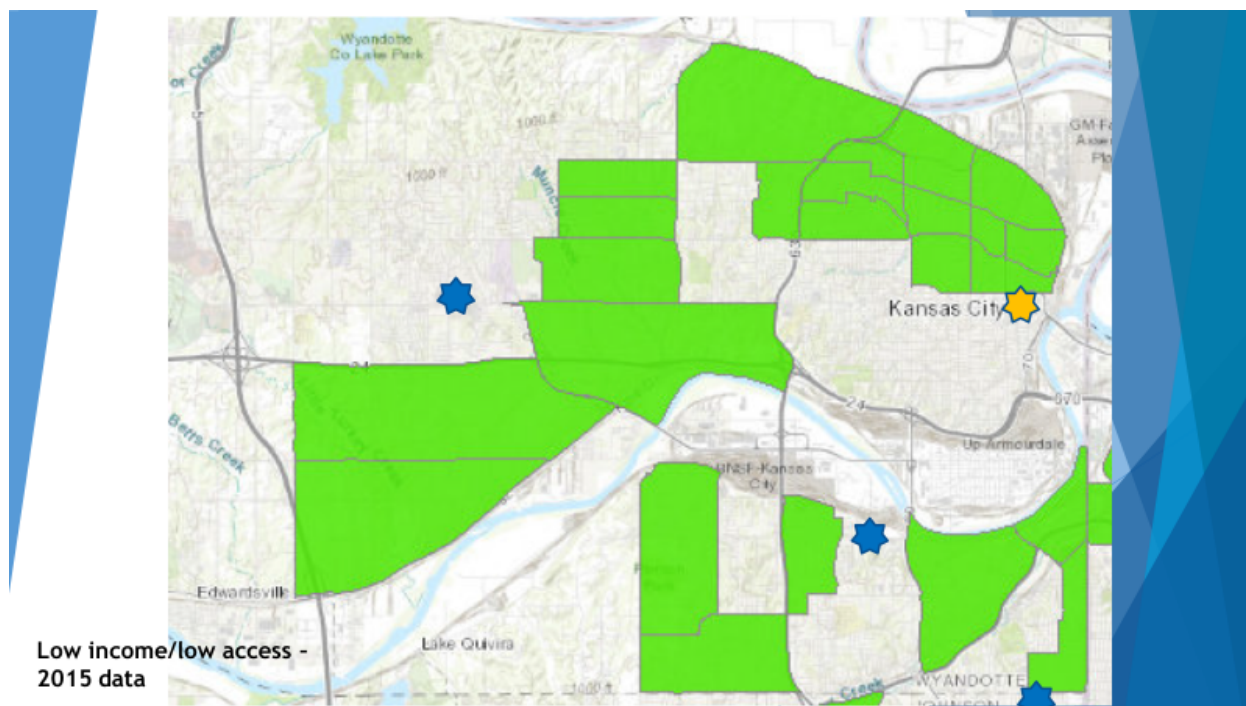
- ▶ Tax Increment Finance (TIF) Districts - Prescott Plaza Sunfresh, Metropolitan Avenue Walmart, Metropolitan Avenue Save-a-Lot, Plaza at the Speedway Walmart, The Merc (pending final approval).
- ▶ Community Improvement Districts (CID) - Metropolitan Avenue Save-a-Lot, Shawnee Plaza Sunfresh, Wyandotte Plaza Price Chopper
- ▶ Transportation Development Districts (TDD) - Happy Foods, Prescott Plaza Sunfresh, Plaza at the Speedway Walmart
- ▶ Neighborhood Revitalization Act (NRA) - Wyandotte Plaza Price Chopper

All of our traditional economic development tools are available to incentivize grocery store developments. Here's a list of some of the different economic development incentives that grocery stores have used. TIF Districts, CID's, Transportation Development Districts, and the NRA Program.

Low Income/Low Access Grocery Tracts

- KCK has a high number of census tracts that qualify as "Low income/low access tracts", commonly known as "food deserts".
- USDA definition - "A low-income tract with at least 500 people, or 33 percent of the population, living more than 1 mile from the nearest supermarket, supercenter, or large grocery store."

One of the big issues that we have in KCK is a high number of tracts that are known as food deserts. Technically, the government calls these low-income/low access tracts and they define that as a tract with at least 500 people or a third of the population living more than one mile from the nearest supermarket, supercenter, or large grocery store.



Here is a map of the tracts that the USDA has deemed to be low-income/ low access. This was as of 2015 and so we noted several grocery stores that either have developed since then or weren't counted in that study that would likely take off a couple of tracts. The yellow is The Merc which would probably, again, take at least one of those tracts out, but even if you take into account the stores that weren't in the 2015 study, you would still have a large number of census tracts that qualified as a food desert.

Rob Richardson, Director of Planning, said the other thing I would note on that is all of those stores use public financing and public incentives to build them. Perhaps not the one in Johnson County there at 47th & Mission, but it's the Walmart Neighborhood Market across from Joe's KC. The Walmart Neighborhood Market in Argentine, The Merc, and the Price Chopper that are represented on this map are all heavily incentivized.

Original “Dollar Store” Ordinance

- ▶ Ordinance O-13-16 was approved on February 25, 2016.
- ▶ The Ordinance required that any future dollar stores receive an SUP and required at least 10,000 feet between stores.
- ▶ “Dollar store” was defined as “a store with a wide variety of new merchandise for sale for five dollars or less, limited fresh produce, and buildings of less than 15,000 square feet. Examples include but are not limited to Family Dollar, Dollar General, Dollar Tree, 99 Cent Deals, Five Below, dime stores, or 5 & dime stores.”

Mr. Waters said that gets us back to the issue of how to regulate these variety stores. We had originally deemed them, previously deemed them Dollar Stores and this was the previous ordinance that we had. As we discussed last month we discovered that through a drafting error that this ordinance had been overridden by another ordinance and so we took about looking at whether or not we could make some changes to improve upon the ordinance.

New Ordinance

- ▶ *Small box variety store* means a store of 15,000 square feet or less which sells at retail an assortment of physical goods, products, or merchandise directly to the consumer, including food or beverages for off-premises consumption, household products, personal grooming and health products, and other consumer goods. Small box variety stores do not include retail stores that:
 - (1) dedicate at least 15% of shelf space to fresh or fresh frozen food;
 - (2) dedicate less than 2% of shelf space to food of any kind;
 - (3) contain a prescription pharmacy, or
 - (4) offer for sale gasoline or diesel fuel.

The proposed ordinance here, the main change from the last time is that we defined the variety store not just by what it is, but what it is not and we provide these stores a way to exempt themselves out of the regulation. Number one, by dedicating at least 15% of their shelf space to fresh or fresh frozen food. The reason number two is in there is because if there is a business that

has a variety of products, but they really only have a coke machine, a candy counter, they're obviously not really in the food business and we're not concerned about the impact that would have on providing—discouraging the growth of grocery stores in the area. Then, there hasn't been any studies that have indicated that pharmacies or gas stations discouraged the growth of grocery stores even though some of those sell a variety of products, we provided exemptions for those.

New Ordinance

- ▶ Allowed in C-2, C-3, M-1, M-2 and M-3 districts
- ▶ 10,000 foot separation requirement between stores

The variety stores would be allowed generally in commercial and industrial districts and, again, we've kept the 10,000-foot separation requirement, a little bit less than two miles.

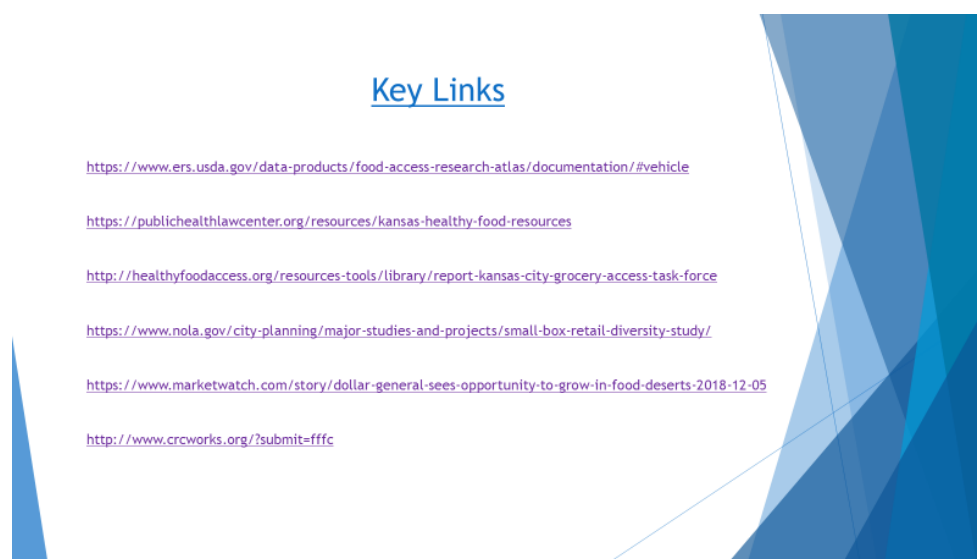
Variety Stores and Fresh Food are not incompatible

- ▶ Dollar General is already experimenting with expanded fresh food choices in some of their stores.
- ▶ However, currently only around 425 of its 15,227 stores carry produce. They plan to add produce to an additional 200 stores in 2019.
- ▶ *"So having those opportunities to put stores, for instance, with a produce selection in areas that are more food deserts...we find that we can drive a tremendous amount of traffic that way."*

—Todd Vasos, Dollar General CEO

The last thing I would say is that these variety stores and fresh food are not incompatible. Dollar General itself has indicated they are experimenting with an expanded concept in which they would bring more fresh food and produce into their stores; however, only about 425 of their 15,000 stores currently have those. Again, they're CEO has indicated that they find that providing fresh food and produce has been a positive for these stores and is a way to generate increased traffic. It's something that these types of stores can do and can do successfully. It's really just a question of which communities are going to see the benefits of these types of stores.

The proposed ordinance that we have would make sure that when new stores or remodeled stores are introduced into our community, if they wanted to be within 10,000 feet of an existing store, that they would introduce this new type of concept and have at least 15% fresh food.



I just have links to the different studies and sites that were mentioned.

Commissioner Philbrook said you mentioned the three big stores, but what about the two Sav-A-Lots and the Aldi's, they don't count as grocery stores? **Mr. Richardson** said when I was looking at those this afternoon and looking at that map, the Aldi at 48th & State was there when they did that and so I've been wondering myself why they didn't count the Aldi in that. **Commissioner Philbrook** said the Sav-A-Lot has been downtown at 29th for a while as well as something similar to that at 82nd & State.

Mr. Richardson said if you go back to the map Patrick, the Sav-A-Lot would probably—well, let's start with Aldi. That's the biggest green box there if you see where 635 & I-70 come

together. **Commissioner Philbrook** said I know, it's mine. **Mr. Richardson** said that district would—this would take out part of that district and it may be that that district is so big that you've got to have it within—if you have more than 500 people a mile away, so that district might be so big the Aldi didn't cover enough of it and it got included. It could be the same for the Sav-A-Lot because—the Sav-A-Lot is just northwest of the K in Kansas City and so if you draw a mile arc around that, it's going to take—it might take half of that next green box above Kansas, but it may not take in enough to eliminate that tract from having 500 people that meet the criteria of a food desert in that tract. I think that's why those are—I think those are probably counted, but that's why they aren't showing up as the tracts just had enough people for enough away that it still met their criteria.

Commissioner Philbrook said I had to ask that question because when people look at this and listen to this they're going what about these other stores because they frequent them a lot, you know, what is the deal. **Mr. Richardson** said I had that question as well and that's what I think happened with those because obviously Aldi and Sav-A-Lot have a tremendous selection of fresh food, vegetables, fruits, meats, and things in there. **Commissioner Philbrook** said they've both have up their game as far as quality and presentation and the places are clean.

Now, Sunset Plaza, there's like the Dollar General and a Family Dollar within, I don't know, a few hundred feet of each other and if one of them gets ready to remodel, whoever comes first, they're under the gun, is that it? **Mr. Walters** said no. I just mentioned remodeling in the sense that—Dollar General, to just take that for example, they've indicated that they're going to be remodeling 200 stores this year and to add the expanded fresh food concept. It is a concept they're looking at. The ordinances were only applied to new developments. **Mr. Richardson** said but if it was a new—if you went into an old strip mall and remodeled an old space to a new small box variety store, it would apply. **Commissioner Philbrook** asked it would or it wouldn't. **Mr. Richardson** said if it hadn't been a small box variety before and they remodeled that space into one, then it would apply. If it an existing small box variety store wanted to do their own remodeling, the ordinance wouldn't have any impact on that.

Commissioner Murguia said I want to talk about the same slide that Commissioner Philbrook wants to talk about. I'm not sure I quite understand. You have the Walmart in Argentine, for example, and then the Sav-A-Lot that sits right in the green area of 18th Street Expressway. Tell

me again, I didn't understand that. Why does that not address—**Mr. Waters** said I think that tract should be eliminated. We're putting those stars to indicate that—this study was not perfect and it didn't take into account some of the stores. **Mr. Richardson** said this is a 2015 study and those stores were just either coming on line right before or right after the study if I remember correctly. **Commissioner Murguia** said 2013. **Mr. Richardson** said I don't know why that wouldn't have been there. The big circle to the south and to the east, there may be enough people in there. Like that tract is bigger because the mile arc cuts off about a third of that and so there might be enough people in that tract that it still meets the definition. The tract to the west should not. If they counted that Walmart Neighborhood Market, it would not have been counted in that.

I think we really put this up here to show we're making improvements, but it's with incentivized stores where we think that parts of these other—when The Merc goes in, I think that the three tracts above it and the one to the west will then disappear because I think we will eliminate some of those from the food desert with that. There was already a Price Chopper where the new one went in, so that didn't really change that except by a few hundred feet and I just think the Neighborhood Market and the Sav-A-Lot to the south, the one tract was too big and I think there's an error on the other one. The way I look at it today that tract would go away. We just want to show you we're making progress with this slide and note that the study wasn't perfect, but we are making progress, but obviously, there's still work to do.

Commissioner Murguia said when you determine like accessibility in a food desert, I think you said earlier on in your presentation you look at walkability and bus transportation in order to get to and from. Well, not only the tract to the west of the market and the Sav-A-Lot that covers the east, what Argentine does have is a regular bus route that has been in place for a long time that runs right along Metropolitan. That was one of the factors that was considered when we chose that location. It was centrally located and there was a bus route and that bus route even extends up to the top area of this side of 635 because, as you can see, it's wide but that is where Douglas Heights is. All of those people in that green area on the west side of the star, until you get into Turner, have a bus route right in front of their main thoroughfare. **Mr. Richardson** said right, but they still have to get to the main thoroughfare. The study doesn't say that just because you have bus access to it, that it's okay. It says that when you have a food desert, one of the things you should do is improve the transportation there until you can get a store located there. The bus

service is great, it's a plus, but it doesn't necessarily eliminate the food desert. It's a way to help those people before you get the cure of a real grocery store there for them.

Commissioner Murguia said I will just leave it with this, obviously I spent a lot of time on both of these grocery stores personally and I would tell you as a person that lives in that neighborhood, I can walk from my house safely now from 25th St. on sidewalk to the Walmart, to the Sav-A-Lot, and I can walk to 12th St. and I can do that without any ice cream melting. I don't understand how that—**Mr. Richardson** said that's all within a mile of those stores and that's what the food desert says. If you're within a mile, you could do that walk. **Commissioner Murguia** said that's a mile—I know that because not only do I walk it, I bike it, so I can tell you that from 12th St. to 18th St. is not a mile. **Mr. Richardson** said no, but it goes beyond that. It's within that mile. I think that what's going on in Argentine is great and I think it solved the problem and the map just doesn't reflect what the real benefits are there yet, but you're right, we have solved the problem in most of those areas and the mile radius goes up to just pass the BPU Water facility that's east of 18th St. **Commissioner Murguia** said yes, that might be a different situation, but the whole lower tier doesn't only have bus access, they have main thoroughfare access and it's walkable, very walkable.

Mr. Richardson said we meant to show this as a good thing. I'm sorry it's not looking that way, but we do think the Argentine area—the food desert was solved there in that part of your district from the stores being built there. It was great.

Commissioner Kane said it shows where you guys only found 10 in Overland Park. I think my request was do all over Johnson County and look because there is a hell of a lot more than 10 and they're in Leawood, there everywhere. We can't kid ourselves about—they're not just here in Wyandotte County and they are utilized. My wife specifically goes to one out there on 78th St., Five Below, or whatever.

In our original ordinance we called out Dollar Store. Maybe we should have said small box, maybe we should have said something else, but if I'm Dollar General or any of these other people mentioned in this deal right here, do they have a lawsuit against us because we've already mentioned them? Crickets? **Mr. Waters** said I don't think so, but that's one thing we took into account. That was a concern that they voiced when they wrote to us and so we took that into account and said the language, we can make it broader, and it should be broader and so that's what

we did and made sure that we weren't calling out specific companies, we were calling out a store format and so that's what the new—**Commissioner Kane** said I'm not an academia, but you've got it right here brother. You've got Dollar Store, you've got Dollar General, you've got Dollar Tree, you've got 99 Cent Deals, Five Below, dime stores, and other five and dime stores. We have specifically called these people out and if I'm an owner of one of these, I'm going to be pretty upset. I know we want to correct it by saying the new ordinance is small box, but in reality, this is what we mean.

I have some serious concerns about what we did in the past and how do we correct the issue and is there a potential lawsuit if we vote on this? You know, we've got 1.5 hours and I sure would like to have somebody phone me up on whether we can get sued or not in the next 1.5 hours before we I go downstairs and vote on something. **Ken Moore, Chief Legal Counsel**, said, Commissioner, there's always a chance of a lawsuit, but there's always a chance of a lawsuit before. I think, quite frankly, this correction minimizes the chance of a lawsuit because now we are specifically taking away those name stores and making it a broad category of stores which could be much broader than just the names of the stores you mentioned. I think this probably reduces our chance of a lawsuit by adopting this ordinance.

Commissioner Kane said here's something else. We're getting this at 5:00 today. We have people watching us on TV right now and I guarantee you my phone is going to blow up before I go downstairs. It frustrates me a little bit that we get something like this, we don't really have time for it to soak in and we're going downstairs at 7:00 and vote and I like to hear from my constituents because it's them that we represent.

Mr. Bach said you guys tabled this for a month so we had to put it back on the agenda. I think part of the discussion was that we would have this Special Session, discuss it, you may wish to table it again. There's nothing that requires it to be heard tonight. We just had to put it on because you tabled it for 30 days. **Commissioner Kane** said that's a good answer. **Commissioner Philbrook** said that was my fault. **Commissioner Kane** said I want time for this to soak in. I mean this is a big deal and I know in some areas they don't want it and I know some areas do. I don't want to disappoint our constituents by running in half cocked or half on fire or half off fire and make a decision that's going to rattle the people because the people contact us and say we

either disapprove or approve and I'm pretty consistent with voting with my constituents and I want to continue to maintain that consistency.

Mayor Alvey said, Rob, when you look—actually go back to the map. I know there's some adjustments to be made to that map, but actually if The Merc is built, which we anticipate it will be, that will not change—it will not take that area out of the food desert because a food desert is an area that is not served by a supermarket or a store I think of at least 30,000 sq. ft. I mean the definition that they use to determine a food desert will not be resolved by The Merc. **Mr. Richardson** said I think—**Mayor Alvey** said, again, the definition of a food desert that is used nationally is that it has to be a supermarket or a large retail grocer I think of 30,000 sq. ft. or more. **Mr. Richardson** said I don't know about the 30,000 sq. ft., but if you look at the other areas that are out of the food desert, they have to be counting something less than that because I guess part of this area was out because the Price Chopper might have still been there at that point and time. I think for our purposes these three census tracts are going to be served by a full-service grocery store that has the foods and the quality of food that they want. They will have affordable foods, they're on the transit line. I think for our purposes we consider this winning for this area. **Mayor Alvey** said I would agree with that. I really do.

I just want to be clear that if you look at what the definition is normally accepted nationwide for a food desert, it is an area that's not served within one mile or accessible by transit, 30,000—we can use the magic of Google and check that, but I'm pretty sure that's the definition. I just want to say that. I believe it's an improvement, obviously, the pop-up, that they're trying to work the Co-op, they're trying to work on Quindaro and are all good moves. I'm much more concerned and interested in how we incentivize more grocers rather than try to prevent a viable business model, a successful business, from determining where their market is and where they ought to build. That's my concern. I'm just fundamentally opposed to try to control the market in that way. If we were talking about alcohol or cigarettes, that to me is a different matter. I think we're going to end up regulating Vape because you know the nicotine in there is 18 times more additive than nicotine in cigarettes and I know as soon as there's continuing movement towards legalization of marijuana, we're not going to be eliminating them from coming in.

I have some real concerns about this. I understand the concern that Dollar Stores based upon the small box variety stores, based upon the product they carry, can soak the margin out of

grocery stores. I worked in a Safeway Store when they were still around. When they were marking up spices 400% so they could sell flour below cost, you knew where their profit margins were, so I understand that. If they're in competition with one another, in competition with Walmart, we're not regulating convenience stores, we're not regulating the location of fast-food franchises, so it seems to me what is driving this is controlling the access to poor diet, then it's much bigger than small box variety stores.

Commissioner Bynum said, Mayor, the USDA definition online does not include the 30,000 sq. ft. definition; however, some other national entity may. That was the one I clicked on. A couple questions for Rob maybe. The new proposed ordinance on the variety stores, on the 15,000 sq. ft., you know on Minnesota Avenue you've got a number of what I might consider a store of this type that aren't a corporate owned chain. They're individually owned stores that I think probably come under the 15,000 sq. ft. I just wonder if we would be hurting some of our own local retailers with this proposed ordinance. I don't know that. I'm just curious. **Mr. Richardson** said it won't impact anybody that's already there. If you think about Chips & Coins, they have some fresh foods in there. Obviously, they have kind of a restaurant where they prepare fresh food and they want to expand and have more fresh foods, so I think they would probably be okay. Some of the other stores have a lot of variety goods, but not more than 2% of shelf space to food and so they would not be involved in this. I think really when folks come in and we have to get a better description of what their business is and help guide them through this to what they could do to meet the terms of the ordinance if we have new local people that want to do that.

One of the things when we were looking at the map it was hard to figure out from somebody's web page, without going in the store and looking around, would they meet this or not, meet that, because they are a small box variety store and it's kind of hard to tell from the pictures on the internet or the description of their store. I think with the exceptions here, we could guide folks to be able to work within that code and I think the real important thing here is the legislative intent about what you want to do and what your goal is with this. As we've expressed through the staff report, it would be to provide healthy food for small box variety stores, not calling out anybody, and giving everybody a chance to open a store of that size and meet the criteria that we have here so that most folks could fit into that.

Commissioner Bynum said the next slide talks about the districts a new ordinance would be allowed in, so that was not delineated in the original ordinance, is that correct and now it is? **Mr. Richardson** said Patrick indicates that it was, but those are the districts that they would be allowed in anyway within the ordinance.

Commissioner Bynum said I'm perfectly satisfied with a 30-day delay. I'm also willing—if the Commission is of the appetite now that we really don't want to regulate the stores with an ordinance, then it seems like we would be looking at a repeal of an existing ordinance. **Mr. Waters** said no, there's no ordinance—**Commissioner Bynum** said there's no ordinance to repeal.

Commissioner Johnson said when I look at these numbers on page 2, I guess it's slide 3 and look at the numbers; it appears to me that there are a higher number of these stores per square mile in Wyandotte County than there are in other parts of the city. Maybe Kansas City, MO it may or may not be true. I haven't had a chance to kind of look at that, but I'm just kind of looking at where the stores are situated in Wyandotte County and we have quite a bit of these stores, just like 12 on the east side, at least 12 on the east side of 635 and at least 12 on the west side of 635. For me personally, I don't have to ask my constituency about these types of stores. They've already told me. They told me we need a traditional grocery store and that should be your first priority Commissioner Johnson. When we look at these stores for me, and again, I liken these types of stores however you want to categorize them, in the same way that I look at check cashing stores or Payday Loan Stores because they target areas that are low-income and more times than not are primarily minority content in terms of the people that live in those communities. They essentially fill a gap that the traditional model has neglected and so for me, it's however we phrase, repeal or don't repeal, I'm sticking by the words I said I said the first time; I think we've got enough east of 635. I'm going to continue to say that because my constituency continues to say that.

These stores takeaway—it makes it harder, in my opinion, to bring in a traditional grocery store when we're not controlling the number of these small box variety stores. For me it's not either/or, it's both and, so as we continue to—and to struggle, to struggle to bring in a traditional grocery model into the urban core, particularly the northeast, I want to make sure we're doing all that we can to give the ones that might have an interest in coming in, I'm talking about traditional grocery stores, a fair chance by not oversaturating. It's already oversaturated as far as I'm

concerned. I certainly want to be very mindful about how we manage both of those types of stores as we struggle to try to bring in a more traditional model into the urban core. Now, I will say, I think as we look at the traditional grocery store model the smaller store in terms of, for me, less than 30,000 sq. ft. is probably what will work best in the urban core versus a 35,000 or 40,000 sq. ft. store. I think we need to be very strategic about how we do this because what my constituents wants is a traditional grocer in the northeast and they don't understand why in the world they can't get one. Well, you know, we know the numbers and we understand the figures and all the things that goes into these business decisions, but when I sit down and try to tell them that they're saying we still want a traditional grocer in the northeast.

Commissioner Philbrook said I looked at a pull-up on the internet. A couple of those locations where you talked about them having similar instructions and/or ordinances around Dollar Stores, I'm going to call them what we've been calling them, and it looked to me as if they picked certain areas only, not the whole city. They hammered out areas that they were trying to redevelop like the one in New Orleans where they were trying to redevelop an area, they were trying to build it back up, and so they wanted to limit the number of those type of small box stores so they could get local businesses and the things the people wanted in that area. In my mind I wonder is that really more what we're wanting to do is start in an area and see how that works, see if that really does anything and then expand. I'm just asking legally. **Mr. Waters** said that is a zoning tool. Like you gave an example, Tulsa, they created an Overlay District and this only applies within that Overlay District. I think it's probably the downtown area. That is an option under the zoning code to create a defined district wherein these perimeters would apply.

Commissioner Burroughs said you know we're trying to put an ordinance in place that I think stops people from investing in our community. We're not putting out what I would call a welcome mat. We're providing an obstacle and not creating an opportunity. If we're going to put some kind of ordinance in place that states a certain partner of ours has to meet certain criteria before they're even considered, we're sending the wrong message. We can be helpful in stating if you want to come here, we need to engage in neighborhood groups and see their demographic study kind of like the census tract that we just visited about. Competition drives a good market and we've got The Merc coming on line. I think this Commission is going to learn a tremendous

valuable lesson from the investment we're making in The Merc with a not-for-profit organization and part of the study talks about that. These variety box stores provide jobs, they provide goods to a blighted area in need of either a food desert, hardware, just access to goods all around and we have a list so long in areas of our community that have been void of those. We should be engaging our neighborhood groups that we've charged with bringing their voice forward. So, if a certain segment of the community doesn't want it, we hear their message, we tell the vendor you're not welcome there, but maybe another part of the community would welcome you. Not to engage a community—for us to just flat out put an ordinance against something, I think we're taking the bad road to do so.

I do need to understand. If we have a grocery store that we have two Dollar Stores within two miles and we put a grocery store right in the middle of them, are we then banning any other Dollar Stores, variety store, 99 Cent Stores, the old TG&Y, the old dime stores that we used to have in this community, are we banning them from being able to build within that two-mile radius even though we have a grocery store, a full-service grocery store? **Mr. Waters** said under the option we have here, yes. There is one thing that we did discuss was whether or not to provide an exemption if the new variety store was within a certain amount of feet from a full-service grocery store, that could be another exception to add if you felt like—as long as it was close to a full-service grocery store, that could be an exception to look at. Under the draft language now it is two-mile—or 10,000 ft. distance.

Commissioner Burroughs said basically what we're doing is defeating an opportunity. We're creating a public subsidy. This community has a history of giving incentives to big market organizations. We had a list of them earlier that we give tax abatement, CIDs, TDDs, and other things to the large organizations that want to come into our community and we're banning a smaller business prototype from coming into our community that will be building their own building, paying property tax, and providing jobs in our community probably to a local neighborhood organization or somebody. That model just doesn't sit well with me. **Mr. Richardson** said, Commissioner, they are eligible for NRAs. They could get the 10-year stairstep tax abatement on all those buildings because they are less than \$3M, but not all of them have, but a couple have. **Commissioner Burroughs** said understood. I would just say that it wouldn't be as large of an incentive for them to build. We don't make it competitive enough for our small stores.

We have these stores we could go in and say if you move that shelf out and bring in your McDonald prewrapped burgers or whatever you want to call them, breakfast biscuits, and put it on shelf, now you're serving fresh food. You can go into a convenience store, as long as they're selling tobacco and alcohol, it's okay to have these stores but somebody that doesn't want to sell tobacco or gasoline, we're putting a limit on what they can do with these variety stores. That's how I read this ordinance. If I'm wrong, please let me know, but it was just mentioned the convenience stores, some of them do the very same thing except they sell gas and tobacco. I would just like to see us have more discussion and look at how we can be more proactive in encouraging these businesses to maybe up their game and still meet the needs of the community when we're still struggling to bring in a grocery store. **Mr. Richardson** said I think what we looked at—there's been a proliferation of these stores, there's been many of them built in the last few years and a couple of our grocery stores were then not maintaining themselves very well. The Price Chopper at 47th & State was dirty. I wouldn't shop in there. I did when I first moved here for about three months and then I just couldn't go in there anymore because of the quality of the food, how dirty it was, and what it smelled like in there and I had to return food. I think if you think there might be a correlation there and you look at we're putting \$6M in The Merc. The money that we put into the projects in Argentine and at 78th & State and you look what the cost benefit difference is, if there is any relationship at all there, I think it is probably worth more discussion to see how much money we're having to spend to get fresh food in our community versus the benefit of the rest of this.

Mayor Alvey said I'm going to speak to that issue of a clean store and that simply comes down to the manager. The manager has to have pride in his or her own store to make sure the floors are swept, the trash is picked up, again, I know because I worked in a grocery store and that was one of the things I loved doing was going around cleaning up. **Mr. Richardson** said rancid chicken and rancid Ben & Jerry's Ice Cream are not just—**Mayor Alvey** said I think, Rob, you implied what the solution was. The reason you stopped going there is because it became dirty. If the owner had decided we really need to compete—I know people in my neighborhood would drive right past the Apple Market at 47th & Shawnee Dr. to drive to the Hen House. They got tired of it being dirty. Some of these folks would rather shop in their neighborhood then drive to Merriam to shop, but they did it because it was a clean store. If you're going to compete as a grocer, you

need to make a good appearance and I think the same thing goes for the Dollar Stores. I have been in some Dollar Stores which are very well kept, I've been in some that are dogs, but I could say the same thing about fast-food franchises or restaurants. There are certain places you go and you say this person really cares in pride, I'm going to come back. I keep coming back to—instead of trying to force them into becoming a grocer, incentivize them to do this. We need to come up with incentives for these groups to add the fresh produce piece. Maybe there's an economic incentive to have them do that rather than punish them out because they're not conforming to what we need.

Commissioner Murguia said I agree with a lot of your comments Mayor. I just had a question for Commissioner Johnson specifically because you're talking about your constituency and I know what that's like because in Wyandotte County your constituency and my constituency isn't necessarily like the constituency that's west of 635 or west of 435, so I hear what you're saying. I would be concerned if there were no plans on the table for a grocery store, a full-service grocery store in that area, in the northeast area. Don't you think with our plans, and I haven't heard anyone objecting to move forward with The Merc Grocery Store, don't you think the fair market will take over and those kinds of Dollar Stores are not going to want to locate where they have such competition in The Merc especially since you're familiar with your constituency and you know that's where they're going to shop. In fact, I would be more worried about the ones that are there going out of business as a result of The Merc coming in if the demand for a full-service grocery store is really there. The business community don't just say we're going to put a Dollar General here, they don't do that. They do a market study and usually they become familiar with the county and they know kind of what the county plans are. First of all, I would think that The Merc will take care of that problem all by itself if the demand truly is for full-service grocery store.

In regard to the Mayor's comments and I think a couple of others about the store being dirty, I was here when this issue initially came up which was years ago when the recession hit and the number of Dollar Stores, Dollar Trees, popped up all across the country; not exclusively to Wyandotte County. My concern at that time was not health related. I think Commissioner McKiernan has said over and over again that the number one factor for obesity and health issues is poverty, yet people like to blame a variety of retailers which is not the actual factual evidence. KU Medical Center has done a lot of research on that for me, so I am sure that these places are not causing health issues.

What needs to happen though is there needs to be more healthy choices. We're addressing that issue in the northeast. Why this issue initially came up is because as these stores, Dollar Stores, were being dropped in our neighborhoods, it was truly the maintenance of them. My concern at that time was not even so much the inside of the store, the customer gets to decide the quality of store you want to shop inside, but on the outside of the door things like dumpster doors were broken, trash was falling out, trash receptacles were not being emptied. I as Commissioner was able to reach out specifically to Dollar General and develop a relationship with them and they have changed their maintenance program substantially and are much more aware and much more conscious of the condition at least of the outside of their store. What started off as me being unhappy of the condition of the Dollar General in Argentine and the Dollar General off 635 in I would say Turner because it's on that side, they have drastically changed their mowing. Their mowing is better, their trash clean up is better, their trash collection is better, so I think we address that issue directly with the corporation.

The last thing I'll say is that's not—to me that goes to what my biggest concern in this county is, that's a code issue. That doesn't have anything to do with the kind of store that it is. I just want you to hear me. I'm on your side. I want to see your district, I am really, I want to see your district have access to healthy food. I've seen a massive change in my district. There was a drop in sales at Dollar General as a result of the Sav-A-Lot and the Walmart being built. I can't imagine Dollar General coming in and building another one or any Dollar place building another one because there's too much competition. The beautiful part is it's the competition our constituency wants, so I hope that's helpful.

Commissioner Kane said, Commissioner Johnson, I have ran into your constituents and they don't like them period and to be perfectly honest about it some of them aren't excited about The Merc. They really want something at 10th & Parallel or 18th & Parallel or somewhere where they feel it is on the north side and that issue has been an issue, I have been here 14 years, Nathan fought it and it's something that we need to get done. It's important to all of the community. It's very handy for me, I don't go to the grocery store, my wife does, but she runs out to Bonner to go to the grocery store because she doesn't like the one out there at 110th at Walmart. We want a grocery store out there, but we definitely need one in your area more than most.

Commissioner Johnson said I think what you're both saying I understand that. I just think we need to be very diligent and deliberate about how we control. I understand market forces being what they are and I like to believe, and I'm hoping desperately, that The Merc comes in and it provides that kind of infusion into the community. I don't think we should rest our laurels and hope that the market will take care of itself and will correct itself because we have decades of neglect. I just think we need to be very dutiful and mindful about how we legislate relative to this particular issue. I know how I feel about it, I know what my constituents say, I know what my convictions are. I just want to make sure that I'm saying that within the context of our discussion that we need to be very diligent and we need to be making sure that we're looking at both factors and how they affect each other. The more times, and nine times out of ten, the dollars though they might employ people, the profits that come from the small box variety stores don't often stay within the community itself. They go to wherever the headquarters are vs. a local grocer. Though it does provide jobs, I just want to be able to be that voice and I'm going to have to be that voice to make sure that we're being very dutiful and I can't find the right word that I'm looking for but deliberate about how we have it legislated.

Mayor Alvey said to that point, I think that's a valid point, that the profits go elsewhere, but I would say that unfortunately that is the trend for most of retail. If that was our primary concern to prevent that, we would not have incentivized Amazon.

Commissioner Philbrook said I agree with Commissioner Kane that we need to take a closer look over all of this. At this point I'm really not for an ordinance. I'm actually for a concerted conversation between all of us on how we really want a policy to look and how we want to follow through on it. What I mean by a policy, just like when we create a district to improve, how do we want that to look, what kind of restrictions do we want those different areas to have. As the Mayor was talking, it's all about what that community wants and that's what Murguia is talking about, the different areas, so we really need to include the neighborhood groups and take it in just like we did when we've worked on some other projects. We brought neighborhoods in more in the last five years, in my opinion, for them to have a say in how we move forward in our developments in this city than we have for a long time. We actually have listened versus having the meetings after we've decided what to do. I appreciate that we've had people come forward beforehand and so I

really do understand where Commissioner Johnson is coming from because it's very frustrating to watch year after year after year a bunch of mouth or talking, but nothing really happening and how do you put something into place to move it forward because it's not easy. That's just a suggestion that we try to come up with some policies and go that way.

Commissioner Murguia said I'll just throw out a suggestion that it sounds like people are in consensus to continue to look at this a little bit more before we really take major action countywide. Just an idea to think about in those discussions is we typically in the urban core have hold areas for different things. Sometimes we do that with our Land Bank. Maybe until we get that grocery store up and running we draft something for that area where we plan to invest a substantial amount of money to get healthy food to that area where that area is a hold area for certain types of development until that's up and running instead of trying to do a broad brush policy across the county. I don't know if that's possible or not, but it's just an idea to talk about later.

Mayor Alvey said I think that was specifically what New Orleans did. There was an Overlay District, historic district—or Tulsa did, the Overlay District. **Mr. Richardson** said I would say the one in New Orleans is very large. Their city is many times larger than ours and it's a fairly significant area. **Commissioner Murguia** said ours could be small. We can make it whatever size we want to make it.

Mayor Alvey said thank you. I thought that was a great discussion and we will be considering this at the full session.

Mr. Bach said just a reminder, it is on the Consent Agenda, so if you don't want to approve it like it is, it would need to be set-aside.

Mayor Alvey said let's take a five minute break and at five after or six after we will begin our presentation on the Census count.



Mayor Alvey convened the Commission and said we will now move on to our next presentation which is on the Complete Count Committee for Census 2020. As Mayor, Alan Organ reached out to us to help us get started and bring to mind that we need to do this and so we set that in motion. I want to thank Gordon Criswell for really taking the lead on this and I think we're making great progress on this so I think we will have a great discussion.

Gordon Criswell, Assistant County Administrator, said I would like to introduce Maureen Mahoney. She's a co-chair of your Complete Count Census Committee. As you said, we've been charged with working on the 2020 Census.

Complete Count Committee - Census 2020

CENSUS —→ U.S. CONSTITUTION

1. *Fair Representation*
2. *Fair Allocation of Federal Dollars*
3. *Information for Decision-Making*
 - *Community Surveys*
 - *Transportation*
 - *Population without Health Insurance*
 - *Every Survey Sample & Poll Based on the Census*

United States
**Census
2020**

Let me start out with just talking about why the census is so vitally important to our community. First of all, it's constitutionally required. Every 10 years the Constitution requires that we as Americans go out and count every household and we count every household for some of the bullets you see there for fair representation, fair allocation of federal dollars and there are a lot of federal dollars to be allocated. One of the key reasons I think for the census is decision-making. We all know that data drives everything and community surveys, transportation plans, population without health insurance and every survey or poll is based on recent data from the US Census. In addition to being constitutionally required, it gives people at the local level information that they need for good business decisions and good decisions generally about the health of their communities.

Complete Count Committee - Census 2020

Purpose: The Complete Count Committee is charged with *developing* and *implementing* a 2020 Census outreach, promotion, recruitment and enumeration assistance *plan of action*.

Goals:

1. *Increasing the Census response rate;*
2. *Motivating the community to self-respond;*
3. *Educating the public about the importance of the Census to the local community;*
4. *Informing the community about the Census activities and timelines;*
5. *Involving the community in activities to build awareness.*

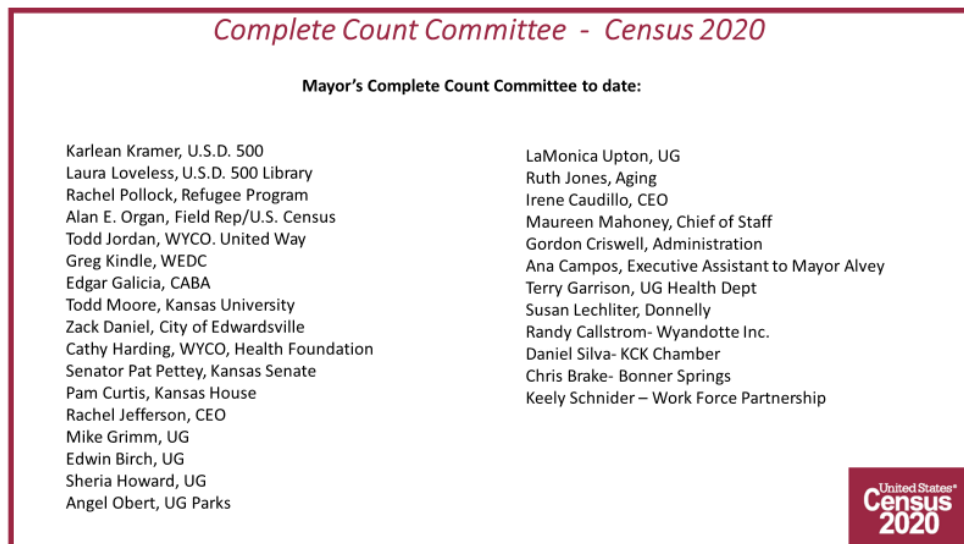




The purpose of the Complete Count Committee is to really develop and implement a game plan that we can literally take to the streets with the goal of increasing our census rate, the goal of motivating our community to be educated and understanding about the census, to inform the community about the activities and our timelines and we have some activities planned in the future for doing just that and to build community awareness.

Maureen Mahoney, Chief of Staff in the Mayor's Office, said one thing I want to add is that starting in March 2019 one can go online for any jobs. There are a number of jobs that are part-time positions for census takers and office positions, so please get the word out to anyone that you know in your districts or your community. One has to apply online and then the job offers will be made in June. This is your window to do that. **Mr. Criswell** said additionally the census would

require that if you apply for a job, particularly in Wyandotte County, that you actually be a resident of our community. It's that job specific. We have positions, as Maureen said, where we are looking for people who live in our community to apply for these jobs and, as Maureen said, you can go online and do that.



Mr. Criswell said I talked a little bit there about the purpose of the Complete Count Committee. This is the most accurate list of stakeholders or members of our Planning Committee. If you just kind of peruse the list, we see that we have literally individuals on our planning team from all areas of our community including business, human services, health care, the philanthropic committee; that's just how important making sure that everyone in our community gets counted. That list is still growing by the way, but these are the folks who give direction to Maureen and I on how we can actually accomplish the goal of making sure that all of the households in our community get counted.

Complete Count Committee - Census 2020

What are the main reasons a Census complete count is so important to Wyandotte County?

REPRESENTATION →  A complete count ensures equal state and federal representation to make sure your voice is heard.

FUNDING

- Federal dollars for various programs are allocated based on Census population counts

$$\text{Program Allocation Formula} \times \text{Population} = \text{Federal Funding to states/local govt.}$$
- \$52,000 lost for every household not counted (10-year period)



As I said, we want to make sure that every household is counted because of representation. This basically relates to our congressional—our representatives. Actually, I was reading an article this afternoon where the state of Illinois lost two congressional seats because of census undercounting and so we certainly don't want that to happen in our state. Having a good count assures we have equal state and federal representation so that our voices can be heard.

The other reason for the count is federal dollars. I was reading another article today that nationally there is about \$900B in federal funding that is available and it's all based on the census count. We know that for every household that's not counted, it represents about \$52K per household over a 10-year period, so when you do that math, that's quite a big chunk of money that we potentially lose when we don't make sure that every household in our community is counted in April.

Complete Count Committee - Census 2020

Recommended Sub-Committees:

- Health Care
- Business
- Community based organizations
- Education
- Faith-based organizations
- Bonner Springs/Edwardsville







MARC facilitating metro-wide
Complete Count Committee meetings



Ms. Mahoney said we are part of the greater Kansas City area. MARC has pulled together a Complete Count Committee also so one of the items of information that they provided is looking at all of our different communities and the affect of a 1% undercount in your population for Wyandotte County based on 2010, if we undercounted by 1%, we would have lost \$4,740,000. We get annually probably \$15M in, so this is real money for us which is why we need to make sure everyone gets counted.

Mr. Criswell said in order for us to do that, you saw that big list of all the people on that committee, we've divided our planning efforts into these sort of six sort of big buckets, if you will, trying to make sure we capture everyone in the community. For each one of these sub-committees there is an individual who will essentially chair that particular sub-committee and their task will be to develop a plan, bring it back to the larger Planning Committee and tell us what it's going to require to implement that plan because they really know the subject matter experts. If you're in health care and you are familiar with the safety net clinics, you know what kind of information you need to put together to talk with people who are using the safety net clinics. We will have someone who will co-chair that sub-committee, for example, because they really are the subject matter experts. They can then bring in other people to help them because the bigger committee we can't get out and touch everyone, so we really do have to have these sub-committees with subject matter experts really helping us when we get what I call boots on the ground.

These are our six committees so far. We think we've covered pretty much the entire county, so these people will be formulating plans to do that.

March 28, 2019

Complete Count Committee - Census 2020

Federal Government funding supports various program, such as.....

Education



- Funding to all school districts in Wyandotte County & KCKCC
- Title 1 grants (to low-income districts)
- School lunch & breakfast program
- K – 12 Special Education
- Infant-Toddler, Head Start & Spec. Ed. Preschool Service

United States[®]
Census 2020

For example, we think a lot about education and these bullets just sort of demonstrate the impact of making sure everyone is counted for funding for all of our school districts and the Kansas City Kansas Community College, K-12 education. All of these bullets there are activities in education that are impacted by census and the funding allocations that come from the census count. That's just in education.

Complete Count Committee - Census 2020

Federal Government funding supports various program, such as.....

Housing, Neighborhoods, Community Development



- CDBG funding
- Meals on Wheels
- Senior Services

United States[®]
Census 2020

We talk a lot about neighborhoods, housing, and community development. We have seen a gradual reduction in our CDBG funding over the years. The census will help booster that increase in funding. We have a growing senior population in our community that depends on funding for our Meals on Wheels for example. I can recall during this winter we made sure that our seniors had

what I call their senior emergency packs because the Meals on Wheels people, because of the weather, they were not able to get out. It's not just studies and surveys. The census impacts lives of real people literally every day.

Complete Count Committee - Census 2020

Federal Government funding supports various program, such as.....

Health & Wellness



- Various County Health Dept. programs
- Supplemental Nutrition Assistance (SNAP)
- Medicare

United States
Census 2020

Another example is Health & Wellness. There are numerous programs in our County Health Department that are directly impacted by the census and the formula dollars that come through the Kansas Department of Health & Environment and down to our local health departments. We spend a lot of time trying to convince the expansion of Medicaid and Medicare because we know that if we can keep people out of nursing homes, it's going to cost that family and cost our state a lot less. The census helps with the allocation of those dollars as well.

Complete Count Committee - Census 2020

Federal Government funding supports various program, such as.....

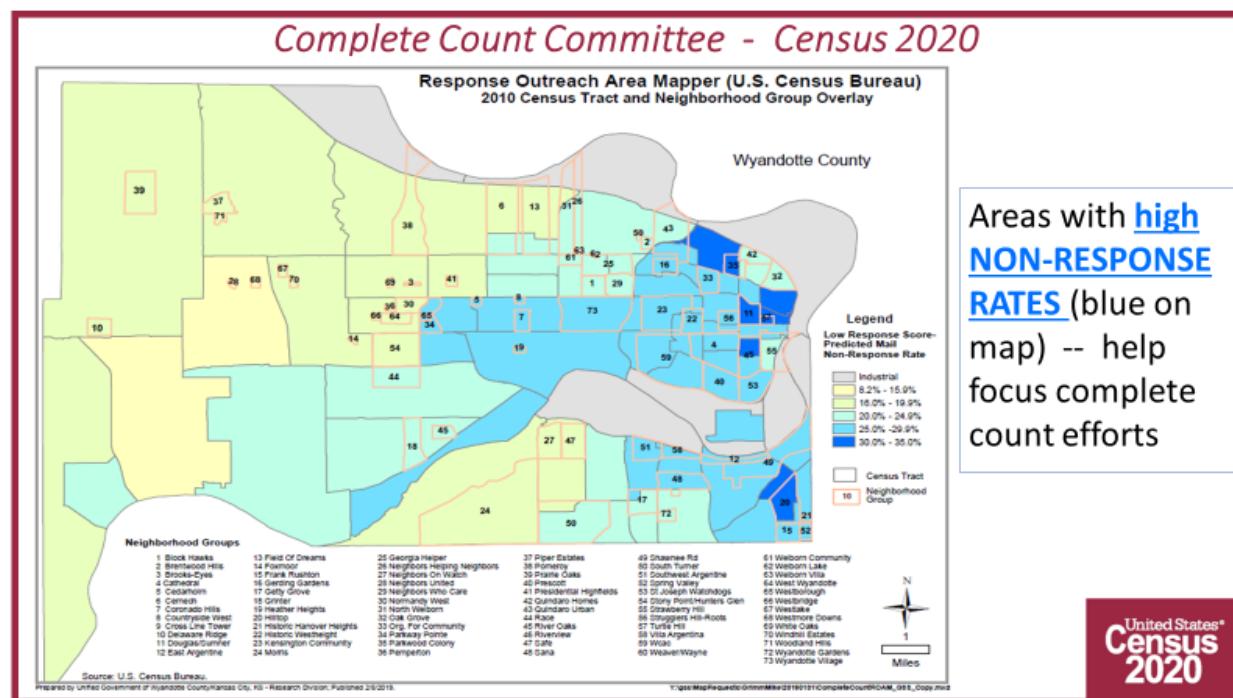
Economic Development, Transportation, Employment



- Businesses make decisions where to locate based on Census data
- Workforce Partnership
- Street/highway funding

United States
Census 2020

Economic Development; I will note that our Business Sub-Committee is chaired by our Chamber of Commerce President, Mr. Silva. We know that the Chamber has a sub-group itself that's working on getting the census word out, getting people educated about participating and completing the census. Economic Development uses census data to help businesses determine where to locate, where to expand, what sorts of training that employers need to provide to employees. All of that kind of information is generated by what we learn from our census data.



March 28, 2019

This is probably the most telling map. When I first got this assignment, I said to myself—first I went to Mike Grimm who is our research guru and I said, Mike, can you do an overlay for me of our neighborhood groups and overlay the census tracts that were undercounted because I think when we get ready to do our ground game, getting into the neighborhoods and having them understand the importance of the census, is a good place for us to get started. The heavy blue areas and the numbers, the numbers represent our neighborhood groups and the heavy blue areas represent the areas where in the last census 10 years ago, there was a significant undercount of households. Strategy wise that's one of the places where we will start to do our ground work, working with those neighborhood groups to help them get into those neighborhoods where we already know from the last census there was a big undercount. That's a pretty telling graphic in my opinion.

Complete Count Committee - Census 2020

Challenges for the 2020 Census Count

- Citizenship Question
- Hard-to-Count Populations
 - Homeless
 - Language Barrier
 - Living in Shelters
- Awareness
- Access to Technology
 - No Access to Internet; older adults
- Distrust in Government / Data Misused



EVERYONE WILL RECEIVE A PAPER SURVEY



The census will have some challenges. You've all heard about the citizenship question. It's in the courts now. I believe the middle of April there will be oral arguments at the Supreme Court level regarding the citizenship question and we are hopeful that the court will have made a decision well before April 1 of 2020.

Ms. Mahoney said the Supreme Court has fast-tracked this, so a Federal District Court Judge made a decision that the Supreme Court took it directly instead of making it work through the circuit, so as Gordon pointed out, they're going to have oral arguments in April and they hope to have a decision by the end of June because we need to know this. It's a very interesting thing when one looks at the Constitution, there is no mention anywhere of saying we're counting

citizens, we are counting people. For the first time, this has been raised by the Department of Commerce, so we will wait to see what happens.

Dr. Organ is in the audience. He has pointed out that you don't have to answer that question. You can answer all the others because it's really about finding out whether someone is in that household or not. We are pushing forward regardless depending on what the Supreme Court does, but we just need to know one way or the other in terms of our strategy.

Mr. Criswell said that's a challenge that's sort of out of our hands, but we do have some other challenges; our homeless population, the many languages that we have in our community having to figure out how to craft the consistent languages, consistent messages in our community with the 70 some odd different languages and dialects that we have will certainly be a challenge for us. Folks living in shelter, just generally getting the awareness out. Access to technology I think will be a biggie as well particularly with some of our older adults who are not as technology up to speed will have some challenges as well. We've had some ideas from the schools about how we might tackle that when we start our ground game. The other big challenge will just be distrust of government, what do we do with the data; we have to make sure that the data we collect and the people who are collecting the data and the people that are explaining why the census is important, that we make sure we do a good job of explaining to those individuals that we will not do anything inappropriate with the data that we collect.

Ms. Mahoney said some of the challenges, as Gordon has mentioned, are people that we would automatically think of, people with limited English, Immigrant families. Interestingly, the number of people who've had a child or children in the last 10 years, young children get undercounted because people don't think of adding them. People who rent, people who are persons of color are traditionally undercounted. In terms of the distrust in government, they have actually done these surveys and it says 54% of us distrust the federal government all or some of time and our local government doesn't fair too much better, but a little, 46% of all of us trust our local government—distrust our local government all or some of the time.

There is this worry about all of a sudden—this is the first year they're asking people to do their surveys online, so you do have this whole group of people that may have limited access to technology. You also have our senior citizens who are the ones who religiously fill out their surveys and we want to make sure we're all going to be able to work with them because while the Census Bureau would love people to do this online, everyone will receive a paper survey.

Everyone with a US legal postal address will get a paper survey, so you have a chance to do it online, they will work with our senior citizens, you can actually call in and give your data if you need to or you can fill out the paper and send it back in.

Complete Count Committee - Census 2020

Complete Count Committee Ground Game/Next Steps:

The sub-committees will be responsible for development and implementation of all plans to initiate and coordinate the outreach efforts of the complete count committee.




Mr. Criswell said sort of back to the next steps and this is what I have been referring to our ground game. This will be the real work of the sub-committees to come up with an implementation strategy that will help us get the word out into the communities. Let me go to the next slide because it's really important.

Complete Count Committee - Census 2020

Funding for committee efforts:

- Wyandotte Health Foundation
 - *received grant money to support the implementation plans of the sub-committees*
- Consultant to assist Complete Count Committee & sub-committees with development & implementation of complete count efforts
- Greater Kansas City foundations additional funding opportunities




We've been fortunate to get a grant from the Wyandotte Health Foundation to support the work of our Complete Count Committee and we will consult with someone to help each of the sub-committee's development their plan of action. They are the subject matter experts in their particular area. What we want to make sure occurs is that there is consistent messaging across the sub-committees so people don't get confused. The consultant that we will be able to acquire through the Wyandotte Health Foundation will be able to help our Planning Committee with that effort. I just learned yesterday that the Kansas League of Municipalities has also received a grant from the Kansas Health Foundation to help cities and counties with the census efforts as well. As soon as I know the criteria that will be necessary, we will be making application to the Kansas League of Municipalities for some funds to do some of the operational ground game things we need to do; giveaways, posters, this sort of thing; PSA's perhaps. The Greater Kansas City Foundations are also pitching in, if you will, because we realize that across the region, like Maureen said, this is really, really important to our region. That's why MARC has created this committee on the census to work with all the municipalities to make sure that we do everything possible to get into every household and get them counted.

Complete Count Committee - Census 2020

April 1, 2020 -- CENSUS DAY

- *Mid-March 2020 → Invitation to self-respond
(internet, telephone, paper)*
- *May thru July 2020 → In-person visit for
households not responding*

\$15 Million in Federal Funding to Wyandotte County at Risk!

HELP US GET THE WORD OUT!



Last on my slide is, and I would like leave this up, April 1 is Census Day. Come April 1 people will receive their census, their document, and hopefully they will be motivated to fill it out. I think one of the things we have to do is make sure as a committee that we time our educational efforts in the field far enough out that people remember April 1, but not so far out that people forget about it because we're inundated now with information. I'm marketing people are going to have to help

us figure out how we do that. We don't want to get out too far ahead of the messaging because people will just become desensitized and that's the last thing we want.

Mr. Mayor, that's where your committee is to date. We're working on developing our plans for the ground game and we will continue to update you as you deem necessary.

Mayor Alvey said thank you Gordon. Thank you, Maureen. Also, I would like to recognize Dr. Organ. If you would please stand. We appreciate your work in bringing this and continually helping us move through this process so we can get to a complete count.

Alan Organ, Field Rep/U.S. Census, said the end game for me is that I'm going to retire in this area at some point and I want to make sure there is enough money to support me as a senior citizen. Whatever it takes, whatever you need, I'm here. I have Michael Canzone who is our media specialist with me also who will be able to help with the PIO's to go ahead and drop things down on the website, put something on cable TV, or put something in the newspaper to make sure that everybody understands how important this census is. This is the 24th census and probably the most complicated one. **Mayor Alvey** said interesting.

Commissioner Kane said, Gordon, I'm glad you said the list is growing because I think we need somebody from the Turner School District and the Piper School District as well. **Mr. Criswell** said okay.

Commissioner Bynum said I just wanted to give a commercial, a quick commercial. Business West is actually hosting a quarterly meeting May 1 at 8:00 a.m. at the Country Club Bank Community Room, 110th & Parallel and Dr. Organ is our speaker to specifically talk about the census.

Mayor Alvey said, Gordon, I would ask that because all of us have opportunities to go out to the community neighborhood groups and so forth, if you could give us just a bullet point one-sheet that we would use as talking points that would actually enable those who may be able to reach out to some of these groups that are less likely to get counted and how they would access to help to be able to reach out to them. **Mr. Criswell** said we can do that.

Commissioner Burroughs asked will the committee be bringing forward a budget. **Mr. Criswell** said once we have some idea of what we need to ask for, yes sir, we will be. **Commissioner Burroughs** said one other question. The \$15M, where does that figure come from? **Ms. Mahoney** said that's a figure that our CFO has told us approximately how much comes into the UG. I got that from Kathleen VonAchen. I can't break that down for you, but I will happy to get that for you.

Doug Bach, County Administrator, said that is just one when we look at the amount of federal funding that we get over the timeframe and a lot of times so criterion are based out on population, so I think that's where she derived that number.

Commissioner Burroughs said so really the reason I asked about the budget is the return on investment, that figure is probably from the prior census and the funding that has come with that and we have been continually undercounted in our community for decades. As you stated, this is going to be a more complicated census, but a quite challenging census, but if we want a higher return on investment, that's why I was asking about a budget. I want to make sure you have the resources necessary to help us get an accurate count because I believe that is a very underestimated figure. **Ms. Mahoney** said right now all the funding that's happening is coming from our non-profit partners, so right now the UG hasn't put any money in, but we will let you know.

Commissioner Philbrook said I think something else is underutilized as of yet, but we can definitely put them into action, is the Greater Coalition to End Homelessness. They just finished a point and time estimation on homelessness in the area and so they have started working very diligently in Wyandotte County to create more partners and I know they're working on that. We need to draw them in to help create an avenue and get people comfortable, our homeless population comfortable, with giving us the information so we can count them as well.

Ms. Mahoney said Dr. Organ can maybe speak more to that. They have a very sophisticated plan to how to reach our homeless population and our transient population. **Dr. Organ** said we're going to do what's called Service-Based Enumerations where they go for shelter, where they go for their food. There will be three days in March of 2020 when some of us will be going out with

counters following them where they go. The only ones that will actually know that we're doing this will be the police so the census workers don't get arrested.

Ms. Mahoney said the other thing is if you are going out to your neighborhood groups and telling them about the census, no one can access this data. No one can get to it other than the Census Bureau. One of the things we also want to caution people is that the Census will never send anything to you electronically. If you get something asking your social security number or any of that, that would not be coming from the Census, so somebody would be scamming you and we need to make sure that our law enforcement is aware of that as well.

Commissioner Murguia asked how are students counted? **Dr. Organ** said it depends where they are. If there is a dormitory and there's over 1,000 students, it will be a group quarters activity. We don't actually need their relationship to everybody else that's in the building. We just need body count because that's what Article 1, Section 2 of the Constitution asks for. For KCK we will work with the Administration and Director of Student Life to make sure students are aware of this and where do they live in apartments around the college. Part of the problem with college students is April 1, 2020 is right around the time of finals and those students don't really care about a census. They're going to leave, but if they live in this area for six months and a day, they are counted as residents of Kansas City, Kansas. **Commissioner Murguia** said I'm concerned about that, but I'm more concerned about this very dark blue mark right in front of the University of Kansas Medical Center and Hospital. I know that is student housing in there, so I'm very concerned about those students getting counted because they are living their nine months out of the year in those apartments for sure, if not longer, if not full-time. **Dr. Organ** said we have one member of the sub-committee who is already from KU and will be working with them and I'm working with some of the other folks at KU, since I'm a graduate from the Medical Center, to go ahead and make sure that those students are counted.

Commissioner Murguia said when I look at the areas that are blue that seem to be the most concerning, there wasn't anyone on the list that I saw, and maybe I overlooked them, from south of the river other than the person from KU. **Mr. Criswell** said we do have someone from your area that is on the committee. She chairs our Education Sub-Committee, Karlene Kramer, so she's

in your area, she is also in the school district, so she is coordinating the Education Sub-Committee. Karlene's role is going to be you know what educators, you know what their schedules are, you know when you can get with them. Her task will be work with the schools to see what's the best way to get the information out to students, to parents. One of the examples she had was maybe we set up a booth at football games. **Commissioner Murguia** said no, I get what you're saying about the education outreach. I mean just resident representation south of the river. I'm not seeing any of that. **Mr. Criswell** said well, that's something I need to work on. **Mayor Alvey** said other than Senator Pettey. **Mr. Criswell** said that's true. **Dr. Organ** said two of those census tracts that are just west of the river, nobody lives there, that's why they're very dark blue. That's where Exide, CertainTeed, all the manufacturing plants along the Fairfax Trafficway are, but they show up when you look what's called ROAM. It's an app that will show you what the low response score was for the last census. **Commissioner Murguia** said District 3 though isn't industrial. It's Argentine, Turner and Rosedale. **Dr. Organ** said okay.

Mayor Alvey said thank you. We appreciate your efforts.

MAYOR ALVEY ADJOURNED
THE MEETING AT 6:40 p.m.

dt

Bridgette D. Cobbins
 Unified Government Clerk

March 28, 2019