

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, July 22, 2019**

The meeting of the Public Works and Safety Standing Committee was held on Monday, July 22, 2019, 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 Kane, Markley, Philbrook, Johnson, and BPU Board Member Groneman. The following officials were also in attendance: Gordon Criswell, Emerick Cross and Melissa Sieben, Assistant County Administrators; Misty Brown, Deputy Chief Counsel; James Bain and Susan Alig, Assistant Counsel; Troy Shaw, County Engineer; Patrick Waters, Senior Attorney; Terry Brecheisen, Director of Public Health; and Jay Doleshal, Sergeant-at-Arms.

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

Approval of standing committee minutes from May 20, 2019. **On motion of Commissioner Kane, seconded by Commissioner Johnson, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

Item No. 1 – 19866...UPDATE: KC LEVEES PROJECT

Synopsis: Update on the progress of the Kansas City Levees Project and schedule of upcoming tasks, submitted by Jeff Fisher, Executive Director of Public Works.

Melissa Sieben, Assistant County Administrator, said this is Trenton Foglesong with our Wastewater Division. He is also on the Kansas City Levees project because all the pump stations are involved with that, as is Sarah White, who's not here this evening.

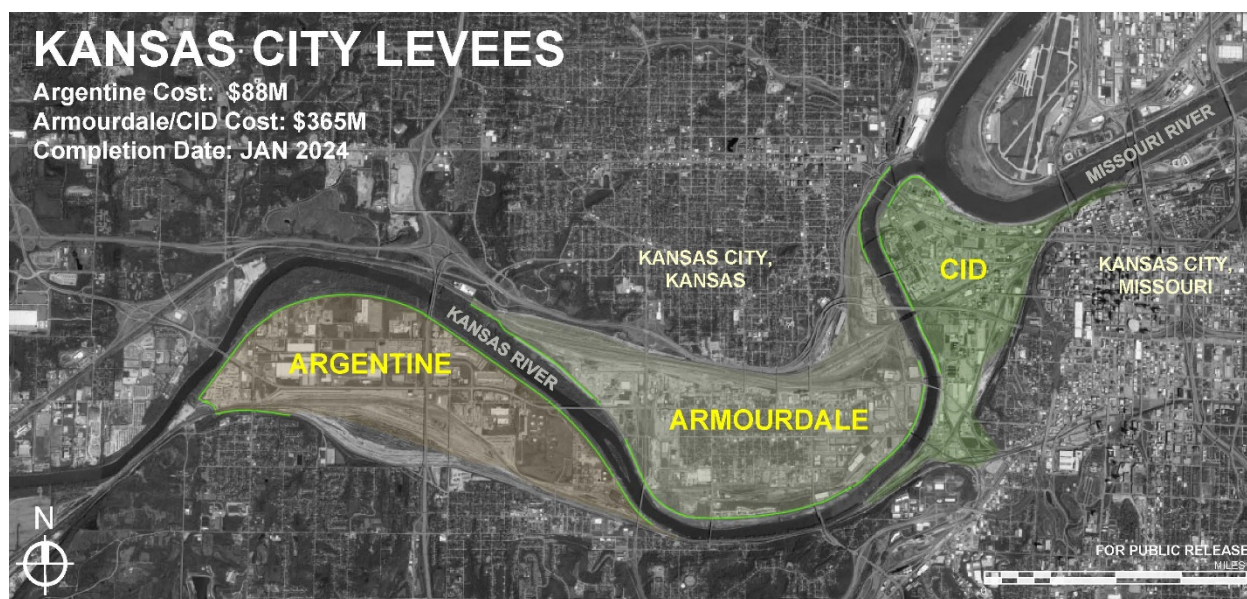
Trenton Foglesong, Lead Wastewater Engineer, said I'm going to review, kind of start back at the beginning, maybe, just to make sure you understand the project. Then our goal is to come

back on a roughly quarterly basis, depending on if there's more or less going on with the project and keep everybody informed.

The Kansas City Levees project originally was called the Seven Levee Study and it started after the '93 flood. That's named after the seven levee units in the greater Kansas City area.

When they did the study after the flooding, they recognized different needs, different level of needs; some were very minor, some were very major. They started with the minor ones, of course. Most of those were done with 65% federal, 35% local match. They got through most of those.

Ms. Sieben said I would indicate some of that was Fairfax Drainage District that did some improvements several years ago. **Mr. Foglesong** said yes, Fairfax was part of that. The other ones: North Kansas City, Birmingham and East Bottoms in Kansas City. The three that they didn't get to are the ones that mostly directly affect us, our system and our community. They boarder the Kansas River. Those would be the CID (Central Industrial District) Levee Unit, the Armourdale Levee Unit, and the Argentine Levee Unit.



When they started this, the estimated cost of these is \$450M, so you can think about that. If it was 65% federal, 35% local, we were over \$120M to \$150M range. Everyone agreed there wasn't really a path forward because we weren't going to be able to come up with that money. We kind of started down a different path. Then, through a coalition that was campaigning with our delegates and also working with the Corps of Engineers, in 2018, they changed the classification

to be fully federally funded.

I just want to make sure going through all that because I've heard different misunderstandings that people think this is like a grant program, and why do we have to come up with any money as a local sponsor. The reality is, we're not really having to come up with very much money. It is federally funded. The previous commitments we made and the previous money we spent, we're not going to get that back. Some of the ongoing costs will be reimbursed; some minor ones won't be. Some of the costs that won't be reimbursed are what they call betterments. Those are desires and improvements that we've come up with and requested as part of the project, but doesn't really fit into the Corps' basic objective of the project.

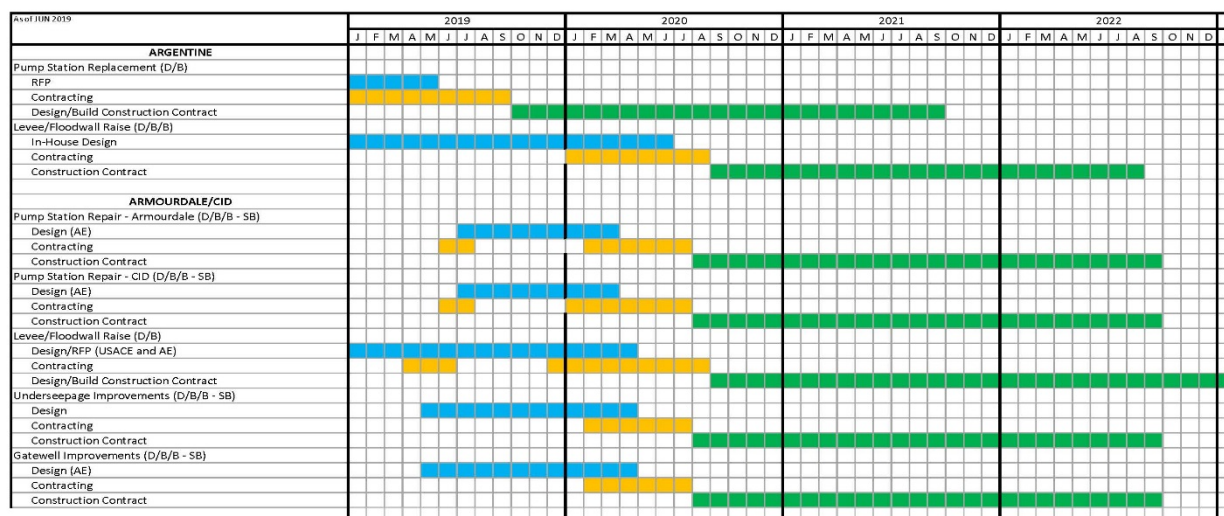
When we look at, say one of our pump stations, their charge is to replace it with a pump station with the exact same compacity and with the exact same capabilities of what we have. For us, when we look at those and we think that's a great opportunity, we can double the capacity, triple the capacity for pennies on the dollar, basically. Anyway, I'll talk more about that. Those are the types of things that, if we don't come with the money, if we don't agree to pay for those betterments, they'll just do what they see fit to protect the public from the river flooding and then not do the enhancements. **Ms. Sieben** said which is why we're here tonight, as we're getting ready to start on some of those things that are tied into that.

You've already approved the first betterment, which is the Strong Avenue Pump, for us to proceed with that. The reason that we did that was mostly storm water on our side, not the river flooding. Just to understand these are intertwined so that's when you'll see us trying to do a betterment, generally because of it intertwines with our system on the storm water side, not just the river levee side of things.

Mr. Foglesong said that's a good point. Their charge is to protect landward side from the river flooding. The rainfall that falls on the land, behind the levee, they call that inland drainage, interior drainage, and that's not their prime concern.

Since we've got the map up here, this same exhibit basically is in your packet. It does have a table of some interesting stats that you might look at when you get a chance: how many miles and some other fun facts. I just want to point out, when we talk Argentine, this Argentine unit, we all kind of think of Argentine down here, but on the levee unit, it goes all the way around out to the west side of Argentine. The Armourdale starts up here near 635, runs all the way down around and comes down and includes where it ties down in the Fairfax Drainage District. The

CID unit comes down, and there's actually a CID Kansas unit, then there's part of it that goes on over in Missouri. When we're at these meetings, KCMO is part of the team as well because they have an interest in the levee unit. A lot of their area is protected by the levee as well.



Here's just a rough schedule. The way the Corps is delivering this project is, they're doing the Argentine as one project, one phase, and they called it Phase 1. Then they break out the pump stations like a Phase 1A, and then the levee raise and floodwalls is Phase 1B. Armourdale and CID, they did that because they had already started on Argentine when this got federally approved. They had not started on Armourdale or CID yet so, they grouped these together. For a lot of the activities, they'll be done simultaneously, whether it be the pump stations or the levee raise.

When you go to the schedule you can look here, that's why it's broken out. Here's the Argentine activities up here. The pump station piece is up top, with the levee raise and floodwalls down here. The blue and the yellow is kind of the preconstruction work design contracting and then the green is actual construction, when we'll expect to see some more field activities out there. You can see on the pump station, they're going to award that this fall. That's a design build process that they're going to deliver that through. Potentially, we can see someone out this fall doing some preliminary work down in the Argentine area for those pump stations.

The levee floodwall raise in Argentine is going to be design bid build. They'll do a full design, they'll put it out to bid, and then they'll start construction. The field activities for that don't start for a whole nother year. **Ms. Sieben** said the Argentine unit is the one that we've already talked about with the pump station that we're doing a betterment on to do the storm water or the

inland side of things. Just so you understand that, it's going to lead out most quickly which is an area obviously we've had significant issues with inland flooding.

Mr. Foglesong said I don't want to spend a lot of time on the schedule unless you guys want to. I just really just wanted to point out you can see all these activities are all starting middle to late next year and they go on for a couple of years. There's going to be a lot of activities going on.



The slide is titled "LERRD Schedule" in white text on a dark blue background. It features a list of activities with yellow arrowheads. A small yellow rectangle is visible in the top right corner of the slide.

- ▶ Argentine Levee ~20 parcels
July 2019 - June 2020
- ▶ Armourdale/CID ~130 parcels
Nov 2019 - Oct 2020
- ▶ Utility Relocations
Aug 2019 Coordination Meetings
- ▶ Permits- Railroads (BNSF, UP, KCT, KC-Southern)
Monthly Coordination Meetings
- ▶ Public Engagement
Property Owner Meeting in Argentine- Sep 2019
Project Public Meeting- Fall 2019

Where we're at right now, they call it LERRD, it's a lot of preliminary work that has to be done before construction can happen and even kind of shape final design. LERRD stands for; Land Acquisition, Easements, Right of Way; Relocations, for like utility relocations, and Disposals, for like hazardous material, mitigation. **Ms. Sieben** said we have more acronyms, but we'll spare you. **Mr. Foglesong** said it's like alphabet soup sometimes.

Mr. Foglesong said some of those LERRDs, normally a LERRD would all be, the cost be born by the local sponsor and then it comes off of that 35% participation. In this case, a lot of these costs will be reimbursed to us by the Corps so we're working on that process to make sure the turnaround time for when we have to put money out, to when they reimburse us is minimal. **Ms. Sieben** said with the full federal funding, part of that means that the private acquisitions that we have to make which are limited on Argentine. There maybe a difference when we get to

Armourdale, but those will be reimbursed, that was part of the reason we came in May. We asked for May, or June, I can't remember which it was now, sorry. We came and asked for money in addition too, just the betterment on the pump station because we needed the revolving set of dollars to be able to pay, and then get reimbursed, if that makes sense.

Mr. Foglesong said the highlights are on here, just to give you an order of magnitude. In Argentine, we've identified that we're going to impact about 20 parcels. In Armourdale and CID, it's quite a bit more. It's up to about 130. We're getting ready to get started on the utility relocations.

Ms. Sieben said just to highlight the 20 parcels, this doesn't mean that we're going to be buying all of these. It may simply mean that we need a temporary easement to access the work that they're going to do on the levees. Then, when we get into the other 130 on Armourdale and CID, I don't have the understanding of that, but what we do have is a fairly good understanding of Argentine at this point and it's a limited out right purchase. Which is, for us, is something that is needed to be able to expedite this project within the timeline that the Corps wants to do it in, which is five years. It's also something that saves us from a lot of negotiations.

Argentine Pump Station Betterments

1. Argentine PS
 - ▶ KVDD PS
 - ▶ \$1.1M for 93% increase
 - ▶ ~ 7% facility cost
2. Strong Ave PS (#15)
 - ▶ UG PS being relocated
 - ▶ \$1.4M for 225% increase
 - ▶ ~ 9% facility cost
3. River Siphon
 - ▶ IOCP related
 - ▶ Cost TBD



Mr. Foglesong said on the pump stations betterments, so far, when the Corps did their initial study, they identified two pump stations. Initially, they identified one pump station to be outright

replaced and that was the Argentine Pump Station, located where the No. 1 is. Then they were going to do some modifications at the Strong Avenue Pump Station. That changed once they got into design and realized that structurally they had to replace the Strong Avenue too.

But, before I really talk about those, I just want to clarify because some of the names we use are kind of misleading. Like the Argentine Pump Station, this No. 1. The Argentine area, as we call, is down here and then there's the BNSF Railroad. The Argentine Pump Station is actually quite a ways north near the island. I call it code island. I don't know if that's official or not, but anyway. Somebody told me that's what it's called. That's kind of like the Santa Fe area, the east Santa Fe, but that's the Argentine Pump Station. That facility is actually owned and operated by the Kaw Valley Drainage District.

Then we have the Storm Water Flood Pump Station No. 2, which is at 2400 Strong. That's called Storm Water No 2, but it's in Argentine on Strong Ave., but it's Storm Water 2. Then we have the Strong Avenue Pump Station, which isn't on Strong Avenue. It sits down on the levee. When we start talking about these things, it does get confusing sometimes because someone assumes when you're talking about one, you're really talking about the wrong one. As I go through this, I just wanted to make sure that everyone knew which ones we were talking about.

The first betterment that we identified is the Argentine Pump Station up here, which, has a, well, they all have a fairly low level of service. When the river is down low and if we get a rain event locally; if the river is down low and gravity flows, life is pretty good for everybody. When the river level is up high and we get a storm event, we can't pump as much as what can go out by gravity so it starts backing up and compounding the localized flooding issues. Those were some of the needs when they started talking about doing a replacement of this pump station.

We asked a question, what if we added the compacity there? That's what we really need. We pushed really hard for the Corps to include that in the project unsuccessfully, but they did come back with some costs through a couple of different levels of betterment. What we've identified was for about a 7% increase in the facility cost, which translates into \$1.1M, we're basically able to double that capacity. It's a pretty good improvement for only varying about 7% of the cost or \$1.1M.

Similarly, when we got down here to look at Strong Avenue; well first, we had all kinds of issues with this location. It's in the middle of a levee. That presents a lot of risks and a lot of access issues. They've identified an alternate location, which is moving forward, which is over

here at the old KC Structural Steel, that parcel east of the South Patrol. We see this as a big improvement for us operationally. As far as betterment goes on that one, for \$1.4M, which is about 9% or 10% of what we estimated the facility costs to be, we're adding 225%. We're basically tripling the capacity of that pump station which it gets us to a five-year level of pumping. Basically, even when the river is up, we would be able to handle a five-year storm event there and keep up with it.

Furthermore, there's another improvement. I don't want to go into too much of the weeds on you, but the old pump station went out here. This is actually going to take flow off of this gravity line that comes out and dump it up in a different line. Basically, even when the river is down, we should be able to, overtime, increase our dewatering capabilities down in Argentine. That's a long-term benefit. We'll see better, localized flood protection down there.

A third betterment that we identified is, you can kind of see two lines under the river here. Those are inverted siphons that go under the river. When they installed those, they put two in. One is connected and one is not connected to anything. It's a redundant line just in case. Since the Corps going to be in here and they're going to have all this dug up, we're going to go in and have both ends of those connected. It'll increase our capacity so we can send more flow to the plant. All that is also consistent with the overflow control plan. Down the road when we do some type of sewer separation, we can send more flow to the plant and reduce overflow volume. That helps us with our EPA commitments and compliance.

Progress Update

► Accomplished Activities:

- Signed Project Partnership Agreements (PPA)- Argentine & Armourdale/CID
- Argentine PS Design-Build Package

► Upcoming Activities:

- Final Agreements between UG, KVDD, & KCMO- includes items such as cost share, O&M, etc.
- Real Estate and Easement Acquisitions
- 35% Design Review of Argentine Levee Raise
- Survey Resolution for KC Levees Project (Argentine & Armourdale/CID)

The progress update here, just today, we've got a lot signed. Like I said, the design pump station project is out on the street. They're going to award that here in the next few weeks. Upcoming events, is just moving forward with formalizing agreements and real estate activities and doing some VE study and reviews on the levee raises. **Ms. Sieben** said late last week we received the notice to proceed with acquisition for easements, temporary, permanent or otherwise on the Argentine units. We will be moving forward. That's why the next item is on the agenda.

Chairman Bynum said, Trenton, just going back to those three areas or those three pump stations, I should say. I know they're going to be construction projects; but they don't appear to be terribly disruptive to either commercial or residential around there. **Mr. Foglesong** said the pump stations probably will be fairly limited because a lot of that work, like on the Argentine Pump Station, is down right at the levee. As part of that, the Kaw Valley Drainage District has a maintenance shop down here and they have to relocate that and they're moving it somewhere up here. All that construction is really on the riverbank, on the levee itself. It's kind of out of site. There'll be some coordination activities with the BNSF down there, of course. All the work over here is really isolated. You're right; not very much impact. This will be a little more visible over here on that site.

The biggest issue, I think, through all the construction is probably going to be when they get to the levee raises and they're bringing in earth, dirt, concrete—**Chairman Bynum** said and that will be a lot of traffic. **Mr. Foglesong** said yes. We're working on that, talking with Troy and working with the Corps on how we can minimize those impacts to the public, to our infrastructure, they're looking at alternatives. We do have a barrow pit identified, out west, and how we can keep those. If it's trucks, keep them off the road so they don't degrade the roads and also clog it up with traffic and nuisance. I know one thing they're looking at, is can they put it on a barge and bring it down the river. Nothing has been finalized yet though.

Ms. Sieben said right and, again, that type of work we wouldn't see until probably late 2020 is the soonest we would see that work start. We'll be coming back to you, that's why Trenton is saying we'd like to be here on a regular basis so that we can share those things as we define what they are. Again, this is one of those projects that we thought we'd spend 25 years on and are being asked to turn it in five years.

So far what we're seeing is really great cooperation between all the levels of government. We will start meeting with the public on the Argentine units here in August. Also, with all of our utilities, those meetings are being scheduled. Luckily, minimal impact on the Argentine unit. Again, can't say that definitely yet for Armourdale CID.

Commissioner Philbrook said I know that we gripe about the federal government a lot, but in this case, thank you, thank you, thank you to them for coming forward. I don't know when we would have been able to do this because of the expense. It's really expensive. Thank you and thanks for your hard work. **Mr. Foglesong** said, thank you.

Action: For information only.

Item No. 2 – 19867...RESOLUTION: KC LEVEES ALONG ARGENTINE, ARMOURDALE, AND CID LEVEE SYSTEM

Synopsis: A resolution declaring the necessity and authorizing a survey and descriptions of lands for the Kansas City Levees Project along Argentine, Armourdale, and CID levee system, CMIP 5057 (57th St. to State Line on the north and south banks of the Kansas River), submitted by James Bain, Assistant Counsel.

James Bain, Assistant Counsel, said the resolution that we have before you covers both phases of the project. The Argentine phase, that Melissa pointed out, is ready to go with surveys; find out what property needs to be acquired. The resolution also covers Phase 2, the bigger, 130 parcels we expect to be affected. November getting the notice to proceed on that project.

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

Item No. 3 - 19864...ORDINANCE: AMENDING THE DEFINITION OF “ELECTRIC-ASSISTED SCOOTERS

Synopsis: An ordinance amending Section 35-1 regarding the definition of “electric-assisted scooters,” to match the new definition in state law, submitted by Patrick Waters, Senior Attorney.

Patrick Waters, Senior Attorney, said Items 3 and 4 are just minor amendments to our existing electric scooter ordinances to bring them into compliance with the new state law that went into effect on July 1st. Probably the biggest change is that, in the state law, while they authorize cities to allow scooters, they did prohibit them on state highways. For us, that means that they will not be allowed on Rainbow, 7th Street or Leavenworth Rd. We’ll have to educate the public when these come to our cities to make sure. You are allowed to cross those roads to get where you’re going. You could go from one side road and cross Rainbow, but wouldn’t actually be able to drive on those. Other than that, just a minor definitional change.

Chairman Bynum said Item 3 is amending the state highway language. **Mr. Waters** said Item 3, I believe, has the definition itself. Our existing definition was very close to what the state ended up using, but I just changed it just so it would match completely.

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

Item No. 4 – 19865...ORDINANCE: OPERATION OF ELECTRIC-ASSISTED SCOOTERS

Synopsis: An ordinance pertaining to the operation of electric-assisted scooters, amending Sections 35-692 and 35-697, submitted by Patrick Waters, Senior Attorney.

Patrick Waters, Senior Attorney, said Item 4 just makes it clear that scooters are not allowed on state highways. We added that change.

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

Item No. 5 – 19868...RESOLUTION: INTERGOVERNMENTAL DEVELOPMENT AGREEMENT WITH PIPER SCHOOL DISTRICT

Synopsis: A resolution approving an agreement with Piper Public Schools for the design and construction of additional improvements related to the school at 131st and Leavenworth Road, submitted by Troy Shaw, County Engineer.

Susan Alig, Assistant Counsel, said this is an interlocal because it’s between the city and the school district, which is why we’re bringing it to you all for approval. Troy is very familiar with the details of who’s going to pay for what.

Resolution: Intergovernmental Development Agreement with Piper School District

	USD 203 (Piper)	Unified Government
Transportation Improvements on Leavenworth Road (Including the intersection of 131st and Leavenworth)	Design of intersection improvements	Any additional permits, fees, testing or inspection
	Sidewalk/multi-use path from Westerly Entrance to the school property to 128th Street	Sidewalk/multi-use path from 131st Street to Westerly Entrance to the school property
		5' sidewalk on North side of Leavenworth Road where full road improvements are completed (mainly at the intersection with 131st St.)
Transportation Improvements on 131st Street	\$500,000 towards additional improvements that may be necessary if converted to High School	
	Donation of ROW adjacent to School Property if additional widening is necessary	
Sanitary Sewer Improvements	\$880,000 to UG WPC Division for sewer connection fee	Complete the Piper Interceptor project
	Grant necessary Sanitary Sewer Easements to the UG	
Storm Sewer Improvements	Pay for the design and reimburse the UG for the cost of construction.	Coordinate the design and manage procurement of construction of storm sewer crossing on 131st Street

Troy Shaw, County Engineer, said I just basically went through the agreement and broke it down. Kind of set it up so you can see it in general who's paying for what. I'm not going to read the slide by slide because you've got it in front of you. Save you that time. This is basically the project that the Unified Government is building.



This is the intersection project that was approved in the budget a couple of years ago, I believe. The design has started. The little box at the bottom, the little blue box is a storm sewer culvert crossing that the school district is paying for, but it's being built by the Unified Government because we want to build it the way we want to and make sure that it is acceptable for future use, basically.

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

Item No. 6 – 19863...RESOLUTION: INTERGOVERNMENTAL AGREEMENT WITH EDWARDSVILLE, KS

Synopsis: A resolution approving an agreement with Edwardsville, KS, for sidewalk and roadwork improvements on Fourth Street in Edwardsville in connection with the Quiet Zone, submitted by Jeff Fisher, Executive Director of Public Works. Edwardsville will pay for all additional costs of the work.

Patrick Waters, Senior Attorney, said this is related to the Quiet Zone improvements that have already been passed by this Commission. However, Edwardsville would like to make some additional improvements to a portion of their streets there, and for cost savings, it just made sense to go ahead and bid that work while we're doing the Quiet Zone improvements as well. Edwardsville will pay for all of these additional improvements that go above and beyond what is necessary for the crossings.



Mr. Shaw said it shows the three crossings where we'll be doing the Quiet Zone. The improvements Patrick mentioned are on Fourth Street and we have it broken out in the agreement. It will be broken out in the bid, as well, as to who pays for what. This agreement, like I said, is for those and then also for us to work in Edwardsville.

Commissioner Kane said we voted on this some time ago; it's a couple of years. When will we start construction? **Mr. Shaw** said at the latest, we are planning to start construction next spring. We have agreements with the railroad that still need to be signed by the railroad and then signed by Mr. Bach. Also, we have an agreement with Bonner Springs, which is very similar to this, that we're working on right now getting signed as well. At the latest, next spring we'll start our work. I can't control the railroad schedule, but that's when we'll do ours at the latest if we can't get any agreements any sooner than that.

Commissioner Philbrook said by the way, thanks for working so well together, all three entities, because there was a little bit of conversation through all of this. Thanks for hanging in on that. **Mr. Shaw** said we're trying.

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

Adjourn:

Chairman Bynum adjourned the meeting at 5:30 p.m.

mbb