

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

SPECIAL SESSION, THURSDAY, JANUARY 6, 2022

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, January 6, 2022, with eleven members present remotely and on-site. Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Davis, Commissioner Seventh District; Stites, Commissioner Eighth District; and Garner, Mayor/CEO presiding. The following officials were also in attendance: Alan Howze, Acting County Administrator; Bridgette Cobbins and Emerick Cross; Assistant County Administrator's; Brett Deichler, Unified Government Clerk; Misty Brown, Chief Counsel; James Bain, Assistant Counsel; Dr. Erin Corriveau, Deputy Health Officer; Dr. Allen Greiner, Local Health Officer; and Elizabeth Groenweghe, Chief Epidemiologist.

MAYOR GARNER said before I call the meeting to order, I want to announce that due to COVID-19, we have individuals attending remotely as well as on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is participating knows who is speaking. This is critical given the number of remote participants in his current guidance from the Kansas Attorney General.

MAYOR GARNER called the meeting to order.

MAYOR GARNER said I would ask the Clerk to announce the meeting and call the roll.

ROLL CALL: Kane, Markley, Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Garner.

UPDATED NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be conducted virtually on Thursday, January 6, 2022, at 5:00 p.m. for an update on the Legislative Agenda, a COVID-19 Update. The presentation on Stormwater Rates has been removed at the request of Mayor Garner.

.Due to COVID-19 the public will be able to observe or listen to the meeting live on YouTube or UGTV or through Zoom. The public may also view the special session from the lobby of the Municipal Office Building.

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 Garner said tonight we will have an update on the Legislative Agenda followed by a COVID-19 update. As the Clerk stated, a presentation regarding stormwater rates will not be presented tonight.

I would like to recognize and thank our Wyandotte County Legislators that are joining us tonight. They are Senator David Haley, Representative Tom Burroughs, Representative Pamala Curtis, Representative Kathy Wolfe-Moore, Representative Louis Ruiz, and Senator Pat Pettey. If others have joined, please raise your hand to be recognized. Representative Valdenia Winn and Senator Jeff Pittman were also in attendance via Zoom.

I will turn the meeting over to Acting County Administrator Alan Howze for the Legislative Agenda.

2022



Unified Government
State Legislative
Program

Unified Government of Wyandotte County/Kansas City, Kansas
701 North 7th Street
Kansas City, Kansas 66101

Alan Howze, Acting County Administrator, said this evening we will present the draft UG Legislative Delegation Program. This follows up on a December 16th Special Session presentation in which the Commission had the opportunity to review and provide comments and discussion around the legislative agenda.

This evening the intent is to walk through the agenda, not to redo the entire presentation that the Commission saw on the 16th, and gives the opportunity to gain feedback to the Commission from the delegation on specific items that may be on the agenda. It's perhaps an opportunity to provide discussion of things that aren't on the agenda, but the delegation might suggest be considered and also to hear from the delegation on areas of focus that they are looking at as we go into the 2022 legislative session next week. I will note that the UG is finalizing the selection of the lobbyist in Topeka who will represent the UG. That will be Paul Davis of Frederick Durst Consulting. That's being finalized and I know that as of interest to the Commission, but also to the delegation, as to who they could be working with directly in Topeka. That was the intent here this evening and so with that, unless there are any questions before we get started, we can jump into the program here.

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Tax and Finance

1. **Motor Vehicle Taxes**
The Unified Government supports changes in the tax formula used to assess motor vehicles to equalize motor vehicle taxes from county to county.
2. **Protecting Local Government Revenues**
The Kansas Legislature should not solve its budget shortfalls by taking revenues belonging to or legally obligated to city and county governments and should reject placing more of the burden for funding vital services on local taxpayers.
3. **Property Appraisal and Valuation**
The Unified Government supports a fair and expedient appeals process for county classification and valuation disputes. This includes policies which encourage timely payment by taxpayers. The Unified Government supports property appraisals based on fair market value and opposes caps on property valuations as inequitable and unconstitutional.
4. **Property Tax Appeals**
The Unified Government favors procedural changes to the tax appeals process that are balanced and sensible for both the taxpayer and local governments. State law should require the Board of Tax Appeals to adhere to the same rules, guidelines and accepted practices. County Appraisers are required to follow. County governments should be allowed to appeal property tax decisions to District Court, the same as the taxpayer is allowed. The Senate is encouraged to work with the Governor to approve BOTA appointments.
5. **Property Tax Transparency**
The Unified Government would like that all property taxing authorities, including cities, counties, the State of Kansas, school districts, special districts, and community colleges be treated equally related to transparency. All entities should have to abide by the same limitations, restrictions, and requirements. Any additional transparency measures should not be burdensome or costly. We encourage the state and local governments to work on making government more efficient and recognize the need to work together on innovative approaches to reduce reliance on property taxes.
6. **Tax/Spending Lid**
The Unified Government opposes any state-imposed limits on the taxing and spending authority of cities. Local spending and taxing decisions are best left to locally elected officials and the residents they serve.
7. **KPERS**
Changes to the KPERS system should not reduce benefits promised to public employees nor impact the ability of a city/county to hire and retain qualified public employees while keeping costs reasonable for local governments. We should encourage the KPERS Board to adopt changes to their policy allowing for inflationary increases for retiree pension payments.
8. **City-County Highway Funds**
The City-County Highway Fund is essential to maintaining local roads and bridges and should be fully funded and not be diverted for other purposes. Such funding should include the transfer of fees from the registration of out of state commercial vehicles, as directed by K.S.A. §-3425. The proceeds from any increases to the motor fuel tax rates should be allocated in accordance with current statutory provisions.
9. **Unfunded Mandates**
The Kansas Legislature should oppose reducing the State budget by shifting work to local governments without adequate funding to pay for those increased duties. The Legislature should also not impose

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This document was shared with commissioners and also with the delegation so everybody should have a copy of this to be able to follow along as we go through this. The first section here being Tax and Finance. You can see in there a number of these are ones that have been in previous years legislative agendas for the UG including the Motor Vehicle Tax so that a vehicle of the same make and model is taxed the same in Wyandotte County as it is in any other county within Kansas which is not currently the case.

I won't go through each of these. There are two in here on property appraisal and valuations including number four, which I'll point, to which is specifically focused around BOTA and encouraging appointments to BOTA.

Six attacks the Tax Lid, an issue I think many are familiar with. KPERS, there is new language in here at the very end of this one which is encouraging that KPERS consider inflationary increases for retiree pension payments so that those pension payments don't lose value over time as with inflation.

City-County Highway Funds, pretty straightforward on that one and Unfunded Mandates.

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- mandated functions, activities, or regulations on local governments without providing financial resources to meet the costs of carrying out those mandates.
10. Local Ad Valorem Tax Reduction Fund
The Unified Government urges the Legislature to restore its commitment to reducing city and county property taxes by following state law and honoring previously made commitments. This should include reinstating the Local Ad Valorem Tax Reduction (LAVTR) program and use of casino gaming revenues to reduce property taxes. This partnership is a far better way to influence property tax rates than artificial and arbitrary controls such as caps on assessed valuations or tax and spending lids on local governments.
11. Property Tax Exemptions
We support a broad tax base and believe the existing property tax base should be protected. We encourage the legislature to resist any proposal to further exempt any specific property classification from taxation, including industry-specific exemptions. We support current statutory definition of machinery and equipment, and the exemption should not be expanded. The legislature should actively review existing exemptions to determine if they should continue or be repealed.
12. Countywide Sales and Use Taxes
Since 1977, Kansas has successfully used a city-council revenue sharing formula for the benefit of all. The existing formula benefits both city and county taxpayers and ensure there is a fair method to distribute funds that are generated primarily in cities.
13. Alternative Revenue Sources
Cities should be authorized to approve alternative revenue sources to maintain appropriate levels of funding for the health, safety, and welfare of our citizens.
14. Federal Loan Programs
We support changes to allow local governments to participate directly in federal loan programs.
15. Golden Years Property Tax
The Unified Government could potentially establishment of golden years homestead property tax program. This program would ~~provide~~ allow property tax ~~amounts~~ amounts for those of a certain age and financial capacity. It would need to be structured in a way to prevent the foreseeable abuses. If it cannot be done in such a manner it has the potential to significantly erode the tax base that local government rely on to provide necessary services that people in their golden years need.

The Local Ad Valorem Tax Reduction Fund, we have Property Tax Exemptions in there, Countywide Sales and Use Tax, Alternative Revenue Sources and number 14 allowing local governments to participate directly in federal loan programs.

I'll draw your attention to number 15 which is highlighted which is the Golden Years Property Tax. There was some discussion among the Commission at the December 16th meeting which was, are there opportunities or options that would reduce the tax impact of rising property values for existing homeowners, long-standing homeowners that are older in the community. So, maybe just pause on this one and see if this language gets at what the Commission was discussing when we last met.

Commissioner McKiernan said I just want to doublecheck. Alan, did we get in the copy—never mind, I see it in the title. It says changes without tracking because you're looking at a track changes copy and those aren't included in the copy that came to us today because I see in Item No. 15 it says comment. Commission should consider and that direction to potentially consider is not in what we got today, so it's going to take me just a minute to go through this. If there are other places where there are suggestions or guidance for Commission, if you could point those out as they come up, that would be great.

Commissioner Markley said the first line, I think there's a typo, so I'm not sure what it's supposed to say. Is it supposed to say we could potentially consider, we could potentially support

or should the establishment not be establishment? Am I the only one that's seen this as weird? **Mr. Howze** said yes I see, could support or could potentially support. Either one of those words probably—I probably don't want to say potentially support if this is something the Commission is supporting. **Commissioner Markley** said yeah, agreed.

Senator Pat Pettey said I'm just wondering on the Golden Years Property Tax, as Commissioner Markley said, maybe you might consider just taking out the first line. I mean I don't know if you're going—because the rest of it does speak to what it does and the concerns you have about if it's not—if it doesn't protect from foreseeable abuses although the bill as it was proposed does attempt to do that, so that's just a suggestion.

Commissioner Davis said I think to make this kind of simple, we can just say the Unified Government supports the establishment of a Golden Years Homestead Property Tax Program, or something like that, just to kind of simplify it. Everything else looks good to go from my end.

Commissioner Ramirez said thank you to all the legislators for being here tonight, and as always, thank you for everything you do for the community. Mr. Howze, are you asking—are you trying to get feedback from the Commission at this time based on the language that is there on the Legislative Program? **Mr. Howze** said yes. Let me just caveat that and say that at the 7:00 we'll bring the legislative agenda back at that point and adopt specific amendments to it or adopt it in whole. So, if there's specific word splitting we need to do, we can. We also have that opportunity and then we also wanted to use this to get the feedback and discussion with the delegation.

Commissioner Ramirez said okay, that makes sense, yes, that does make sense. I agree with Commissioner Davis. I think the wording or the type of wording he used, I think would be pretty good. I agree with number 15. I think it's something that we as a Commission should be advocating for to our delegation. I guess there's nothing else much for me to say.

Commissioner Townsend said this may have been addressed in some other papers that I did not see real to this, what is the age group that we're talking about and defining as golden years? **Mr. Howze** said I don't have a specific number around that or age around that. I might see if there are

any members of the legislative delegation who have been working on this who are more familiar with it that might be able to answer your question.

Representative Pam Curtis said I don't know that I really have the answer. I thought Senator Haley had been working on this, but anyway, I generally would say 65 and older is kind of what that age group would be, but I'm not sure. You know, it would kind of depend on what draft, you know, what the legislation—how it's drafted and where that sweet spot is where they think that they can move something forward. I'm not sure you would want to spend a whole lot of time unless you want to specifically recommend specifics to a piece of legislation, but be generally supportive of the concept.

Commissioner Burroughs said Representative Curtis gave an overview. I think the age certain would be something that may be a subject matter in the legislature determining on the fiscal impact it would have across the state in individual communities. I'm sure legislators, during the negotiation and/or review of the bill, would come to an age certain that they would be able to identify. I don't know that it's spelled out specifically in the bill.

Senator Pettey said the age is specifically spelled out in the bill. I'm not able to pull it up right now. I'm looking for it, but it is specifically spelled out in the bill, so there is an age and it is—I can't remember if it's 62 or 65, but I'll try to find that bill, but it is currently already spelled out specifically in the bill. Of course negotiations does make a difference, but that bill is on the Senate side.

Representative Curtis said it's Senate Bill 76 and it's 65 and older.

Mr. Howze asked, shall we continue? **Mayor Garner** said yes.

Community and Economic Development

1. **Prevailing Wage**
The Unified Government supports paying prevailing wage on public works projects and economic development projects where tax incentives are given. The Unified Government strongly urges the Kansas Legislature to repeal the law banning the use of prevailing wage on public works and economic development projects.
2. **Food Sales Tax**
The Unified Government supports the elimination of the State portion of the sales tax on groceries but needs to protect its local authority for economic development projects.
3. **Eminent Domain**
The Unified Government supports the use of eminent domain for economic development projects which eliminate blight and allow revitalization and rebirth in urban areas.
4. **Public Right-of-Way**
Cities must maintain their ability to regulate the public right-of-way and recover reasonable compensation for use of the right-of-way. Kansas policy should not be dictated by overreaching federal mandates. The Unified Government opposes efforts to codify in State law Federal Communications Commission directives limiting the power of cities.
5. **Abandoned Housing**
The Unified Government supports legislation which streamlines and expedites the process for local governments, neighborhood organizations and private businesses to deal with the blight of abandoned, nuisance and foreclosed properties to protect the rights and property values of surrounding property owners.
6. **Rental Inspections and Vacant Structure Registries**
The Unified Government supports giving cities the authority to require inspections of rental housing for the safety of tenants and to protect the rights and property values of surrounding property owners. The Unified Government supports the ability of cities to establish and operate registries for vacant structures.
7. **Public Education**
Quality schools are the foundation for the future economic success of Kansas. A public education and Community College system which helps create a well-educated and trained workforce is crucial to successful communities. The Unified Government supports a funding formula for Community Colleges that gives full funding without increasing or placing an undue burden on local property taxes.
8. **Immigration**
The Unified Government opposes State immigration enforcement measures because they place unreasonable and expensive burdens on local government.
9. **Tourism**
Wyandotte County offers destination attractions which draw millions of visitors a year to Kansas. The Unified Government urges the State of Kansas to enact a comprehensive tourism plan and increase funding of tourism promotion and marketing.
10. **Public Transit**
The Unified Government supports increased state funding of public transit. The Unified Government also supports regional partnerships to improve and expand public transit options for Kansas City area residents. The Kansas Legislature should help, not hinder, efforts to fund regional public transit in the

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Mr. Howze said moving on to Economic and Community Development. Again, a number of these are ones that have been in previous versions, so we've got Prevailing Wage in there. The Food Sales Tax, this is one that the Commission expressed, you know, broadly supportive with the caveat that is baked into economic development agreements, so just be cognizant of that as that is considered. We've got Eminent Domain and Public Right-of Way Management.

Numbers 5 & 6 really kind of deal with the Unified Government's SOAR effort and dealing with blight around abandoned housing and rental inspections and vacant structure registries.

Number 7, Public Education, of course, critical to the community. Number 8, around the Immigration. We've got number 9 around the Tourism and the importance of that to Wyandotte County and then number 10, continue to fund and look at state funding for public transit to support efforts in Wyandotte County. Any questions on those before we move on?

metropolitan Kansas City area.

11. STAR Bonds and Economic Development
STAR Bonds have proven to be one of the most effective economic development and job creation tools in the State of Kansas. The Unified Government encourages the Kansas Legislature to continue a workable STAR Bond policy with maximum flexibility and without unnecessary restrictions. The Unified Government encourages the Kansas Legislature to work with local governments in developing innovative economic development tools.
12. Connecting Links
The State should maintain KDOT's funding for connecting link programs at the FY 2020 level for cities to provide for the maintenance of state highways within city limits. We support full funding of the City Connecting Link Improvement Program (CCLIP).
13. Comprehensive Transportation Program
We support full funding of the Eisenhower-Legacy Transportation Program. We oppose any use of these funds to balance the state's General Fund budget. Any reduction in funding jeopardizes existing programs.
14. Transportation Safety
The State should work in cooperation with local governments to continue to provide safe roads and bridges within Kansas. The State should focus on users of the transportation systems and recognize that a system built designed for use by pedestrians, bicycles, and vehicles is safer and more economically prosperous for all Kansans.
15. Transportation Development Districts
We support the continued ability of cities to establish transportation development districts to meet the economic development and transportation infrastructure needs in the community.
16. Recreational Trails
We support the development of recreational trails, including rail to trails, aquatic trails, and hike-and-bike on levee trails projects, and oppose any legislation that would make such development more burdensome or costly.
17. Housing
The lack of quality housing across the state creates an impediment to growth and economic development. The legislature should support programs that encourage access to quality housing including but not limited to, the recommendations of the Housing Study.

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Mr. Howze said continuing here, we've got STAR Bonds Economic Development. Again, this is similar to last year. Several items here have been added that are from the League of Kansas Municipalities around connecting links around Transportation Program Funding and Transportation Safety, the Transportation Development Districts and number 16 is around supporting Recreational Trails which always rate highly on resident surveys conducted every couple of years. Any questions or comments on these?

Number 17, this is a new one and it also ties in with the Housing Study that was just released by the state looking at affordable quality housing across the state. It's something that is also a need in Wyandotte County.

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Public Safety

1. Municipal Courts

The Unified Government supports local control of municipal courts and the judicial authority of municipal court judges to determine the best procedures for operating the court. Municipal courts must not be limited or restricted in bonding decisions. All fines and fees collected by the court should be retained by the local government, except for restitution payable to another party and state assessments under current state law. Municipalities should be allowed to set appropriate fees and fines.

2. Law Enforcement Discretion

Local government must have discretion in establishing law enforcement vehicle pursuit policies and the ability of law enforcement officers to use discretion in determining when to make an arrest.

3. Medical Charges

The Unified Government believes the first person responsible for the payment of medical costs should be the individuals in custody. The entity charging the crime should be responsible in the event those costs cannot be recovered from the person charged with the crime. The UG supports the pooling of resources between all State and Local law enforcement agencies.

4. Asset Forfeiture

The Unified Government and KCK Police Department support the use of asset forfeiture as an important component in reducing the financial gains from criminal acts while providing civil due process. All assets forfeited, or the proceeds of the sale of assets, should remain with the local government that seizes the property.

5. Emergency 911 Services

Cities and counties should maintain local control of the 911 system and the 911 tax should continue to include both wireline and wireless communications. The Unified Government supports legislation providing flexibility for local governments to utilize these funds to provide emergency services.

6. Juvenile Justice

The Unified Government supports changes in the way the system deals with juvenile offenders, however, the financial responsibility and burden for these changes cannot be passed down to local units of government.

7. Community Corrections

The Unified Government supports full funding for community-corrections programs and grants, including programs for behavioral-health initiatives. Community corrections programs for adults reduce community risk and offender recidivism, which decreases taxpayer expense.

8. Local Control and Police Powers

The Unified Government opposes all legislation which restricts the regulatory authority of cities to protect the health, safety and welfare of the public.

9. Alcohol & CMB Regulation

We support the authority of cities to license and regulate alcoholic liquor and cereal malt beverages retailers and establishments.

10. Cybersecurity

Organizations of every size constantly face cyber-related incidents. We encourage the State to provide collaborative discussions, training programs, and feasibility studies for the impact of cyber-attacks on cities. Cities will use information provided by the state government to determine best practices and policies for municipal implementation.

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Moving on, Public Safety. Again, these are ones that have been in before. Municipal Court Management and keeping that in local control. Likewise, on number 2 with Law Enforcement Discretion. We've got Asset Forfeiture in there, Emergency 911 Services and Juvenile Justice. Number 7, Community Corrections, full funding for Community Corrections Programs. Number 8 is on Local Control and Police Powers and number 9, Alcohol Regulations, CMB Regulations. Number 10 is new language from LKM, which is related to Cybersecurity and the need for organizations of every size including local governments to be prepared for that and to work with the state as a partner in that.

Commissioner Davis said can you all, maybe somebody from our state delegation provide just some insight on the Juvenile Justice, I'm assuming perform or changes that are taking place. It's kind of vague for number 6 and so I just wanted to get more insight on what exactly is taking place.

Commissioner Burroughs said, Commissioner Davis, if you would be willing to put those in— send me a letter or a note or something, an email and I will get you the exact information that you're looking for in reference to Juvenile Justice. Juvenile Justice has changed the last three or four years consistently and I don't know what it is specifically you're asking for, but there's been multiple changes in Juvenile Justice in the last three or four years and we have bills in both chambers. I would like to be able to answer your question accurately and not just assume and give you an answer that doesn't have any accuracy to it. **Commissioner Davis** said thank you.

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Commissioner Bynum said Senator Jeff Pittman is in the attendees list if we could promote him to panelists.

Commissioner Burroughs said for the Commission's information, the delegation is spread out in both House and Senate as you're well aware. We all have different committee assignments, so it's not that we don't know anything specifically about all of these bills and all of these subject matters. The legislators associated to some of these bills may have additional knowledge, but we have a cursory review of most of the things that come forward, unless this particular bill is in committee and you've been dealing with it as of late. We can give you a glossary as to some of the questions you have, but that's why I ask specific questions and then allow us to get to the Capitol and get the bill or get the information necessary to give accurate information.

11. Scrap Metal
Cities are currently preempted from regulating scrap metal. We support a narrowing of this preemption so that cities can address issues at the local level.

12. Kansas Emergency Management Act
The Unified Government is requesting that the State of Kansas Legislature restore the Act to its prior version. When Senate Bill 40 enacted in 2021 it removed almost all of the powers of the State of Kansas Executive Branch for emergency and recovery. This is critical for local units of government to be able to request resources from the State of Kansas and the Federal Government.

13. YouthFatality Review Board
The Unified Government supports continued refinement of state statute 22a-243 to include confidentiality protection for and guidelines related to the administration of local review boards.

14. "Automated Expungement"
The Unified Government supports the automated expungement of qualifying criminal records from public view. A criminal record reduces a job seeker's chance of getting a callback or job offer by nearly 50%. Nationally, \$87 billion in gross domestic product is lost due to dismissing workers with criminal records from the labor market. Individuals are 11% more likely to be employed and earn 22% higher wages one year after a record has been cleared. In Kansas, expungement of a record requires a petition filed through the court and payment of fees. Once certified, this process may take an additional 2-4 weeks to process vs. Automated expungement uses technology to streamline the process.

Mr. Howze said we'll keep moving here. Number 11, Scrap Metal, this is new. It was added from LKM language. Commissioner McKiernan had a comment on that, I believe, last time that we have several outstanding businesses that are in this industry here in our community, so that is of interest.

Representative Curtis said please talk to me about scrap metal. That was my very first session that I tried to fight to keep local control and then I worked with the Attorney General's Office and Senator Tyson. We lost a lot of scrap metal businesses across the state because of this change and

it's never been right, but before we weigh into that, please talk to me about it a little bit just because I can provide some historical information about where we're at and some of the pitfalls. Anyway, I was just surprised to see that back on your agenda because two years after I had that battle, the UG said we don't care about it anymore, we don't want it. Anyway, it just surprised me to see it there. **Mr. Howze** said this is one that came in through the LKM kind of language review, so certainly if it's the pleasure of the Commission to pull this aside and have further consideration on it for a future legislative agenda, certainly we could do that.

Commissioner McKiernan said, Representative Curtis, this actually was just on the previous iteration of this, the draft that we saw and what I had just clarified was whether or not this allowed us to engage with local scrap dealers and you and I have a really good operation that's not too very far from where we live. I would love to engage with them so that they could guide us if, in fact, we do have local control of this into better relations, better control, less illegal scrapping and that's really the only thing that I had asked. I just asked what's the intent of this. Is this to give us control over who does it, how they report, how they dispose of? So, that's really the only reason that I brought it up is because I'm sure you have a really good relationship with Advantage as well and I think they've been leaders in trying to get their industry to do things right in local municipalities and so that's really the only reason that I had asked about this.

Commissioner Ramirez said, Representative Curtis, I am definitely going to take you up on that offer. This is an area that I have little to none knowledge about, so I am definitely going to take you up on that offer and I would love to learn more about it, what it was and just the state of where it is at the moment.

Representative Curtis said I'm sorry, I don't really want to prolong it, but just to kind of give you a little bit of a flavor for it. When I was on the ninth floor of City Hall, Mayor Joe's office, we had worked diligently for several years in our office to really have a good model of how to deal with scrap metal because it was a real issue back then too. So, then when I went to Topeka we had started implementing that and it was a local agreement. It involved the folks in Missouri so it was very much more of a regional effort to combat scrap metal and then the state, just as they did with prevailing wage, just pulled the rug right out from under us and said you cannot have any

ordinances dealing with scrap metal locally. We actually were on a very good path and so I don't know if there's still people around like in the Police Department who worked on that plan. John Yurachek was kind of the lead from our office on that. I think Delia York may have been also involved, so revisiting that, we did have a really good plan in process and the state just pulled the rug out from under us like they do on so many local control issues. So, maybe that helps just kind of frame up my surprise and my reaction. Thank you for the indulgence.

Mr. Howze said number 12, this is the Kansas Emergency Management Act. The focus of this one, you'll see it show up in another area, but this one is really about giving the restoring the ability of the executive branch to declare state of emergency when needed. I think the Governor just declared a half hour ago or an hour ago, so that's what this is in regards to.

Number 13 is the Youth Fatality Review Board. This is continuing to refine that. I believe Senator Petty's been involved with this quite a bit and has worked with our Health Department to continue to improve this process.

Representative Kathy Wolfe-Moore said I just wanted to give a little bit further information on what the Governor did today. Her declaration will last for 15 days. Unfortunately, that's all she's able to do and that's in response to what the Chief Medical Officers from the hospitals across the state, their presentation yesterday, on their state of crisis in the hospital. It does two things. Number one, it will give the hospitals relief to use their staffing in different ways that normally aren't allowed and it also helps the adult care home, so think of long-term care facilities, assisted living, to ease certain restrictions on them. That's all to help with the staffing because of the many, many, many people that are out due to COVID.

Senator Pettey said relating to the Youth Fatality Review Board and when you say it supports continued refinement, I'm a little unclear as to what this is looking for beyond the legislation that we were able to pass last year. **Mr. Howze** said, Senator, I don't know that I can give you an answer to that, but can certainly follow up with the Health Department to get with you on what specifically they had in mind with this. **Senator Pettey** said so this came from the Health Department? **Mr. Howze** said yes. **Senator Pettey** said yeah, I would appreciate that because I think the issue is really not legislative. It's how the state Death Review Board is now allowing the

local Youth Fatality Review Boards to operate. Of course, I think we're the only county that has one presently. We were successful in getting that included in the legislation last year. It's somewhat of a—not so much a legislative issue as a oversight from the State Review Board. I would appreciate more information from the Health Department. **Mr. Howze** said okay, absolutely.

Number 14, Automated Expungement, this is as it sounds. **Representative Curtis** said thank you for including this. You guys deserve all the credit for moving this issue forward. I've been meeting with a group, Wesley McKain began the effort through Healthy Communities Wyandotte, but they built first locally, a group that was just very passionate about this issue and worked through the legislative process including folks from WYEDC, from the Kansas Department of Commerce, from Healthy Communities Wyandotte, from the Chamber, from DA Dupree. Last year we were successful in getting this issue studied by the Kansas Judicial Council and they came out with a recommendation in December that recommended we model a bill in Kansas off of how they do an automated expungement process in Utah. That bill is getting drafted, but I'll tell you, Wyandotte County just deserves so much credit for moving this forward because it just wouldn't be where it is today if it weren't for your effort. So, kudos to the staff and the coalition that they built because I think they have a good chance of making some progress this year. I just wanted to share that because I believe in giving credit where credit's due, so hopefully, there'll be a story that will share the story of how they built that coalition here.

Senator David Haley said this is an issue, as Representative Curtis said, that's been on the radar for a while. We were encouraged by the camp that Wyandotte County put together through DA Dupree that assisted with expungements. In our community, it was tremendously successful and as listed as to why here in this bullet item it's so crucial that we have what it will mean to so many people who have to check the box, if you will, and were pleased the UG, several years ago, under a previous administration did ban the box. But to see that expansion and to not have to make a disclosure when one has served one's time and paid their debt as it is to society, so Pam Curtis has been a leader buttressed by much of what DA Dupree had begun through a camp that was held at the old tech center. I just wanted to add special emphasis that we'll be doing what we can to add this finally, the Criminal Justice Reform Commission, which I'm pleased to sit and has also looked at various ways to trigger an automatic or at least an applied expungement to many of the cases

that are out there as well, and hopefully, in some form in our final report which will be presented or which has been partly presented, we'll be able to address it as well.

Commissioner Burroughs said in reference to that, we might want to share with individuals what the qualifying criminal records are that are included so it doesn't look like it's an automatic expungement of felonies and violent crimes committed against persons. So, if one of you want to share what those particularly qualifying criminal records are, I think it would be a benefit to the community.

Senator Haley said that's an extremely important point. There are some crimes especially that would not be listed for expungement—it's where the crime would meet where the applicant, especially where the crime might be. We are particularly concerned about predatory crimes that might involve the vulnerable like our senior populations and to what extent those could be clear, certainly major felonies, certain crimes, first degree homicide and homicide and murders. By and large it's the garden variety, low-level felonies and misdemeanors that would be eligible for the automatic. There still is an application process now that's available for every single felony. That's available now. There's just a more lengthy process in order to have that considered.

Representative Curtis said I will share that the Judicial Council recommended a very much scaled back kind of a slow start, so automating the process for some very—for things like diversions or dismissals or not guilty, things that really people should not even have to go through that process. So starting there and then there's going to be a process to adopt the technology. You know that will all have to be developed so you're still talking about a few years down the road and then once it's implemented, then that could be expanded. We in no way spoke of expanding the list of expungements beyond what is currently available. In fact, not including any expungement or automated expungement for any crimes that would require like victim notification, but the bill will start out in a very narrow scope just to get the process set up and it will be on those that everybody found agreement on the Judicial Council, which included like not guilty, diversions, dismissals, so that's where we start.

Mayor Garner said before we move on, I had one item and I know we didn't put in our list, but I'll be remiss if I didn't bring it up. Some of you haven't talked to our Wyandotte County District Attorney, something that he's really passionate about, he has really good information on that kind of plays into automatic expungements, but is a Public Defender's Office and support for that. He's brought real good data and real good information in that regard. He is seeking support from the delegation in that regard, so I encourage you to, at your convenience, meet with him and he has excellent information on why that is so important and not just valuable to the Unified Government, but to the residents of Wyandotte County.

Representative Valdenia Winn said I just needed some clarification because I don't know if number 13 would include, since it's from the Health Department, would it include infant mortality and the high maternal health problem that exists in Wyandotte County? **Mr. Howze** said I believe that we have a member of the Health Department, Bianca Garcia, in attendees. I don't know if she can speak to this, but I'll speak, which is that any—this replies to any youth between I think zero to, I want to say 21. I believe it's beyond 18 and so any fatality for any reason whether that is medical or whether that's a vehicular accident or whether that's violence, all of those and everything in between is subject to review by this Youth Fatality Review Board. The goal of it is to get more information and better information about the sources and causes of fatality among youth within the community, if that answers your question. **Representative Winn** said well, thank you, it doesn't really because it doesn't seem to have—I mean first, all youth fatality is serious, but I'm just wondering if the Health Department and Unified Government is going to take a position. Representative Ruiz and I have worked for this for over 30 years about, not just infant mortality. I look forward to having further conversations.

Mr. Howze said, Bianca Garcia, do you want to add to that from the Health Department? **Bianca Garcia** said I'm the Community Health Manager. My division works specifically with infant mortality—the Infant Mortality Review Board that we have reviewing those cases and looking at implementation of different programming. That is definitely something that's a priority for the Health Department. I know with this specific agenda item we were looking at the youth component of that, so looking more at that 18 to 21, like Alan said, and trying to push for more confidentiality protection at the local level because we have been having some difficulties with getting our local

review board set up to obtain the data and the reports that we need to really assess these cases properly. So that's what this one specifically is focused on. I'm not sure if this is something we can adapt to include also infant mortality, infant mortality language. That's definitely a conversation that we can have with leadership here at the Health Department.

Representative Louis Ruiz said Representative Winn and I have been working on this infant mortality data for quite some time. Wyandotte County has been second in this state as far as the infant mortality rate and we found out that there were different events that led to that, but to pass that over and not make it a concern, to me, is very concerning for us as a delegation since we're dealing on statewide level issues. Also, the suicide rate amongst Latino youth and even some of our adults is—I don't know what Wyandotte County has to provide data on those issues, but as far as infant mortality goes, we know there's different things and for the Health commissioners—or the Health Department not to make that an issue, I think we need to discuss that very hard and heavy.

Senator Jeff Pittman said I was going to talk about District Attorney Dupree's initiative around public defenders. You know that's a passion of mine as well as many of the folks on this call. We did put more money towards public defenders last year, but two or three years ago we were facing severe budget crises at the state and you know the people that really lost out—I mean that's just a very, very constrained budget putting public defenders out there. I'm excited about the possibility of bringing more money. There were a lot of urban public defender offices that were basically being shut down and the amount of cases these guys and gals go through and have is incredible. I think, it's so imperative just to have the proper defense available for folks no matter what their income and not just go with the plea bargains that put them into the cycle of criminality.

The other thing I wanted to—Commissioner Davis on the Juvenile Justice Reform, I think the major initiative, just to kind of give a briefing, you know from 2015 to 2016 there was a major bill passed that really was intended I think, if I have my facts straight, to limit the amount of like the default incarceration of youth and to look for alternatives and to shut down some of the juvenile correction centers and do some reforms in there. I think over the last five years there's been results and the results have been mixed and I think that's what is going on right now, is reviewing over the last five years some of the reform movements, what's happened, but still looking at some of

the statistics that are troubling like the rate of African-American kids versus other kids that are incarcerated at an alarming, you know, maybe four or five times the rate and looking at what could be done outside of that and looking for support things. I would encourage you to get more involved with that. I know I'm going to as well so I'm excited to research more like Representative Burroughs and get back with you and figure out more about what we can do in that area.

Senator Haley said just to add now to what Senator Pittman was saying and what you had brought up sir, regarding the Public Defender's Office, we are the largest county that is underserved in not having such an office. Just to augment again what Senator Pittman was saying, it really is a pain. We extended the speedy trial provision during COVID, so we literally have people languishing in our jail right over here on 7th, right across from City Hall, languishing for a long time because they don't have counsel and they don't have an opportunity to even bond out timely. So, yes, it's just—I'm not going to take much more time with it. I'm glad that you brought it although it wasn't on our agenda. I appreciate you bringing it Mayor and augmenting what DA Dupree has tried to do and we'll be doing everything we can through bids for the Board of Indigent Defense Services and others to ensure we have some equity in the defense representation that Wyandotte County sorely lacks especially for the county of size that we are where everyone else does have that.

Commissioner Bynum said I know that DA Dupree is in our attendees group and with regard to the public defender I think it might be helpful for us and the public to hear what is the situation now in Wyandotte. Everyone who needs an attorney should be guaranteed one, so how does this system work now in Wyandotte and how does the creation of the Public Defender's Office help that?

Mayor Garner said Wyandotte County District Attorney Mark Dupree if you could speak to that briefly. You've got two minutes. We're going to allow you two minutes so we can keep going if you can at least inform the public and our legislators as to the need for the office that you've been advocating for.

Mark Dupree, Wyandotte County District Attorney, said here in Wyandotte County we do not have a Public Defender's Office. It was in the 1980's that Johnson County received a Public

Defender's Office as well as Sedgwick County that received the Public Defender's Office. Wyandotte County, we have always had the appointed counsel system and what that means is that the folks who are attorneys, who have their own private practice, the judges are allowed to appoint them as counsel to the cases. The situation has come to a place where there are about a three to six month delay in closing cases from the appointed counsel versus the private counsel and many of that is because of the fact that we do not have a Public Defender's Office where they would receive appointment of counsel within that first 48 to 72 hours of being arrested. Here in Wyandotte County it's an average of seven days to receive an attorney to be appointed to that case and up to 14 days to 21 days for that attorney to then see that defendant. Often times we have defendant's in custody who then are not seeing their attorney or not represented by counsel for that amount of time and as a prosecutor what that does is, it delays justice for my victims and the longer cases go on, the more likely defendants, witnesses and victims disappear.

My goal and hope is to get the same assistance that other counties have had which is a Public Defender's Office where we can move cases, and rather than delay justice for many of our victims, to actually get that justice and not have this control where judges who are appointing attorneys and, quite frankly, at times it appears as a conflict. **Bridgette Cobbins, Assistant County Administrator**, said your time is up.

Senator Pettey said I don't want to delay this either, but I want to go back to the Youth Fatality Review Board. A couple of things, it is age 1 to 24 actually, but the goal last year in the legislation was to include local communities abilities to set up a Youth Fatality Review Board and the model is what is in place at the state level so it doesn't negate what the commissioner—what the Representatives Ruiz and Winn have talked about when it comes to infant mortality. This allows—the legislation now allows local county Youth Fatality Review Board. As I said, right now we're the only one that had one in place to access records that were not readily available to them. So, I'm just saying, the Health Department is not neglecting that area, but that was not the specific focus of this last year's legislation for getting the ability to have one be recognized to have it in place and also be able to access the information in a more direct manner than currently was in place.

Mr. Howze said thank you Senator Pettey and to follow up on that very briefly, there is actually a Fetal Infant Mortality Review Board that looks at that zero to one and that's been in place at the Health Department, I believe, for about six years. I think Drs. Greiner and Corriveau and members of the Health Department would be happy to talk further with representatives about additional actions that could be taken to reduce infant mortality and certainly a recognized challenge. So, we'll keep moving here if that's okay, Mayor.

Local Government Operations

1. **Protecting Home Rule and Local Control**
The Unified Government supports the ability of local elected officials to make decisions for their communities, particularly local tax and revenue decisions, as called for by the Home Rule Amendment of the Kansas Constitution approved by voters in 1960. The Unified Government urges the Kansas Legislature to respect the philosophy of local control and honor the Home Rule Amendment of the Kansas Constitution.
2. **Municipal Utilities**
The Unified Government supports the ability of cities to operate municipal electric, water, sewer, storm water, solid waste, telecommunications, and broadband services. We further support the ability of cities to set and control the rates of municipal utilities. The Unified Government supports continued local control over power supply decisions.
3. **Public Property and Rights-of-Way**
Local government and the citizens they represent should be allowed to control and manage public lands and right-of-way as they see fit. This includes collecting franchise fees and other revenues from private companies and individuals which use public lands for personal benefit or profit.
4. **City Elections**
City elections should remain non-partisan and separate from state and national elections. The filing location for city elections should return to the City Clerk's Office.
5. **Legislative Advocacy**
The Unified Government supports current law allowing the use of state and local tax dollars to provide information and advocate on behalf of our community and its citizens.
6. **Alternative Revenue Sources**
Locally elected officials and the citizens they represent should be allowed authority to structure and implement taxes and revenues which best suit the individual community without prohibitions and restrictions imposed by the Kansas Legislature. This includes local earnings/income taxes, development excise taxes, and other local taxes and fees now prohibited by state law.
7. **Unfunded Mandates**
The Unified Government believes the State Legislature should not impose mandated functions, activities, or regulations on local governments without providing financial resources to meet the costs of carrying out those mandates.
8. **Publications and Notices**
The understandable right of the public to be informed about the actions of its government should not be compromised. At the same time, government officials have a responsibility to ensure the tax money required to keep citizens informed through legal notices and publications is spent in an effective and efficient way.
9. **Open Meetings and Open Records**
The Unified Government believes openness in government is essential to building public confidence. Open meetings and records laws should balance the public's right to know with the necessity of protecting private individuals and the ability of public agencies to conduct the essential business of the public. All levels of government should be subject to the same open meetings and open records requirements.

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This next section, Local Government Operations; Home Rule and Local Control, Municipal Utilities; the ability to operate that. Again, these are ones from previous legislative agendas like managing Public Property, Public Right-of-Way including franchise fees and other revenues. Number 4, this is the City Elections remaining non-partisan and also the local for city elections returning to the City Clerk's Office. Commissioner Davis touched on this briefly in the December 16th session in terms of the system in which Wyandotte County operates as do several of the other large jurisdictions within the state that have the Election Commissioner appointed versus selected by the local Commission. I'm going to kind of move through these fairly quickly, Unfunded Mandates, Publication and Notices of meetings and records.

10. **Alternate Construction Delivery**
The Unified Government supports changes in State law which allow local governments to use design build and construction manager at risk techniques for public construction projects. These techniques have saved Wyandotte County taxpayers millions of dollars on several major public construction projects but are difficult to use under current State laws.
11. **Broadband**
Access to reliable broadband service is increasingly important to the economic health of Kansas cities. We support the establishment of the Broadband Deployment Grant to facilitate broadband expansion in Kansas. Guidance for the grant program and broadband-related statutes must recognize the important role local governments play in such expansion and not remove important planning and right of way authority from local governments.
12. **Public Water Supply Supervision Program**
We support changes to the statutory language increasing the funding stability for the Kansas Department of Health and Environment's Public Water Supply Supervision program. These changes must balance municipal cost concerns and recognize the state has a responsibility to contribute to these important public health matters. In addition, we recognize a need to update standards to meet federal clean drinking water standards.
13. **Building Codes**
We oppose any measures to preempt local building energy codes with respect to prohibiting the incentivization or requirement of net zero or net-zero ready building requirements.
14. **SmallCell 5G Installations**
The Unified Government encourages the State of Kansas to develop enabling language that would allow local governments to apply additional design and performance standards to small cell 5G installations. These new rules will be shorter and more ubiquitous across our neighborhoods (i.e. co-locating and/or replacing street and traffic lights). Ability to regulate the design standards is important to health and safety as well as appearance of a community.

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Alternate Construction Delivery. Broadbands, again, kind of tacking on with where the state is going and the importance of broadband to the economic health of Kansas City, obviously, the first Google fiber city. We recognize that and recognize its importance. Public Water Supervision, some of this has probably more to do with issues around water management in western Kansas, but ultimately that flows through the Kansas River, through our community. The Building Codes language and then the Small Cell 5G Installation language which is again around local control to be able to manage the installation of that and control public right-of-ways.

Public Health and Environment

1. **Local Health Department Funding**
The Unified Government supports increased investment in public health funding to protect the health of Wyandotte County residents. The State of Kansas ranks near the bottom nationally for public health funding. A 2020 report by America's Health Rankings ranks Kansas 40th for per capita public health expenditures. A 2021 report by the Trust for America's Health provides detail on the ranking. The low ranking is part inadequate CDC funding (Kansas ranked 98th in per capita CDC Program Funding to States in FY2020) and part underinvestment in State dollars (Kansas ranked 47th in per capita expenditures on public health in FY 2019-2020). State aid to local health departments has remained unchanged since 1995.
2. **Medicaid Expansion**
The Unified Government supports expansion of the Kansas Medicaid program which will improve access to care for those most vulnerable in Wyandotte County. It is estimated that expansion would provide insurance for 8,736 currently uninsured Wyandotte County residents, bring \$58,452,576 in new annual healthcare spending to Wyandotte County and create hundreds of new healthcare jobs.
3. **Mental Health and Jails**
The Unified Government supports allocating additional resources for behavioral health programs. Funds should be allocated for community mental health centers and additional bed space for psychiatric patients to reduce the number of people with behavioral or substance abuse issues who are inappropriately incarcerated in county jails.
4. **T21 Policy**
The Unified Government supports raising the age of legal access for the sale of tobacco products to persons 21 years of age and older across the State of Kansas. While all cities in Wyandotte County now have T21 ordinances, the passing of a statewide T21 law would allow for greater coordination and strengthening of enforcement.
5. **Expedited Partner Therapy**
The Unified Government supports legislation explicitly allowing and providing guidelines for Expedited Partner Therapy in the case of sexually transmitted infections. EPT is the clinical practice of treating sex partners of patients diagnosed with chlamydia by providing prescriptions or medications to the patient to take to their partner without a health care provider first examining the partner. Kansas is one of only six states which do not explicitly allow EPT.
6. **Serving Senior Populations and Area Agency on Aging Issues**
The Unified Government supports legislation to provide improved support for aging populations in local communities, including full funding of Home and Community Based Services for the Frail Elderly waiver; funding Access to Core Services; and legislation to allow unused prescription drugs from nursing homes, hospice, and other health care agencies to be distributed for use by medically indigent seniors.

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Public Health and Environment; number 1, Local Health Department Funding and recognizing the importance of that and the need for continued investment in local public health. Number 2, Medicaid Expansion.

Representative Wolfe-Moore said I didn't mean to interrupt, but I was just going to speak for just a moment on Medicaid Expansion. You might have heard that the Democrat leadership proposed today to work this year on Medicaid Expansion, a constitutional amendment, so we don't have ballot referendums or ballot initiatives in Kansas as they do in the surrounding states so the citizens can't bring forth something like Medicaid Expansion like they can in other states. So, this Constitutional Amendment would take two-thirds of the State House, the House and Senate in order to get it on the ballot. As you know, we've tried for many years to pass Medicaid Expansion. Thirty-eight states have done it and we have not done it yet and as in your little note there, at least 8,000 people would benefit from this and especially crucial during COVID. I don't hold out a lot of hope, but I am glad to see we're still trying something to try and get Medicaid Expansion passed in Kansas.

Mr. Howze said we've got Mental Health and Jails following Medicaid expansion. The T21 Policy, we have Expedited Partner Therapy related to sexually transmitted diseases. Senior Population and Area Agency on Aging Issue. I'll pause, any comments on any of those?

7. **Energy Efficiency**
The Unified Government supports energy efficiency and the development of a statewide energy policy which enables local governments to act individually or in cooperation with others to address energy efficiency. Funding for the Efficiency Kansas program which assists homeowners in improving their homes should be restored.

8. **Energy and Environmental Mandates**
The Unified Government opposes federal and state mandates which regulate the operations of municipal electric, water, solid waste, storm water, telecommunications and broadband utility services which do not come with adequate funding to address the mandate.

9. **Stormwater Management**
The Unified Government endorses regional and cooperative solutions to stormwater quality and quantity challenges and encourages the Kansas Department of Health and Environment and the Environmental Protection Agency to work with cities and provide technical support in the implementation of reasonable regulations related to stormwater management.

10. **Infrastructure Funding**
We support increased federal and state funding to assist local communities with their water, wastewater, stormwater, levee and dam infrastructure and associated security needs. In addition, we call for longer loan terms up to 40 years when the usable lifespan of an improvement exceeds the life of the loan.

11. **Stormwater Management**
We endorse regional and cooperative solutions to stormwater quality and quantity challenges that address point and non-point source pollution. We further endorse state measures to incentivize and enable investment in green infrastructure (e.g., street trees, use of native plants, etc.) to support sustainable communities.

12. **Hazardous Waste**
We support a comprehensive state-local approach to aid in identifying hazardous wastes and to develop programs to monitor and dispose of such wastes. We encourage state agencies to work cooperatively with local governments in the development and approval of programs to identify, monitor and dispose of hazardous waste. Further, appropriate education and training should be provided prior to the implementation of such programs.

13. **Clean Air**
We support air quality controls and a state-developed air quality plan that protects the health and safety of Kansans while balancing municipal cost concerns.

14. **Energy Spikes**
We support federal review and investigation of the extraordinary energy price spikes seen throughout the Midwest in Winter 2021. The UG will coordinate with BPU to encourage Congress and federal, regional, and state agencies to make appropriate changes in law and regulations governing natural gas and electricity production and sales to promote stability in energy prices.

Mr. Howze said the Energy Efficiency, the statewide energy policy. We've got Stormwater Management in there as well. Infrastructure Funding; this is language from, again, LKM and significant, of course, federal funding coming down around infrastructure. I think we've got stormwater in there twice. We'll clean that up. Hazardous Waste, Clean Air and Energy Spikes. This one is new this year and it relates, of course, to the cold weather snap last year and the gas price spike in that. In the December 16th discussion there was a request to add language in there that recognized that we have the Board of Public Utilities and a locally owned municipal utility and that they need to be part of any conversation around energy, you know, energy pricing. Any questions or comments from commissioners or members of the delegation?

Senator Haley said I am curious about the uniformity of what's coming locally and if there will be some statewide guidance on stormwater. There are different measurements that are made for how we measure or if the convener might share if there's some guidelines on the rate that will be applied. Not in great detail at this hour, of course, but there is some concern as to the amount of per square foot and the measurement of that, that might differ from municipality to municipality and obviously the state probably would not weigh in on what uniformity would look like. I just was wondering if we might look at that. Actually, there were some different prongs in stormwater management. One in stormwater management too that were offered, but I do want us to keep an eye on that. I know that there's been the theme of lower taxes that flow from local to state and back and forth, but this is something that is very much in discussion right now. I just thought I would throw that out while both delegations are here and we're having this forum because that could be a spike in and of itself if it's not carefully weighed.

15. **Water Quantity**
Government at all levels should aggressively pursue the conservation, protection and development of current and future municipal water supplies. We support cost-effective efforts to extend the life of reservoirs and to expand reservoir storage for use by municipal water suppliers. We support immediate state action, in consultation with municipal providers, to address over appropriated surface and groundwater resources while respecting priority of water rights. The water rights management tools that have been developed in recent years should be modified or expanded so that they provide the same type of flexibility and authority to any water rights holder regardless of class.
16. **Water Planning**
We support increased municipal representation on the Kansas Water Authority; broad-based revenue sources and distribution for the state Water Plan Fund; and a re-evaluation of the process for adopting the annual state Water Plan Fund budget.

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Mr. Howze said number 15, Water Quantity and number 16, Water Planning. Again, both related to water resources across the state and both are new for 2022.

Additional Policy Items for Consideration

Kansas Emergency Management Act

The Unified Government is requesting that the State of Kansas Legislature restore the Act to its prior version. When Senate Bill 40 enacted in 2021 it removed almost all of the powers of the State of Kansas Executive Branch for emergency and recovery. This is critical for local units of government to be able to request resources from the State of Kansas and the Federal Government.

Energy Spikes

We support federal review and investigation of the extraordinary energy price spikes seen throughout the Midwest in Winter 2021. Based on the information gathered, we encourage Congress and federal, regional, and state agencies to make appropriate changes in laws and regulations governing natural gas and electricity production and sales to promote stability in energy prices.

Youth Fatality Review Board

The Unified Government supports continued refinement of state statute 22a-243 to include confidentiality protection for and guidelines related to the administration of local review boards.

“Automated Expungement”

The Unified Government supports the automated expungement of qualifying criminal records from public view. A criminal record reduces a job-seeker's chance of getting a callback or job offer by nearly 50%. Nationally, \$87 billion in gross domestic product is lost due to dismissing workers with criminal records from the labor market. Individuals are 11% more likely to be employed and earn 22% higher wages one year after a record has been cleared. In Kansas, expungement of a record requires a petition filed through the court and payment of fees. Once certified, this process may take an additional 2-4 weeks to process vs. Automated expungement uses technology to streamline the process.

Mental Health and Jails

The Unified Government supports full state funding for community mental health services and policies that promote treatment over incarceration of the mentally ill in county jails. The Unified Government also supports State funding when the State used County facilities. Currently the KACP leadership regarding KDADS plans on addressing the Hospital Issue.

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So, there were—and this gets a little messy, so I sort of apologize in advance. This is a working draft. Some of these items that were moved that were into the document that have been discussed here this evening as we've gone through this. There are a couple in here that I'll scroll down to that have not yet been touched on and wanted to get input or get discussion on. One is Mental Health and Jails. This was intended to be part of kind of the original draft and it got skipped over. So, this is full state funding for community mental health services and treatment over incarceration of mentally ill in county jails.

Representative Wolfe-Moore said just on the mental health in general, not particular to the jail, so last year we passed something called Certified Community Benefit Health Centers. That is probably one of the most transformative things we've done in mental health in a long time and what that does is certain mental health centers in the community, mental health centers in the state, that become certified get paid at a higher Medicaid level and so it allows for them to expand their services and to focus on the whole person and I'm really happy to report that Wyandotte Behavior Health is one of the five or six across the state are certified. So, that's a really big deal. It will allow them to expand their services and do more of what they're really so very good at. That was a major, major advance in mental health in the state of Kansas.

Medical Marijuana

The legislature should carefully weigh the impact of medical marijuana on law enforcement and human resources. In addition, medical marijuana should be subject to existing state and local sales tax and cities should be able to levy their own excise fees, and receive a portion of any state funds to offset the impact of medical marijuana. Also, cities should have the ability to opt-in to allowing dispensaries in their city. Kansas should only allow the cultivation and processing of medical marijuana and THC in licensed facilities and should not allow residential grow operations of any sort.

Mr. Howze said the next item is around Medical Marijuana. This generated some discussion amongst the Commission on December 16th in terms of basically the legalization of medical marijuana as well. Right now, this is not in the legislative agenda and wanted to get discussion with the legislative delegation before the Commission came to a decision on whether to include this or not.

Senator Haley said this has been an issue, I don't need to tell anyone on this line. Kansas and Kansas City, Kansas is the hole in a donut of legalization for marijuana for medicinal purposes

and it creates a whole slew of problems at the local and state level. I would hope that you would consider including this. It's been a topic of great discussion. Even the Governor, Governor Kelly, wanted to marry whatever revenue was derived from medicinal marijuana to Medicaid Expansion or expansion efforts so it would join I think, not only legislative, but executive support at least in this upcoming year. I would hope that it would be something that the UG would wholly support. I know there's been some discussion from even our Chamber, our local Chamber of Commerce, as to what it means. Frankly, I don't think that there's the appetite to arrest or to prosecute even for low level of possession of marijuana in our city. If there is, I would certainly hope we would rethink that with the strain on law enforcement and with our courts that we just discussed a moment ago when we were talking about (inaudible) services to hold somebody for possession of a small quantity of marijuana. So, anyway, I just hope this is something that we could wholeheartedly endorse for so many reasons because, frankly, Kansas is the only state left behind in all the surrounding Midwest states.

Senator Pittman said I echo Senator Haley's comments that it's already passed the House. It's in the Senate, it's in a committee. There's a big appetite I think amongst a growing majority to move something out and, therefore, I think the UG should take at least some position on it and I think your position on the ability to have local control with sales tax and leveraging excise fees is a fantastic one and also the opt-in on the dispensaries seems like a very relevant one. If nothing else, in the context if medical marijuana should be allowed, weighing in on those two pieces I think would be in your best interest as a statement. I certainly support it myself and I know a lot of veterans in the community as well as others who deal with autism and some other medical conditions. I don't know if it's autism, but then I think with autism and there's another couple of conditions where it does help, people with cancer, etc. that are really pushing for this, so hopefully, we can take some kind of position even if it's not as far as it's stated here.

Commissioner Ramirez said to go back to what Senator Haley said, that Kansas, we're behind on many, many things. Medical Marijuana isn't the only issue, we're behind on a lot, but I, you know, sitting on this governing body, I support medical marijuana and I think we should have it a part of our agenda. It's something that more and more people are seeing that it has a medicinal purpose and that many, many people in our state and even in our community here would truly

benefit from allowing to have it, albeit any disease or condition that they have. Other states around us have it. They have shown that it works. If you're able to have a very well regulated system, it can work. I have yet, and please any commissioner or legislator correct me if I'm wrong, from any state or community that has allowed medical marijuana and to regulate it, I don't think if there's been, excuse the language, I don't think all hell has broken loose by allowing it to go through. I think it is—as one commissioner of the governing body, I think I do believe that it should be part of our agenda and I think all the legislators who are and who have in the past been working towards this, this is something that we need to do and would be very beneficial for the state and for our communities.

Commissioner Davis said I echo what Commissioner Ramirez is saying, but I think there's another component here and it's just for the public. I read an article that said the state of Missouri got over \$200M in sales within 14 months just based off medicinal Cannabis. That is money that we are leaving on the table as a state, but specifically for Wyandotte County, that's money that we are leaving on the table that can go towards alleviating the pressure on property taxes, sales tax and things of that sort that can go towards Public Safety, Parks & Rec, our roads and things of that sort. So, there is an economic component here that we also have to include that we can leverage and really invest in our departments and amenities, but also we can alleviate some of that property tax burden as well.

Representative Curtis said I hope you include it. I'm already on record of supporting. I've already voted for it, but one thing you may want to consider including would be just a statement of reciprocity since we are a border city. That's one thing that I'm seeing other states to make sure that they include is that reciprocity piece so that the revenue can go both ways.

Representative Burroughs said colleagues, I ask that this be pulled off so we would have an opportunity to have a discussion this evening to hear from the commissioners in reference to the challenge we have as a local unit of government and knowing that we have already passed it in the House, as it was stated earlier, this is an issue. Medical Cannabis has been one that I'm really pleased to see having what I would call an intelligent discussion, a low-level emotional discussion, in the Chamber, in the House to advance Medical Cannabis. So, putting this on the agenda this

evening was an opportunity for the Commission to weigh in and hear what we have to say so that we can come with the unified message and a unified delivery on how we move this issue forward. Our Senate colleagues are going to need our assistance and our community can be somewhat confused if we just throw the medical marijuana out there without specifics to it. That's why I asked that it be presented to you all this evening collectively so that we would all have a chance to weigh in and have discussions

Mayor Garner said I would like to weigh in as well just to let everyone know my support of the Medical Marijuana conversation at the state, but I think what's more important here locally for our communities to also talk about is something that I'm going to spearhead a conversation with the Commission is minimizing the penalties for small quantities of marijuana in Kansas City, Kansas as well. I think the two of those conversations go hand in hand.

Mr. Howze said we are almost at the end. I am going to propose, Mayor, in the interest of time because we do have an important COVID update following right on the heels of this. We have two items left. The Active Consent which was sort of a clarification question from Commissioner McKiernan and then the Tobacco Tax and perhaps, Mayor, we could save discussion for those for the 7:00 p.m. I think we can work through those in a matter of a couple of minutes as we take up the legislative agenda as a whole and then adjourn this and move into the COVID update following this. **Mayor Garner** said yes, quickly, but I think I had a hand from Commissioner Bynum.

Commissioner Bynum said I'm in support of the statement being added regarding medical marijuana and, Mayor, I'm willing to participate in your efforts on the local municipal court aspect of the penalties we heard. Briefly, on that topic at the Public Works & Safety Standing Committee, probably two years ago because it was pre-COVID, but we began that discussion and I'm willing to continue exploring that.

Senator Pettey said I'm just going to make a remark on the remove Active of Consent from the school surveys, a very important issue and all the points that are made there from the Health Department are so important, but you might want to refer to it as more opt-in instead of having opt-out. That's statement removing Active Consent from school surveys is definitely not a

terminology that necessarily has been used in the discussion of this but it is very, very important and I hope you keep it on your agenda.

Commissioner Ramirez said I have just very quick comments and then we can move on to our COVID update. Just as I said in the beginning, thank you to the legislators for coming tonight and I guess this is something I can have conversation with the Mayor and the Commission as a whole as well. I'm going to propose that mid-session we have something like this again with the legislators. I think it's important that we continue to have conversation and keep the lines of communication open because I know—fortunately I'm able to have a relationship with almost the entire delegation. I know I can reach out to any of you concerning issues or whatever is happening in the legislature, but I think mid-session coming to us again and reviewing the agenda and see how far we've come in the session within our priorities. I know that's something that we maintain good lines of communication between the delegation and the Commission and the UG as a whole, but I just think it's something that we should look into.

Senator Pettey said sorry for prolonging this, but I think this is so important and I have been involved both on that side of the commissioner and as a state-elected official, but I would say as I'm looking at this and as I pulled it up earlier today, this is an exhausting extensive list, so I would encourage you to look at thinking about what are your top five because it would really be helpful for legislators, or top ten, because as was mentioned, some of these are from the League and so they're maybe not the top, but I know there are issues that are at the top of your list. For myself to focus on those is going to be pretty daunting so maybe the discussion tonight will help with that. I'm just going to say from my perspective, if you come up with your top 10, that means that as I see these things come forward, I know that they're a priority for the UG, so I would appreciate that.

Representative Burroughs said to put this to rest this evening, first of all as Chairman of the delegation, I want to thank my colleagues for joining the Commission this evening, but, Mayor, I want to thank you and the commissioners for extending an invitation for us to have this public discussion this evening in reference to what is important to our local unit of government and you have partners here that visit the Capitol on a regular basis during the session. To get to

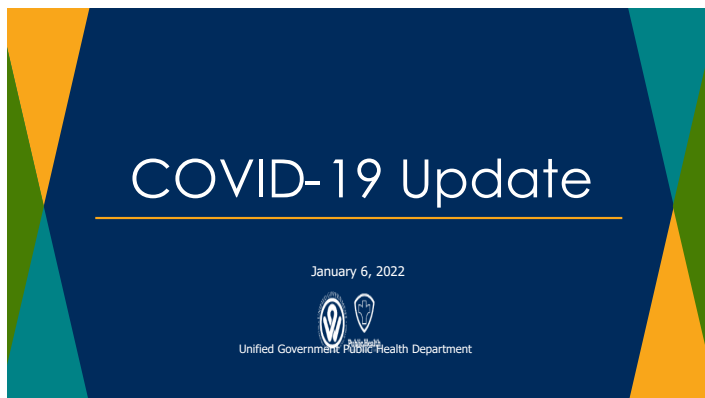
Commissioner Ramirez's comment, we have Tuesday luncheons that the delegation holds every Tuesday to have local residents come up and visit with us in the Capitol and it usually runs anywhere from 11:45 to 12:30, so I would encourage any of you that want to come up do. I do agree that Senator Petty did make comment about the issues that you presented us here. It is quite an exhaustive list, but I will share with you the League of Kansas Municipalities, those issues will be presented throughout the entire legislative body and those—I don't want to say they're easy listening, but we have a lot more voices at the table.

I would encourage Mr. Dupree—I know he's not a person that doesn't visit the Capitol, he is there quite a bit and I would extend him the opportunity to come up and give testimony in reference to the needs of the local DA's Office so that our colleagues across the state understand the significance and importance of it to Wyandotte County. With that, Mayor, I know we're up against the timeline, but again, I wanted to express appreciation to the delegation and to the Unified Government, to you Mayor, for allowing this meeting this evening.

Mr. Howze said I think that's everything from the legislative delegation. We'll turn it back over to you.

Mayor Garner said I just want to send a sincere appreciation and thank you to our Wyandotte County delegation for this dialogue. It's valued, it's appreciated, and I think it's really beneficial to the community for all of those that are watching and will watch this. Just seeing this level of communication and collaboration for the betterment of Wyandotte County I mean it's what's needed and I agree with Commissioner Ramirez. If we can keep this dialogue going and really find real solutions like you've heard me say to the real problems that impact on the people that we serve here in Wyandotte County. So, thank you all so much for your time and for your interests and hopefully that you all will take some of the things that this body has presented to you and we're willing to work with you to move some of those things forward in a positive direction for the citizens of Wyandotte County.

That concludes that part of the session. I'll now turn it over to Acting Administrator Howze for the update on COVID-19.



Alan Howze, Acting County Administrator, said we'll spend the next half hour or so talking about the state of COVID in the community. We have a presentation from the Health Department and our Health Officers Dr. Alan Greiner and Dr. Erin Corriveau. They will be joined this evening by Pastor Tony Carter and Glenn Brady from the Health Equity Task Force. They will share also some of the outreach to the community that has taken place during the pandemic. I'll note while our Health Director Juliann VanLiew usually takes off with these presentations, she is out on our new childbirth leave after having a healthy baby boy earlier this week. To lead off this evening's update, I'll turn it over to Elizabeth Groenweghe, the Health Department lead Epidemiologist.

Elizabeth Groenweghe, Chief Epidemiologist, said I will get us started with our update.

A presentation slide with a dark blue background and colorful geometric shapes (orange, teal, green) on the left side. The title "UGPHD OPERATIONS" is centered in white. Below the title, there is a bulleted list of information:

- Vaccine and Testing Hours for 2022
 - Vaccinations
 - Health Department: M-TH: 9:00 a.m.-4:00 p.m. (by appointment only)
 - Kmart: Fridays: Noon-6:00 p.m. (walk in)
 - Community partner locations and mobile events
 - Testing
 - Kmart: M-F: 9:00 a.m.-3:00 p.m. (walk in)
 - The Armory: M-F: 11:30 a.m.-8:00 p.m.; Sat/Sun: 9:00 a.m.-3:00 p.m.
 - Community partner locations and mobile events
- 2021 Total Vaccinations=133,645
- 2021 -4th Quarter Testing=Over 10,000 tests

At the bottom right, there are two logos: the Unified Government logo and the Public Health Department logo.

To start with I just wanted to review some of the work to date that the Health Department has been doing around COVID. I know we have some commissioners here that might be newer to the work done at the Health Department, so I wanted to give kind of a high-level overview of the great accomplishments the Health Department has done throughout the COVID pandemic before jumping into our situational update.

January 6, 2022

To start with, we are continuing our vaccine and testing operations in 2022. Vaccination is more important now than ever because of the spike in COVID and so vaccinations are still available through the Health Department. We are operating out of the Health Department building Monday through Thursday by appointment only. We also allow walk-ins at our old K-Mart facility at 78th & State from noon to 6:00 p.m. and that's just on Fridays, but no appointment is necessary. We offer all three of the vaccines; first dose, second dose, the boosters as well as the vaccines for 5 to 11 years old. We're also continuing to work with our community partners and mobile events to make sure that we're getting out into the community to vaccinate.

We're also continuing to offer COVID testing for the community. The offer has been Monday through Friday at our old K-Mart building 9:00 a.m. to 3:00 p.m. No appointment is necessary. It's walk-in, which is really huge, because a lot of test sites right now have moved to appointment only due to the huge demand for testing, but we're still operating walk-ins and testing a huge amount of people. There is also testing at the Armory, the National Guard Armory, closer to downtown Monday through Friday, 11:30 to 8:00 and then Saturday and Sunday testing hours as well and we continue to work with our community partners and doing mobile events for testing as well.

In 2021 we administered a total of 133,645 COVID vaccines across three of our max vaccinations sites that we had open at one point as well as mobile and community outreach vaccination sites. That's a huge accomplishment that we're really proud of and a lot of it was possible due to the huge amount of volunteers that we had. We had over 1,500 volunteers at one point in time to help administer all those vaccines.

We also administered over 10,000 COVID tests just in the fourth quarter of 2021 and as I'm sure you are aware, there has been a huge increase in demand for testing. Just yesterday we set a new record for the number of people tested in a single day. We tested 787 people yesterday at our K-Mart location.

UGPHD + Partners Outreach Engagement 2021

- Mobile Events
 - Schools, businesses, homebound, churches: 138; 4,777 vaccinated
- Community Partner Efforts
 - Vibrant Health
 - Cross-Lines (KDHE)
 - Health Equity Task Force (HETF) Partners (Faith based, Non-Profits, and Community Organizations)
 - 55,000 KN95 masks given out in the community in conjunction with the HETF



We've also done extensive work with our community partners, outreach, and engagement to get people vaccinated. We've done a variety of mobile events with churches, schools, businesses, and homebound individuals, so that's been a great success. We've also worked extensively with community partners; Vibrant Health, Cross-Lines, Faith-Based organizations, non-profits and then a big success story for us has been our Health Equity Task Force.

I'm now going to turn it over to Pastor Tony Carter and Glenn Brady so they can talk a bit more about the Health Equity Task Force and the successes that they've had.

Health Equity Taskforce (HETF)

- Formed March 2020 to ensure equity in testing, vaccination and social services in Wyandotte County
 - Community testing
 - Community and Faith Leaders
 - Scholarship
 - Full Health Equity Taskforce
- Taskforce representation includes residents, local community-based organizations, churches, schools, businesses, medical personnel, health department



Rev. Tony Carter said thank you for allowing us to take a few moments to tell you about what we've done with the Health Equity Task Force. I think this has been a great group and Wyandotte County not only leads for our local counties, but we lead for counties in the state and many of the things that we have been doing, a lot of innovations and things outside the box to address testing in our community. We're working with community leaders and FQACs and even KDHE has worked with us. We've just had a conglomeration of persons who are working from various groups to create the kind of synergy that I think is necessary to have the kind of success we've been able to have in our community.

We've had tests, again as Elizabeth said, at churches, we've been at other places in the community, we have worked with the homeless population, we've worked with a lot of the different groups; Vibrant, Swope, Heart to Heart, CORE labs, Crosslines, Care Beyond The Boulevard, Kansas Black Farmers. The churches; we've had flagship Initiative where churches work with other churches to chronicle and catalog the number of people who have been tested. We've worked with a lot of different groups and everybody put down their individual goals for the goals of helping the common good in our community. I like that kind of effort. You know historically there have been inequities that have not been fair and equal across the board and the Health Equity Task Force has really began to address a lot of those issues and those groups have collaborated together and come up with testing sites in various parts of the community where the spread was the highest.

We've been able to think outside of the box to do pop-up testing, we've been able to address vaccine equity, we've been flexible. Sometimes people couldn't get off early enough so we would do it later. We did it on weekends and Sundays and so we've been able to accomplish a lot of different things based on our collaborative efforts together and we worked really, really hard prior to K-Mart opening. When K-Mart opened, that helped us to address some of the things. We expanded to—when we were able to expand to the Armory it really helped us to reach a larger segment of the community and it's been a great, great help being able to work with them. The trust level that we have now because we've been working with the Health Department, Dr. Greiner, Dr. Corriveau, Juliann VanLiew, all of those persons have really synergized our efforts. We had groups from all parts of the community. The Community Health Council led by Broderick Crawford and Dr. Solano and incidentally, Broderick is in the hospital and we're praying for him to recover, but we've been able to do a lot of different things. The task force representation includes residents, local community-based organizations, churches, we've went to the schools, businesses, medical personnel, and the Health Department; that has been great.

Health Equity Taskforce

- HETF (Health Equity Task Force)
 - In conjunction with the RADx-UP testing project
 - 97 events in 2021
 - 174 days of testing availability
 - 4,123 people tested
 - 681 people vaccinated
 - Social media reach
 - Reached 30,644 people
 - 1,993 people engaged with the content



In conjunction with what we have done, we work with RADx-UP who works with the KU Medical Center and we've been able to do this across the state. We've had 97 events just this past year, 174 days of testing availability, 4,123 people have been tested, 681 people vaccinated and we've been able to work with groups like Telemundo and KPRT and a lot of the groups to get the information out. We've worked, not just in the African-American community, but in the refugee community and the immigrant population and the Latino community by bringing all of these various groups together for us to work together as one for the good of our community.

Health Equity Taskforce:

- Testing and vaccine events:
 - 33% clinics
 - 54% churches
 - 3% community centers
 - 2% recreation centers
 - 4% schools
 - 4% social services



Testing and vaccine events; you can see that 33% of what we did was done at clinics, 54% at churches, community centers, recreations centers, schools and through a lot of the social services.

Elizabeth, if you will pull up the video, this is a video of one of our partner churches, New Bethel, and what they did and how we were able to come up with pop-up testing in our community and vaccines as well as giving out food and this church is an example. If you would play that video and then after it's done, Pastor Brady who is the Pastor of this church, will speak to what they were doing.



Health Equity Taskforce



- [New Bethel testing/vaccine event](#)

Video and
editing by
Matt
Kleinmann



Mr. Howze said, Elizabeth, given interest of time here, I just want to keep an eye on the clock so if we can do a portion of wraps of the video. I just want to make sure we have time for the rest of the presentation as well. **Ms. Groenweghe** said I will play the first little bit so that we can kind of get media. (Video was shown). **Ms. Groenweghe** said I'll go ahead and pass it along to Pastor Glenn Brady.

Rev. Glenn Brady said we're glad for this opportunity to share with you. First of all, I've been involved with the Health Equity Task Force since its very beginning which was around March of 2020. A group of religious leaders, community leaders, we're asked to come together and to form a means by which we would discuss, receive proper information from the Health Department so we can know how to provide that information to our congregations and those in the community that they may be safe. I, as you may remember at the very beginning of this pandemic which has almost been two years ago, our area made national news because of the deaths that were occurring especially with those that attended a religious service. Well, this is one of the things that I do at New Bethel in my leadership. I engage wisdom with faith. I'm a faith believer, but at the same time I know we must engage wisdom.

The Health Equity Task Force has been provided the information from the Health Department which are legitimate and provides the data that we can make proper decisions. I've used that information to share with other pastors as well as my congregation and I would like to say that giving, of course, God the Glory, in the two years, we've not had one person to die from COVID-19 in our congregation. We've had some, of course, who has had COVID, but we have not had any deaths. There's been family members who've died, but I can say that because we

follow the guidelines provided by the Health Department and our discussions that we have had, we have utilized that wisdom with our faith and that has certainly been quite helpful to us.

Right now, at New Bethel, we still require everyone who attends to wear a mask. They don't have to be vaccinated to attend, but we do require one to be masked indoors. We recognize the degree to which this variant can spread, so we want to keep everyone safe. Following those examples has helped us to be a leader to provide the way and the guidance that is necessary. On our church staff we required everyone to be vaccinated. Unfortunately, there were those, especially of the millennial gender, they did not necessarily want to be vaccinated, but we required that because of the interaction that they had with the congregation.

I just want to say that we are applauding the Health Department, especially the data that they provide, gives us on the task force the ability to have the information necessary to lead our congregations and the community. I just want to say that on the task force we ask some very hard questions. We have some conversations that are sometimes seemingly controversial, but we're trying to get at the truth and I'm grateful for the task force and hope that we can continue the opportunity to share and this is needed in our community, especially our county, as you know does not have the best of records when it comes to health, but we are certainly doing what we can at New Bethel and many other flagship churches to improve the health equity of Wyandotte County. I'll turn it back to you, Elizabeth, and we can continue on.



Ms. Groenweghe said from here I'm going to move into kind of a situational update on the very serious situation that is COVID-19 right now in Wyandotte County.

7 Day Rolling Average: COVID cases

Cases continue to dramatically rise



266



To start with, I wanted to talk about our 7-day rolling average, so that's the average number of cases each day that we're getting. As you can see that number has drastically risen recently to the highest that it's ever been. When I put this slide together yesterday our 7-day rolling average was 266, so that's 266 people in Wyandotte County that are testing positive on average each day, but today our rolling average is 306. So even in the time from yesterday to today, it's gone from 266 to 306 which are numbers that we've never seen before. Another important thing to note is these are just cases that are reported to us through labs and clinics and hospitals, not including the numerous home tests that are being done. So, in fact, there's even more COVID cases in Wyandotte County just than what's represented in this drastic increase on this graph.

7 Day Rolling Average: Percent Positive



62%



We also track percent positivity to see how COVID is spreading and so 62% of people that are being tested are testing positive in Wyandotte County. That is also the highest that it's ever been and very concerning and shows just how high the community transmission is right now.

COVID hospitalizations are increasing in Wyandotte County



Hospitalizations are also increasing quite a bit. One of the doctors is going to talk a bit more about hospitalizations later in the presentation because the hospitals are truly at a crisis level right now and it's something that we should all be really concerned about. So, this first graph here has new hospitalizations for COVID for the Wyandotte County hospitals and you can see we're seeing a sharp increase.

COVID hospitalizations are increasing sharply across the entire MARC region.



This graph shows for the whole MARC region, so all of the counties within the Kansas City metro area, we're seeing an even sharper increase, which again, is very concerning. We don't want to see our hospitals this full right now and as a reminder as well, hospitalizations are actually kind of a lagging indicator, so I showed you that really steep graph before about 7-day rolling averages for a number of new cases. Typically, when someone has COVID, it's a couple weeks before they need to be hospitalized, so we expect this hospitalization graph to continue to increase sharply just due to the number of new cases that we're getting each day.

Deaths

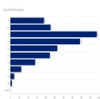
- **415** Wyandotte County resident deaths since the beginning of the pandemic
- 19 deaths in December 2021
- 2 deaths in January 2022



We're also starting to see an increase in deaths which is the worst outcome that you can have if you have COVID and what we're trying to prevent. Since the beginning of the pandemic we've now reached a total of 415 Wyandotte County residents that have lost their lives due to COVID. Last month alone, we had 19 deaths reported to us and so far in January, we're at two deaths. Deaths are also a bit of a lagging indicator. Unfortunately, we do anticipate that more deaths will occur as a result of this surge that's going on right now.

COVID in youth

- Majority of cases in last two weeks are youth and young adults



We're also seeing a lot of cases within our young adults and youth. This graph breaks it down by age group for the last 14 days. You can see that the people in their 20s, 30s and then also the younger age groups make up the majority of our cases. The last two weeks as well, kids weren't in school so we didn't have as many cases in those school age kids, but schools are back in session this week and we're already seeing a huge increase in the number of cases in our schools, which has us really concerned, so we're going to continue to keep an eye on that age group and expect to see a lot more cases and, thus, community spread and in the school age group as well.

Vaccine Data Summary

	Number	Percent
Wyandotte Residents with at least One Dose	95,898	58%
Wyandotte Residents with Completed Vaccine Series	80,206	48.5%

- UGPHD data includes residents vaccinated anywhere in Kansas
- Does not include data from those vaccinated out of state (including Missouri) or administered federally (i.e. VA)



Finally, I wanted to go over some vaccination data so that we kind of know where we stand. We know that vaccination is very important, the best prevention that we have against COVID right now, so we've continued to track our vaccination numbers. These numbers here are for Wyandotte County residents, but it doesn't include people that were vaccinated outside of the state of Kansas, so it is a bit of a gap in our data that we're working to correct, but this is Wyandotte County residents specifically. We have 58% of our residents with at least one dose and 48% that are fully vaccinated. Fully vaccinated means two doses of Pfizer or Moderna or one dose of Johnson and Johnson. We're still at less than half of our Wyandotte County residents that are fully protected against COVID.

Booster doses

Only **13.3%** of Wyandotte Residents have received a Booster dose of the COVID-19 vaccine.



Another important thing to keep in mind is something that one of the doctors will talk about later in our presentation. The data's now showing that to really protect against Omicron, the new variant, people need boosters as well, so three doses is really going to be better protection than two. Right now, we only have about 13% of Wyandotte County residents that have received a booster dose of COVID vaccine, so that leaves us very, very vulnerable right now in terms of vaccination.

January 6, 2022

Childhood vaccination

38% of children 5-17 years old have received one dose

28% of children 5-17 years old are fully vaccinated



We're also tracking childhood vaccination numbers. We now have a vaccine available for 5 to 11 year old's. It's very important we get our children vaccinated so that we can keep them in schools and keep school transmission down, but unfortunately, we only have 38% of children 5 to 17 years old that have received one dose and 28% of children that are fully vaccinated. Our childhood vaccination numbers are really lagging behind, even the adult vaccination numbers.

Hospital Update

"This is hands down the toughest surge the medical community has had to face since the pandemic began"

- Dr. Stites, KU Chief Medical Officer, January 5, 2022

- Locally, no monoclonal Ab treatments available
- Surgeries and medical visits currently postponed due to staffing crisis



I'm going to turn it over to Dr. Greiner and he's going to provide us an update on the hospital situation.

Dr. Greiner, Local Health Officer, said I'll move through these next set of slides fairly quickly. Some of you may have been on the call yesterday, the Mid-America Regional Council put together with Chief Medical Officers. Dr. Stites from KU Medical Center talked about how hard things are right now for local hospitals. You saw the number of hospitalizations going up. Even though this new variant—this Omicron variant may be slightly less severe, even if it's a third less severe, we get three times as many cases, which it looks like we will, we're still going to have the same amount of hospitalizations as we had last year. What's worse about it is, we're seeing so many

staff get infected that we really have a major problem, so if you were to go to a hospital right now, for example, in a local ER, you would have a nurse taking care of you that was probably taking care of twice as many patients as in that ER, maybe three times as many patients in that ER that he or she normally would. One of the Chief Medical Officers yesterday said that the mortality rate happening in the emergency rooms, for example, is maybe three to five times higher right now than it normally would be, so they are very concerned. That's probably why the Governor reenacted a State of Emergency for the next two weeks just this afternoon.

We have some treatments available now which maybe you've heard about, these monoclonal antibody treatments. One in particular is very effective against Omicron, but it's very, very hard to get right now and the supply, for example, at KU and most of the local hospitals is being used up almost immediately when it arrives each week and so we do not have enough. Right now regular procedures are being delayed as is other routine care to try and care for COVID.

Hospital Update

- Rural hospitals across KS hit hard: no transfers available
- When hospitals overwhelmed, does not just impact COVID care. Reduced care for all—heart attacks, strokes, car accidents, etc.



The hospitals in our region out in the rural areas are being hit very hard too. I heard about one hospital this week that had to call 150 hospitals to try to get a transfer to happen. That's a huge issue, and like I said, it's affecting all conditions, not just COVID right now.

Long-Haul COVID-19

- "Post-acute COVID-19", defined as symptoms 4 weeks after infection and lasting more than 2-months. Affects adults and children
 - Fatigue, weakness, poor endurance
 - Difficulty breathing
 - Chest pain
 - Chronic Cough
 - Less common: headache, insomnia, inability to taste/smell, vertigo, memory impairment

Prevention of post-acute disease is through prevention of COVID-19 infection: vaccination, masks, distancing, etc.



We're concerned about things like long-haul COVID. We don't know with Omicron, even though it might cause a slightly lower number of hospitalizations and deaths, is it going to cause a long-haul COVID where people have long-term fatigue, long-term symptoms like cough and headache and difficulty sleeping and memory impairment. Some of you may know some people who have been affected by this. I certainly have patients who have. This is the kind of thing we can avoid if we get more people vaccinated and we do other things to mitigate spread.

Delta? Or Omicron?

- Currently, approximately 60% of infections in Wyandotte County are caused by the Omicron Variant
- That means the Delta Variant is still surging too.



Right now we think about 60% of the infections in our county are the new variant, Omicron, but we still have—that means we still have 40% of those infections. So, if we're getting 300 a day, as Elizabeth said, we're still seeing a lot of Delta infection, so that's going to be a lot of serious illness and lead to lots of hospitalizations and deaths as well. Again, anything we can do and I'll show you the Swiss Cheese model just as a reminder here in a minute, anything we can do we need to be doing to help the situation.

Omicron Variant

Highly transmissible (2-3x that of Delta variant)

- Let's do the math, R0 Delta was 7-9, so assuming R0 Omicron is 18:
 - $1 \times 18 = 18$
 - $18 \times 18 = 324$
 - $324 \times 18 = 5,832$
 - $5,832 \times 18 = 104,976$



Why are we concerned about this? Again, I mentioned how it's more transmissible. It's probably two to three times as transmissible. There's something called the R-naught or R0 that tells you how transmissible. If one person has it, they're probably transmitting it to 7 to 9 other people and that math goes up very fast and that's why those curves that Elizabeth showed us go up so fast.

Omicron Variant:

- Less susceptible to vaccination, but full vaccination + booster provides strong protection
- Symptoms a bit different: sore throat, congestion, headache, sore muscles, back pain
- Previous infection with other COVID-19 variants does not prevent infection with Omicron
- Risk of hospitalization may be about $\frac{1}{2}$ that of Delta, but has spread to SO many more people



We also know that it tends to get around vaccination better than Delta and some of the prior variants. The booster is more important now and that low number of people having received the booster for us is a problem because it can get around that. In fact, it is infecting some people who have even had the booster. The symptoms are a little bit different. People tend to have a sore throat, congestion, headache, maybe not quite as much breathing problems, but it doesn't look like a prior infection with COVID, it doesn't protect you very much from Omicron. It can get around that immunity, that prior infection caused, and again, maybe the hospitalization risk is half as much or even a third as much, but because it's hitting so many people, we're concerned.

Swiss cheese still beats all variants:



<https://uihc.org/health-topics/why-swiss-cheese-may-be-key-keeping-you-safe-covid-19>



I mentioned this earlier, what we've been saying from the very beginning of the pandemic is we need multiple measures to reduce spread and so things like wearing masks, getting vaccinated, washing hands, social distancing, avoiding large gatherings. If you layer those together, you make it very hard for that virus to get through to that individual on the left side of your screen, but if we start letting down our guard on things, we lose the opportunity. I think as we've said before, and as Pastors Carter and Brady talked about, this county has been a leader in some ways in putting some stuff out there that our population could latch on to and take advantage of in a way that has been emulated by the state. You know our Health Equity Task Force was basically—that idea was taken and the Governor put it together at the state level, and I believe Pastor Carter sits on that, and that helped the Equity Commission for the Governor. We've got to keep layering the Swiss Cheese together and as you're seeing, that's starting to happen with some of the things we're seeing in our region.

Do masks work? YES!

Kansas specific study showed that COVID-19 incidence decreased in 24 counties with mask mandates but continued to increase in 81 counties without mask mandates.

What are the implications for public health practice?

Countywide mask mandates appear to have contributed to the mitigation of COVID-19 transmission in mandated counties. Community-level mitigation strategies emphasizing use of masks, physical distancing, staying at home when ill, and enhanced hygiene practices can help reduce the transmission of SARS-CoV-2.

Trends in County-Level COVID-19 Incidence in Counties With and Without a Mask Mandate — Kansas, June 1–August 23, 2020

Miriam E. Van Dyke, PhD1; Tia M. Rogers, PhD1; Eric Pevzner, PhD2; Catherine L. Satterwhite, PhD3; Hina B. Shah, MPH4; Wyatt Beckman, MPH4; Farah Ahmed, PhD5; D. Charles Hunt, MPH4; John Rule6



There was a question last time about masks working. We could certainly have a sideline conversation about this, but there was a study actually last year with Kansas data of the counties that kept the mask mandate in place and the counties that did not. There were 24 with and 81

without and there was a significant difference in the number of COVID cases that occurred in the short timeframe after those mandates were either put in place or not put in place. We would be happy to share that talk about it more. There's also great data from the school systems this fall for school systems that had it and didn't have it in terms of who had cluster outbreaks and who didn't, so we are certainly in favor of that.

Nearby Jurisdictions

- St. Louis re-instated local mask mandate
- Douglas County re-instated local mask mandate
- Johnson County kept mask mandate for children in schools



Like I said, things are going on. The Governor reinitiated the emergency declaration today. St. Louis reinstated a local mask mandate this week. Douglas County just yesterday, I believe, reinstated their local mask mandate. Johnson County as of today extended their mask mandate for 5 to 11 years old. Kansas City, Missouri, as of today, put in place a mask mandate for 5 to 18 year old's, I believe, all K through 12 school levels, so people are moving in our region. We have been a leader and been emulated and so if we can do that, we want to do that.

Primary Considerations

Winter More time indoors	Nearly 50% residents remain unvaccinated
COVID Surge largest surge seen	Waning immunity after 5 months OR not boosted
Variants Higher transmission – Omicron majority of cases	Hospital resources are in crisis
Kids under 5 ineligible for the vaccine	Long COVID Health concerns extend beyond current emergency

Many factors are against us here. You may have seen data on South Africa which was hit hard by an Omicron surge and then it went back down quickly. Well, they weren't in wintertime there and they have a slightly younger population than we do and we don't have that many people vaccinated

as we've talked about. We've got weighing immunity for people who have prior infections. We're worried about long COVID. We know about the hospital resources. Kids under five have no ability to be protected by vaccines and if you heard the Children's Mercy Chief Medical Officer yesterday, she talked about how they have more children in Children's Mercy right now with COVID than they've had at any point in the pandemic, so that's a concern as well.

Recommendation to Commission

The UGPHD **strongly recommends** the Unified Government Board of Commissioners adopt a health order requiring mask wearing indoors in public spaces through at least February 17th.



I'm going to kick it back to Dr. Corriveau, our Deputy Health Officer, and let her talk about this and just kind of let her sum things up. I know we're running short on time so we'll keep you guys moving on things.

Dr. Corriveau, Deputy Health Officer, said we have heard about—**Mayor Garner** said can I just interrupt for just a second. I'm sorry, if you can narrow your response down to three minutes as we have to move the meeting along. I apologize. **Dr. Corriveau** said absolutely. I'll narrow it to one minute actually to help things along. I just wanted to mention that we at the Health Department are doing our best to take into account as many innovative strategies to control this virus and to keep our community safe as possible.

I wanted to recognize this evening the contribution and the help and partnership of the Commission and our leaders in this community as well throughout this pandemic and to say thank you to you all. We need you more now than ever. We are in a very difficult place right now in our community, at our Health Department. Our staff is stretched and certainly within our hospitals as you all have heard. We did want to bring forth a strong recommendation that you all consider a mask requirement within our community. As we've seen this evening, we know that mask

requirements make a difference and decrease the spread of this disease. With that, we'll finish up and take questions.



Commissioner Ramirez said I'm going to keep my comments very, very brief. I'm not going to beat a dead horse, but the governing body and staff know where I stand on this and my thoughts. I will say I believe allowing us to expire the previous mandate, in my opinion, we have opened pandora's box and now we cannot close it because we can't. It does bother me that we allowed that to happen. We are seeing our health care professionals every day sacrificing themselves to the brink where their mental, physical and psychological well-being is just not good. They're tired and yet we just allowed it to go away and I know we're doing what we can, but that mask requirement was something extra that we could help them with.

If I even tried to bring this recommendation to the Board as a resolution, I know I would not have the support, but it would be a disservice to my district, who supports it, if I didn't continue to fight for them and fight for the health care professionals who are on the front lines every single day. They see what happens, so thank you to all of our nurses, doctors, everybody who continue to fight for us.

Commissioner Davis said I think where we are at, there needs to be another step forward as far as our—this is controlled and anybody can answer this question. Do hospitals have the right to deny care to folks who have COVID, but have been eligible to be vaccinated for a while now. Do they have the right to say, hey, we have other patients who have other things that need attending in care, we cannot treat you or we are choosing not to treat you because you chose not to get vaccinated? That's my question.

Mayor Garner said if someone can answer that in 10 seconds or less, that would be great. **Dr. Greiner** said that's a tough one to answer in 10 seconds. They're not really allowed to do that because of the EMTALA law that require people to receive care. There are crisis methodologies in place in hospitals now to allow them to start to triage what they offer. It's complex, but it's a work in progress.

Mayor Garner said in interest of time, I'm going to have to move this along. I appreciate the work the task force, the Health Equity Task Force, has put in on trying to get the resources to our community. I talked to KU, the executive leadership yesterday, and I'm just going to be frank. The majority of the people that have been hospitalized have not been vaccinated. I can't say enough and stress it, even though we don't have a mandate, we still have an opportunity to make responsible determinations for our health considerations. I encourage everyone from this; vaccinate, vaccinate, vaccinate, it's free. That will mitigate and, hopefully, in time we can eliminate this ugly virus. I'm going to continue this conversation with your Commission and, hopefully, we can have another option for review at the next Commission meeting.

With no other questions or comments that I see, in the interest of time, thank you and that concludes our Special Session.

MAYOR GARNER ADJOURNED

THE MEETING AT 6:59 p.m.

Brett A. Deichler
Unified Government Clerk

dt

January 6, 2022