



UPDATED
Public Works and Safety Committee
Standing Committee Meeting Agenda
Monday, May 23, 2022
5:00 PM

Location: Hybrid

We invite you to view the meeting in person in the 5th-floor conference room, Suite 512, Municipal Office Building, 701 N. 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

You are invited to a Zoom webinar.

When: May 23, 2022, 05:00 PM Central Time (US and Canada)

Topic: Standing Committee

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82239677018?pwd=Sy8je5647nvf32oArAFGrLqiEjPHYw.1>

Passcode: 892930

Or One tap mobile :

US: +13462487799, 82239677018 or +16699009128 82239677018

Or Telephone:

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US: +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)

Webinar ID: 822 3967 7018

International numbers available: <https://us02web.zoom.us/j/82239677018?pwd=Sy8je5647nvf32oArAFGrLqiEjPHYw.1>

Name

Absent

Commissioner Melissa Bynum, Chair

☐

Commissioner Christian Ramirez

☐

Commissioner Harold Johnson

☐

Commissioner Angela Markley

☐

Commissioner Mike Kane

☐

Tom Groneman, BPU Board Member

☐

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

II. **Revisions to May 23, 2022 Agenda**
Blue sheet removing Item #1 and #2

III. Approval of standing committee minutes from January 24, 2022

IV. Committee Agenda

Item No. 1 - RESOLUTION: AUTHORIZING SURVEY & DESCRIPTION OF LANDS TO BE CONDEMNED (REMOVED PER BLUE SHEET)

Synopsis: A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the location, laying-out, construction, installation, expansion, repair, maintenance, operation and use of a sanitary sewer pump station located north of Central Avenue on N. 4th Street, submitted by James Bain, Assistant Counsel.

Tracking #: 211578

Item No. 2 - ORDINANCE: AUTHORIZING SURVEY & DESCRIPTION OF LANDS TO BE CONDEMNED (REMOVED PER BLUE SHEET)

Synopsis: An ordinance directing the Chief Counsel to commence legal proceedings to acquire the property described in the survey and necessary for the project, submitted by James Bain, Assistant Counsel.

Tracking #: 211581

Item No. 3 - AMENDMENTS: SAFE AND WELCOMING ACT TO COMPLY WITH HB 2717

Synopsis: Amendments reflecting changes necessary to comply with HB 2717, submitted by Casey Meyer, Senior Attorney.

Tracking #211582

Item No. 4 – GRANT: FY22 LOCAL LAW ENFORCEMENT CRIME GUN INTELLIGENCE CENTER INTEGRATION INITIATIVE

Synopsis: The Police Department is seeking approval to apply for and accept the FY22 Law Enforcement Crime Gun Intelligence Center grant award in the amount of \$700,000, submitted by Laura Cromwell, Fiscal Officer, Kansas City Kansas Police Department. There is no match required from the UG.

Tracking #: 211597

Item No. 5 – GRANT: FY 22 COPS HIRING PROGRAM

Synopsis: The Police Department is seeking approval to apply for and accept funding through the FY22 COPS Hiring Program to fund twelve patrol officer positions for a three-year period. We are requesting a match waiver to cover these positions at 100%. Should we not receive the match waiver, we are estimating the total cost to the UG would be \$173,355 per position over the three-year period, which would equate to \$2,080,267 per twelve patrol officer positions over the three-year period, submitted by Laura Cromwell, Fiscal Officer, Kansas City Kansas Police Department.

Tracking #: 211598

Item No. 6 - OVERVIEW: FISHING PROGRAM AND BUDGET

Synopsis: An overview of the Fishing Supplies Budget, submitted by Angel Obert, Director of Parks and Recreation.

For information only.

Tracking #: 211574

Item No. 7 - DISCUSSION: SIDEWALK AND CURB INCENTIVE PROGRAM

Synopsis: A presentation of the sidewalk & curb replacement incentive program, submitted by Jeff Fisher, Public Works.

For information only.

Tracking #: 211572

Item No. 8 – UPDATE: STORMWATER CREDITS/APPEALS

Synopsis: An update to present findings and an overview of the stormwater credits/appeals, submitted by Jeff Fisher, Director of Public Works.

For information only

Tracking #: 211571

V. Public Agenda

Item No. 1 - APPEARANCE: MARTIN CUNNINGHAM

Synopsis: Appearance by Martin Cunningham to request discontinuance of herbicide spraying at Rosedale Park.

Tracking #: 211575

VI. Adjourn

**AGENDA UPDATE
PUBLIC WORKS & SAFETY
STANDING COMMITTEE MEETING
MONDAY, MAY 23, 2022**

IV. COMMITTEE AGENDA

REMOVE ITEMS

Item No. 1 - RESOLUTION: AUTHORIZING SURVEY & DESCRIPTION OF LANDS TO BE CONDEMNED

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**PUBLIC WORKS AND SAFETY COMMITTEE
STANDING COMMITTEE MINUTES
Monday, January 24, 2022**

The meeting of the Public Works and Safety Standing Committee was held on Monday, January 24, 2022, at 5:00 p.m., remotely via Zoom. The following members were present: Commissioner Bynum, Chairman; Commissioners Ramirez, Johnson, Markley, Kane; and BPU Board Member Tom Groneman. The following officials were also in attendance: Bridgette Cobbins, Assistant County Administrator; Susan Alig and Casey Meyer, Senior Counsel; James Bain, Assistant Counsel; Matt May, Director of Emergency Management; Susan McMahan, Deputy Director of Emergency Management; Gunnar Hand, Director of Planning and Urban Design; Alley Porter, Commission Liaison; Ashley Hand, Director of Strategic Communication; Kathleen VonAchen, Chief Financial Officer; Jeff Fisher, Executive Director of Public Works; Troy Shaw, County Engineer; Sarah White, Project Engineer, Public Works; Jonathan Gutierrez, Solid Waste Division, Public Works; Trenton Foglesong, Program Lead, Wastewater, Public Works; Diana Jimenez, Office Manager, Public Works; Dave Reno, Community Engagement Officer, Public Works; John Kelly, Facilities Management Director; and Monica Sparks, Deputy UG Clerk.

Chairman Bynum said before I call the meeting to order, I want to announce that due to COVID-19, some committee members, staff, and public are attending remotely via Zoom as well as some on-site.

All participants joining by phone, please mute your phones when not speaking to avoid background noise. During the meeting, please make sure that you announce yourself by name and title when you speak so the public that's observing knows who's speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

The public is allowed to participate by Zoom or submit comments by email prior to the meeting, and those comments are included in the record of our meeting. The public can also indicate their intent to provide remote public comment by contacting our Clerk's Office by 5 p.m. the Thursday before the meeting. The public also will have an opportunity to provide brief comments either by telephone or Zoom from the lobby of the Municipal Office Building.

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

Chairman Bynum said we do have two revisions to tonight' agenda. A revised ordinance for Item No. 1 on the Safe and Welcoming City Act; and a new item, Item No. 7, which is a resolution and an ordinance authorizing a survey and description of the lands to be condemned for the reconstruction of 47th Avenue from Mission Road to Rainbow Boulevard.

Approval of Standing Committee minutes from October 25, 2021. **On motion of Commissioner Markley seconded by Commissioner Ramirez, the minutes were approved.** Roll call was taken and there were six "Ayes," Groneman, Kane, Markley, Johnson, Ramirez, Bynum.

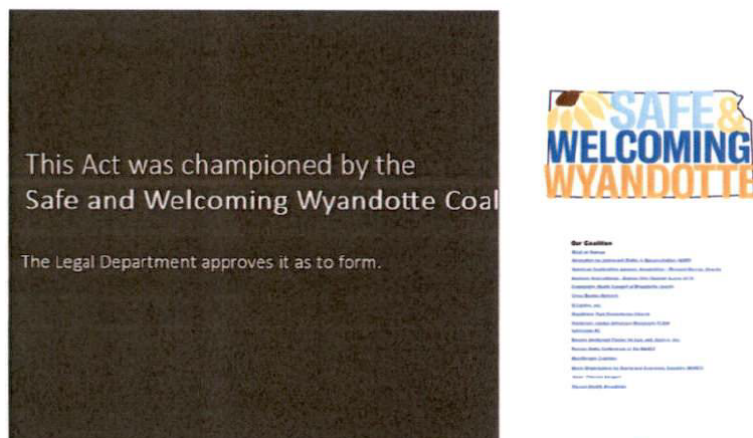
COMMITTEE AGENDA

Item No. 1 - 211243...ORDINANCE: SAFE AND WELCOMING CITY ACT (REVISED PER BLUE SHEET)

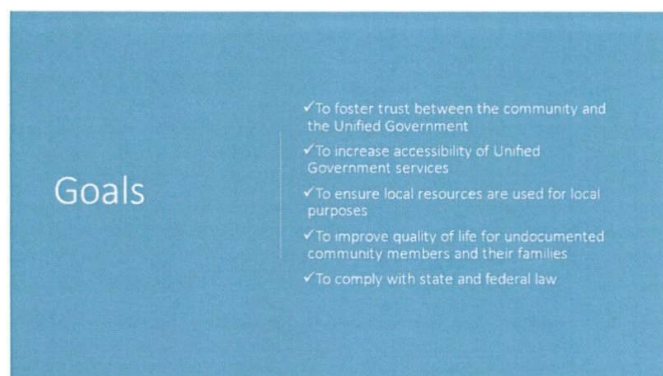
Synopsis: The Safe and Welcoming City Act would ensure that Unified Government resources are not used to enforce federal immigration law, state that the Unified Government is an inclusive and welcoming city for immigrant members of our community, and create a municipal ID, submitted by Susan Alig, Senior Counsel.



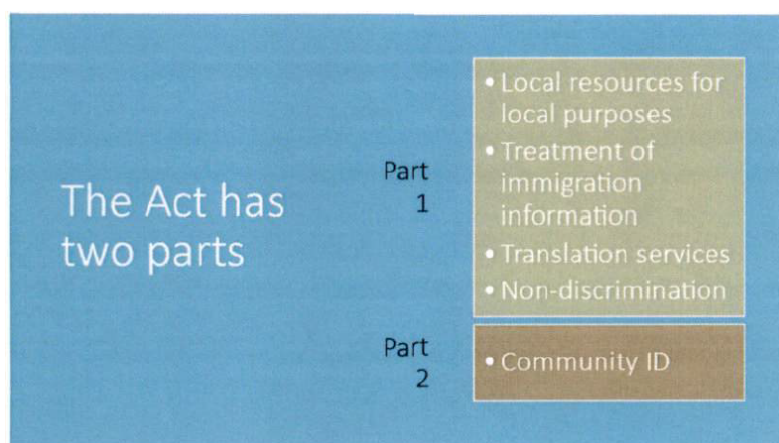
Susan Alig, Senior Counsel, said I will be presenting on the first portion of the Safe and Welcoming City Act. We have Casey Meyer, also Senior Attorney, who will be presenting on the community ID portion of the Safe and Welcoming City Act.



This Safe and Welcoming City Act was brought to the Unified Government by a community group called the Safe and Welcoming Wyandotte Coalition. Those of you who were here a couple of years ago may remember previous presentations given during special session on the topic of a safe and welcoming city. There were some issues in the original draft that caused the Legal Department to have some concerns. We have worked with the coalition over the course of the past many months to address those concerns and drafted an ordinance that both the coalition can approve and support and the Legal Department can approve. That is the version that you have in your agenda packet.



The goals of the Safe and Welcoming City Act are to foster trust between the community and the Unified Government, increase the accessibility of the Unified Government services, to ensure local resources are used for local purposes, to approve the quality of life for undocumented community members and their families, and to comply with state and federal laws. When we say that we're going to ensure that local resources are used for local purposes, that essentially is saying that our local resources are not for the purpose of enforcing federal immigration law.



As I touched on a moment ago, the Act has two parts. I'm going to focus on the first part and Casey will focus on the second part. The first part is long. If you're looking at the document in front of you, it has many subparts. The general idea behind the first part is that theme that we're going to use local resources for local purposes. We're going to treat immigration information sensitively. Obviously, there are times when immigration information needs to be collected; for example, when we're looking at hiring employees. There are lots of times when there is no need to collect immigration information, so we're not going to collect it unless we have a good reason to do so. Once it's collected, we're not going to share it unless we're required to do so. The Act requires the Unified Government to provide translation services in Municipal Court. That's already a requirement and we're already doing it, but we want to make crystal clear that we want our services to be accessible to non-English speakers. There are also portions having to do with other departments, like the Clerk's Office, providing translation. It says that we're not going to discriminate against people on the basis of their immigration when we're providing city services.

The second part is the community ID, and I will let Casey talk about that when we get to that portion of the presentation.

Part 1

- Generally prevents UG resources from being used to enforce federal immigration law.
- Immigration information should be collected when relevant and once collected should only be disclosed as required by law.
- Carveouts to preserve law enforcement functionality, federal grants, comply with federal law, and stay within UG authority.



So, as I said, the first part really focuses on reserving our resources for our own purposes. We do have carveouts that address those concerns that we previously discussed when we presented earlier. We're not overstepping our authority. We're not going to run afoul of federal or state law with this ordinance.

Moving on to Part 2, I will turn that over to Casey.

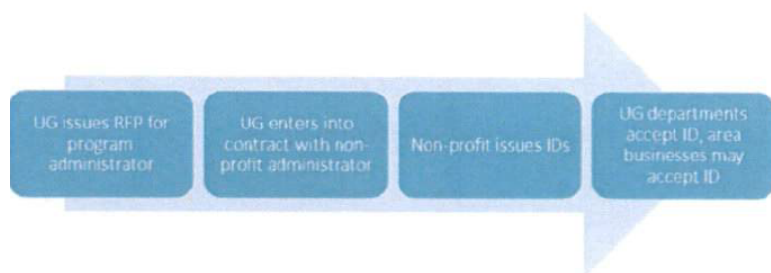
Part 2



- Community ID is designed to assist undocumented immigrants who cannot obtain state-issued IDs and others who lack key documents.
- Distinct program from Municipal ID, designed to assist houseless population with first steps in obtaining state-issued IDs.

Casey Meyer, Senior Counsel, said I believe Chief Oakman is online as well just in case there's a question that you want to direct his way. Like Susan says, the second part has to do with a Community ID Program. This is different. I want to note the municipal ID or police ID that the Police Department is currently running—the Police Department ID is targeted for the unsheltered population. It's an avenue for them to get a valid state ID. This ID is a community ID which is designed to assist undocumented immigrants and other people who have a hard time gathering the required records that they need to get a state ID. This would be valid in the city only, and it would require that various Unified Government departments accept the ID, including the Police Department.

Part 2



A goal here was to not retain any of the documents associated with what an applicant would have to provide on an application process. The most efficient way to accomplish that goal would be to contract with an outside entity. What that will look like is the Unified Government will issue an RFP to find a program administrator to run the program. We would then enter into a contract with that non-profit administrator. The non-profit administrator is the one who would issue IDs and then, like I previously said, the UG departments would accept the ID. Area businesses may accept the ID if they choose to, but they would not be required to. Like I said, this would be valid just within the city limits.

If you have any questions, I'm happy to answer them.

Ms. Alig said that is the end of the presentation.

Chairman Bynum said before we move on any further, I want to acknowledge that Legal staff has worked diligently with both the commissioners that have been engaged with this process and several members of the Safe and Welcoming Coalition. I really appreciate—I think I speak for myself as well as Commissioners Johnson and Ramirez, who the three of us have been engaged with the coalition now for well over a year, and we really appreciate your efforts in bringing forward something that all sides can agree can be beneficial to Wyandotte County.

I want to ask if there are members of our committee—I want to also acknowledge that we have Chief Karl Oakman, of the Kansas City, Kansas Police Department, and we also have Sheriff Dan Soptic, with the Wyandotte County Sheriff's Office. Perhaps what I will do is ask either of the gentlemen if they have any comments to make before we proceed to our Commission comments and then public comments.

Chairman Bynum asked, Chief, would you like to make any kind of remarks before we proceed? **Police Chief Karl Oakman** said no, just that the Police Department reviewed it. The ordinance, as it's currently written, does not affect our operations. We met with members of the Safe and Welcoming Committee; we had a great meeting. Like I said, as the ordinance is currently wrote, it does not affect the Police Department's operations or our relationships with our federal partners.

Chairman Bynum asked, Sheriff Soptic, do you have any remarks you'd like to make with regards to the Safe and Welcoming ordinance? **Sheriff Dan Soptic** said nothing directly. I would stand for any questions that might come up, though.

Chairman Bynum said I will state that your predecessor, Sheriff Ash, met with the committee on at least one occasion that I know of an also showed a real openness and willingness with us to review policies within your department for updates and we are appreciative of that.

Sheriff Soptic said I will say that I have also met with the Safe and Welcoming Committee. While the ordinance may not specifically apply to the Sheriff's Office, there is definitely a willingness to work with everybody in this community as it relates to this ordinance.

Chairman Bynum asked, are there members of our committee that would like to make any comments? I want to point out that Commissioner Ramirez, Commissioner Johnson, and I sort of took this up alongside the coalition back in May of 2020 and met with them rather diligently all along the way until finally in the fall we handed it off to our Legal Department to fine tune it and kind of hammer out something that we truly believe can benefit the community and as we stated, both side of this can live with. Just really can't thank the two of them enough as well as all the members that stayed with us for the direction of all of those many meetings we held together. It's an experience that I really appreciate.

Commissioner Ramirez said this is, I will say all together with these two committees, a very good and historic night. We have the Safe and Welcoming on this committee and another committee later tonight. I have another ordinance of the UG and us, as a governing body and a local

government, taking a step forward in human rights. I'm going to try and keep my comments as brief as I can.

I cannot thank the coalition enough for working with us. It was a long 18 plus months, but we are finally here. In the beginning when we had first met as a group, as a task force, to come up and find the solution that everybody would be happy with. The one word I said that we need to keep in the forefront of our mind as we go down this road in compromise. With legislation like this in any form of government, any level of government, there will be compromise on both sides.

I thank UG Legal, Misty, you worked diligently and so many hours on putting this together. Susan and Casey, thank you for all that you have done, and thank you to the coalition for keeping on, staying strong, keeping with your message and what your mission was. But also, thank you for willing to compromise with us because now we have a good piece of policy, a thing that we can show to our community and to the communities around us and to other states and other cities is we value our diversity.

It's always said that Wyandotte County, in general, is the second most diverse county in this country. Tonight, we officially say yes to that and that we celebrate that.

As a grandson of an immigrant who came from Mexico, who built a home here in KCK, who had built a business, a local small business that thrived and provided this community, I will say again, some people say this made KCK a sanctuary city. We don't need to be saved. All we want is to be welcomed in your community and this legislation does it.

I cannot thank Commissioner Bynum, Commissioner Johnson for staying strong the long 18 plus months. We finally did it and to the coalition, thank you for fighting for the community and always being there for the community. I proudly support this ordinance and I cannot wait to vote yes on it.

Commissioner Johnson said I think Commissioner Ramirez really spoke and said everything that needs to be said on it. I was just contemplating as he was speaking when I stood at the First Baptist Church, I think it was in November 2019, and I gave them my word that I would somehow get the Safe and Welcoming ordinance to the Commission, not knowing what that would mean or how we would go forward, but I made that commitment that we would at least get it to the Commission and allow the Commission to begin to talk about it and see if there's a way for us to create public

policy. From November 2019 to this day, we have been working very diligently to make that happen.

I also want to thank, again, know it's not superfluous at all that the work that Misty, Susan, and Casey have done in terms of you all's hard work in bringing this legislation to pass. And, again, I can't thank Chairman Bynum and Commissioner Ramirez for joining me because I would not have ever been able to get it to this point by myself. It's teamwork that makes the dream work. The Safe and Welcoming Coalition members, you have worked diligently to help us to try to crystallize this, and I believe there has been a healthy tension between all parties that I think was necessary to bring about good public policy.

As we look at our community, and as Commissioner Ramirez has already identified, we have this wonderful diversity. I just believe that it is absolutely necessary to have public policy that reflects the fact that our local government understands that and that we value that very same diversity.

With that, Chairman Bynum, I don't think this is the end of it. I don't think that everyone got necessarily what they wanted, but I think that it's something that is healthy enough of a public policy piece that we can get behind and get it approved and move our City forward.

Commissioner Ramirez said I profusely apologize. We left out one integral part of our group, Alley Porter. I completely and profusely apologize, Alley. You are the link that has held us together coordinating all of the meetings, coordinating us with the coalition and with Legal. I apologize that I did not bring you up. Thank you for all that you've done and continue to do.

Chairman Bynum said those comments from both of those commissioners are so very appreciated. It's been a long road; here we are. Commissioner Davis, I see that you are on with us as a panelist. Would you like to add any comments to this at this time?

Commissioner Davis said yes. I'm not a member of this committee, but I do just want to voice my support for this ordinance. I feel like that one student that kind of comes in on a very, very extensive group project and it's like hey, we got an A. Thank you, Commissioner Ramirez, Commissioner Johnson, Chairman Bynum. I really hope that this goes through the committee, and I look forward to voting for this for full commission. This was something that I campaigned

heavily on in the Eighth District. It is no surprise, and I got a ton of calls during the campaign trail of saying this needs to get passed. We need to get it done for a victory and so quickly. In my tenure in the UG it means a lot. I owe that to you all, to Alley, to a lot of you all that's been doing the work. I fully support this, and I hope that you all will pass this and that we pass it through full commission.

Chairman Bynum said thank you for joining us and for your comments of support tonight.

I want to hear from any other members of our Standing Committee if there are comments from any of the other commissioners or members of the committee, please. If not, we do have a lengthy list. Our process, as you heard at the start of the meeting, is that folks can make it known that they would like to speak through letting the Clerk know that, and we have a number of requests to speak. Folks can also make it known through our process that they would like to submit written testimony, and a number of folks have done that as well. Once we are through those two sections, there may yet still be public attendees who can raise their hand and add to the discussion. This is the time during the Public Works and Safety Standing Committee for public comment on these very important items. By all means let's make the very best use of it.

With that, I'm going to hand this to the Clerk to help us manage and announce what I believe are 19 requests to speak. She will announce those in the order that they signed up, with the exception that I have asked to move a couple of people to the front of the list who are under time constraints. Then the Clerk will read the written public comment that we've received into the record.

Monica Sparks, Deputy UG Clerk, said we do have 20 individuals signed up to speak. We will be calling your name and allowing you to speak at that time. (The following were announced.)

Monsignor Stuart Swetland, President of Donnelly College and the Pastor of Our Lady and Saint Rose Catholic Church, Kansas City, Kansas, said I appreciate your willingness to take my testimony. I reside in Kansas City, Kansas, and have so for the last 7 1/2 years. Thank you for allowing me to testify and thank you for all the work that the commissioners, the legal team, our police and sheriff, and the coalition have done to reach this momentous point.

I am speaking today strongly in support of the Safe and Welcoming City Act. As I think anyone knows who has paid attention to these issues, our current immigration system in the United States is very broken. We need comprehensive immigration reform. All parties know, or should know this, but like many things in Washington, D.C., we have reached an impasse where that work isn't currently getting done. In that situation, we can at least mitigate some of the most pernicious effects of our impasse locally by passing this legislation.

I am in support of this legislation for many reasons; this Act for many reasons. It is the just and right thing to do for our community. It is also one of the best things we can do for our community economically, socially, and morally.

I have seen firsthand similar programs in other places where I have had the privilege to serve as an educator and a priest. When I was in Illinois in Champaign County where the University of Illinois is, we put an ID program in similar to the one that is being proposed here. It was very successful; made economic transitions much easier. It made life much easier for those who had difficulty getting an ID and it worked very well. So much so that actually one-half county put it in first, the other half was sort of resistant, but the economic benefit for that half of the county that put it in was so strong that within weeks, the other half was begging to be involved. **Ms. Sparks** said you have one minute remaining.

Monsignor Stuart continued, secondly, I, as an educator, I have seen firsthand that some people are fearful of interacting with our police because of their immigration status or someone in their family. We want to eliminate that for the safety of all so that everyone can have access to public safety.

Chairman Bynum said I'll stop right now and remind the rest of our speakers; and Monsignor, you did a great job of staying within your time limit, even though we didn't tell you, you had one. We have a three-minute limit on speaking. As you take your turn, we would appreciate you stating your name and your city of residence for the record.

Ms. Sparks said our next speaker was Yolanda Huet Vaughn. I do not see her online. We can come back to her.

Judy Ancel, Leader in the Safe and Welcoming Coalition representing the Cross Border Network, a local nonprofit, asked, is there any way you can turn on my video? **Ms. Sparks** said you would need to share your screen. **Ms. Ancel** asked can I do that? **Ms. Sparks** said sure.

Chairman Bynum said I'm not sure, Judy, that we're able to do that in this configuration of Zoom. **Ms. Ancel** said oh, okay. Well, I guess I got dressed up for nothing. **Chairman Bynum** said okay, well I'm sure you look great.

Ms. Ancel said first off, I want to thank you, Chairman Bynum, and Commissioners Johnson and Ramirez and Davis for their support. It's been invaluable. Also, I want to give a huge thanks out to Misty Brown and Susan Alig for all of the legal negotiations we've had.

The Safe and Welcoming ordinance has been developed over four years with increasing circles of supporters in Wyandotte County. We've also won support of a number of public officials, not only the ones who have already spoken, but also District Attorney Mark Dupree, and the District 500 School Board. I would add that Police Chief Oakman told us that Safe and Welcoming was "not a bad idea", which is about as close of an endorsement as I think we were going to get.

The reason that all these people and organizations have endorsed the ordinance is because it's not just not a bad idea, in fact, it's a good idea and will bring benefits not just to our immigrant neighbors and other marginalized groups who live among us, like the houseless, the elderly and poor and formally incarcerated people. It will be beneficial to all of us.

As the most diverse community in our changing state, Kansas City and the UG will show, with this ordinance, our values of inclusion as a community growing for the future, welcoming change, rather than resisting it. As the late Senator Paul Wellstone said, "We all do better when we all do better."

We believe we will all do better with Safe and Welcoming. We know this because dozens of cities and counties have already benefited from providing IDs. The Faith Action ID Program extends to North and South Carolina, Florida, Iowa, Virginia, Oregon, and Ohio, building trust and cooperation between local law enforcement and communities. **Ms. Sparks** said you have one minute remaining.

Ms. Ancel continued saying, also, 142 counties and 41 cities have imposed ICE non-compliance with great success including Roeland Park and Lawrence in Kansas; Providence,

Rhode Island; Jackson, Mississippi; Alexandria, Virginia; Springfield, Illinois; Ithaca, New York; Lansing, Michigan; and Baltimore, Maryland. Studies show that without restrictions on law enforcement cooperation with ICE, significant numbers of immigrants and Latinos are less likely to report crimes or voluntarily offer information about a crime for fear police officers would ask about their immigration status. Such fears are lessened significantly with bans on such cooperation and that's good for the whole community. But, that's not all. Safe and Welcoming will benefit education and parent involvement, healthcare by facilitating doctor and health department visits, commerce as people feel safer to leave their neighborhoods, and maybe most importantly, democracy and community as all people feel welcomed and included. **Ms. Sparks** said your time has expired.

Ms. Ancel continued saying, this is good for our marginalized residents and it's good for all of us who live here.

Naomi Tolentino, KCK Resident, said I am the Board President at AIRR (Advocates for Immigrant Rights and Reconciliation). At AIRR, we are committed to empowering and uplifting the voices of the immigrant community and providing them with the tools they need to better protect themselves and their families. We believe that old people, no matter where they were born, deserve a chance for a safe and dignified life.

AIRR fully supports the Safe and Welcoming City Act because it will give all residents access to a much-needed ID with protections. We believe that individuals and families deserve a safe and welcoming place to live without fear of deportation because, for too long, our families have been broken and apart as a consequence of deportation. It is time that our city or county has policies in place, like the Safe and Welcoming City Act, that will ensure that residents who are just going about their life feel safe.

We ask you to please approve the Safe and Welcoming City Act tonight. We ask this for my neighbor who was too afraid to report a crime to the police. For the many kids who have lost months of school because their parents don 't have an ID to enroll them in school. For the young man who got stopped for speeding and before he got a ticket, he got arrested by ICE. For the students who couldn't check out a book at the library or attend prom because they didn't have an ID. For the families who constantly call or relay to us for help and resources because they're just too afraid of going to a government office without an ID. It is important that this wonderful city

and county has we love considers protecting our most vulnerable communities by providing an ID and ensuring the safety of our immigrant families by not asking for an immigration status when encountering the police or accessing city service. I believe that this beautiful and amazing city can do better than that.

Sarah Waggoner, KCK Resident, said I'm speaking on behalf of the Rosedale Development Association. RDA supports the passage of the Safe and Welcoming City Act for two main reasons. First, many Rosedaleans face barriers in daily life due to not having a government-issued ID. One example that we frequently encounter is participants in our summer youth employment, which places youth aged 14-17 at a Rosedale business. The youth don't usually have bank accounts or IDs, which is then hard to kind of pay them and get them entered into the workforce. Luckily, we have a good relationship with our bank to make it possible or else this program wouldn't really be viable. The Safe and Welcoming City Act would be a simple fix to allow our youth to benefit from our program and the income that the program offers.

If this municipal ID program is thoughtfully implemented in partnership with Wyandotte County institutions, it can make it extremely useful for services like check cashing, which would be then available to all of our residents.

Also, RDA has a long standing relationship with the KCKPD community policing officers in our area who attend our neighborhood group meetings and keep neighborhood leaders informed. We found that Rosedaleans then have positive interactions with the community policing officers and are more comfortable and have better communication with the Kansas City, Kansas Police Department making all of our neighborhoods safer. The progress on this depends on the continued trust between Rosedaleans and law enforcement, trust that is regularly challenged by national news of deportations and violent conflicts between police and residents. In order for trust to continue to grow between the police department and our communities, residents need to be assured that their information will not be shared with ICE.

In addition, I personally support the Safe and Welcoming City Act. My previous job was as a social worker for Survivors of Domestic Violence, working with families that had recently fled an unsafe home. One of the largest and most immediate barriers my clients faced for themselves and their children was the lack of easy access to receive new copies of document so that they could begin to rebuild their lives. In Kansas, in order to get a new State ID, you need

proof of identity, usually a birth certificate or social security card. In order to get a social security card, you need a State ID. In order to get a birth certificate, you have to have a proof of residence. Those things aren't really available to people who are in a transient place just like domestic violence survivors are, and they aren't the only ones who are burdened with this process. Those that are houseless, like we've mentioned during this meeting or those who have issues with mental health are also affected. **Ms. Sparks** said you have one minute remaining.

Ms. Waggoner continued saying, by offering an alternative form of ID, the Safe and Welcoming City Act would make day-to-day functioning just a little bit easier for the Wyandotte County residents who are struggling for all kinds of reasons and help remove one of the barriers people face in getting back on their feet after a setback.

Victoria Arcano, KCMO Resident, said I'm a previous KCK resident. I work for the Kansas City, Kansas Police Department Victims Services Unit from May 2019 until December 2020. I'm currently the Chief Experience Officer at a local domestic violence shelter reforming policy and procedure, which negatively impacts survivors of domestic violence. I'm testifying in support of this ordinance because my work with Unified Government is not complete until I share the instances where survivors of violence were negatively impacted by the unwritten bias of city employees and the lack of explicit protection to residents of Wyandotte County. The instances I share below or throughout my speech are not unique and they are ongoing.

In Fall 2019, I attempted to serve a defendant with a protection order. They were being held in the Wyandotte County Jail after being arrested by the KCKPD. When the defendant had been released, I learned that ICE had taken them. I learned ICE officers were talking to the family while out of uniform, without identifying themselves, the ICE agents convinced the family to bail their relative out to avoid first appearances. As the defendant was released, they were detained by ICE. I contacted the holding site to serve the protection order and was told the defendant would be deported and that the order would be useless once country lines were crossed. It is not the policy to call ICE, but it happened. The impact on survivors and their families is dangerous. The defendant might not have been able to physically access the plaintiff, but the order would not be enforceable to protect against unwanted contact. If plaintiffs know that ICE will be called as a consequence of filing a county for protection, the city is cutting off access for survivors to seek protection.

In the year and a half that I worked for the KCKPD VSU, I asked immigrant survivors whether they feared for their safety. I found that people would often not go through the order of protection process because they were worried the result would end up with somebody getting deported.

During a case where DCF involved, I talked extensively about the safety concerns the survivor had about getting the protection order, and because they knew getting an order of protection would mean involving law enforcement to serve the order, they had to consider that deportation was a factor. **Ms. Sparks** said you have a minute remaining.

Ms. Arcano continued saying, and to survivors, safety was not worth the risk if deportation, even a family member was abusive and unsafe.

It is concerning to me that the Wyandotte County Sheriff's Department is also not exclusively or explicitly referenced in this ordinance because detainees of the KCKPD will be held in the Wyandotte County Jail. That lack of explicit enforcement in this ordinance is neglectful and will ultimately not protect residents who are undocumented, arrested, and detained in the county jail.

An additional reason this ordinance is needed is due to the unnecessary barriers survivors and undocumented residents are facing navigating the COVID-19 pandemic. Due to not having a required identification to access rapid and PCR testing sites, many undocumented residents are unable to access testing. In Wyandotte County, there is significant history of deportations, and this has created fear among survivors. They don't feel safe going to the police or going to the courthouse.

The community of people without citizenship are fleeing domestic violence and systems need to take responsibility to protect them, survivors especially. **Ms. Sparks** said your time has expired.

Ms. Arcano continued saying, those racially profiled need to have protection at the city and county level. If you want to communicate your protection is important to us, you need to guarantee deportation is not a factor weighing on survivors of violence when they seek safety.

Ms. Sparks said our next speaker is Mercedes Zelaya. Ms. Ancel, I believe you were going to act an interpreter? **Ms. Ancel** said yes, yes, I am. **Ms. Sparks** said you have to unmute Mercedes

Zelaya. I'm not seeing her online. Is she with you? **Ms. Ancel** said no, she said she was watching it. She is not with me.

Ms. Ancel said “llamo pero dijo que no estaba en el programa.” (English translation – “she called but she said she was not on the program.”)

Ms. Sparks asked would she be logged in under a different name? **Ms. Ancel** said I don't know.

Chairman Bynum said Judy, I do not see Mercedes in the attendees' list on the Zoom link. **Ms. Ancel** said can we call her after I successfully get her connected?

Chairman Bynum said absolutely. If you are able to; perhaps she's watching on YouTube or livestreaming it. If you can get the link to her and we can get her signed in, we'll come back around.

Connie Brown Collins, Bethel Welborn Community, KCK, said I'm the founder and organizer of Voter Rights Network of Wyandotte County, an organization that advocates for fair redistricting and other voter rights. I come before you this evening to voice my support for the Safe and Welcoming ordinance. It not only provides identification for immigrants, foster care youth, those who are without housing and individuals who recently paid their debt to society, it offers a means of legal identification for seniors, disabled and homebound individuals.

My husband was born in Georgia and did not have a birth certificate. This may be the case for many older individuals who are not born locally but in the segregated south. At that time, the 1930s, many births took place in homes. Even if a birth did occur in a “separate, but equal hospital,” the records were often sketchy. I remember it took months and months of filling out forms and sending them back and forth for him to get a cursory record of his birth.

My next-door neighbor, who is a senior and disabled, gave up trying to find her birth certificate. She was born and raised in North Carolina and there were just too many hoops to jump through. She currently has a driver's license, but without the real ID star. She has resigned herself to not being able to fly or enter into Ft. Leavenworth to access services utilizing her husband's career military status. In the event that my neighbor loses her ability to renew her driver's license, having a community ID card will help her navigate those necessities requiring legal identification.

The Safe and Welcoming ordinance could change a questionable outlook for my neighbor and might have eliminated some of the trials my husband endured. I will add as a somber note to this that this neighbor of mine was admitted to the hospital by ambulance last night with COVID. I'd ask that you please pray for her. Please vote to approve this ordinance. **Ms. Sparks** said your time has expired.

Ms. Brown Collins continued saying, it has broad reach and to many otherwise disenfranchised lives.

Kim Weaver, Wyandotte County Resident, said thank you for all you've done to help get this Act in place for Wyandotte County. I use she/her pronouns. I was born and raised here; I raised my kids here, and I support the Safe and Welcoming City Act. I don't know if I can express how hard it is to be without an ID. Without an ID, people basically have no options. They can't access benefits. It puts them in danger of being even more impoverished and being unsheltered. Once they're unsheltered, it's impossible to get them back into housing without an ID.

Safe and Welcoming is a community-based solution that will benefit people while creating trust. I fully understand that the KCK Police Department has an ID program, and I'm grateful for all accessibility that we can get. However, we need something that is accessible for other people.

A couple of weeks ago, a friend of mine tried to help get an 18-year-old, houseless resident of Wyandotte, who happened to be born in the United States, get an ID with the KCKPD ID Program, but unfortunately, he was unable to get an ID. This doesn't just affect undocumented people, although they definitely deserve to be included too.

Also, we have to be mindful that not all people are comfortable going to get services from our local police department. We need ICE non-compliance alongside this ID program so that people feel safe coming forward without the fear of deportation or detainment based on their immigration status. We have a substantial immigrant population here in Wyandotte County.

When I worked for the 2020 Census, it was hard for my employees to collect data from part of the county because they were uncomfortable meeting with us. That affected the numbers we were able to collect. That ultimately affects the dollars that come into Wyandotte County. We need ICE non-compliance, not just to help built trust but also to help build our community. This is a simple and easy way for our local governments to improve the lives of our residents

immediately. This ID will help people access benefits in our county. ICE non-compliance will help us build trust in our community. This is why I support the Safe and Welcoming Act.

Sister Therese Bangert, Leavenworth County, KS, said I am a justice advocate for the Sisters of Charity of Leavenworth. This evening I am proud and grateful as a Sister of Charity of Leavenworth to join my voice with a team of people speaking up for our neighbors who so often are devalued. In this time of pandemic and before, they are told time-after-time that they don't belong unless it comes to a job deemed essential.

Since the late 1990s, I've been involve with the Kansas legislators and immigration policies. I often walk those Capital halls with Commissioner Kane. During these 20 years, despite bill-after-bill for restrictive immigration policies, a bipartisan group of legislators never supported these bills and they never became law. The attempts included deputizing the Kansas Highway Patrol, calling certain Kansas counties sanctuary, and withholding state funds making a broken E-verify national system mandatory. None of these passed because there was a very strong business coalition in the state, of which the Unified Government was a member. The business coalition knows that the work of the hands of our sisters and brothers, who are immigrants, keep our economy going. Self-interest raises a strong voice and I believe in this matter, self-interest is also part of how this ordinance improves the quality of life of our neighbors.

Two recent articles in the daily eNews from the *National Immigration Forum* pointed out our self-interest as a nation in persons who are immigrants. On January 12th, Suzanne Clark, the CEO of the U.S. Chamber of Commerce, stated that to grow the U.S. economy and remain competitive, the U.S. has to implement immigration reforms to increase the workforce. She stressed that the country must double the number of people legally immigrating to the U.S. and we must create permanent solutions for the dreamers.

Secondly in an op-ed for the newspaper, the *Texas Monthly*, a CEO, Stan Merrick of a construction company, proposes that immigration reform is needed to sustain Texas' economy and the immigrants that keep it running. **Ms. Sparks** said you have one minute remaining.

Sister Bangert continued saying, he continues with two what seem like common sense starting points: passing the Dream Act and giving the legal status to undocumented workers already in the U.S. Obviously, Wyandotte County is not Texas, but I don't believe our need for workers is any different.

I believe the Safe and Welcoming ordinance says to all members of this community that we value them and their families. We welcome them to continue to be among us. I join the coalition in proposing that we now embrace our neighbors who only because the matter of birthplace are not citizens of this country. It is my hope and prayer that you will vote for this. Thank you for hearing this, and peace be with you along with my gratitude for all who have worked so hard on this ordinance.

Lauren Bonds, Attorney, said I've been working to support the Safe and Welcoming Coalition for the last four years. I'm here to strongly urge you to support this incredibly important ordinance. As I mentioned, the effort to pass this ordinance has been going on for almost half a decade. One of the major barriers to this ordinance moving forward, as Susan and Casey mentioned in their presentation have been legal concerns about the restrictions the original ordinance would place on law enforcement officials.

The coalition has spent in the last six months working with the Unified Government Counsel to revise the bill and eliminate any provisions that could arguably expose the Unified Government to legal consequences. We also produced a bill, the ordinance that you're seeing tonight, that's going to preserve the provisions that protect members of our community. I just want to echo all the things that have already been lavished on. Misty Brown and Susan Alig, they've been an incredible support, and they've been giving us so much of their time to work on these revisions and help us produce an ordinance that I believe is legally unassailable. I can confidently say that the draft that's before the committee tonight would stand up to scrutiny by even the most conservative jurist.

Before wrapping up her, I do want to echo a point that's been made by other proponents of the bill tonight. This Safe and Welcoming ordinance will not only help protect immigrants but will ensure that the unhoused, formerly incarcerated, and other vulnerable members of the Wyandotte community can access critical public benefits. I say that to say if this ordinance is passed, it will help a lot of people at virtually no cost or risk to the Unified Government.

I want to thank you for your time tonight and I also just want to, again, urge you to vote in favor of the Safe and Welcoming ordinance.

Leslie Butsch, Kansas City, KS, said I'm a voting resident of KCK. I bought my house here in the Fourth District just about two and a half years ago. I love Wyandotte County and I look forward to calling it home for the rest of my life. I'm asking you to please support the Safe and Welcoming ordinance. I don't know what it feels like to worry about getting deported if a police officer pulls me over for expired tags or a broken taillight. I'm not a parent. I don't know what it's like to try to register a child for school or take them to the doctor without an official ID. I do know what it's like to live in a community where people I care about have to live with these anxieties every single day, and we deserve better.

I have a Master of Social Work. As a social worker, I worked as an advocate for children in foster care, with survivors from domestic violence, with folks experiencing homelessness. I once worked with a family whose entire income depended on the employment of a 16-year-old daughter who was trying to get a job at the grocery store. Of course, to get a job you need an ID. As her social worker, I worked to find funds for a gas card to get her mom to Topeka, where if she even found her daughter's birth certificate in time, she could get a state-issued ID, which is about \$22.00 for anyone under the age of 65.

If you've been following along, you'll find that these are some time-consuming and expensive hoops people have to jump through just to make it through the day. These barriers show people experiencing how homelessness, immigrants, and poor and working-class people that they do not belong.

I support the Safe and Welcoming ordinance because I want to live in a place where everyone feels a sense of belonging. Municipal ID and ICE non-compliance are vital next steps to get us there. So, passing the Safe and Welcoming ordinance is an opportunity to live your values. These values are not to divide and further disenfranchise our neighbors. These values, I'd hope, include equity, inclusion and fairness. The Safe and Welcoming ordinance is an opportunity to ensure our communities can see these values in action.

Randy Lopez, Kansas City, KS, said I'm a lifelong resident of KCK. First, I want to thank this body for taking up this issue tonight and for listening to our community. A special shout out and thank you to Chairman Bynum, and Commissioners Johnson, Ramirez, and Davis for your continued work on this issue as well as everyone else who had been mentioned already today.

Tonight, come before you as a resident of our county and community asking that you support and pass the Safe and Welcoming Wyandotte City Act. This has been long in the works and our community has been asking for this important approval for several years, as noted by Commissioner Johnson. I believe that Safe and Welcoming will help us to do just that—create a more safe and welcoming environment for all in Wyandotte County. By helping those who cannot get an ID like our unhoused, our undocumented, our formally incarcerated, seniors, foster-care youth, and many more.

This will also help to continue to improve the trust between our community and police department and much more efficiency in our safety departments while focusing on safety and helping others independent of civil immigration status. In a county that is one of the most diverse in our country, we should look for opportunities to love our neighbor and to remove the fear. Let Wyandotte County/Kansas City, Kansas, be a shining example of compassionate, loving, trauma-sensitive approaches as a safe and welcoming community.

Lastly, I'm also a member of Kansas City, Kansas Public School Board of Education. In January of 2020, the school board unanimously voted to support Safe and Welcoming Wyandotte. As we heard from our constituents, our students and families and staff how this could help positively impact the thousands of families whom we serve.

I also just want to say, again, thank you to this body. Thank you to Chief Oakman, to Sheriff Soptic for your work on this. Again, tonight, I'm asking that you please pass the Safe and Welcoming City Act. Ensure that it's not only policy but practiced all the way across.

Dr. Yolanda Huet Vaughn, Kansas City, KS, said I'm a family physician for 39 years with my primary office in Kansas City, KS, in the Argentine neighborhood. I see how devastating it is to health to be undocumented. My patients, who are children with immigrant parents, face the terrible stress of wondering whether their parents will be there when they get home. I've had a number of patients who have had a parent deported.

One of my families' father was stopped and asked for ID. He did not have a valid license. He was arrested and turned over to ICE despite his immigration application being in process. They had just bought a house but could no longer make the payments. The wife, an American citizen as are her children, lost the home and had to pay thousands of dollars to stop the deportation. He had been here for over 20 years. He was detained for about two years before winning his case.

Another example of how damaging it is to deport parents is a patient whose mother was deported. The father, a U.S. citizen as were the children, not only have to continue to support the kids and work, but also went back and forth to Mexico for the family to visit the mother. He was completely stressed out. The son was very angry and developed behavioral problems. He was failing in school, so the father sent him to live with his mom in Mexico. This child was a U.S. citizen, and he was deprived of a U.S. education.

I think it's unfair to be told as a child that even though you are a citizen, you don't have a right to have parents. Children with U.S. citizen parents have that right. This is detrimental to children's wellbeing and to our community. I have had patients who have been assaulted, robbed, had a car stolen, that are afraid to report the crime to the police because of fear that they will be blamed and turned over to ICE, so they deal with the stress of the crime and have no recourse to get help or prevent being victims again. This kind of stress that we're talking about lasts days and nights and creates bad health consequences. Stress causes decreased recuperative sleep which can increase the risk for cancer and obesity; is a precursor for diabetes, psychiatric problems, panic attacks, high blood pressure, heart problems, to mention just a few. **Ms. Sparks** said you have one minute remaining.

Dr. Vaughn continued saying, we could have a much healthier community if people are assured that they're not going to be turned over to ICE because of some interaction with police in going about their daily lives.

These people are essential workers who provide essential services. They fill a lot of slots in the community, which provides services for many people. Deporting them serves no purpose and they are not easily replaced. An ID would be very, very helpful in beginning to deal with some of these issues, so I hope that you are willing to support this ID bill.

Irene Caudillo, Kansas City, KS, said I'm President and CEO of El Centro. I live and work in Kansas City, KS. I am actually speaking on behalf of our board, staff, and those we serve. Thank you for the opportunity to be able to speak in favor of the Safe and Welcoming ordinance. As a 45-year-old Latino-serving organization in this community, we believe this ordinance will ensure that Wyandotte County is a safe and welcoming place not just for those that we serve, but all residents of Wyandotte County.

I want to first emphasize that there is nothing in this ordinance that limits public safety officers from responding to criminal activity, or prevents federal or state and local officials from communicating with each other about any criminal activity. This ordinance is in no way a free pass for any person to actively commit crimes, so everyone, including those without status, will remain accountable to our legal system.

The second thing I want to remind you is to recognize that our community has been successful and has contributed much to our community. Our family stories of struggle and living in constant fear of deportation are unlimited. But our mixed status families have lived in this county on average of 20 years. Thus, this ordinance is a step to build trust and cooperation between the local government and local law enforcement with our community.

Our clients are reluctant to report a crime because they fear that they will be asked about their immigration status or that of their friends, or neighbors, and families. When all individuals can report and seek protection without fear of being deported or separated from their families, police can best protect everyone in the community. The Safe and Welcoming ordinance will allow residents to go about their lives without fear and intimidation and would allow victims of crimes to approach police without fear of being detained. Time and resource spent engaging in Federal immigration enforcement detracts from our local police department's core functions, to serve and protect. **Ms. Sparks** said you have one minute remaining.

Ms. Caudillo continued saying, Wyandotte County and the families El Centro serve, along with many others, stand to benefit from a municipal ID to bring us out of the shadows and empower us to interact with police and local government by empowering people in our community. The ID cards promote trust and inclusion. Passing this ordinance not only affirms a commitment for diversity but builds a safe and welcoming for all and strengthen and improves the lives of many who call Wyandotte County home. The strongest communities are those where every resident feels like they belong as a valued member of the community. We encourage you to pass the Safe and Welcoming ordinance, and we appreciate those commissioners, the Legal Department, and those community members that make up Safe and Welcoming for helping us get to tonight.

Diosselyn Tot, Kansas City, KS said I grew up and lived in the Kensington neighborhood in Kansas City, KS, since the 2000s. I'm a WyCo resident, voter, entrepreneur, artist, and advocate. I'm here today to state my robust support for the Safe and Welcoming City Act because I believe

it would truly embrace the full diversity of what makes our county our home and a unique Wyandotte.

As I did my literature review on our county, I came across the vision statement of our county mission. It states: "Uniquely Wyandotte, a vibrant intersection of diversity, opportunity and distinctive neighborhoods. An engaged community: healthy, fulfilled and inspired." I really like this mission and I thought to myself, wow, how amazing it would be to truly fulfill this mission? I say this because I believe our community is that but at our policies at times do not support or reflect this, nor us. Safe and Welcoming City Act will provide all KCK residents access to Municipal ID within protection for all our communities. Passing this ordinance will be a huge step towards Wyandotte being a truly engaged community and show that we are being listened to.

As a little girl, I remember how Central Avenue and Minnesota Avenue used to look like. They almost seem like abandoned town streets. But throughout the years, started seeing change and things that were recognizable to me. I saw vibrant colors being painted in the buildings that once were grayed out or had wood panels all over it. I saw signs going up in native language and foods that I excitedly recognized, and they were just around the corner from me or in walking distance. Slowly, they all brought life back to our streets. Those entrepreneurs created a pathway for more to come. It was so cool for me to know that my classmates, parents, they owned these businesses, and they were revitalizing abandoned or vacant lots.

My mom and I said hi to the owners probably weekly because they were our neighbors, and that encouraged me to also invest in our community as a young girl through volunteering and creating spaces for people to gather. Then I grew up and I started understanding what truly happened here. Our neighbors were part of our economy system and not only did they contribute, but they also helped expand it. **Ms. Sparks** said you have a minute remaining.

Ms. Tot continued saying, they bought resources that at one time we did not have and created avenues for us to have, and many without an ID.

Now these streets are filled with celebrations like diversity, Dia de los Muertos, and they bring thousands of people to our humble county to celebrate the thriving cultures that are here and try all our great foods and all our entrepreneurs have brought to our neighbors. To see the festivals go up, Placitas events growing, and banners that represent us around our community, for that and more, is why I decided to buy my house in this community and start my business here.

I was undocumented once, but my status never stopped me from investing in my community with pride, I can say that I learned that from my neighbors.

Our economy has thrived thanks to our residents. What better way to provide them with means to do more. To continue to thrive and build and bring more to our city, to be inclusive and diverse and bring opportunity as the vision states.

Again, I want to state my full support for Safe and Welcoming City Act, and I strongly urge you to pass this ordinance. We have been fighting for about five years now, and I believe it is time to make a decision.

Evelyn Hill, Kansas City, KS, said I'm the Director of Equity Injustice at Avenue of Life. I'd like to thank the commissioners for this opportunity to share and for the work that they have done to get to this point with the Safe and Welcoming City Act. We support any ordinance or regulatory construct that protects and serves all residents of Wyandotte County. We, the Justice and Equity Coalition, are in agreement with this. We are greatly encouraged by FBI data shows that when an ordinance, when combined with other initiatives, increases public safety by allowing local law enforcement to focus on keeping the neighborhoods safe and encourages immigrant communities to cooperate with law enforcement.

Given its place in history beginning with Quindaro, Strawberry Hill, and Argentine communities, among others, we believe Wyandotte County has been and should remain a place where people and families come from all nations seeking to become productive and law-abiding members of Wyandotte County and should be permitted to apply for and if approved, issued an ID card for all Wyandotte County residents. This will unlock many of the services here in our county and city. Thank you also to Chief Oakman and Sheriff Soptic for their work and we stand here tonight ask that you vote to approve this ordinance.

Ms. Sparks said our next speaker is Karen Greenwood. Ms. Greenwood, would you unmute please? Ms. Greenwood, you're still muted. Commissioner, we can return to her if you prefer.

Chairman Bynum said yes, Karen, we'll try to circle back around to you.

Ms. Sparks said we have a couple of individuals who signed up, but we don't see them online. I just want to check to see if they're under another name. Micah King? If there is anyone by that

name online please raise your hand. **Chairman Bynum** said I don't see Micah, nor any other hand raised for Micah.

Ms. Sparks said we also had an individual by the name of Starr, who is with the Shelter for Homeless Youth. I don't see anyone there. **Chairman Bynum** said I don't either. Can we circle back to Judy Ancel? She was going to interpret. I think it was for Mercedes who's been unable to join in on the Zoom. Judy was going to read her translated item. Can we go to Judy now for that? **Ms. Sparks** said, yes, she is available.

Ms. Ancel said I am speaking for Mercedes Zelaya. She says, I live in Argentine in Kansas City, KS. I came to live in Wyandotte County in 2016 after escaping violence in Honduras. My husband was murdered, and I had to leave with my four children to seek asylum here in the United States. When I got here, I didn't have friends or family. My children and I were afraid for our lives and traumatized. We didn't trust anybody and still don't trust many people, especially the police.

I support the Safe and Welcoming ordinance because it gives the police a clear directive of what to do when interacting with immigrants. I live in a household of mixed status. Not everyone has legal status. Thanks to God, I was lucky to be granted asylum but even after it took me time to get any time of identification.

Because of COVID, the fact that we had to change lawyers, and also long waits with U.S. CIS (that's immigration), our identification cards expired before we were able to get permanent residency. During that time, it would have helped us to be able to get another form of identification. The Safe and Welcoming ordinance would create more trust with the police and neighbors. I know what it's like to choose to not call them in time of need because while I was waiting for my status, I feared that they would turn me over to ICE.

My friend's daughter was sexually abused and did not seek police support because she was afraid that they would ask her immigration status. My own child was sexually harassed, and my boys physically assaulted by the same person, and I was afraid like many others to speak up. We felt helpless, but I'm speaking up today. The Safe and Welcoming ordinance will make me, my family and my friends feel more welcomed, safer in Wyandotte County, our home. We need a Kansas City, Kansas, where my kids can be just that, kids without the worry that their mother or siblings can be harassed or deported. We need a KCK where I can trust the police. We need Safe and Welcoming City now.

Chairman Bynum asked Karen Greenwood, can we try to see if we can unmute. I'm sorry you're having trouble.

Karen Greenwood said I apologize for the inconvenience. I would like to read a letter of support for Safe and Welcoming Municipal ID from the Advisory Commission on Human Relations and Disability Issues that is dated July 21, 2021.

The Advisory Commission on Human Relations and Disability Issues unanimously voted to pass a motion in support of the creation of the Safe and Welcoming Wyandotte Municipal IDs. This commission enthusiastically will work with the UG Mayor's Commission, staff, and community support organizations on implementation.

Municipal IDs are crucial to the residents of our county who are homeless, undocumented, elderly, foster youth or age out of the system, and those released from penal institutions. This ordinance would give identity to someone who goes to the hospital for acute care or for a parent who arrives to pick their child up from school. The very basic human rights of all are to be heard, to be seen, and included in our community. Please join us in our mission to deliberately, authentically, and continually support equality for all.

The Advisory Commission on Human Relations and Disability Issues is a volunteer board made up of representatives appointed by the UG Board of Commissioners. The purpose of the ACHRDI is to provide, foster, encourage and simulate mutual understanding, respect, and harmonious relations among all races, religious group, all sexual orientations and genders, ethnic, minority groups, and people with disabilities, to discourage and prevent prejudice, intolerance, bigotry, disorder and discriminating practices again any group or its members. These statements do not represent those of the Unified Government. This is signed by our chairperson, Abigail Dillard.

I would just like to say as a resident of Wyandotte County, as a commissioner on the Advisory Commission, appoint by Commissioner Markley, that I'm really proud of the work that has been put into the Safe and Welcoming ordinance and I'm very proud of our community.

Chairman Bynum said thank you Karen and thank you to the Advisory Committee. Ms. Sparks, is that all the comments or the folks that had signed up to speak? **Ms. Sparks** said yes, Commissioner, it is.

Chairman Bynum said and now we have a number of written comments that have been received that I believe you are going to read into the record. Is that correct? **Ms. Sparks** said that is correct, Commissioner.

Ms. Sparks said our first comment is from Marcus Winn.

I would like to submit written testimony in support of Safe and Welcoming. I care about this because... **Ms. Sparks** said and that's how he ended his comment.

Ms. Sparks said the second comment is from Katie Jones, Social Worker and Therapist, KCKPS and KU Strawberry Hill.

Good evening, everyone, my name is Katie Jones and I'm a licensed social worker and resident of Wyandotte County. Currently, I work at Fairfax Learning Center, the alternative high school of KCKPS. I also work as a private practice therapist and at KU Strawberry Hill Psychiatric Hospital. Every day I work with residents of Wyandotte County who don't have access to an ID and the basic rights it warrants in their community.

Imagine being told 'no' every time you need to pick up your kid from school, or go to the library, or pick up a prescription, all because you don't have an ID. This happens to many of my clients, whether they are undocumented, re-entering society after incarceration, houseless, or struggling with a mental health disorder. Being consistently denied basic rights affects your nervous system and leads to chronic stress stemming from feeling unsafe. If the systems within your community deny you your basic rights, it doesn't make sense to trust or participate in them. Denying people their basic rights contributes to systemic dysfunction and a never-ending cycle of trauma. Though I provide much needed mental health services, what many of my clients need before anything else is housing, employment and consistent social services. All of which would be more attainable if they had an ID card. Safe and Welcoming is one simple solution that can make mental health interventions more effective and could build trust in service providers.

As a service provider, I cannot do my students and clients justice if I am referring them to resources that they cannot access. We need Safe and Welcoming now, because many of our neighbors cannot wait any longer to get the assistance they deserve and to build needed community connections. We need a municipal ID program and ICE non-compliance so that we can build a Wyandotte County that is truly safe and accessible for all.

Ms. Sparks said the next comment is from Shawn Stewart.

I would like to submit written testimony in support of the proposed Safe and Welcoming ordinance.

I own a KS business and live here and am not ok with how working immigrants seeking citizenship have been treated. Pass this.

Ms. Sparks said Alicia Johnson.

I would like to submit written testimony in support of the proposed Safe and Welcoming ordinance.

I urge you to carefully consider the impact any decisions or actions regarding this issue will have. We are all human. We should all be afforded the dignity of being treated as such. We live in a land of plenty; many come here looking for safety and a new life. We should not diminish their hope.

Ms. Sparks said Raquel Carreon.

I would like to submit written testimony in support of the proposed Safe and Welcoming ordinance. I urge you to carefully consider the impact any decisions or actions regarding this issue will have. To me, I think Wyandotte would be a little safer and people will not live in fear if things were not done in just focusing on a certain group. This world is full of different cultures, and would be a beautiful place if it wasn't filled with hate. It's good to help but make sure people really need the help and not just give to those who are not in need. Because it's leaving a lot of people out and this is where kids are getting bullied. Also, people would be able to help support local businesses and not feel left out because of their status. Everyone deserves changes and to be with family, not all are the same.

Ms. Sparks said Karla Medina-Diaz.

Dear Unified Government Clerk, I would like to submit written testimony in support of the proposed Safe and Welcoming ordinance, on the agenda of the Public Works and Safety Standing Committee for January 24.

I urge you to carefully consider the impact any decisions or actions regarding this issue will have. Many of us have relatives, friends and neighbors who are currently affected by the

policies this written testimony mentions, and I want everyone to feel safe in our community. Everyone should feel safe to report an incident to the police without fear of anything and specially being turned in to ICE. Like it or not, the people help our community and our economy and anyone who disagrees, well, it's just because they are not truly involved or taken a minute to sit and truly connect and hear the hardships of a lot of people, but specially these people, who can't even obtain an ID go through.

I speak from personal experience as the daughter of immigrants. I helped my parents a lot and continue to at 19. I purchased the house where I currently live because my parents couldn't and now that they have their residency, I still continue to help them because it's not easy. I hope you take the time and take this seriously as this will make such a big change for everyone in the community but most importantly, everyone deserves and has the right to feel safe regardless of anything.

I will not be able to be present at the hearing as I have to work as a healthcare worker, it is hard to take time off due to staffing issues as we all know. Thank you for your time and hope this is implemented.

Ms. Sparks said Marcelo Sanjuan.

I would like to submit written testimony in support of the proposed Safe and Welcoming ordinance.

I don't live in WYCO, but I shop, eat, and visit with friends there several times a week. I have immigrated to this country myself and care deeply about the issue. So many cities in this country have passed similar legislation, so why not Kansas City, KS. Such a diverse place with so much potential and such a wonderful community.

Ms. Sparks said Taylor Dean.

Dear Unified Government Clerk, I would like to submit written testimony in support of the proposed Safe & Welcoming ordinance, on the agenda of the Public Works & Safety standing committee for January 24.

As a member of organized labor and a resident of Wyandotte County, I see it as absolutely necessary for the first steps to be laid in bringing numerous members of our community and workforce out of the shadows and able to begin the path to becoming legally recognized Kansas

City, Kansans. Federal labor law takes precedence over immigration law, but as long as members of the workforce remain undocumented, they have no recourse to asserting their workplace rights and prevent exploitation in the workplace. This inability to seek legal protections in the workplace due to immigration status puts downward pressure on the wages and working conditions hard fought for by generations of the American labor movement. Safe and Welcoming Wyandotte is a step in the right direction towards building a stronger, more cohesive community and safer workplace.

Ms. Sparks said Anna Woelk.

I would like to submit written testimony in support of the proposed Safe & Welcoming ordinance, on the agenda of the Public Works & Safety standing committee for January 24.

I care about the Safe and Welcoming Wyandotte ordinance as a resident of Wyandotte county and social worker in the community because I have seen firsthand the impact an ID can have and the impact of not having one. I work specifically with the refugee community in Wyandotte County, and a municipal ID would make it easier for this population to cash income checks as they establish their residency, begin to pay their own bills, and begin to establish a credit history. The recognition of a municipal ID various settings will help these new neighbors get on their feet and contribute to Wyandotte County at a faster rate and help promote greater self-sufficiency as they navigate their new home.

Thank you for considering the impact the Safe & Welcoming ordinance and municipal ID will have in our community. We are all Wyandotte County.

Ms. Sparks said Victoria Arcano.

My name is Victoria, and I am an advocate for survivors of domestic violence. I worked for the Kansas City Kansas Police Department Victims Services Unit from May 2019-December 2020. I now work as the Chief Experience Officer at a local domestic violence shelter. **Ms. Sparks** said, Commissioner, she appeared online and gave the same testimony.

Ms. Sparks said Yazmin Valdez.

My name is Yazmin Bruno-Valdez and I have been a Wyandotte County Resident since 2007. I am 20 years old. My zip code is 66104. I am representing Advocates for Immigrant Rights and Reconciliation in support of the Safe and Welcoming City Act.

I have been a longtime supporter of the Safe and Welcoming City Act as I believe it is exactly what our WYCO community needs. I support the Safe and Welcoming City Act because it will give all Kansas City, KS residents access to a municipal ID with protections for our immigrant community. Passing the Safe and Welcoming City Act will benefit an already vibrant community.

I am a DACA recipient and a college student, and still at my adult age I do not have a valid form of identification that does not disclose my immigration status and place me in a vulnerable position as an immigrant. I have struggled my entire life while living in Wyandotte without having an ID. I attended Sumner Academy of Arts and Science, a USD 500, school and could not attend my senior prom because of my lack of ID. When I started college at Donnelly College in Wyandotte County, I had a difficult time getting my student ID without a formal ID. There have been multiple instances when not having a valid form of identification has negatively impacted my life and the Safe and Welcoming City Act would change this.

I ask this committee to please pass the Safe and Welcoming City Act for the benefit of all. I support this ordinance because it will be good for the community that we live in. Thanks for your time.

Ms. Sparks said Deysi Bruno-Valdez.

Good evening. My name is Deysi Bruno-Valdez and I have been a Wyandotte County Resident and my zip code is 66104. I am representing Advocates for Immigrant Rights and Reconciliation in support of the Safe and Welcoming Act.

I have been a longtime supporter of the Safe and Welcoming City Act as I believe it is exactly what our WYCO community needs. I support the Safe and Welcoming City Act because it will give all Kansas City, KS residents access to a municipal ID with protections for our immigrant community. Passing the Safe and Welcoming City Act will benefit an already vibrant community.

I have struggled my entire life while living in Wyandotte without having an ID. There have been multiple instances when not having a valid form of identification has negatively impacted my life and the Safe and Welcoming Act would change this.

I ask this committee to please pass the Safe and Welcoming Act for the benefit of all. I support this ordinance because it will be good for the community that we live in. Thanks for your time.

Ms. Sparks said Lyndsey Bruno.

Good evening, Commissioners. My name is Lindsey Bruno. I live in the Quindaro neighborhood in Kansas City, KS 66104, and I am here in support of the Safe and Welcoming ordinance.

I support the Safe and Welcoming City Act because it will give all Kansas City, KS residents access to a municipal ID with protections for our immigrant community. Passing the Safe and Welcoming City Act will benefit an already vibrant community.

As a student and member of a mixed status family, I understand the value of protecting all residents regardless of their immigration status, economic income, criminal record, age, and gender. The Safe and Welcoming City Act would provide a valid form of identification to several vulnerable communities that have been left out for far too long. We need you to pass this ordinance for the sake and safety of our WyCo community.

I ask this committee to please pass the Safe and Welcoming City Act for the benefit of all. I support this ordinance because it will be good for the community that we live in. Thank you for your time.

Ms. Sparks said we have another comment from Deysi Bruno.

Good evening, Commissioners. My name is Deysi Bruno. I live in the Quindaro neighborhood in Kansas City, KS 66104, and I am here in support of the Safe and Welcoming ordinance.

I support the Safe and Welcoming City Act because it will give all Kansas City, KS residents access to a municipal ID with protections for our immigrant community. Passing the Safe and Welcoming City Act will benefit an already vibrant community.

As a student and member of a mixed status family, I understand the value of protecting all residents regardless of their immigration status, economic income, criminal record, age, and gender. The Safe and Welcoming City Act would provide a valid form of identification to several

vulnerable communities that have been left out for far too long. We need you to pass this ordinance for the sake and safety of our WyCo community.

I ask this committee to please pass the Safe and Welcoming City Act for the benefit of all. I support this ordinance because it will be good for the community that we live in. Thank you for your time.

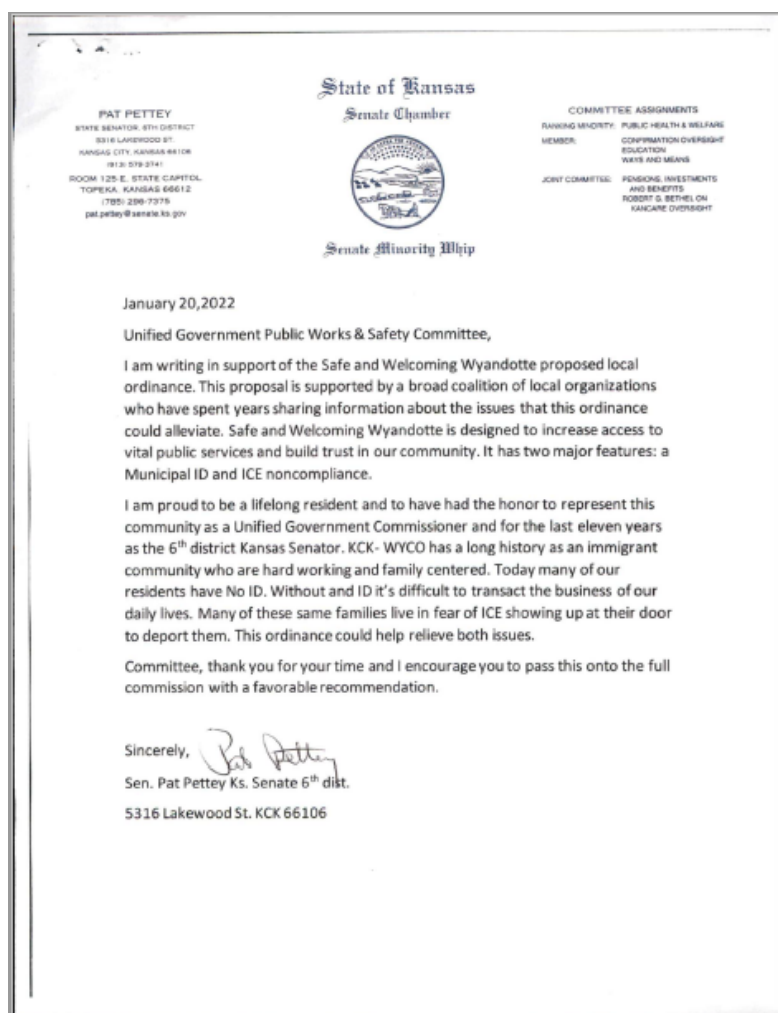
Ms. Sparks said Erika Carillo.

As a resident of Wyandotte County, I beg to please pass this ordinance. Immigrants are here for a better future. They leave everything behind to come and succeed. Making them feel safe and welcome is important as they will contribute to our country. Thank you.

Ms. Sparks said Sister Janet Cashman.

Dear Committee Members, I urge you to approve the Safe and Welcoming petition. For far too long it has been neglected. Safe and Welcoming will put an ID card in the hands of many people who need one, from immigrants, from children in foster care, from recently released persons from the prisons. This at least deserves to be heard by the full Commission which can only happen if the committee approves. Thank you for your positive vote.

Ms. Sparks said we have a letter from Senator Pat Pettey.



Ms. Sparks said Karla Juarez.

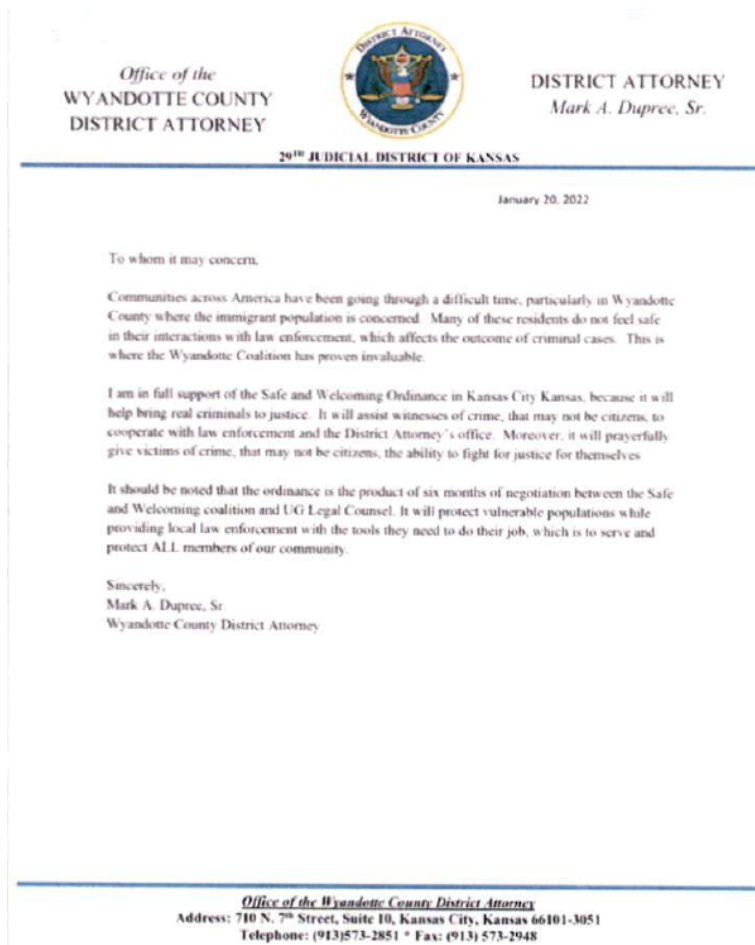
Dear Commissioners, my name is Karla Juarez. I am the Executive Director of Advocate for Immigrant Rights and Reconciliation, and we serve the Kansas City, KS area. AIRR strongly supports the Safe and Welcoming City Act because it provides IDs for everyone with protections for the immigrant community. IDs are necessary to enroll children in school, pick-up prescription medication, and access the many services this wonderful community provides.

Having a strong ordinance like this one is important so our immigrant community can feel safe to report crimes and continue contributing to their community without fear of deportation. As an immigrant myself, I can attest to the fear that exists within the immigrant community and I know that the Safe and Welcoming City Act will provide a sense of belonging and safety for our entire community. This ordinance will make our community a welcoming and safe place for all.

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Thank you for your time and consideration.

Ms. Sparks said District Attorney Mark Dupree.



Ms. Sparks said we have received some additional comments that were received after the deadline but we're going to add them into the record. The first one is from Michael Poppa, Executive Director of the Mainstream Coalition

January 24, 2022



Public Works & Safety Committee
Hearing Monday, January 24, 2022

Position – SUPPORT The Safe and Welcoming City Act (Tracking No. 211243)

Chair and Members of the Committee,

Thank you for your elected service, and, the opportunity to provide testimony in support of The Safe and Welcoming City Act.

Mainstream Coalition is a nonpartisan nonprofit organization working to empower informed participation and meaningful action in the political process. We envision a Kansas political system that equitably represents all of its constituents.

As a member of the Safe & Welcoming Wyandotte Coalition and employer in the greater Kansas City Metro we support the proposed Safe and Welcoming City Act and to ask for the immediate passage of the full proposal. Such protections are essential for building a relationship of trust between the community and local government.

In these uncertain times, we as a community have an opportunity to come together. We need to combat the increase of hate and exclusion in our communities and in the broader nation. Instead we must welcome and support our neighbors. Passing this Act would send a clear message that you, the Mayor and Commissioners, support all Wyandotte residents, especially those who are most often marginalized.

We urge you to approve the Safe and Welcoming City Act for subsequent passage by the full Board of Commissioners. It is time to join the City of Roeland Park, Kansas and commit to building a truly safe and welcoming community in Wyandotte County and the Kansas City Metro.

Sincerely,

Michael Poppa
Executive Director

Founded in 1993, Mainstream Coalition is dedicated to creating a more representative and responsive government by empowering informed participation and meaningful action in the political process.

6750 Antioch Rd. Ste 305G, Merriam, KS 66204 • (913) 649-3326 • MainstreamCoalition.org

Ms. Sparks said Dory Sabada. I am writing in support of the Safe & Welcoming ordinance. I ask the county commissioners to support this policy that will make our community more inclusive for the people who live in this community.

Ms. Sparks said Carrie Paulette. Good evening, my name is Carrie Paulette, and I am a School Counselor working in Wyandotte County. I'd like to share my support for Safe and Welcoming Wyandotte.

I feel passionately about this issue because I have seen firsthand how the threat of deportation affects the lives of immigrant families. On multiple occasions, students have come to

January 24, 2022

my office, broken, because they are worried that their caregiver will be deported. On multiple occasions, minor traffic stops resulted in upheaval and trauma for my students' families based solely on immigration status. My students, who experience these traumatic events before the age of 11, will never forget the panic they felt on those occasions. All of my students deserve to grow up with their families, free from fear. All of my students deserve caregivers who can fully participate in their communities.

Wyandotte County is home to a large immigrant community, all of whom deserve the right to move within our city, safe from the fear of detention, separation from their family, or removal from their home. Each resident belongs and who deserves to be treated with dignity in our county, regardless of skin color, language, or nation of origin. I know that you all will agree that its rich diversity is what makes Wyandotte County a special place to live. The immigrant community in this county makes our county better, and it is important that we do everything we can to ensure that all residents are able to access healthcare, school enrollment, drivers' license, and other government processes with proper documentation. This makes our community stronger and safer.

I appreciate your time and consideration of this tonight, and am hopeful that this is an opportunity for Wyandotte County to put its expressed values into action.

Ms. Sparks said, Commissioner, those are all the comments we have received.

Chairman Bynum said, Monica, thank you so much for reading all of those comments for us into the record. And thank you to all who submitted those written comments. Clerk, do you see any other hands in the attendees list or anyone in the lobby wishing to speak on the item? **Ms. Sparks** said we do have a hand raised, Angela143.

Sister Angela Fitzpatrick said I live in Roeland Park. I want to thank all the commissioners and all who worked on these ordinances and all the testimonies I heard this evening. They were heartwarming. I want to express that life is all about relationships and how we interact with others. Our constitution says that we're all created equal, but our social construct does not reflect this reality. There's definitely a white privilege. Black, brown, and other minority persons are very much aware of this unequal social status and often subject as we heard to unequal treatment, intimidation, suspect, and are not accepted and welcomed for who they are as persons of God.

This Safe and Welcoming ordinance and the municipal ID will help protect them from such treatment, we hope, from deportation, lessen their fear of being active citizens or active in our community, and perhaps help them become legalized citizens. I encourage the Commission to vote in favor of these ordinances. Thank you.

Ty Gorman, Northeast KCK, said I'm a resident of Wyandotte County, Kansas campaign representative for the Sierra Club. I just wanted to support the wonderful community partners who join this task to ask you to pass the Safe and Welcoming ordinance, and thank you for taking up the issue tonight. As a resident, I support Safe and Welcoming to expand access to services for residents through municipal ID for all. And, also, especially to ensure that private information will not be shared with federal agencies, especially ensuring that the law enforcement will not cooperate with ICE, all Wyandotte County local government practice, ICE non-compliance, and not investigate or report anyone's immigration status. I thank you very much.

Rick Behrens said there are at least two of us who submitted testimony prior to 5:00 p.m.; written testimony, prior to 5:00 p.m. on Thursday, whose testimonies weren't read. That said, I did not expect them to be read. Since others were read, I'm a bit concerned and wonder where the testimony for my wife and myself ended up. Just letting you know that there might be more testimonies, written testimonies out there that aren't accounted for.

Chairman Bynum said okay. I also do not know where those would be, but I appreciate you letting us know that somehow you submitted that and it got lost in the melee somewhere. We certainly appreciate all you've done and all the time you've spent with us working on this. Thank you for letting us know that.

Beth Seberger, Kansas City, KS, said I live near Donnelly College. About three years ago, I chose to sponsor an immigrant from Nicaragua, a refugee, who came across the border in Tijuana and, of course, was put into detention immediately, though he had asked for asylum. He was in detention for four months in Georgia and then, because he had a person in the United States who was a citizen and with an income capable of supporting his basic needs, he was allowed to leave and he came to live with me. When he came, the only ID he had was a thing from the detention

center with his name and a picture, a kind of a not very clear and blurry picture at that. But it did say that he was on parole and an asylee.

The first time I accompanied him to the ICE check-in where he goes whenever they ask him to, because he is legally here waiting for his asylum hearing, they weren't even sure it was him because the photo was that bad. Also, through the wire to apply for him to get a work permit, which, of course, he wanted to do right away, and he did, they said it may take as long as give months.

Anyone coming in this situation has a long wait before they can get an ID down at the driver's bureau when they get their work permit. It's a complicated thing. I was afraid that he might go down to the 7-11 store near here, he might get picked up if somebody thought he looked suspicious and he couldn't explain in English his situation and has no ID and end up ready for deportation again. **Ms. Sparks** said you have a minute remaining.

Ms. Seberger continued saying that's it. It is a problem, I just want to say.

Natalie Wolf, Wyandotte County, said I just wanted to also join. I think it was Mr. Behrens earlier who that—was going to say, I'm just a third person who submitted testimony and I'm not sure where it went. I was just going to say that I currently live in Wyandotte County, and I wanted to support this. I work in the school system with immigrant students. I really want to be able to see the positive benefits of this impact them and their families.

I also know that like; I think it was just last week or something, I personally hesitated to report a potential domestic violence also, but I don't know about the immigration status of the people involved and how that would impact them. I had it more written out earlier, but I wanted to say, speak in support of this. Thank you very much.

Chairman Bynum said, Natalie, thank you for hanging in. I'm sorry that your testimony did not come through, but I appreciate you staying with us and speaking for this. I'll ask the Clerk if there are any more hands or comments. **Ms. Sparks** said we have Corliss Jacobs.

Corliss Jacobs, Johnson County, said I'm another one who submitted written testimony. I wanted to just add my word of support. I'm a resident of Johnson County and I've been watching this carefully. I would like to see Safe and Welcoming be implemented in Johnson County. I'm

hoping to see that Wyandotte County will become a leader in this and then cities in Johnson County can look to you and say, look what a great program they have developed and perhaps we can create one here because we have people here, also, who are in great need of having an ID. That's all I will say right now. I wrote more, but many good things have been said.

Chairman Bynum said I appreciate that you took the time to submit, and I sincerely apologize that somehow your comments did not make it into the record. Madame Clerk is there any further comment? If not, we'll turn back to our committee members. Any further comment from the committee or ready for a motion?

Commissioner Johnson said I totally agree with what Ms. Jacobs just had outlined for us. I think if we are able to get this through, which I hope and pray we will, that it can serve as a model for other cities and other communities to be able to look to.

Action: Commissioner Johnson said, Madame Chair, I am thrilled to make the motion to approve this item as submitted and then move it on to the full commission.

Commissioner Ramirez said I am proud to second that motion.

Chairman Bynum said excellent. We have a motion and a second. Can we have roll call on the item please?

Roll call was taken and there were five "Ayes," Kane, Markley, Johnson, Ramirez, Bynum. (There was no response from Mr. Groneman.) Prior to Commissioner Kane's vote, he said I'm going to vote yes, but I do want the full commission to have a discussion on this.

Item No. 2 211234...PROPOSAL: REVISIONS TO COUNTY EMERGENCY OPERATIONS PLAN

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

Matt May, Emergency Management Director, said if you're familiar with this process, our County Emergency Operations Plan is our playbook, if you will, for how we're going to respond to disaster events, and it's also statutorily required to be updated every five years. This is, in fact, what we're doing now. We actually did two significant updates that I would point out to you. One has to do with how we operate within the EOC itself, Emergency Operation Center, and that is to try and follow a standard that actually I helped develop at the national level. We have, in the past—you probably are familiar with the term, the National Incident Management System and Incident Command. We follow that structure roughly in the EOC. But, we finally have created a structure specifically for EOCs, and that's what we've adopted. So that's one of the changes that we've made. Most of these changes are in our base plan. It's a large document broken into 16 pieces. A base plan and then one annex for each of the 15 emergency support functions. The bulk of the changes are to the plan are in there. We obviously did a lot of other updates, new changes in how different agencies are going to respond, are going to react. But our general plan of attack, if you will, is pretty much stayed the same.

The other piece that's required of us is to follow what's called the State Planning Standard and Susan McMahon, who is our Deputy Director here and is in charge of our Planning Department, has really tried to address those. I'm going to leave it to her to address that topic in general, and then we will both be available for questions following that.

Susan McMahan, Deputy Director, Emergency Management, said with the Kansas Planning Standards, they have adopted a way of creating these plans. Our plan is significant in size, as you have seen due to the size of our county. There are different things within these planning standards that don't always have to deal with us. Being urban, they really have a fine line between rural and urban. A lot of the changes in the 2020 Kansas Planning Standards were more geared towards those rural counties, but we still did our best and worked with their planning division and was able to obtain an approved emergency operations plan from the state, pending approval and adoption by the Board of Commissioners.

Like Matt said, the majority of the changes were insignificant to the overall plan, but we had to address certain things, via the state wanted everyone to talk about specific things within their plans. One of the things that did not apply to use was wildland firefighting. We don't do

very much wildland firefighting in Wyandotte County versus out west. So those kinds of things we didn't have to address and so we can go into that.

Matt also talked about how we are going to do business in the County Emergency Operations Center and that is in Emergency Support Function 5. So if you look at that annex, the Base Plan and ESF5 were the ones that we did the most tweaking to. The majority of the rest of the plan is what you have seen in the past and, like I said, we did obtain approval from the state.

Mr. May said we would entertain any questions the commissioners and the committee have.

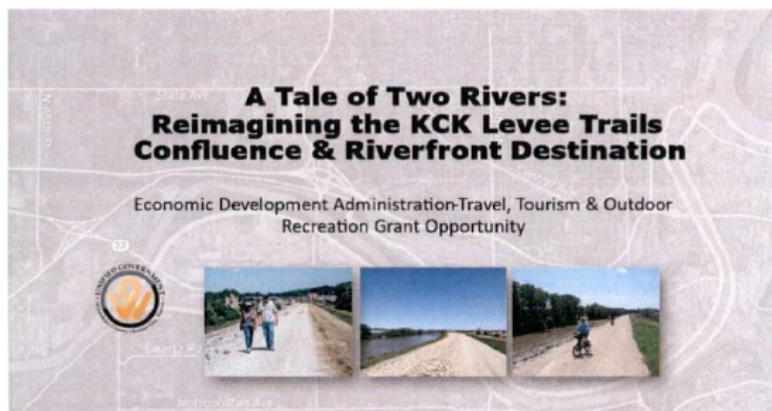
Chairman Bynum said thank you, Matt. Yes, we have seen the size of the Emergency Operations Plan. You've been in front of us on a number of occasions and we always value what you bring to the county. I think it is kind of one of the hidden, unsung hero departments, I would say, but certainly when we need you, we always know you are there and ready so your work is deeply appreciated.

Are there questions or comments from any committee member? I don't see any of our committee members with hands raised. Madam Clerk, did we receive and comments from the public on this item? **Monica Sparks, Deputy UG Clerk**, said no comments were received. **Chairman Bynum** said I would accept a motion on the item.

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

Item No. 3 – 211236...APPLICATION: TRAVEL, TOURISM, & OUTDOOR RECREATION GRANT

Synopsis: Approval of an application for the Economic Development Administration – Travel, Tourism, & Outdoor Recreation Grant for the KC Levees & Riverfront Project, submitted by Jeff Fisher, Director of Public Works.



Sarah White, Project Engineer, Public Work Engineering, said I also have with me Gunnar Hand, Director of Urban Planning. We are coming to you tonight to talk about a grant opportunity that we hope to apply for and just give you a little bit of information about it. We're just asking for a motion for support in this grant.

EDA Grant Opportunity

- Travel, Tourism, & Outdoor Space
- Up to \$2 Million per grant
- Match included in KC Levees Betterments
- Promotion of Economic Opportunities
- Leverage of KDOT Grant & KC Levee Betterments
- Request for Motion of Support



This is an Economic Development Administration grant for Travel, Tourism and Outdoor Recreation. It is up to a \$2M grant that they're allocating for district, which we are in the Denver, Colorado District. Some of the things they're looking for are projects that will bring about tourism, job opportunity, and economic development. They're also looking for projects that are pretty much shovel-ready and just looking to maybe complete the project; maybe lacking funds due to COVID-19 issues and maybe less travel and tourism that happened during that time. They do ask for a match; however, we have a great benefit or a strong application benefit because the match that we have put into the KC Levees betterments is well over the matching requirements. We actually have put in about over \$30M into the betterments, so that match counts towards this. This also is

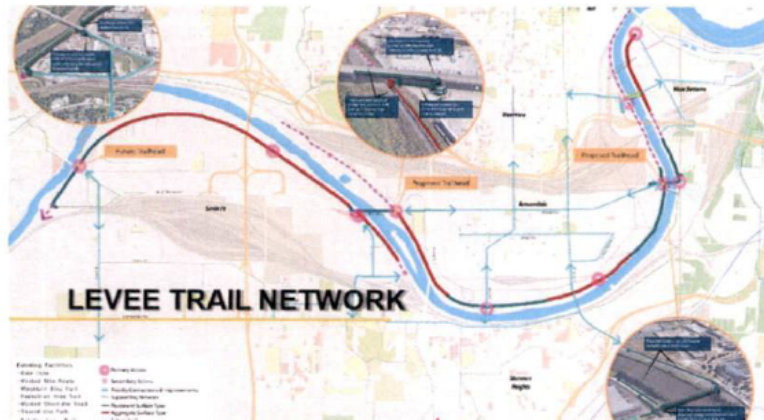
going to be leveraging KDOT grants that we received through MARC, about \$2M of those for various parts along this project.



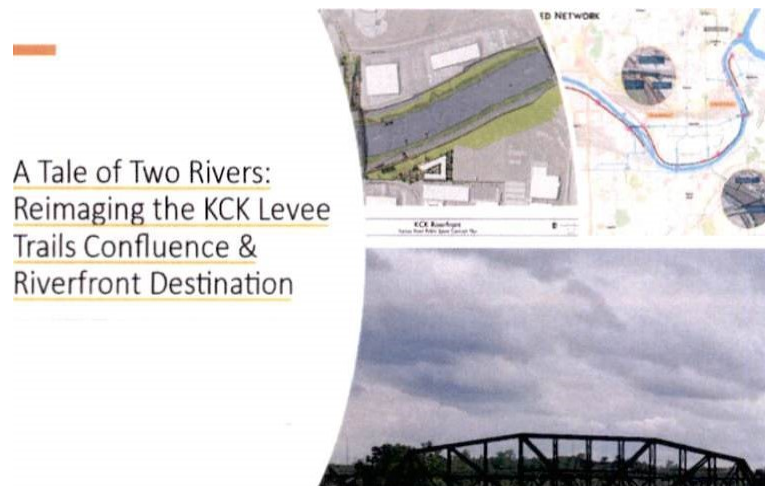
I just want to show you a few of the project's components that are included in this grant. This really was to help fund the areas that kind of had a gap in funding. Along the Levees Trails Project, which is the 17 miles of trails that are being put in as a betterment to the Kansas City Levees Project to connect those and to also fund the gap for the Riverfront Park. One of the components is the James Street Trailhead. This one is important because it really does connect into other trail networks in our community and metro area, and this one would be one of the projects that's included in this grant.



The other two are the Riverfront Park projects that we have worked with different development in the area to come up with kind of a vision for the area. This includes a stramp or an amphitheater boat connection to the river on both sides and boat docks and really just establishing that connection to the Kansas River, connection up to the levees on both sides of the river.



This is all part of our levee trail network, that we've included with the Kansas City Levees federal project that is going on.



The title of our grant is A Tale of Two Rivers, Reimagining the KCK Levee Trails Confluence & Riverfront Destination. I think that's all we have tonight for you. Would love to hear any questions or comments.

Chairman Bynum said thank you very much Sarah. Gunnar, do you have anything that you'd like to add at this time? **Gunnar Hand, Director of Urban Planning and Design**, said just very quickly, I'd just like to note that this is very much in line with the recently adopted Armourdale Area Master Plan. It is in the Implementation Action Plan. As Ms. White mentioned, the grant's already covered by funds submitted. Happy to take any other questions.

Chairman Bynum said first of all, just a comment. Thank you to staff for finding the ADA grant opportunity. That's very exciting. We love it when you can leverage funds that aren't directly out of the pockets of our local taxpayers, so that's very, very encouraging. The timeline as far as if we were to be awarded, when would we know that? **Ms. White** said applications are due at the end of the month and I believe they said they would be notifying everyone by the Fall of 2022 and all the funds would need to be spent by 2026.

Action: Commissioner Johnson made a motion, seconded by Commissioner Markley, to approve as submitted.

Chairman Bynum asked, any other questions or comments from committee members? I do believe we have a hand raised in the public. **Ms. Sparks** said yes, Commissioner, Alonzo Pumas.

Tom (inaudible) said I just want to voice my support for this project. I've used the Armourdale trails a number of times even after I broke my ankle and got better. It's a beautiful setting to take a walk or to ride a bike. I'm really looking forward to seeing our riverfront developed where more and more people can use it and I really, really believe people will use this.

Chairman Bynum said all right, if there are no other comments, we do have a motion and a second, roll call on the item please.

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

Item No. 4 – 211237...APPROVAL: HONORARY STREET SIGN

Synopsis: A request to approve a street sign honoring Dr. Vernard Johnson, submitted by Jeff Fisher, Director of Public Works.

Troy Shaw, County Engineer, said just a quick intro. Public Works received a petition for an honorary street sign. Staff has reviewed the petition and all the necessary requirements have been met to go before the Commission. The request is to add an honorary street sign with the title of

Chief Ambassador, Dr. Vernard Johnson Street to the Cissna Street, which is north of Quindaro. I believe Reverend Melvin Brown is here to speak on behalf of the petition.

Dr. Vernard Johnson, Pastor of Amazing Grace Church, said I must make note of Commissioner Johnson because that's my last name. I would like to thank all of you commissioners for even considering the honor. This is one of the greatest honors of my life. May I just give you a little background on myself without sounding too self-centered? I'm just concerning a street change. I just want to say that I realize that all of us are standing on the shoulders of others, and I never realized it until late, amen like I do now. I was born in Kansas City, Kansas, reared in Wyandotte County. Lived on 7th Street, 2027 N. 7th Street all of my life until I went off to school. I went to Sumner High School of course, left there, well let me go before that Northeast Junior High School then Sumner. Standing on your shoulders, you guys launched me to heights that I never dreamt of. But I went from Sumner to Emporia, there in Emporia State Teachers College, got a bachelor's degree there and was probably the first Afro-American to go there and get that bachelor's from the School of Music there in Emporia. Left there and went off for many years to Texas, Fort Worth, Texas to the largest seminary in the world, which is Southwestern Baptist Theological Seminary. I was the first black at Southwestern to get the doctorate there, I earned a doctorate degree from Southwestern Seminary. From there I stayed 30 years in Texas. I thought Texas was the bomb and it is great, but I remembered my homebase. I remembered how Wyandotte County and Kansas City had launched me. You don't forget the bridge that brought you over. You guys brought me over, Kansas City, Kansas. I'm proud of you all. I hope that you're proud of me. I left the seminary. I've had so many wonderful acknowledgements and achievements that have come my way and come back here because my mother got sick and she passed since then. But I'm just so grateful. I never forget, mama used to say I'm whipping you because I love you, I love you so much. I didn't realize what love was about. But life will whip you sometimes and it may not say I love you, but it will help you to stand up taller and stand on the shoulders of people who have made a phenomenal impact on your life. I want to say the people in Kansas City have made a phenomenal impact on my life. I do support the street changes. It wasn't my idea, but I made an impact in Fort Worth, Texas. One of the people from Fort Worth, Texas, I guess they caught a vision of trying to change the street name or have an honorary portion of Cissna, amen. I do support it, I think it would be good because if I do

have any notoriety, I played the saxophone. I was born with asthma and couldn't play it hardly, and couldn't breathe correctly to save my life. I don't want to get too spiritual on ya'll, but you know I am a pastor. I'm the Pastor of Amazing Grace. I just want to tell you that I was blowing my horn one day and I couldn't breathe correctly. I blew it so hard the saxophone, until I passed out. Right when I woke up, I heard a voice in my spirit speaking to me saying Vernard, check your lungs now. I checked my lungs and that asthma that I had for 17 years straight, every day, it instantly was gone. So, God healed me, and he did it for a reason. God does things for a reason. If I have any kind of notoriety, and I do thank God for what he's done for me, but I want to bring it back home to Kansas City where I was born in, where I was reared. Right now, we started a prayer line with four people. In 11-12 years, we have now the largest prayer line on the planet. We have over 200 countries hooked to it; we have, well, several hundreds of ambassadors, we call them prayer ambassadors. They say through the blog line we have 1.9 billion listeners. We've done a lot of things here in Kansas City to help because this is where we're from and we've tried to help the community of Quindaro out there in Wyandotte County. I was telling the Mayor the other day, he came to visit our church and brought a proclamation where he made December 30th Vernard Johnson Day and I appreciate all that, but we try to do a lot of things in that area. We gave out toys; for several years we gave out toys. This year we gave out truckloads of toys all around the community, not only helping the community, but helping other churches and facilities and all around the area to help show that we love people. I suggest it to our church, Amazing Grace, just the other Sunday that now since we have given out food baskets on Thanksgiving and Christmas, I want to implement now giving out a food basket, one per week, and there are about 52 weeks in a year, so we want to target 52 houses around that area down Cissna Street and just other streets connected to us and around our area. Not only that, we're helping with the utilities of some of those families in that area. During the end of the month, their lights are cut off and if we got the funds, we'll extend it to them and be a blessing to them. We want to help. Now we're helping people who are getting food stamps through the baskets that we give out to help feed the hungry. The other day I said to my church, I said you know we normally fast on the whole month of January, but now a fast is making a sacrifice on the food, but what we want to is fast; we sacrificed our sacrificial in several areas and it will help ingratiate our church with those who are in need. I said I want us to sacrifice and bring every coat that we have available in our closets, and we want to just clothe the persons who are on the street who are homeless. One of my deacons

who really goes among the homeless and so he'll do that and then on top of that I said we want to just make a place for those persons who are down and out. We want to go to them those people who are in situations like in hospitals, and not only that, we've been doing that for years, but hospitals and going to people who are in senior homes and trying to bring joy and peace and love and all kind of things to them. I'm talking too long here, but I just want to tell you I appreciate anything that you want to do for Dr. Vernard Johnson. I'm not seeking it myself, but because they have embraced it in our church and our church is asking that you would make this street change, I want to do it because all the times that we have to give our address out at 2955 Cissna and I always have to explain where Cissna is. And I'm not saying that I got so much notoriety, but I can say that if I do have any notoriety, I think they'd be able to find Dr. Vernard Johnson our chief ambassador, quicker than they would Cissna for sure.

Chairman Bynum said I love hearing about the work you've done and what you've brought to Wyandotte County. I stop you only because Commissioner Johnson has his hand raised, and I believe that might be a sign that he's ready to move forward with this.

Commissioner Johnson said I think this is a wonderful opportunity here. Right now, I seek permission from you to pass due to a conflict of interest due to the fact that we both have the same last name. **Chairman Bynum** said thank you very much for that recusal.

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

Chairman Bynum asked, Clerk, any comments received from the public? **Ms. Sparks** said we have no comments from the public. We do have a hand up from Eleanora Jefferson.

Eleanora Jefferson, Commenter, said I just want to say that Dr. Johnson is my classmate, the great class of 1966 at Sumner High School. I would be remiss, I'm sure the class would call it remiss if I did not join in and say that our class wholeheartedly supports the renaming of this street in his honor.

Roll call was taken and there were five “Ayes,” Groneman, Kane, Markley, Ramirez, Bynum. (Commissioner Johnson previously recused himself from voting.)

Item No. 5 – 211238...UPDATE: COMPOST FACILITY FEASIBILITY STUDY

Synopsis: An update on the Awarded Sustainable Materials Management Grant from the Environmental Protection Agency (EPA), submitted by Jeff Fisher, Director of Public Works.

Jonathan Gutierrez, Solid Waste Division, Public Works, said I just want to give a quick background before I give a presentation. Once again, this is an update to a grant opportunity that we presented before this committee last year, and then the full Board, to apply for an EPA grant from the Sustainable Materials Management. That was April of last year. Fortunately, in September of 2021, we were awarded that grant to conduct a feasibility study for a compost facility here in Wyandotte County in the amount of \$95K. Again, this required no local funding of matches. Since then, the Solid Waste Division has retained the services of Burns & McDonnell to assist us in completing this feasibility study. Tonight, July Davis, from Burns & McDonnell, will be presenting a short presentation that will kind of outline the task and schedule for completing this feasibility study for a compost facility here in Wyandotte County.



Julie Davis, Solid Waste and Resource Recovery Consultant, Burns & McDonnell, said this is for informational purposes. Jonathan gave a great introduction to this study.

Our Team



Laura Drescher, PE
Project Manager/ Solid Waste &
Resource Recovery Consultant



Julie Davis
Solid Waste & Resource
Recovery Consultant



Scott Martin, PE
Technical Advisor, Quality
Assurance



Scott Pasternak
Principal Planner



Holly Webb
Assistant Engineer

BURNS & MCDONNELL

I wanted to introduce you to the Burns & Mac team. Those of you who don't know us from our recent work on the Solid Waste Management Plan, this is your local team that's working on this project with you as well as others.

Compost Facility Feasibility Study

- ▶ Funding: \$95,000 - EPA Sustainable Materials Management Grant
- ▶ Regional effort to investigate opportunities to divert organics
- ▶ In support of the EPA Waste Management Hierarchy



BURNS & MCDONNELL

The compost feasibility study came about through the EPA funding, which was received for \$95K, which our team helped to put together the grant application. It is part of a regional effort to divert organic materials from the landfill. I believe that this project was supported by the EPA because of its commitment to supporting the waste management hierarchy. Which you see there that source reduction, reuse, and diversion are all prioritized over landfilling of the materials.

January 24, 2022

Compost Facility Feasibility Study

- ▶ Feedstocks:
 - Food Waste (~20% of waste stream)
 - Residential Yard Waste (UG drop off facility and potential curbside)
 - Biosolids (25,000 tons annually from 2 WWTP)
 - BPU Tree Trimming Waste
- ▶ Opportunities for private partnerships with regional and local industries to operate (public-private-partnership)
- ▶ End products to be utilized by UG operations (Parks & Recreation, Public Works), available to residents for use:
 - Mulch
 - Compost (Class A or B)

BURNS & MCDONNELL

This study is looking at feedstocks from the Unified Government looking specifically at food waste, which we know is 20% of the existing waste stream or more that's going to the landfill currently. Residential yard waste to be diverted from that drop-off facility and potentially from your residents curbside for beneficial reuse as composting, biosolids from two wastewater treatment plants, and then the BPU tree trimming waste which is significant volumes. All of those are being considered for feedstocks for this project. We're looking at opportunities for public/private partnerships as potential composting facility models. Then the end products, the compost that's generated would be utilized by UG operations. So, through Parks and Recreation and Public Works and then where there's excess, that would be available for residents to use.

Project Schedule

- ▶ Kick-Off in November 2021
- ▶ Final Presentation in August 2022
- ▶ Schedule dictated by EPA funding calendar

Task		2021-22			
		Q4	Q1	Q2	Q3
	Kick Off and Prep				
Task 1	Stakeholder Engagement				
	1.A. Food Generators Survey				
	1.B. Organic Material Processor/P3 Meetings				
	1.C. Community Partners Stakeholder Meetings				
Task 2	Site Evaluation				
Task 3	Feedstock and Processing Technologies				
	3.A. Data Collection on Feedstock				
	3.B. Processing Technology Evaluation				
Task 4	Concept Design				
Task 5	Financial Evaluation and Report				

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We've kicked off this project in November 2021. The final presentation on this project will be presented back to you all, to your Commission, in August 2022, and that schedule is dictated by the EPA funding calendar. I wanted to share with you a little bit more detail on each of these tasks and see where it fits in with the schedule that's presented in front of you here.

Task 1: Stakeholder Engagement

- ▶ Identify and survey large food waste generators: i.e., school district, food manufacturers, large employers, residential facilities, grocers, etc.
- ▶ One-on-one meetings with material processors regarding potential partnerships:
 - Missouri Organic Recycling – regional compost experience
 - CS Carey – local grinding and brush management
- ▶ Stakeholder engagement with community partners:
 - Edwardsville, Bonner Springs, Johnson County
 - Community Gardens
 - BPU



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Task 1 is stakeholder engagement. This is probably the largest piece to identify where those large food waste generators are. Looking at food wastes from school districts, from food manufacturers, what you residents are generating for curbside collection in their trash and potential diversion of that. Grocers, we're going to be doing a survey that's going to be understanding where that material is being generated from and what the interest level is in diverting the material for beneficial reuse. We're also holding one-on-one meetings with materials processors. Missouri Organic Recycling and CS Carey are existing private sector companies that are processing organic material. In look at stakeholder engagement with community partners, so looking at your neighbors and where else material is being generated that could be utilized in these systems. Working with community gardens that we know are active in composting and, of course, the community partner BPU, which has a large generator of tree waste.

Task 2: Site Evaluation

- ▶ Review against KDHE site location restrictions for permitting and proximity to feedstocks and other facilities



WWTP 20



Riverview

BURNS & MCDONNELL

Task 2 is looking at a site evaluation. The two sites that have been selected for review are Wastewater Treatment Plan 20 and the Riverview site, off of 82nd and Riverview. As I was reviewing my slides, it dawned on me that these are not to scale, so Riverview is actually twice the size in acreage as Wastewater Treatment Plant 20. The way they're presented here, they look the same size, but there's more space out there at Riverview. But these are two potentials for placing a compost facility. We'll be looking at what's required for permitting these facilities as well as operating needs.

Task 3: Feedstock & Processing Evaluations

- ▶ Feedstocks:
 - Food Waste (~20% of waste stream)
 - Residential Yard Waste
 - Biosolids (25,000 tons annually from 2 WWTP)
 - BPU Tree Trimming Waste
- ▶ Processing Technologies to include spatial requirements, capital and operational costs:
 - Aerated Windrow
 - Aerated Static Pile
 - In-vessel



BURNS & MCDONNELL

Task 3 is looking at those feedstocks that I mentioned earlier and different types of processing evaluations. There's different technologies that you can utilize that have different spatial

requirements, different capital and operational costs. So, I'm not sure how much you know about commercial operations compost facilities, but there's aerated windows, aerated static pile, in-vessels. We'll be looking at each of those different technologies and what would work best based on the feedstocks and space that's available.

Task 4: Concept Design

- ▶ A conceptual design will be developed based on the selected processing technology(s), selected site, and quantity of materials processed.
- ▶ Concept level drawings to include the facility layout, roadways, and traffic flows, contact water and stormwater management, and environmental controls.

Task 5: Financial Evaluation

- ▶ Planning level understanding of the capital and operating costs and potential cost savings to the UG to support decision making on facility development.

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Task 4 is concept design. We'll take all of the information learned through Tasks 1 through 3 and select a technology, a site and understand the feedstocks and develop a conceptual design based on those results. That would include drawings, and facility layout roadways, all of the details of a potential facility for you all. Then conclusion would be a financial evaluation of your planning level of the capital and operating costs to help the UG to support if they want to move forward with facility development.

QUESTIONS

JULIE DAVIS
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816-448-7363

I know it's been a long even, so I ran through that very quickly. I'm happy to answer any questions. Congratulations on this grant and this exciting opportunity.

Chairman Bynum said it is very interesting. We had such a wide variety of topics on our agenda tonight that I think they all are expressing the progressive direction of the government and I have a real appreciate for that. It is neat to get a grant like this to study something so important for the future of our community. Are there any other questions or comments from our committee members?

Commissioner Markley said I was just going to say that I'm hopeful there will be some compost left for the public uses, part for my garden, but I think this is a really great idea. I'm excited to see how it goes.

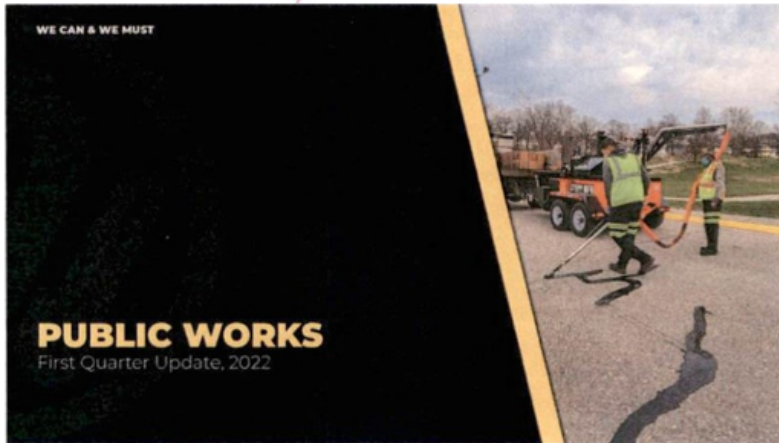
Chairman Bynum asked, Madam Clerk, any comments from the public on the item? **Ms. Sparks** said we've received no comments.

Chairman Bynum said, Julie and Mr. Gutierrez, and the team, thank you very much for the presentation. This was an information only item. We will look for your updates as we continue to move through this feasibility study, so thank you very much.

Action: For information only.

Item No. – 211239...PRESENTATION: PUBLIC WORKS QUARTERLY REPORT

Synopsis: A quarterly report from the Public Works team, submitted by Jeff Fisher, Director of Public Works.



Jeff Fisher, Executive Director of Public Works, said we'll be as brief as we can considering the agenda. I do have some participants as usual to help with the presentation and will introduce them as we go.



One of the first things I want to note, is our strategic plan is about two years old. We'll be reviewing that over the next few months and see if there are any changes or any enhancements we want to make. Most of you know that Public Works' organization's primary object is simple, it's the construction and maintenance of public infrastructure. We believe in order to do this at a high level, we must create a culture of leadership excellence that results in a high level of customer service and better outcomes across the board. We spend a lot of time on that culture and leadership. I guess to highlight that, I'm going to hand it over to Jonathan Gutierrez, Diana Jimenez, our Office Manager, and then Dave Reno, Community Engagement Officer. I'll hand it over to Jonathan.



Jonathan Gutierrez, Solid Waste Division, Public Works, said I was going to provide a quick update, again, on an accreditation initiative that the Public Works team has taken. Public Works has selected a committee to look into getting accredited through the American Public Works Association. Again, this is an accreditation that requires Public Works departments to look into their overall policies and procedures. Currently, the committee that we have has representatives from each of our divisions and so far, we have obtained the current manual for accreditation, we've attended training workshops for the APWA Manager, and we've also reached out to other local municipalities that have been accredited through the APWA process.

Ultimately, this will be a process that will require the Public Works department, as a whole, to look at our current practices, which we believe will obviously then kind of translate to better services for Kansas City and Wyandotte County residents and goes along with our overall initiative of we can, we must. Once again, just appreciate given the opportunity to talk about this endeavor.

Diana Jimenez, Office Manager, Public Works, said when developing ourselves is something that we value because we know that great people provide great services. Public Works' Roundtable Program is entering its third year. While completely voluntary, we've had more than 80% of our team participate. This program has allowed us to tackle culture from both the top and the bottom of our department, it has helped us develop leaders at all levels, and it's created better and stronger teams.

What's new about this year's roundtable is that the program's developed entirely by a committee of folks from every level of Public Works. In Public Works, we know that great teams matter and that's exactly what the roundtable is helping us build.

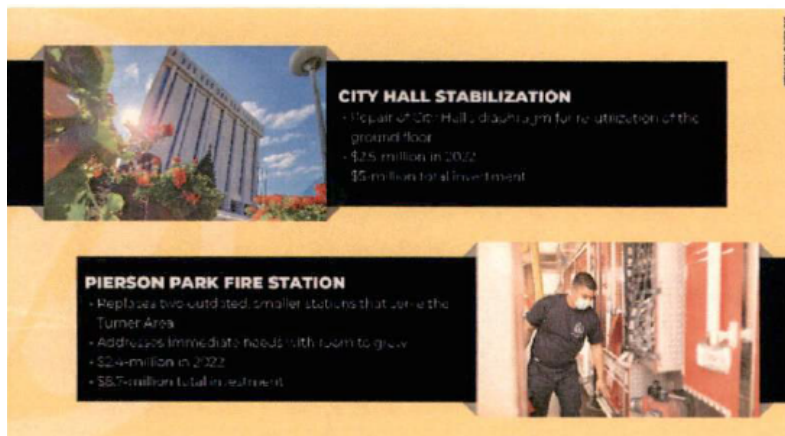
Dave Reno, Community Engagement Office, Public Works, said we're always looking to add new tools to our communications tool kit. This year, we're really excited to roll out a new feature on the website that allows all of our major divisions really to speak directly with the audiences that are interested in the services that they provide. Each division now has its own dedicated news page where they can provide service-specific updates from their teams. If you would like to have a look at one of these working right now, there's a wycokck.org/fleet. As we progress through the year, we'll keep adding information here. What's unique about this is Public Works produces a great deal of content on a daily basis and so much so that if we posted all of this content as regular news features on the main webpage at wycokck.org, it would overwhelm all of the other important information that other departments have to share. This new feature really does allow us to continue to tell the Public Works' story, but it does it in a way that allows other departments to tell their stories as well.



Mr. Fisher said, of course, we have some nice projects and some exciting projects coming up and want to highlight those real quick. I have John Kelly, our Facilities Director; Troy Shaw, our County Engineer, and Trenton Foglesong, Program Lead, Wastewater. I'll turn it over to them.



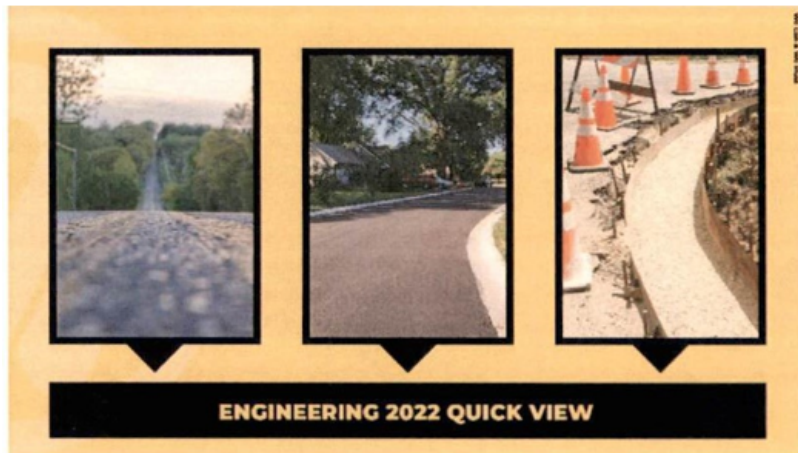
John Kelly, Facilities Director, said here's just a couple of little pictures that we're getting ready to show. We'll move to the next slide here in a second.



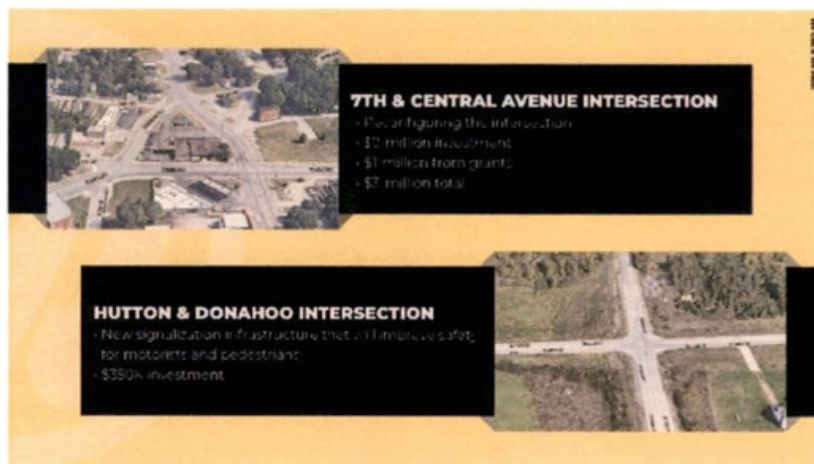
We'll be talking about the City Hall stabilization project and the Pierson Park fire station. With the City Hall stabilization project, that is a project that encompasses around \$5M total investment between years 2020 and 2021. We've got the money funded. We just received bids for this particular project. We went out with an RFP. We received bids in the end of December. We're working internally with our County Administrator's Office and some other departments to put a committee together to review the bid for that particular project.

Pierson Fire Station. That is another one that just last Thursday, we went through the planning process where we have to go out to the community partners in that neighborhood there at Pierson Park and that went very well. We didn't have a rather large turnout of people on that with the virtual call but, otherwise, that project's also currently in this slide. It talks about a \$8.7M total investment. In this last budget cycle, we went and amended that budget to ensure that we

would have enough money to do that particular fire station. That will bring us one rather large fire station to remove two smaller fire stations that aren't really adequate for the services that they need in the Turner area. That's all I have for this particular slide.



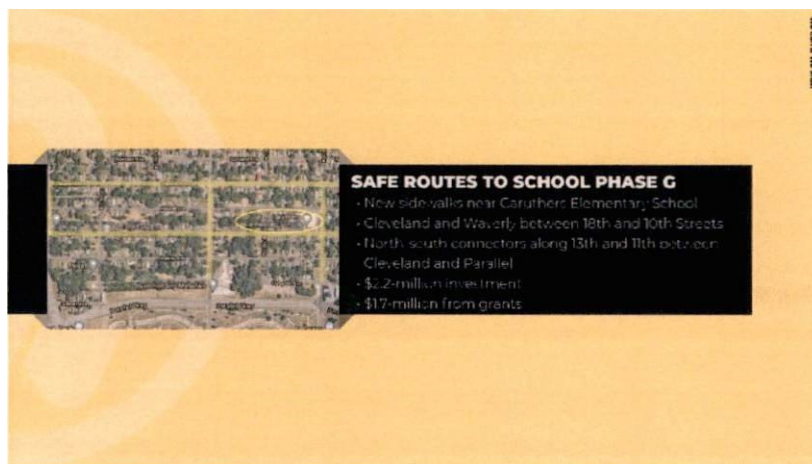
Troy Shaw, County Engineer, Public Works, said I'll be quick through this.



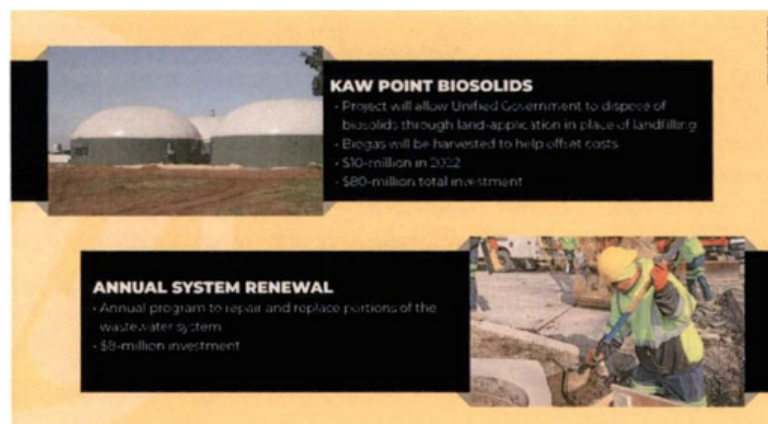
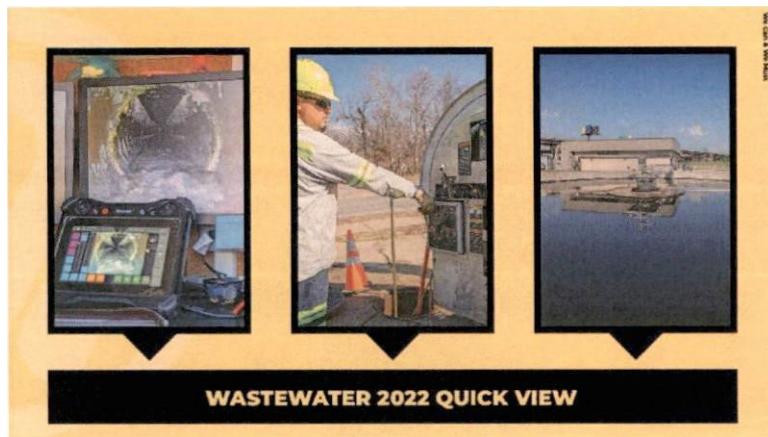
We've already talked about these projects in the past. I'll give you a quick update. Seventh and Central, currently under design—sorry, that one has been bid and we have ordered the parts. They're planning on starting Spring of this year. That's a KDOT project, so it's construction's ran by KDOT. We'll see that one getting started this Spring. Hutton and Donahoo intersection. That one is getting close to being done with design. We will bid that one probably this Spring and look for Summer to start construction.



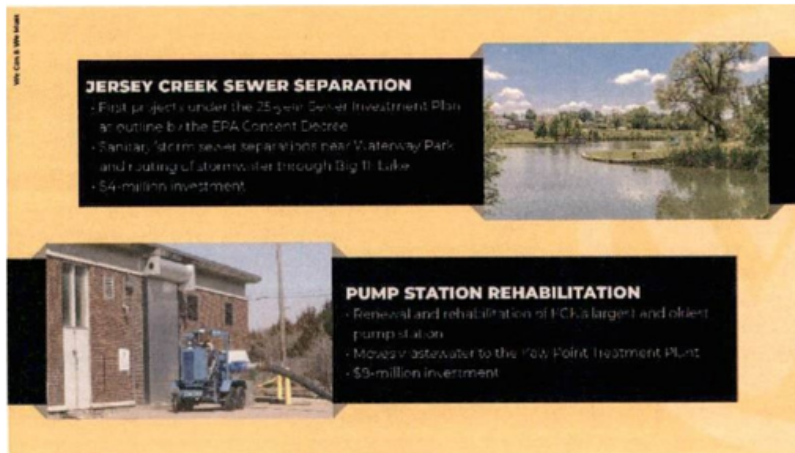
Annual pavement preservation. We're putting those contracts together right now for 2023. We'll be bidding those in the next couple of months and have that ready to start rolling this Spring and on to the Summer for construction. Hutton and Leavenworth Road. This one is still out another year. I'll probably start construction Spring/Summer of 2023. This is a bigger project and will have some right-of-way acquisition that we'll be working on later this year. We're currently under design on that one.



Safe Routes to School. We're planning on this. Worked out well. Construction plans on starting the Summer of this year. It's also another KDOT-ran project. About the time school gets out, we'll be starting construction on some sidewalks.



Trenton Foglesong, Program Lead, Wastewater, said Kaw Point biosolids. We kind of got a reset. We got a new contractor on board with this, and we've got a contract in place. So, really, design efforts are really just getting underway right now and we'll be doing that throughout 2022 and probably start construction on some of the early components late in the year. The Annual system renewal. That's just an annual program, once again, just to allow us to keep our system operating reliably and maintain its efficiency. You know that's our 5 treatment plants, 80 pump stations, and 1,200 miles of collection systems. This one here, I think, with the system renewal is really talking to the collection system. We just go out, we do investigations, and do priority repairs and rehab work on the collection systems. Shown is \$8M per year investment.



The Jersey Creek Sewer Separation Project. We all probably remember that we entered into a 25-year consent decree with the EPA and the DOJ. The early action projects for overflow control. One was the Wolcott Plant on the separate system, which we've done. The combined system is focused on the Jersey Creek watershed. The first project is in the area of Waterway Park and Big 11 Lake. Primarily it consists of doing sewer separations so that we will end up with two sewer systems, one for stormwater, one for wastewater. Right now, they kind of co-mingle. The clean stormwater will be routed through Big 11 Lake, which will improve lake quality and also provide storage for the stormwater, and then help reduce downstream overflows. This is Phase 1. There's a follow-up Phase 2, planned in a couple of years.

Then the Pump Station Rehab. It doesn't say it on there, but it's an annual program, again, to keep our assets working reliably and efficiently. This year—it's actually a two-year project for 2022 and 2023—is the AID Pump Station, which is basically on the west side of the Kansas River below the Central Bridge. That was built 55 years ago. The structure and the equipment basically have outlived what it's predicted life would be. This is a very major investment in our system. We've got it estimated at \$8M. It's vital as it's the primary influent pump station to Kaw Point, our biggest treatment plant, and it also helps keep the system dewatered to keep Armourdale from flooding.

Mr. Fisher said I'll just note real quick that the cost of construction continues to be problematic for us. We're managing that the best we can, sort of timing things the best we can looking for alternatives, doing some value engineering where we can. In closing, I'll just say that the Infrastructure Subcommittee is worth nothing too. It's been a real exciting discussion. Just today

we met with the Streets, Bridges and Street Lights Subcommittee and discovered we had met 11 times and then Facilities and Parks, just a little bit less than that, but they're both on similar tracks. We hope to have final documents to present to the full Commission sometime in March or April. That's all we have. Be glad to answer any questions you may have.

Chairman Bynum said thanks, Jeff, and to your whole team. You and your team are all just phenomenal. As we keep talking about it in our infrastructure subcommittees, without Public Works and our infrastructure, we have no city. It's just vitally important that we continue to state publicly as often as we can how important it is the work you are doing. These projects, some of them to the average person might seem mundane, but without them, we're in dire trouble so, I just want to make sure that point one more time for the record.

Commissioner Johnson said I just wanted to talk about the Jersey Creek Sewer Separation. The gentleman had mentioned that would run through Big 11 Lake. We all know that Big 11 has had problems with algae, at least the past two years that I'm aware of; that the State of Kansas has made us aware of that. Will these changes help to mitigate that, or can anybody speak to that?

Mr. Foglesong said I'm not an expert on the algae blooms themselves. We are aware of that, and the concern about the water quality in Big 11 Lake is the primary concern as we go through and look at the evaluation. We haven't got into the details of that and how we will message to the public and also do the science of maintaining the water quality there. When it comes to stormwater, pretty much a lot of its going to revolve probably around public education and whatever people put on the ground will end up in the storm system in the waterways downstream, so I imagine that will be a major component of it. Like I said, we haven't really got into it to determine exactly what caused those blooms, if it's an aeration thing. We likely will end up with some kind of an aeration system to add oxygen to the water and keep it healthy. Other than reassuring you that we're aware of the need to be focused on that and only improve the water quality at Big 11 Lake, I don't really have any more specifics at this point.

Commissioner Johnson said okay, Trenton. Well, I appreciate you at least addressing that. I mean the community is weary of going there to fish now. I know that we've made; well, not we have, but the state has made some notions as to whether or not it's safe to be able to go and fish there. I know that there's a concern in the community about are the fish that are in there, in

that lake, are they safe to consume. I appreciate you guys at least addressing the issue. **Mr. Fisher** said we're definitely mindful of that. Thank you.

Chairman Bynum said I don't see any other hands raised. I really appreciate the updates that you're bringing. It's really beneficial. We've got to stay on top of what all is happening. So Jeff, and all your team, thank you so much.

This particular report was simply an information item, part of the Public Works Department bringing us quarterly reports of their activities.

Action: **For information only.**

Item No. 7 – 211284...APPROVAL: AUTHORIZING SURVEY & DESCRIPTION OF LANDS TO BE CONDEMNED (ADDED PER BLUE SHEET, REVISED PER PINK SHEET)

Synopsis: A resolution and ordinance declaring the necessity and authorizing a survey and description of lands necessary to be condemned for reconstruction of 47th Avenue from Mission Road to Rainbow Boulevard, submitted by James Bain, Assistant Counsel.

James Bain, Assistant Counsel, said there was actually an ordinance submitted with this as well. The process on this one looks a little odd, but it is the same resolution and ordinance that you will see each time that we acquire property. Normally, we bring the resolution, which declares the project necessary and authorizes the survey, and so we know what properties we need to acquire, or easements we need to acquire. Then a few months later, we'd come to you with the ordinance, and the ordinance would allow us to file an imminent domain petition in court in order for the court to determine fair value for the property that we would eventually acquire. So, the normal process, we do the resolution and a few months later come back and do the ordinance

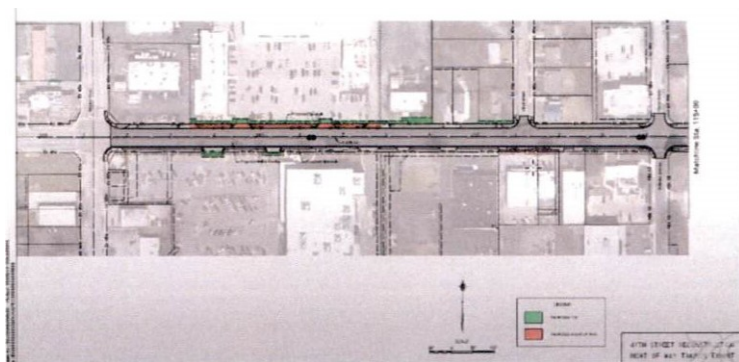
This project, we're asking both the resolution and ordinance be passed in the same night. Early last week, Kansas Department of Transportation, who is funding 80% of this project, came to Public Works and the Project Manager Engineers and notified us that KDOT was requiring the property to be acquired earlier than normal. So, that normal two to three month period that we

would have in between the resolution and ordinance, that normal two to three month period doesn't exist on this project and that's why we have to have them both passed at the same time.

I'll turn it over to Troy Shaw to add anything I missed and also talk about the project.

Troy Shaw, County Engineer, Public Works, said I'll be real quick. This is a unique project. The 47th Street or Avenue, between Rainbow and Mission, is owned partially by the UG and partially by Westwood. The grant was actually awarded to Westwood, and Westwood is the one managing the project. We're just splitting the non-grant portion of it with them since we own half the road, and they own half the road. We're basically going through this process with the UG and they're going through the same process in Westwood for the easements and right-of-way they're looking for.

As James noted, this one, we're moving stuff up a little bit per KDOT's schedule. I think basically their schedule still works like it always has only they, in the past, they would allow leeway for if we started negotiations and what we're doing and working through the condemnation process. Now, they said in order to get the conditional approval from us, we need to have the ordinance in place so we know that you will have that property by a certain date. Basically, the ordinance is not saying we're going to definitely condemn everybody. We'll still do negotiations and all that. I think we're doing seven or eight properties and one right-of-way taking, which we're looking for which is basically just get the right-of-way where it should be.



The red is the right-of-way; the green is the temporary construction easement. The green is just basically for driveway construction KDOT requires you're to have that since you're potentially going to be outside the right-of-way. The project is a complete street project. If you've seen the striping that Westwood put out there a couple of year ago, we're basically formalizing that with

the project. There will be pedestrian safety, lighting, landscaping, curb/sidewalk improvements fits with our Complete Street ordinance that was passed a couple of years ago. Any questions, I'd be glad to answer them.

Chairman Bynum said it's a good project, and we've got a compressed timeline here is really all that's happening. Anybody have a question for Troy Shaw or James Bain? If not, I would take a motion.

Commissioner Ramirez said I was just going to thank James and Troy and Public Works. This is in my District. I know a lot of Rosedaleans love this project. They're looking forward to it. Just thank you for all that you're doing.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Kane, to approve the resolution as submitted.**

Commissioner Ramirez asked, Commissioner Bynum, is this on the resolution or the ordinance? We'll have to ask Legal. **Mr. Bain** said I would prefer two separate votes.

Chairman Bynum said we'll go with the resolution, if the motion maker and second are good, we will go with the resolution and then come back for the ordinance. Commissioners Ramirez and Kane said that they were okay with it.

Roll call was taken on the resolution and there were six "Ayes," Groneman, Kane, Markley, Johnson, Ramirez Bynum.

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

Chairman Bynum said, Mr. Groneman, thank you very much for your service tonight and hanging with us. It was a long meeting, but a very worthy meeting.

Adjourn:

Chairman Bynum adjourned the meeting at 7:56 p.m.

am



Staff Request for Commission Action

Tracking No. 211578

Full Commission Meeting Date: 6/9/22

Committee: Public Works & Safety

Date of Standing Committee Action: 5/23/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 05/11/2022	<u>Contact Name:</u> James Bain	<u>Contact Phone:</u> x5077	<u>Contact Email:</u> jbain@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the location, laying-out, construction, installation, expansion, repair, maintenance, operation and use of a sanitary sewer pump station located north of Central Avenue on N. 4 th Street, submitted by James Bain, Assistant Counsel.				
<u>Action Requested:</u> To adopt the resolution.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Armourdale Pump Station Resolution, Property Acquisition 04-18-22, Property Acquisition Site Plan 04-18-22, Legals and Surveys				

(Published _____)

RESOLUTION NO. _____

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, construction, installation, expansion, repair, maintenance, operation and use of a sanitary sewer pump station located north of Central Avenue on N. 4th Street in Kansas City, Wyandotte County, Kansas.

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

SECTION 1. It is hereby found and determined necessary that certain lands or interests in lands be acquired by all lawful means, including by exercise of the right and power of eminent domain, for public use required for the location, laying-out, construction, installation, expansion, repair, maintenance, operation and use of a sanitary sewer pump station in Kansas City, Wyandotte County, Kansas.

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

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

ADOPTED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF _____
_____, 2022.

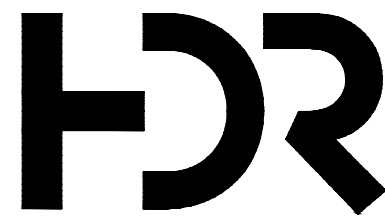
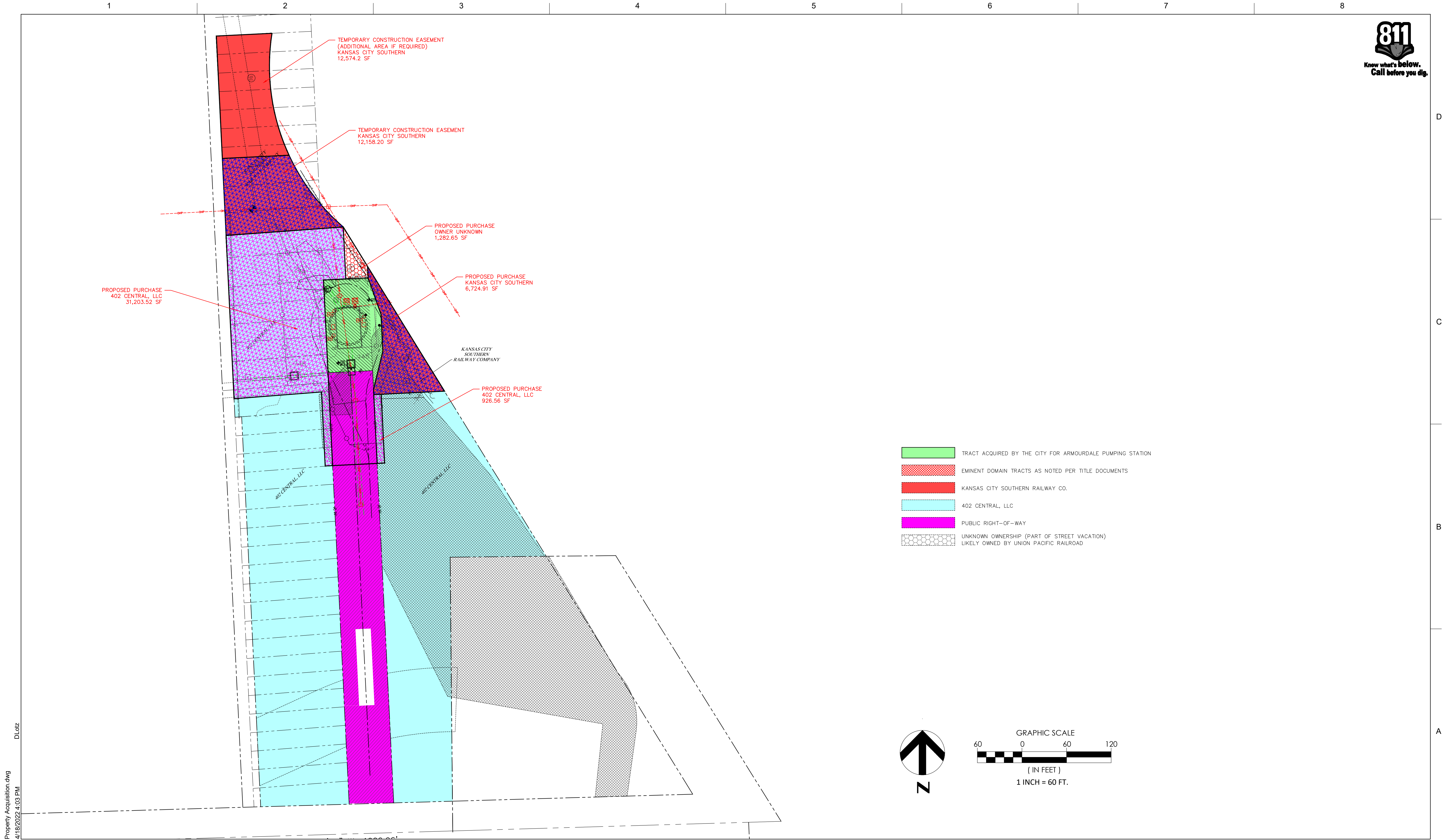
Tyrone Garner
Mayor/CEO

Attest:

Brett A. Deichler
Unified Government Clerk

Approved as to form:

Misty Brown
Chief Counsel



A	04/18/2022	
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER	B. COLEMAN
STRUCTURAL	D. WISEMAN
PROCESS	B. COLEMAN
MECHANICAL	S. NIENHUESER
ELECTRICAL	N. WITTE
INSTRUMENTATION	K. BOYD
	FLS M. SHUMPERT
CIVIL (CONTINENTAL)	D. LOTZ
PROJECT NUMBER	10325591

PRELIMINARY
NOT FOR
CONSTRUCTION
OR
RECORDING



UNIFIED GOVERNMENT OF
KANSAS CITY, KANSAS /
WYANDOTTE COUNTY

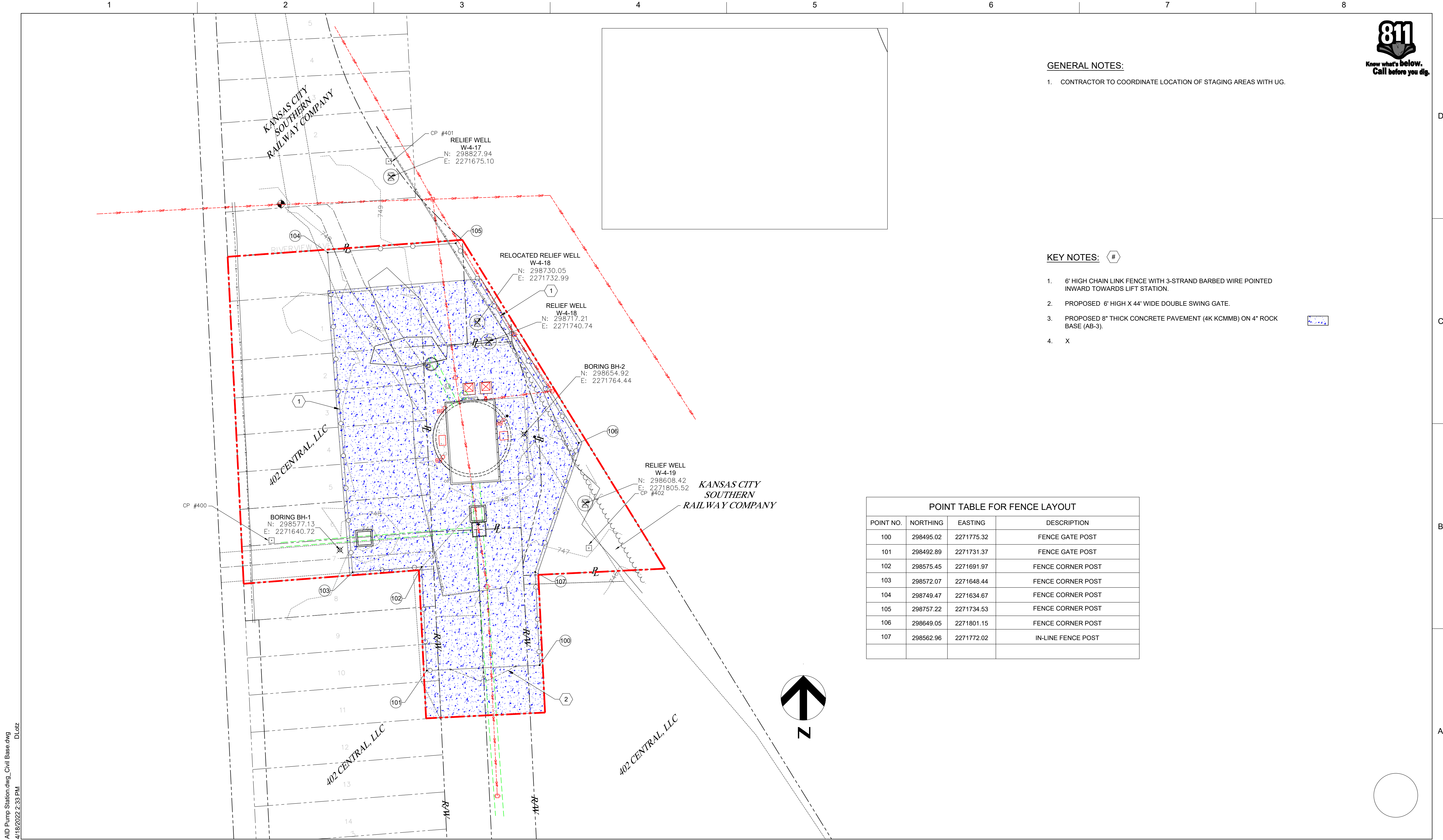
AID PUMP STATION
IMPROVEMENTS

PROPERTY ACQUISITION



FILENAME | Civil Base.dwg
SCALE | 1" = 60'

SHEET
10C120



GENERAL NOTES:

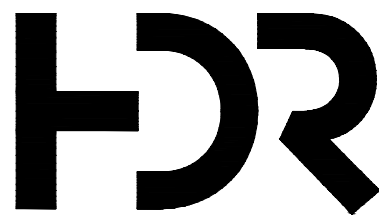
1. CONTRACTOR TO COORDINATE LOCATION OF STAGING AREAS WITH UG.

KEY NOTES: #

1. 6" HIGH CHAIN LINK FENCE WITH 3-STRAND BARBED WIRE POINTED INWARD TOWARDS LIFT STATION.
2. PROPOSED 6" HIGH X 44" WIDE DOUBLE SWING GATE.
3. PROPOSED 8" THICK CONCRETE PAVEMENT (4K KCMMB) ON 4" ROCK BASE (AB-3).
4. X

POINT TABLE FOR FENCE LAYOUT			
POINT NO.	NORTHING	EASTING	DESCRIPTION
100	298495.02	2271775.32	FENCE GATE POST
101	298492.89	2271731.37	FENCE GATE POST
102	298575.45	2271691.97	FENCE CORNER POST
103	298572.07	2271648.44	FENCE CORNER POST
104	298749.47	2271634.67	FENCE CORNER POST
105	298757.22	2271734.53	FENCE CORNER POST
106	298649.05	2271801.15	FENCE CORNER POST
107	298562.96	2271772.02	IN-LINE FENCE POST

AID Pump Station.dwg_Civil Base.dwg
4/18/2022 2:33 PM
DLG



A	02/25/2022	30% ISSUED FOR OWNER REVIEW
ISSUE	DATE	DESCRIPTION

PROJECT MANAGER	B. COLEMAN
STRUCTURAL	D. WISEMAN
PROCESS	B. COLEMAN
MECHANICAL	S. NIENHUESER
ELECTRICAL	N. WITTE
INSTRUMENTATION	K. BOYD
	FLS M. SHUMPERT
CIVIL (CONTINENTAL)	D. LOTZ
PROJECT NUMBER	10325591

PRELIMINARY
NOT FOR
CONSTRUCTION
OR
RECORDING



UNIFIED GOVERNMENT OF
KANSAS CITY, KANSAS /
WYANDOTTE COUNTY

AID PUMP STATION
IMPROVEMENTS



SITE LAYOUT

FILENAME Civil Base.dwg
SCALE 1" = 30'

SHEET
10C101

CMIP # _____

Parcel: 153500

Owner (s): K.C. Southern Railway Company

402 R Central Avenue

Kansas City, KS 66118

EXHIBIT "A"

Temporary Construction Easement

All that part Lots 1, 2, 3, Block 2, Riverside, a subdivision of land according to the recorded plat thereof and the north half of vacated Riverview Avenue right-of-way lying south of and adjacent to said Lot 1, all being in the Southeast Quarter of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Wyandotte County, Kansas City, Kansas being more particularly described by John Aaron Copelin, LS-1658 on this 4th day of May, 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD 83.)

Commencing at the Southwest corner of the Southeast Quarter of said Section 10;

Thence North 88 degrees 19 minutes 47 seconds East, with the south line of said Southeast Quarter of Section 10, Township 11, Range 25, a distance of 919.49 feet to the southerly extension of the centerline of 4th Street, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, with said southerly extension of the centerline of 4th Street, a distance of 40.01 feet to the north right-of-way line of Central Avenue, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said centerline of 4th Street, a distance of 776.78 feet to a point of intersection with said centerline of 4th Street and the westerly line of an existing railroad right-of-way, said point being the Point of Beginning;

Thence South 85 degrees 52 minutes 21 seconds West with the centerline of vacated Riverview Avenue, a distance of 158.04 feet to the southerly prolongation of the westerly line of Lot 1, Block 2 ;

Thence North 02 degrees 47 minutes 49 seconds West with said southerly prolongation of the westerly line of Lot 1 and the westerly line of said Lots 1, 2 and 3, Block 2, Riverside, a distance of 103.67 feet;

Thence North 87 degrees 12 minutes 11 seconds East and no longer with said westerly line, a distance of 89.86 feet to a point on said westerly right-of-way line of an existing railroad right-of-way;

Thence on a curve to the left, having an initial tangent bearing of South 24 degrees 49 minutes 53 seconds East, a radius of 285.45 feet, a central angle of 24 degrees 28 minutes 30 seconds and an arc distance of 121.94 feet to the Point of Beginning.

Contains 12,158 square feet or 0.28 acres, more or less.

APPROVED BY:



Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



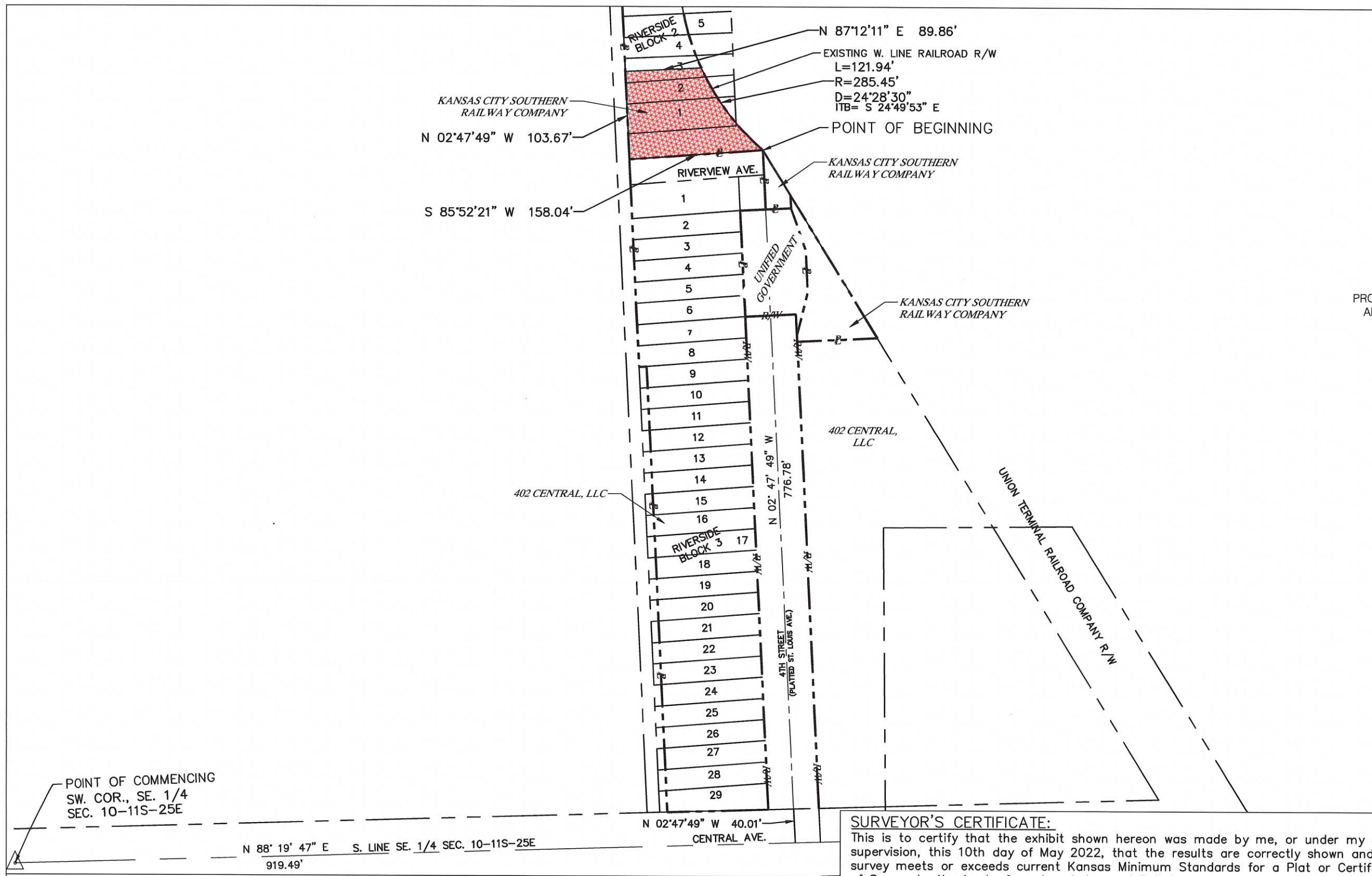
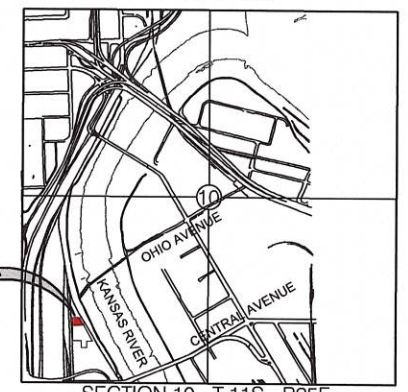


EXHIBIT "A"
TEMPORARY
CONSTRUCTION
EASEMENT

VICINITY MAP



SECTION 10 - T 11S - R25E



Know what's below.
Call before you dig.



GRAPHIC SCALE



(IN FEET)

LEGEND



PROPOSED TEMPORARY
EASEMENT

SURVEYOR'S CERTIFICATE:

This is to certify that the exhibit shown hereon was made by me, or under my direct supervision, this 10th day of May 2022, that the results are correctly shown and said survey meets or exceeds current Kansas Minimum Standards for a Plat or Certificate of Survey to the best of my knowledge and Belief.

APPROVED BY:

Brent E. Thompson

Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



John Aaron Cope, Kansas R.L.S. No. 1658



9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206

11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109

TEL. (913) 642-6642
FAX (913) 642-6941
www.ccengineers.com

CMIP # _____
Parcel: 153501
Owner (s): 402 Central Avenue, LLC
402 Central Avenue
Kansas City, KS 66118

EXHIBIT "B"

LEGAL DESCRIPTION:

All of Lots 1 thru 7 and all that part Lots 8 thru 11, Block 3, Riverside, a subdivision of land according to the recorded plat thereof, and the south half of vacated Riverview Avenue right-of-way lying north of and adjacent to said Lot 1 and the west half of vacated 4th Street right-of-way lying east of and adjacent to said Lots 1 and 2, all being in the Southeast Quarter of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Wyandotte County, Kansas City, Kansas being more particularly described by John Aaron Copelin, LS-1658 on this 4th day of May, 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD 83.)

Commencing at the Southwest corner of the Southeast Quarter of said Section 10;

Thence North 88 degrees 19 minutes 47 seconds East, with the south line of said Southeast Quarter of Section 10, Township 11, Range 25, a distance of 919.49 feet to the southerly extension of the centerline of 4th Street, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, with said southerly extension of the centerline of 4th Street, a distance of 40.01 feet to the north right-of-way line of Central Avenue, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said centerline of 4th Street, a distance of 706.78 feet to a point of intersection of said centerline of 4th Street with the easterly prolongation of the northerly line of said Lot 2, Block 3, said point being the Point of Beginning;

Thence South 87 degrees 12 minutes 11 seconds West with said extension of the northerly line of Lot 2, a distance of 30.00 feet to the northeast corner of said Lot 2;

Thence South 02 degrees 47 minutes 49 seconds East with the east line of said Lots 2 thru 11, a distance of 250.00 feet to the southeast corner of said Lot 11;

Thence South 87 degrees 12 minutes 11 seconds West with the south line of said Lot 11, a distance of 10.00 feet;

Thence North 02 degrees 47 minutes 49 seconds West with a line 10.00 feet west of and parallel with said east line of said lots 11 thru 8, a distance of 99.71 feet to a point on the north line of said Lot 8;

Thence South 85 degrees 33 minutes 39 seconds West with said north line of Lot 8, a distance 118.05 feet to the northwest corner of said Lot 8;

Thence North 02 degrees 47 minutes 49 seconds West with the west line of said Lots 7 thru 1 and the northerly prolongation thereof, a distance of 220.00 feet to the centerline of said vacated Riverview Avenue;

Thence North 85 degrees 52 minutes 21 seconds East with said centerline of vacated Riverview Avenue, a distance of 158.04 feet to the intersection with said centerline of vacated 4th Street;

Thence South 02 degrees 47 minutes 49 seconds East with said centerline of vacated 4th Street, a distance of 70.00 feet, to the Point of Beginning.

Contains 31,204 square feet or 0.72 acres, more or less.

APPROVED BY:



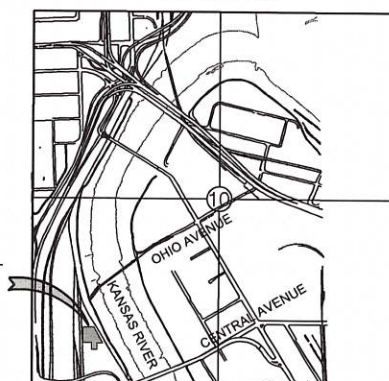
Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



EXHIBIT "B" LAND PURCHASE

VICINITY MAP



SECTION 10 - T 11S - R 25E



Know what's below.
Call before you dig.



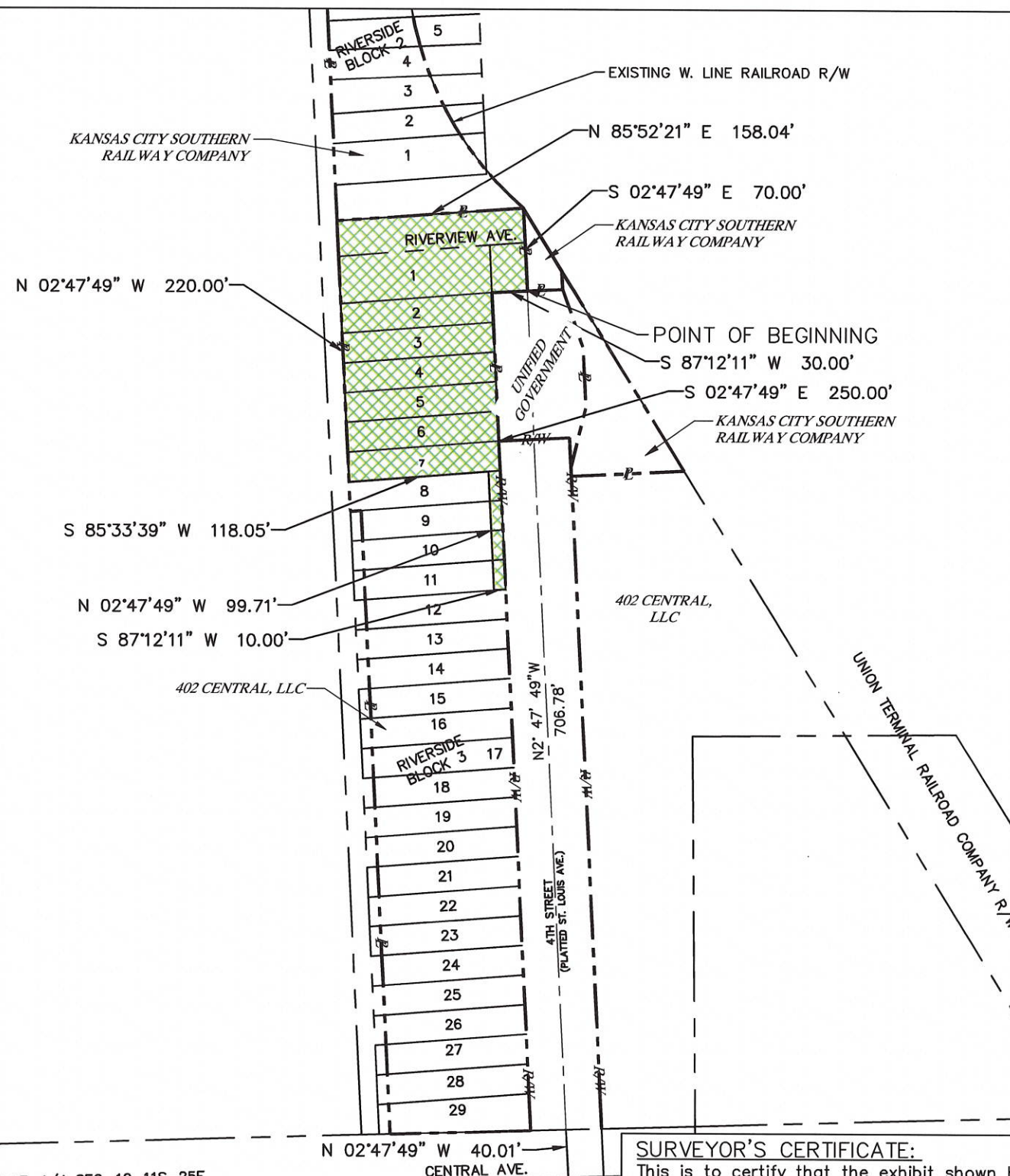
GRAPHIC SCALE



(IN FEET)

LEGEND

PROPOSED LAND PURCHASE



SURVEYOR'S CERTIFICATE:

This is to certify that the exhibit shown hereon was made by me, or under my direct supervision, this 10th day of May 2022, that the results are correctly shown and said survey meets or exceeds current Kansas Minimum Standards for a Plat or Certificate of Survey to the best of my knowledge and Belief.

APPROVED BY:

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor

Date 5-11-22



John Aaron Cope, Kansas R.L.S. No. 1658



9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206

11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109

TEL. (913) 642-6642
FAX (913) 642-6941
www.ccengineers.com

CMIP # _____

Parcel: None

Owner (s): K.C. Southern Railway Company

402 R Central Avenue

Kansas City, KS 66118

EXHIBIT "C"

LEGAL DESCRIPTION:

All that part of the east half of vacated 4th Street lying south of the centerline of vacated Riverview Avenue and north of the easterly prolongation of the south line of Lot 1, Block 3 in the Southeast Quarter of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Wyandotte County, Kansas City, Kansas being more particularly described by John Aaron Copelin, LS-1658 on this 4th day of May, 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD 83.)

Commencing at the Southwest corner of the Southeast Quarter of said Section 10;

Thence North 88 degrees 19 minutes 47 seconds East, with the south line of said Southeast Quarter of Section 10, Township 11, Range 25, a distance of 919.49 feet to the southerly extension of the centerline of 4th Street, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, with said southerly extension of the centerline of 4th Street, a distance of 40.01 feet to the north right-of-way line of Central Avenue, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said centerline of 4th Street, a distance of 706.78 feet to a point of intersection of said centerline of 4th Street with the easterly prolongation of said south line of Lot 1, Block 3, said point being the Point of Beginning;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said centerline of vacated 4th Street, a distance of 70.00 feet to the centerline of said vacated Riverview Avenue and a point on the westerly right-of-way of an existing railroad;

Thence South 31 degrees 37 minutes 56 seconds East with said railroad right-of-way line, a distance of 62.20 feet to the east line of said vacated 4th Street;

Thence South 02 degrees 47 minutes 49 seconds East with said east line of vacated 4th Street, a distance of 15.51 feet to a point on said easterly prolongation of the south line of Lot 1;

Thence South 87 degrees 12 minutes 11 seconds West with said easterly prolongation of the south line of Lot 1, a distance of 30.00 feet, to the Point of Beginning.

Contains 1,283 square feet or 0.03 acres, more or less.

APPROVED BY:



Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



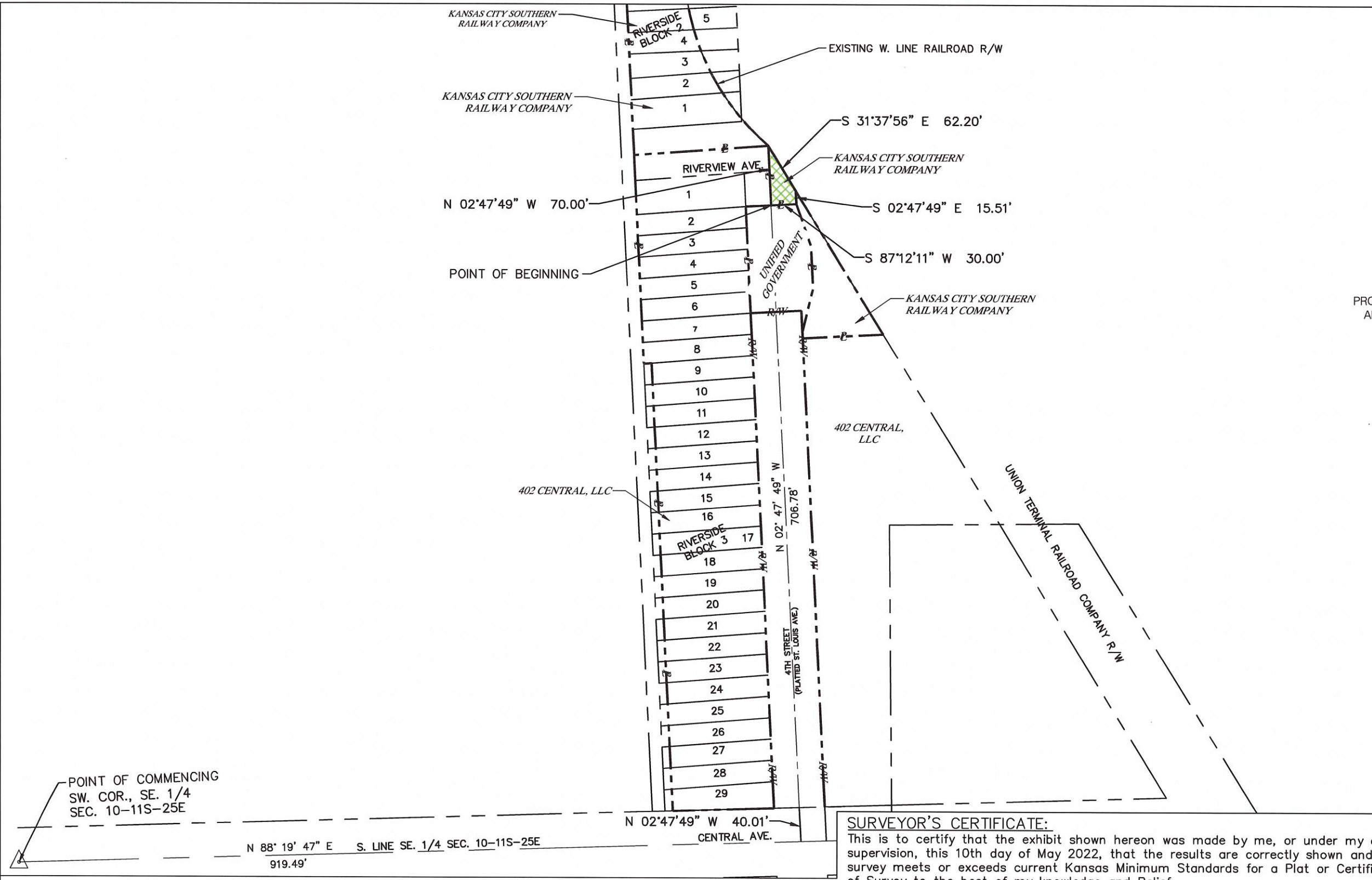
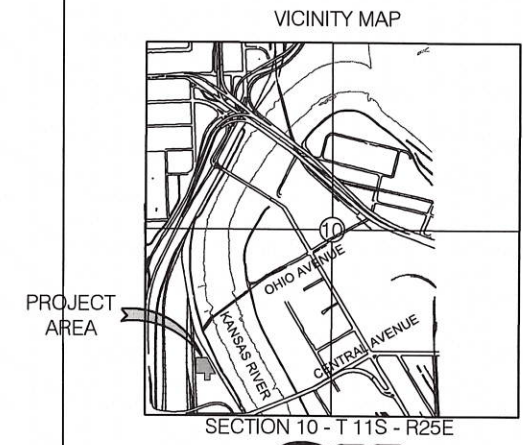
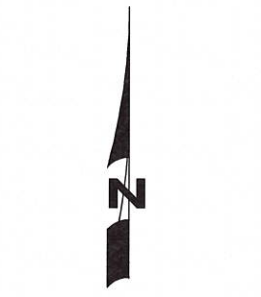


EXHIBIT "C"
LAND PURCHASE



Know what's below.
Call before you dig.



LEGEND

PROPOSED LAND PURCHASE

SURVEYOR'S CERTIFICATE:
This is to certify that the exhibit shown hereon was made by me, or under my direct supervision, this 10th day of May 2022, that the results are correctly shown and said survey meets or exceeds current Kansas Minimum Standards for a Plat or Certificate of Survey to the best of my knowledge and Belief.

APPROVED BY:

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor
Date 5-11-22

John Aaron Cope, Kansas R.L.S. No. 1658
Date _____

SINCE 1976
Continental
CONSULTING ENGINEERS, INC.

9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206
11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109
TEL. (913) 642-6642
FAX (913) 642-6941
www.ccengineers.com

CMIP # _____

Parcel: 902906

Owner (s): K.C. Southern Railway Company

314 R Central Avenue

Kansas City, KS 66118

EXHIBIT "D"

LEGAL DESCRIPTION:

All that part of the Southeast Quarter of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Wyandotte County, Kansas City, Kansas being more particularly described by John Aaron Copelin, LS-1658 on this 4th day of May, 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD 83.)

Commencing at the Southwest corner of the Southeast Quarter of said Section 10;

Thence North 88 degrees 19 minutes 47 seconds East, with the south line of the Southeast Quarter of Section 10, Township 11, Range 25, a distance of 949.50 feet to the southerly extension of the east right-of-way line of 4th Street, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, with said east right-of-way line of 4th Street, a distance of 40.01 feet to the north right-of-way line of Central Avenue, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said east right-of-way line of 4th Street, a distance of 550.00 feet, said point being the Point of Beginning;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said east right-of-way line of 4th Street, a distance of 7.34 feet;

Thence North 13 degrees 54 minutes 11 seconds East, a distance of 52.20 feet;

Thence North 02 degrees 47 minutes 49 seconds West, a distance of 50.00 feet;

Thence North 19 degrees 29 minutes 45 seconds West, a distance of 52.20 feet to the intersection of said east right-of-way of 4th Street with the east right-of-way line of vacated 4th Street;

Thence North 02 degrees 47 minutes 49 seconds West with said east right-of-way line of vacated 4th Street, a distance of 15.51 feet to a point on the westerly right-of-way line of an existing railroad;

Thence South 31 degrees 37 minutes 56 seconds East with said westerly railroad right-of-way line, a distance of 197.32 feet;

Thence South 87 degrees 12 minutes 11 seconds West, a distance of 95.17 feet, to the Point of Beginning.

Contains 6,725 square feet or 0.15 acres, more or less.

APPROVED BY:



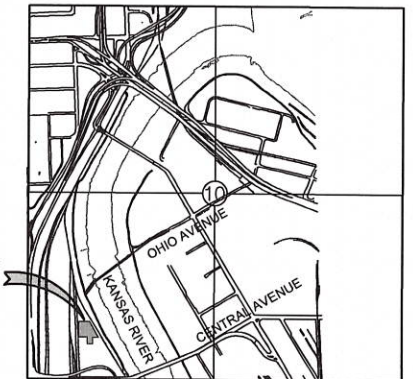
Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



EXHIBIT "D" LAND PURCHASE

VICINITY MAP



SECTION 10 - T 11S - R25E



Know what's below.
Call before you dig.



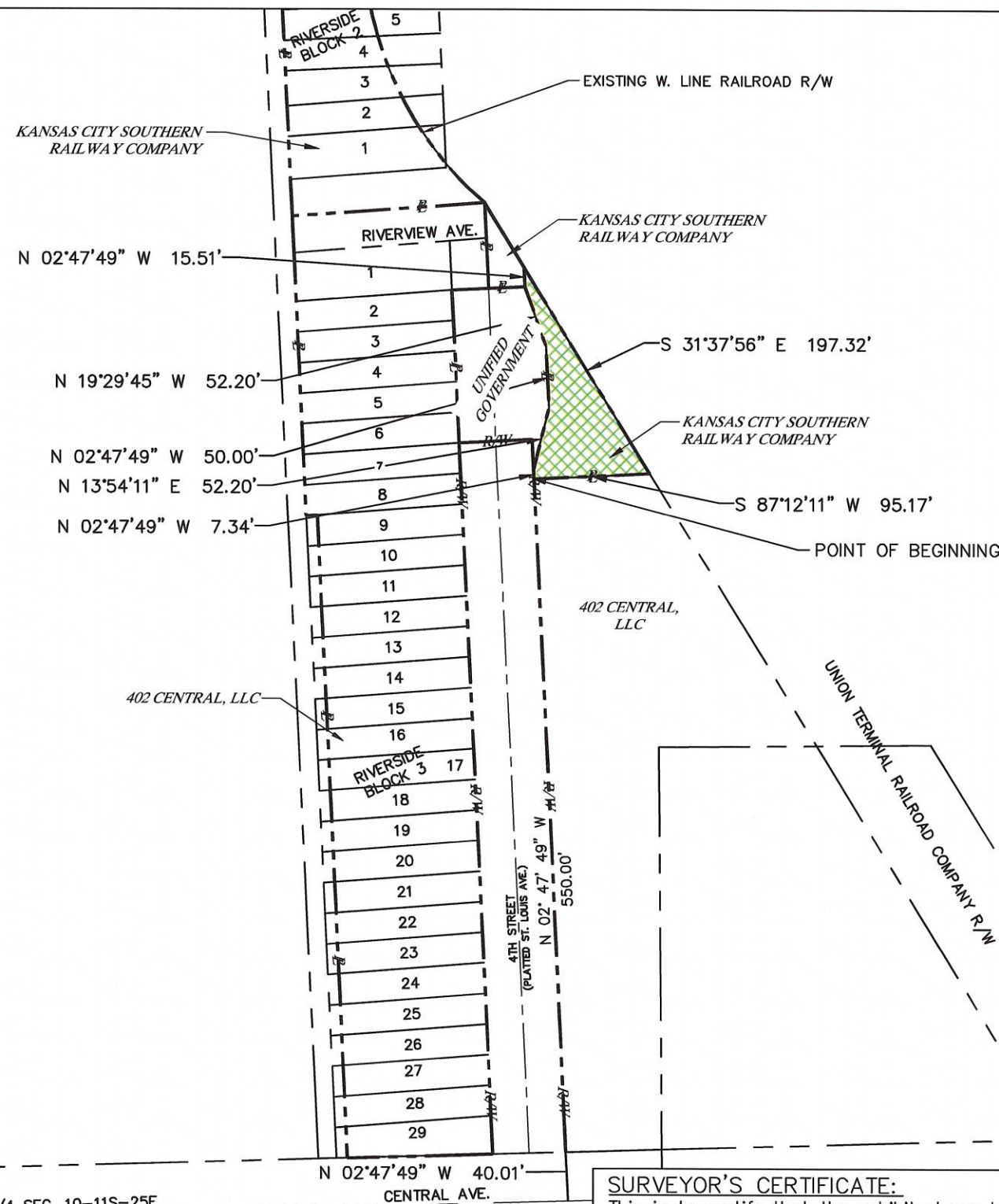
GRAPHIC SCALE



(IN FEET)

LEGEND

PROPOSED LAND PURCHASE



SURVEYOR'S CERTIFICATE:

This is to certify that the exhibit shown hereon was made by me, or under my direct supervision, this 10th day of May 2022, that the results are correctly shown and said survey meets or exceeds current Kansas Minimum Standards for a Plat or Certificate of Survey to the best of my knowledge and Belief.

APPROVED BY:

Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



John Aaron Cope, Kansas R.L.S. No. 1658



9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206
11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109
TEL. (913) 642-6642
FAX (913) 642-6941
www.ccengineers.com

CMIP # _____
Parcel: 142500
Owner (s): 402 Central Avenue, LLC
300 Central Avenue
Kansas City, KS 66118

EXHIBIT "E"

LEGAL DESCRIPTION:

All that part of the Southeast Quarter of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Wyandotte County, Kansas City, Kansas lying east of and adjacent to the east right-of-way line of 4th Street, as now established, being more particularly described by John Aaron Copelin, LS-1658 on this 4th day of May, 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD 83.)

Commencing at the Southwest corner of the Southeast Quarter of said Section 10;

Thence North 88 degrees 19 minutes 47 seconds East, with the south line of the Southeast Quarter of Section 10, Township 11, Range 25, a distance of 949.50 feet to the southerly extension of the east right-of-way line of 4th Street, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, with said east right-of-way line of 4th Street, a distance of 40.01 feet to the north right-of-way line of Central Avenue, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said east right-of-way line of 4th Street, a distance of 457.37 feet, said point being the Point of Beginning;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said east right-of-way line of 4th Street, a distance of 92.66 feet;

Thence North 87 degrees 12 minutes 11 seconds East, a distance of 10.00 feet;

Thence South 02 degrees 47 minutes 49 seconds East, a distance of 92.66 feet;

Thence South 87 degrees 12 minutes 11 seconds West, a distance of 10.00 feet, to the Point of Beginning.

Contains 927 square feet or 0.02 acres, more or less.

APPROVED BY:



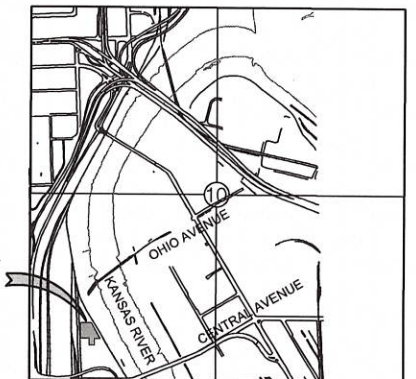
Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



EXHIBIT "E" LAND PURCHASE

VICINITY MAP



Know what's below.
Call before you dig.



GRAPHIC SCALE



(IN FEET)

LEGEND

PROPOSED LAND PURCHASE

KANSAS CITY SOUTHERN
RAILWAY COMPANY

KANSAS CITY SOUTHERN
RAILWAY COMPANY

N 87°12'11" E 10.00'

KANSAS CITY SOUTHERN
RAILWAY COMPANY

S 02°47'49" E 92.66'

N 02°47'49" W 92.66'

402 CENTRAL,
LLC

S 87°12'11" W 10.00'

POINT OF BEGINNING

UNION TERMINAL RAILROAD COMPANY R/W

402 CENTRAL, LLC

POINT OF COMMENCING
SW. COR., SE. 1/4
SEC. 10-11S-25E

N88° 19' 47"E
949.50'

S. LINE SE. 1/4 SEC. 10-11S-25E

N 02°47'49" W 40.01'
CENTRAL AVE.

SURVEYOR'S CERTIFICATE:

This is to certify that the exhibit shown hereon was made by me, or under my direct supervision, this 10th day of May 2022, that the results are correctly shown and said survey meets or exceeds current Kansas Minimum Standards for a Plat or Certificate of Survey to the best of my knowledge and Belief.

APPROVED BY:

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor

Date 5-11-22



John Aaron Copen, Kansas R.L.S. No. 1658



9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206

11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109

TEL. (913) 642-6642
FAX (913) 642-6941
www.ccengineers.com



Staff Request for Commission Action

Tracking No. 211581

Full Commission Meeting Date: 6/9/22

Committee: Public Works & Safety

Date of Standing Committee Action: 5/23/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 05/11/2022	<u>Contact Name:</u> James Bain	<u>Contact Phone:</u> x5077	<u>Contact Email:</u> jbain@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> Project Name: Armourdale Pump Station Rehabilitation Project An ordinance declaring the necessity and authorizing a survey and descriptions of lands necessary, valid public improvement project and authorizing a survey to identify and describe the property to be acquired. The project is laying-out, construction, installation, expansion, repair, maintenance, operation and use of a sanitary sewer pump station located north of Central Avenue on N. 4 th Street, submitted by James Bain, Assistant Counsel. The ordinance directs the Chief Counsel to commence legal proceedings to acquire the property described in the survey and necessary for project.				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Condemnation Ordinance--Armourdale Pump Station 5.11.22, Condemnation Ordinance--Armourdale Pump Station Exhibits				

First Published: _____

ORDINANCE NO. _____

AN ORDINANCE condemning lands and interests in lands for the location, laying-out, reconstruction, installation, expansion, repair, maintenance, operation and use of a sanitary sewer pump station located north of Central Avenue on N. 4th Street in Kansas City, Wyandotte County, Kansas, and directing the Chief Counsel to institute eminent domain proceedings as provided by law to acquire the tracts and parcels of land described in herein.

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

1. The following lands and interests in lands are hereby condemned and appropriated to the Unified Government of Wyandotte County/Kansas City Kansas to locate, lay-out, reconstruct, install, expand, repair, maintain, operate and use a sanitary sewer pump station located north of Central Avenue on N. 4th Street in Kansas City, Wyandotte County, Kansas, to-wit:

See Exhibits A through E, which are attached hereto and incorporated herein by reference;

2. It is hereby found that the costs of this project will be paid by Unified Government of Wyandotte County/Kansas City, Kansas.
3. The Chief Counsel of the Unified Government of Wyandotte County/Kansas City, Kansas is hereby ordered and directed forthwith to commence proceedings for the acquisition of the above described lands and interests in lands and to do and perform all things which may be necessary and required by law to acquire the aforementioned rights in and to said property.
4. This ordinance shall take effect and be in force after its passage, approval and publication.

APPROVED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF _____, 2022.

Tyrone Garner
Mayor/CEO

Attest:

Brett A. Deichler
Unified Government Clerk

Approved as to form:

Misty Brown
Chief Counsel

CMIP # _____

Parcel: 153500

Owner (s): K.C. Southern Railway Company

402 R Central Avenue

Kansas City, KS 66118

EXHIBIT "A"

Temporary Construction Easement

All that part Lots 1, 2, 3, Block 2, Riverside, a subdivision of land according to the recorded plat thereof and the north half of vacated Riverview Avenue right-of-way lying south of and adjacent to said Lot 1, all being in the Southeast Quarter of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Wyandotte County, Kansas City, Kansas being more particularly described by John Aaron Copelin, LS-1658 on this 4th day of May, 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD 83.)

Commencing at the Southwest corner of the Southeast Quarter of said Section 10;

Thence North 88 degrees 19 minutes 47 seconds East, with the south line of said Southeast Quarter of Section 10, Township 11, Range 25, a distance of 919.49 feet to the southerly extension of the centerline of 4th Street, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, with said southerly extension of the centerline of 4th Street, a distance of 40.01 feet to the north right-of-way line of Central Avenue, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said centerline of 4th Street, a distance of 776.78 feet to a point of intersection with said centerline of 4th Street and the westerly line of an existing railroad right-of-way, said point being the Point of Beginning;

Thence South 85 degrees 52 minutes 21 seconds West with the centerline of vacated Riverview Avenue, a distance of 158.04 feet to the southerly prolongation of the westerly line of Lot 1, Block 2 ;

Thence North 02 degrees 47 minutes 49 seconds West with said southerly prolongation of the westerly line of Lot 1 and the westerly line of said Lots 1, 2 and 3, Block 2, Riverside, a distance of 103.67 feet;

Thence North 87 degrees 12 minutes 11 seconds East and no longer with said westerly line, a distance of 89.86 feet to a point on said westerly right-of-way line of an existing railroad right-of-way;

Thence on a curve to the left, having an initial tangent bearing of South 24 degrees 49 minutes 53 seconds East, a radius of 285.45 feet, a central angle of 24 degrees 28 minutes 30 seconds and an arc distance of 121.94 feet to the Point of Beginning.

Contains 12,158 square feet or 0.28 acres, more or less.

APPROVED BY:



Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



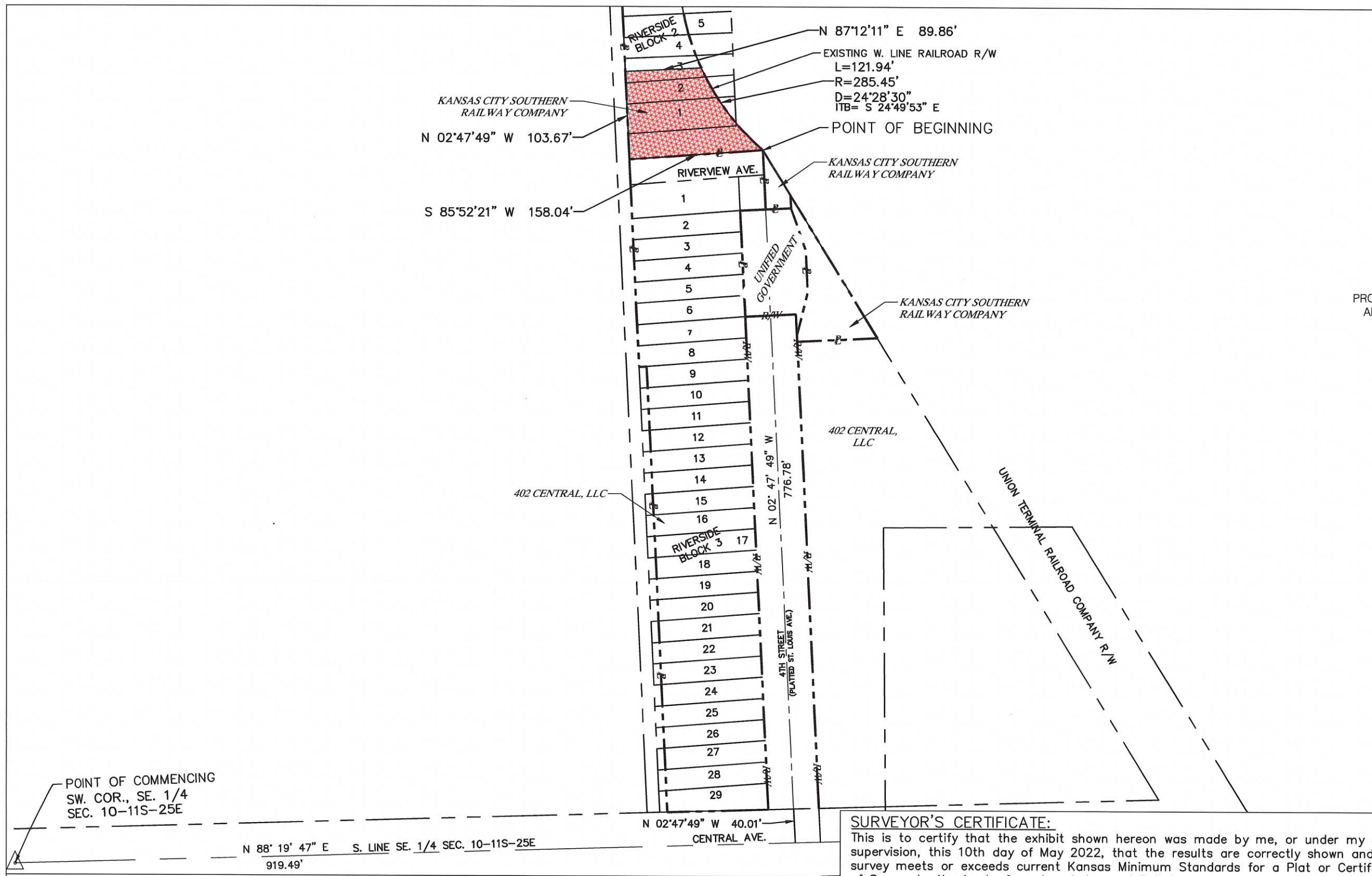
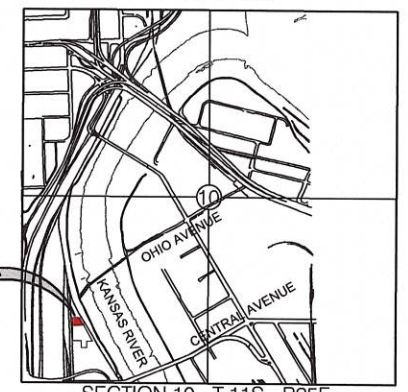


EXHIBIT "A"
TEMPORARY
CONSTRUCTION
EASEMENT

VICINITY MAP



SECTION 10 - T 11S - R25E



Know what's below.
Call before you dig.



GRAPHIC SCALE



(IN FEET)

LEGEND



PROPOSED TEMPORARY
EASEMENT

SURVEYOR'S CERTIFICATE:

This is to certify that the exhibit shown hereon was made by me, or under my direct supervision, this 10th day of May 2022, that the results are correctly shown and said survey meets or exceeds current Kansas Minimum Standards for a Plat or Certificate of Survey to the best of my knowledge and Belief.

APPROVED BY:

B. E. Thompson

Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



John Aaron Copen, Kansas R.L.S. No. 1658 Date _____



9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206
11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109
TEL. (913) 642-6642
FAX (913) 642-6941
www.ccengineers.com

CMIP # _____
Parcel: 153501
Owner (s): 402 Central Avenue, LLC
402 Central Avenue
Kansas City, KS 66118

EXHIBIT "B"

LEGAL DESCRIPTION:

All of Lots 1 thru 7 and all that part Lots 8 thru 11, Block 3, Riverside, a subdivision of land according to the recorded plat thereof, and the south half of vacated Riverview Avenue right-of-way lying north of and adjacent to said Lot 1 and the west half of vacated 4th Street right-of-way lying east of and adjacent to said Lots 1 and 2, all being in the Southeast Quarter of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Wyandotte County, Kansas City, Kansas being more particularly described by John Aaron Copelin, LS-1658 on this 4th day of May, 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD 83.)

Commencing at the Southwest corner of the Southeast Quarter of said Section 10;

Thence North 88 degrees 19 minutes 47 seconds East, with the south line of said Southeast Quarter of Section 10, Township 11, Range 25, a distance of 919.49 feet to the southerly extension of the centerline of 4th Street, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, with said southerly extension of the centerline of 4th Street, a distance of 40.01 feet to the north right-of-way line of Central Avenue, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said centerline of 4th Street, a distance of 706.78 feet to a point of intersection of said centerline of 4th Street with the easterly prolongation of the northerly line of said Lot 2, Block 3, said point being the Point of Beginning;

Thence South 87 degrees 12 minutes 11 seconds West with said extension of the northerly line of Lot 2, a distance of 30.00 feet to the northeast corner of said Lot 2;

Thence South 02 degrees 47 minutes 49 seconds East with the east line of said Lots 2 thru 11, a distance of 250.00 feet to the southeast corner of said Lot 11;

Thence South 87 degrees 12 minutes 11 seconds West with the south line of said Lot 11, a distance of 10.00 feet;

Thence North 02 degrees 47 minutes 49 seconds West with a line 10.00 feet west of and parallel with said east line of said lots 11 thru 8, a distance of 99.71 feet to a point on the north line of said Lot 8;

Thence South 85 degrees 33 minutes 39 seconds West with said north line of Lot 8, a distance 118.05 feet to the northwest corner of said Lot 8;

Thence North 02 degrees 47 minutes 49 seconds West with the west line of said Lots 7 thru 1 and the northerly prolongation thereof, a distance of 220.00 feet to the centerline of said vacated Riverview Avenue;

Thence North 85 degrees 52 minutes 21 seconds East with said centerline of vacated Riverview Avenue, a distance of 158.04 feet to the intersection with said centerline of vacated 4th Street;

Thence South 02 degrees 47 minutes 49 seconds East with said centerline of vacated 4th Street, a distance of 70.00 feet, to the Point of Beginning.

Contains 31,204 square feet or 0.72 acres, more or less.

APPROVED BY:



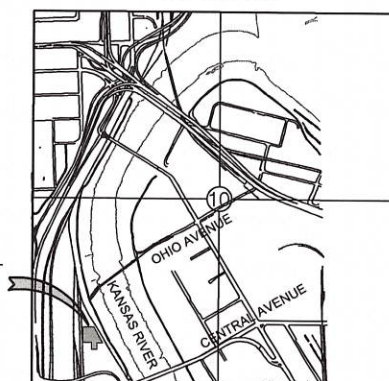
Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



EXHIBIT "B" LAND PURCHASE

VICINITY MAP



SECTION 10 - T 11S - R 25E



Know what's below.
Call before you dig.



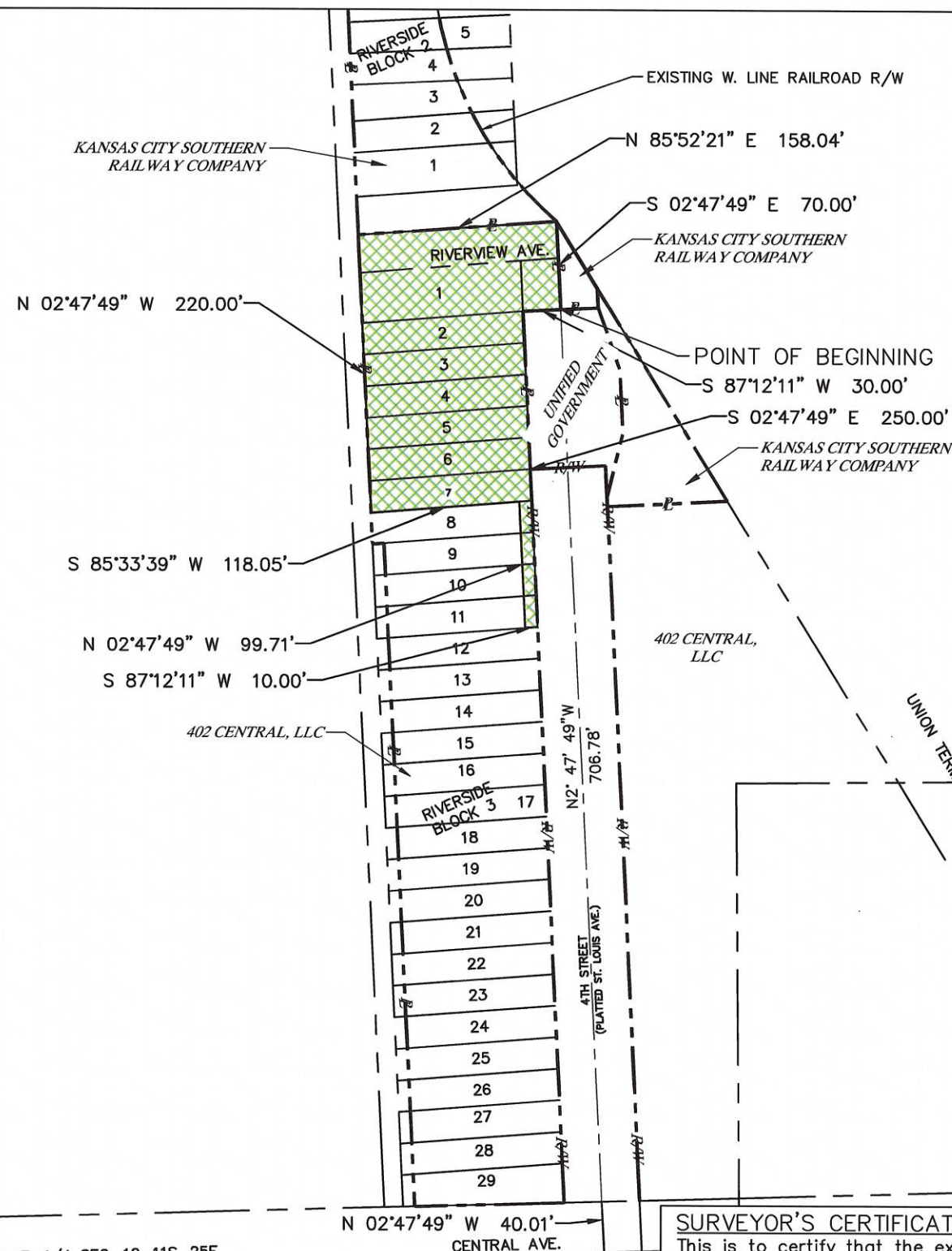
GRAPHIC SCALE



(IN FEET)

LEGEND

 PROPOSED LAND PURCHASE



SURVEYOR'S CERTIFICATE:

This is to certify that the exhibit shown hereon was made by me, or under my direct supervision, this 10th day of May 2022, that the results are correctly shown and said survey meets or exceeds current Kansas Minimum Standards for a Plat or Certificate of Survey to the best of my knowledge and Belief.

APPROVED BY:



Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor

Date 5-11-22



John Aaron Cope, Kansas R.L.S. No. 1658



9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206

11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109

TEL. (913) 642-6642
FAX (913) 642-6941
www.ccengineers.com

CMIP # _____

Parcel: None

Owner (s): K.C. Southern Railway Company

402 R Central Avenue

Kansas City, KS 66118

EXHIBIT "C"

LEGAL DESCRIPTION:

All that part of the east half of vacated 4th Street lying south of the centerline of vacated Riverview Avenue and north of the easterly prolongation of the south line of Lot 1, Block 3 in the Southeast Quarter of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Wyandotte County, Kansas City, Kansas being more particularly described by John Aaron Copelin, LS-1658 on this 4th day of May, 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD 83.)

Commencing at the Southwest corner of the Southeast Quarter of said Section 10;

Thence North 88 degrees 19 minutes 47 seconds East, with the south line of said Southeast Quarter of Section 10, Township 11, Range 25, a distance of 919.49 feet to the southerly extension of the centerline of 4th Street, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, with said southerly extension of the centerline of 4th Street, a distance of 40.01 feet to the north right-of-way line of Central Avenue, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said centerline of 4th Street, a distance of 706.78 feet to a point of intersection of said centerline of 4th Street with the easterly prolongation of said south line of Lot 1, Block 3, said point being the Point of Beginning;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said centerline of vacated 4th Street, a distance of 70.00 feet to the centerline of said vacated Riverview Avenue and a point on the westerly right-of-way of an existing railroad;

Thence South 31 degrees 37 minutes 56 seconds East with said railroad right-of-way line, a distance of 62.20 feet to the east line of said vacated 4th Street;

Thence South 02 degrees 47 minutes 49 seconds East with said east line of vacated 4th Street, a distance of 15.51 feet to a point on said easterly prolongation of the south line of Lot 1;

Thence South 87 degrees 12 minutes 11 seconds West with said easterly prolongation of the south line of Lot 1, a distance of 30.00 feet, to the Point of Beginning.

Contains 1,283 square feet or 0.03 acres, more or less.

APPROVED BY:



Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



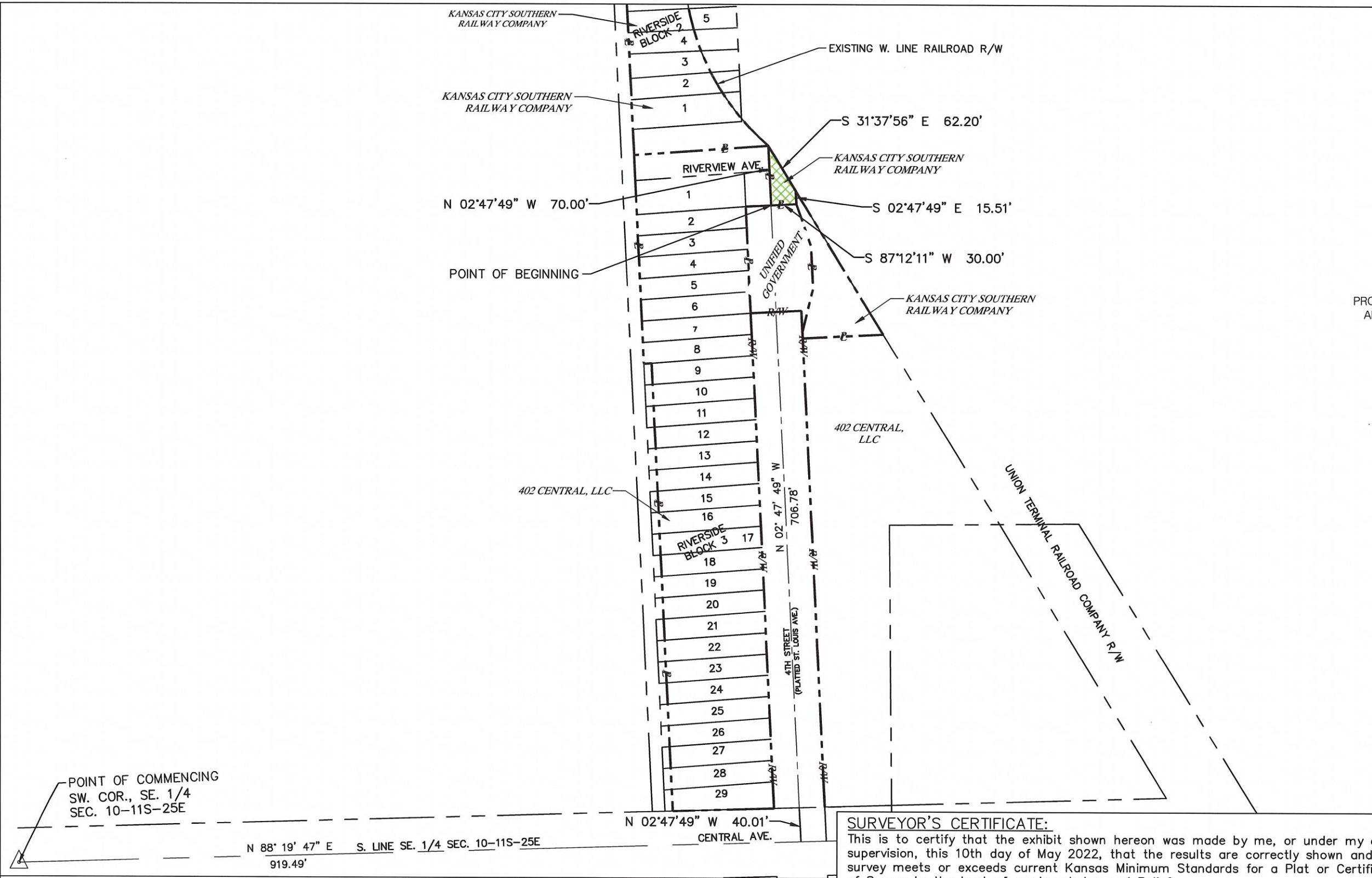
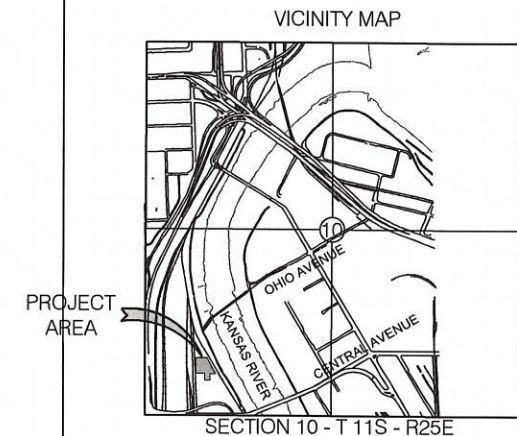


EXHIBIT "C"
LAND PURCHASE



Know what's below.
Call before you dig.



GRAPHIC SCALE



(IN FEET)

LEGEND

 PROPOSED LAND PURCHASE

SURVEYOR'S CERTIFICATE:

This is to certify that the exhibit shown hereon was made by me, or under my direct supervision, this 10th day of May 2022, that the results are correctly shown and said survey meets or exceeds current Kansas Minimum Standards for a Plat or Certificate of Survey to the best of my knowledge and Belief.

APPROVED BY:

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor

Date 5-11-22



John Aaron Cope, Kansas R.L.S. No. 1658



9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206

11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109

TEL. (913) 642-6642
FAX (913) 642-6941
www.ccengineers.com

CMIP # _____

Parcel: 902906

Owner (s): K.C. Southern Railway Company

314 R Central Avenue

Kansas City, KS 66118

EXHIBIT "D"

LEGAL DESCRIPTION:

All that part of the Southeast Quarter of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Wyandotte County, Kansas City, Kansas being more particularly described by John Aaron Copelin, LS-1658 on this 4th day of May, 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD 83.)

Commencing at the Southwest corner of the Southeast Quarter of said Section 10;

Thence North 88 degrees 19 minutes 47 seconds East, with the south line of the Southeast Quarter of Section 10, Township 11, Range 25, a distance of 949.50 feet to the southerly extension of the east right-of-way line of 4th Street, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, with said east right-of-way line of 4th Street, a distance of 40.01 feet to the north right-of-way line of Central Avenue, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said east right-of-way line of 4th Street, a distance of 550.00 feet, said point being the Point of Beginning;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said east right-of-way line of 4th Street, a distance of 7.34 feet;

Thence North 13 degrees 54 minutes 11 seconds East, a distance of 52.20 feet;

Thence North 02 degrees 47 minutes 49 seconds West, a distance of 50.00 feet;

Thence North 19 degrees 29 minutes 45 seconds West, a distance of 52.20 feet to the intersection of said east right-of-way of 4th Street with the east right-of-way line of vacated 4th Street;

Thence North 02 degrees 47 minutes 49 seconds West with said east right-of-way line of vacated 4th Street, a distance of 15.51 feet to a point on the westerly right-of-way line of an existing railroad;

Thence South 31 degrees 37 minutes 56 seconds East with said westerly railroad right-of-way line, a distance of 197.32 feet;

Thence South 87 degrees 12 minutes 11 seconds West, a distance of 95.17 feet, to the Point of Beginning.

Contains 6,725 square feet or 0.15 acres, more or less.

APPROVED BY:



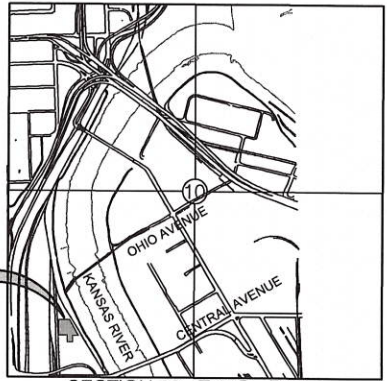
Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



EXHIBIT "D"
LAND PURCHASE

VICINITY MAP



Know what's below.
Call before you dig.



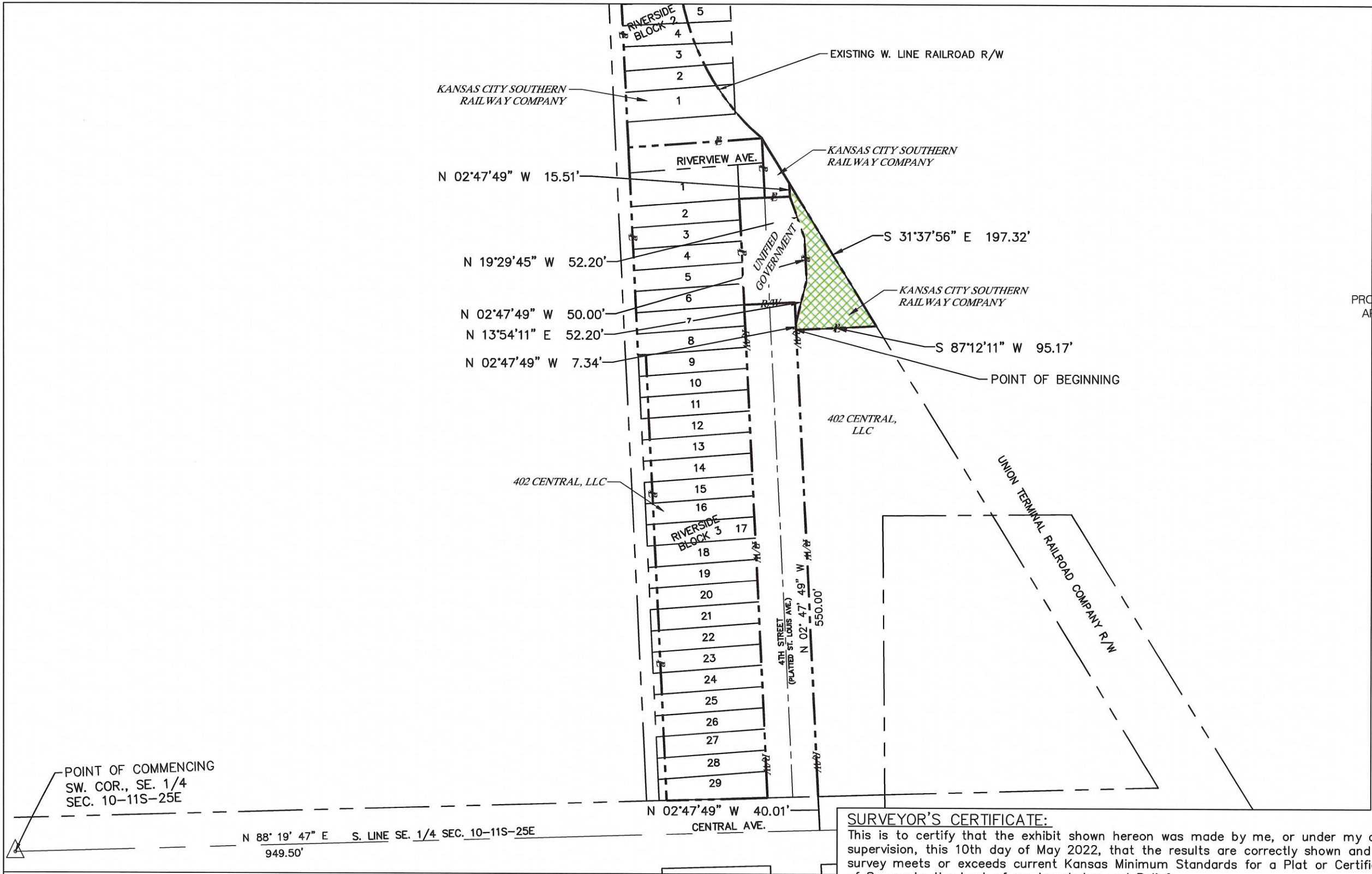
GRAPHIC SCALE



(IN FEET)

LEGEND

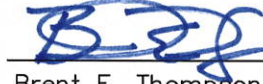
 PROPOSED LAND PURCHASE



SURVEYOR'S CERTIFICATE:

This is to certify that the exhibit shown hereon was made by me, or under my direct supervision, this 10th day of May 2022, that the results are correctly shown and said survey meets or exceeds current Kansas Minimum Standards for a Plat or Certificate of Survey to the best of my knowledge and Belief.

APPROVED BY:



Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



John Aaron Cope, Kansas R.L.S. No. 1658



9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206

11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109

TEL. (913) 642-6642
FAX (913) 642-6941
www.ccengineers.com

CMIP # _____
Parcel: 142500
Owner (s): 402 Central Avenue, LLC
300 Central Avenue
Kansas City, KS 66118

EXHIBIT "E"

LEGAL DESCRIPTION:

All that part of the Southeast Quarter of Section 10, Township 11 South, Range 25 East of the Sixth Principal Meridian, in Wyandotte County, Kansas City, Kansas lying east of and adjacent to the east right-of-way line of 4th Street, as now established, being more particularly described by John Aaron Copelin, LS-1658 on this 4th day of May, 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Kansas State Plane Coordinate System, North Zone, NAD 83.)

Commencing at the Southwest corner of the Southeast Quarter of said Section 10;

Thence North 88 degrees 19 minutes 47 seconds East, with the south line of the Southeast Quarter of Section 10, Township 11, Range 25, a distance of 949.50 feet to the southerly extension of the east right-of-way line of 4th Street, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, with said east right-of-way line of 4th Street, a distance of 40.01 feet to the north right-of-way line of Central Avenue, as now established;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said east right-of-way line of 4th Street, a distance of 457.37 feet, said point being the Point of Beginning;

Thence North 02 degrees 47 minutes 49 seconds West, continuing with said east right-of-way line of 4th Street, a distance of 92.66 feet;

Thence North 87 degrees 12 minutes 11 seconds East, a distance of 10.00 feet;

Thence South 02 degrees 47 minutes 49 seconds East, a distance of 92.66 feet;

Thence South 87 degrees 12 minutes 11 seconds West, a distance of 10.00 feet, to the Point of Beginning.

Contains 927 square feet or 0.02 acres, more or less.

APPROVED BY:



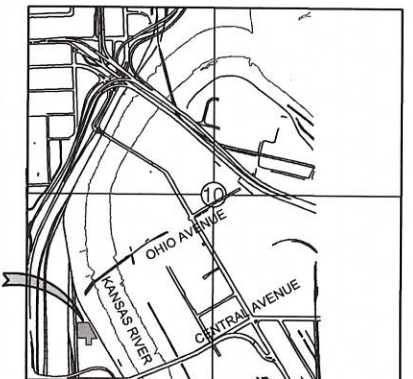
Date 5-11-22

Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor



EXHIBIT "E"
LAND PURCHASE

VICINITY MAP



Know what's below.
Call before you dig.



GRAPHIC SCALE



(IN FEET)

LEGEND

 PROPOSED LAND PURCHASE

KANSAS CITY SOUTHERN
RAILWAY COMPANY

KANSAS CITY SOUTHERN
RAILWAY COMPANY

N 87°12'11" E 10.00'

KANSAS CITY SOUTHERN
RAILWAY COMPANY

S 02°47'49" E 92.66'

N 02°47'49" W 92.66'

402 CENTRAL,
LLC

S 87°12'11" W 10.00'

POINT OF BEGINNING

UNION TERMINAL RAILROAD COMPANY R/W

402 CENTRAL, LLC

POINT OF COMMENCING
SW. COR., SE. 1/4
SEC. 10-11S-25E

N88° 19' 47"E
949.50'

S. LINE SE. 1/4 SEC. 10-11S-25E

N 02°47'49" W 40.01'
CENTRAL AVE.

SURVEYOR'S CERTIFICATE:

This is to certify that the exhibit shown hereon was made by me, or under my direct supervision, this 10th day of May 2022, that the results are correctly shown and said survey meets or exceeds current Kansas Minimum Standards for a Plat or Certificate of Survey to the best of my knowledge and Belief.

APPROVED BY:



Brent E. Thompson, KS. PLS #1277
Unified Government Surveyor

Date 5-11-22



John Aaron Copen, Kansas R.L.S. No. 1658

Date _____



9000 STATE LINE ROAD
LEAWOOD, KANSAS 66206

11006 PARALLEL PARKWAY
KANSAS CITY, KANSAS 66109

TEL. (913) 642-6642
FAX (913) 642-6941
www.ccengineers.com



Staff Request for Commission Action

Tracking No. 211582

Full Commission Meeting Date: 6/9/22

Committee: Public Works & Safety

Date of Standing Committee Action: 5/23/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 05/11/2022	<u>Contact Name:</u> Casey Meyer	<u>Contact Phone:</u> x2851	<u>Contact Email:</u> cmeyer@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> Kansas HB 2717 was passed by the State legislature and signed into law by Governor Kelly, April 11, 2022. It prohibits municipalities from restricting local government employee and law enforcement cooperation with federal authorities and limits the use of municipal IDs. Any conflicts between HB 2717 and the UG Safe and Welcoming Act are void. These amendments reflect changes necessary to comply with HB 2717. Additionally, a second draft has been offered for consideration that addresses comments made by the commission at the Full Commission meeting at which the Act was originally passed, submitted by Casey Meyer, Legal Department				
<u>Action Requested:</u> Recommended approval.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Safe and Welcoming Comparison HB 2717 UG final edits 5.11, Safe and Welcoming Comparison HB 2717 and FullCommission Comments addressed UG final edits 5.11				

Published _____

ORDINANCE NO. _____

An ordinance relating to the “Safe and Welcoming City Act” Chapter 18, Sections 18-162 through 18-168 of the Code of Ordinances for the Unified Government of Wyandotte County/ Kansas City, Kansas.

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

Section 1. That Chapter 18 – Safe and Welcoming City Act, Sections 18-162 through 18-168, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, are amended to read as follows:

Whereas, Wyandotte County and Kansas City, Kansas are an inclusive community that values immigrants and the diversity they bring to our cultural fabric, economic growth, and global competitiveness; and

Whereas, the Unified Government is committed to building a welcoming and neighborly atmosphere in our community, where all people, including immigrants, are accepted and able to access all Unified Government services regardless of their immigration status; and

Whereas, the Unified Government recognizes and upholds the Fourth Amendment of the United States Constitution, guaranteeing the right of all persons to due process and protection against unreasonable searches and seizures, and is committed to upholding those rights for all even when presented with illegal or improper orders from federal agencies; and

Whereas, the Unified Government recognizes that under the Tenth Amendment of the United States Constitution states and local governments have the right to be free from mandates or financial obligation to perform the duties of the federal government, or to be threatened or coerced to do so by withholding federal funding; and

Whereas, residents need to feel safe and protected by law enforcement when they seek services and that they will not be exposed to immigration enforcement, and

Whereas, the Unified Government recognizes that this Safe and Welcoming ordinance is necessary to build a community for all residents, without regard to age, race, national origin, religion, sex, sexual orientation, gender identity, disability, or immigration, housing, or financial status, and

Whereas, many residents of Wyandotte County, including the elderly and indigent, the homeless and the immigrant, as well as youth, especially those leaving foster care and ex-offenders lack photo IDs, making it very difficult for them to conduct normal daily activities.

Chapter 18, Article III, Division 5- The Safe and Welcoming City Act

Sec. 18-162. Definitions.

As used in this Act, the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“*Immigration and Customs Enforcement*” or “*ICE*” means the federal law enforcement agency primarily responsible for the enforcement of federal immigration laws.

“*Immigration status*” means matters regarding questions of citizenship of the United States or any other country and the authority to reside in or otherwise be present in the United States.

“*Municipal-Community ID card*” shall mean an identification card issued by the Program Administrator selected by the Unified Government of Wyandotte County and Kansas City, Kansas that shall, at a minimum, display the cardholder’s photograph, name, date of birth, address, ~~and~~ an expiration date and on its face the statement “Not valid for state ID”. Such card shall also, at the cardholder’s option, display the cardholder’s self-designated gender. Such identification card shall be designed in a manner to deter fraud.

“*Non-citizen status*” means the state or condition of not being a citizen of the United States.

“*Resident*” means any person whose primary place of habitation falls within the geographic boundaries of Kansas City, Kansas.

“*Threat to public safety*” means posing serious and imminent threat of injury or death to a human.

“*Unified Government department*” means a department under the exclusive control of the Unified Government Board of County Commissioners.

“*Unified Government employee*” means a full or part time employee of a department under the exclusive control of the Unified Government Board of County Commissioners.

“*Unified Government resources*” means funds, supplies, employees, premises, information, data, or equipment under the exclusive control of the Unified Government Board of County Commissioners.

“*Unified Government service*” means any benefit, service, opportunity, or resource provided by a department under the exclusive control of the Unified Government Board of County Commissioners.

Sec. 18-163 – Finances and City Services

1. Unless required by Federal or state statute, regulation, or court decision, no department, agency, commission, officer, or employee of the Unified Government shall:
 - ~~a. Use any Unified Government resources for the sole purpose of enforcement of federal immigration law or to gather, transmit, or disseminate information regarding the immigration status of individuals in the Unified Government, except as otherwise required by law or as otherwise available to the general public.~~
 - ~~i. This includes but is not limited to:~~
 - ~~1. Granting access to any restricted area of a Unified Government facility solely for immigration enforcement operations; or~~
 - ~~2. Providing information solely for the purpose of an immigration enforcement operation when the information is not available to the public or the agency under applicable law; or~~
 - ~~3. Establishing traffic perimeters for the sole purpose of an immigration enforcement operation.~~
 - ~~b. Collect information about a person's immigration status in the provision of Unified Government services, including policing, unless immigration status is relevant to the crime being investigated or the collection of the information is required by law.~~
 - ~~e.a.~~ Discriminate based on non-citizen status or immigration status. Unified Government employees will serve all residents and Unified Government services will be accessible to all residents regardless of non-citizen status or immigration status.
 - ~~d.b.~~ Require individuals to provide specific immigration identification, rather Unified Government employees shall accept any valid photo identification that provides the person's name and photo. This policy shall not apply to the completion of the federally mandated I-9 forms or in the presentation of lawful authorization to operate a motor vehicle within the City.
 - ~~e.c.~~ Limit or restrict any service, benefit, or opportunity provided by the Unified Government and all Unified Government employees shall make available to all persons residing in the City any service, benefit or opportunity provided by the Unified Government, regardless of immigration status, unless otherwise required by law.
 - ~~f.d.~~ Require any person making payment to the Unified Government to present a valid photo identification beyond any document containing the person's name and picture, which is issued by a government, whether municipal, state, federal, or foreign. Nothing herein shall prohibit the Board of Public Utilities from requiring additional identification.
- ~~2. Within 120 days of the effective date of this ordinance, the Unified Government shall remove any questions regarding citizenship or immigration status, other than those required by law, from all applications, questionnaires, and interview forms related to Unified Government services.~~

3. ~~If a Unified Government employee receives a request from ICE to provide assistance for the sole purpose of immigration enforcement and the assistance is not required by law or available to the general public, the employee shall report the request to a supervisor. The supervisor shall determine whether to grant or deny the request based on the following factors:~~
 - a. ~~The public policy expressed by this Act~~
 - b. ~~Whether a threat to public safety exists~~
 - c. ~~Whether the form of assistance is commonly provided to other agencies~~

Sec. 18-164- Department Practices

1. Kansas City, Kansas Police Department (“KCKPD”)
 - a. KCKPD shall use its resources and authority to protect the public in Kansas City, Kansas, including residents without immigration status. It is not the mission of the KCKPD to enforce federal immigration law.
 - ~~b. Members of KCKPD will limit involvement with undocumented persons to situations independent of civil immigration enforcement.~~
 - ~~e.b.~~ KCKPD will seek to ensure that all persons who request the assistance of KCKPD feel safe asking the KCKPD for help, reporting crimes, and aiding investigations. ~~Officers and personnel will not inquire about the national origin, citizenship, or immigration status of any individual who approaches the Department for assistance, including, but not limited to, persons who have been the victims of crime, except when doing so is necessary to gather facts relevant to the reported crime.~~
 - ~~d.c.~~ KCKPD will not publicly disclose information about an individual’s national origin, citizenship, or immigration status except as required by law.
 - ~~e. The KCKPD shall not enter a Memorandum of Understanding with the United States under Section 287(g) of the Immigration and Nationality Act to enforce federal immigration law without the prior approval of the Governing Body.~~
 - ~~f. KCKPD will not respond to call for assistance for federal immigration enforcement authorities to enforce immigration law but may respond to calls for assistance from federal immigration enforcement authorities to the extent necessary to mitigate a threat to public safety or enforce criminal laws beyond the scope of effectuating an immigration arrest. Nothing herein shall preclude KCKPD from participating in coordinated law enforcement actions with federal law enforcement agencies if the purpose is not solely enforcement of federal immigration law.~~
 - ~~g.d.~~ Nothing in this Ordinance will preclude KCKPD from assisting or participating in judicial warrants and criminal investigations.
2. Kansas City, Kansas Municipal Court
 - a. ~~Unified Government employees of the Kansas City, Kansas Municipal Court shall not inquire about the immigration status of any person charged with a crime except as otherwise required by law.~~

~~b. The Kansas City, Kansas Municipal Court does not support or condone and strongly discourages Unified Government employees of the Kansas City, Kansas Municipal Court from initiating contact with ICE based on information learned during their job duties.~~

~~e.a.~~ Kansas City, Kansas Municipal Court shall provide interpretation services for defendants who do not speak English as required by law.

~~d. The City prosecutor shall not initiate the transfer of immigration information to ICE, unless required by law.~~

~~e.b.~~ The City prosecutor shall negotiate plea agreements without regard to immigration status. A person's immigration status shall not be a bar to diversion programs.

~~f.c.~~ Public defenders under contract with the Unified Government, if any, shall be encouraged to affirmatively and competently advise defendants of the potential immigration consequences of criminal offenses as required by applicable law. Public defenders under contract with the Unified Government should advise such defendants to seek counsel from an immigration attorney.

~~g.d.~~ The Unified Government shall provide defendants with contact information for the Kansas Bar Association Lawyer Referral Service.

3. Parks and Recreation

a. Unified Government resources or services shall never be denied based on immigration status.

4. City Clerk

a. A person's immigration status shall not prohibit such person from applying for and being granted a license, permit, or registration through the City Clerk's office, except as required by law.

b. The City Clerk's office shall provide language translation services to any person as soon as is practicable upon request.

5. Human Resources

a. The Unified Government shall comply with federal and state laws regarding employment eligibility and employment records, such as the I-9 verification process, ~~but shall not otherwise collect, inquire, or disseminate information about an applicant's immigration status.~~

Sec. 18-165- Municipal Community Identification Card

1. The Unified Government of Wyandotte County/Kansas City, Kansas shall promulgate all rules necessary to effectuate the purposes of the municipal community ID card program.
2. The Unified Government shall contract with a Program Administrator, a qualified, locally-based non-profit organization that is and tax-exempt under section 501(c)3 of the Internal Revenue Code, to administer the day-to-day operations of the municipal community identity ID card program. That organization shall make applications for such card available for pick-up and submission at any agency or office where there is substantial contact with the public, shall also make applications available on-line, and

shall follow all rules promulgated by the Unified Government for the operations of the program.

3. The ~~municipal~~-community ID card shall be available to any resident of Wyandotte County, regardless of his or her race, color, creed, age, national origin, alienage or citizenship status, gender, sexual orientation, disability, marital status, partnership status, any lawful source of income, housing status, status as a victim of domestic violence or status as a victim of sex offenses or stalking, or conviction or arrest record, provided that such resident is able to meet the requirements for establishing his or her identity and residency set forth in this section.
4. The Unified Government shall establish a reasonable application fee for ~~municipal community identity-ID~~ cards and adopt rules permitting residents who cannot afford to pay such fee to receive a full or partial waiver.
5. To obtain a ~~municipal~~-community ID card an applicant must establish proof of identity and proof of residency within the county as follows:
 - (1) Proof of identity. To establish identity, an applicant shall be required to produce one of the following documents that is an original or a copy certified by the issuing agency and be current or expired not more than 5 years prior to the date of the ~~municipal~~-community ID card application:
 - i. a U.S. or foreign passport;
 - ii. a U.S. state driver's license;
 - iii. a U.S. state identification card;
 - iv. a U.S. permanent resident card (commonly known as a "green card") or I-551 permanent resident card;
 - v. a consular identification card;
 - vi. a photo identification card with name, address, date of birth, and expiration date issued by another country to its citizens or nationals as an alternative to a passport for re-entry to the issuing country;
 - vii. U.S. Citizenship and Immigration Services (USCIS) Employment Authorization Card (EAC) or I-765;
 - viii. U.S. certificate of naturalization;
 - ix. U.S. certificate of citizenship;
 - x. A national identification card with photo, name, address, date of birth, and expiration date;
 - xi. Released offender identification from the state department of corrections (with photo);
 - xii. U.S. or foreign military identification card (active duty, reserve or retired);
 - xiii. U.S. military dependent identification card;

- xiv. U.S. Department of Veterans Affairs card;
- xv. U.S. Department of Justice inmate identification card;
- xvi. Concealed carry permit issued by any state, territory or possession of the U.S.;
- xvii. Student ID card from an accredited education institution;
- xviii. Tribal driver's license or identification card;
- xix. Public assistance ID card issued by a government office.

b. If the applicant is unable to produce one of the documents listed above to establish identity, the applicant shall be required to produce two documents when taken together, that displays a current photograph of the applicant and name, and must display the applicant's date of birth. A document that demonstrates the applicant's identity must be an original or a copy certified by the issuing agency and be current or expired not more than 10 years prior to the date of the [municipal community](#) ID card application:

- i. Birth certificate issued by any state, territory or possession of the U.S. (excluding hospital records/certificates and abstracts of birth);
- ii. A certified copy of a foreign birth certificate;
- iii. U.S. certificate of birth abroad (FS-240, 545 or DS-1350)
- iv. Tribal or Bureau of Indian Affairs affidavit of birth;
- v. U.S. military DD-214;
- vi. U.S. Social Security Administration card;
- vii. U.S. Selective Service card;
- viii. W-2 form issued by an employer in any state, territory or possession of the U.S.;
- ix. Medical insurance identification card;
- x. Professional license issued by any state, territory or possession of the U.S.;
- xi. Bank card issued by a bank that does business in any state, territory or possession of the U.S.;
- xii. Credit card issued by a bank that does business in any state, territory or possession of the U.S.;
- xiii. Marriage license or certificate;
- xiv. an electronic benefit transfer (EBT) card;
- xv. any other documentation that the administering agency deems acceptable;
- xvi. Student identification issued by any accredited educational institution;
- xvii. Employer ID;
- xviii. Union Membership Identification Card; or
- xix. any other documentation that the administering agency deems acceptable.

c. Proof of Residency. To establish residency, an applicant shall be required to produce one of the following items each of which must show the applicant's name and residential address located within the city and must be dated no more than sixty

days prior to the date such document is presented, except as otherwise indicated in this paragraph:

- i. a utility bill;
 - ii. a current residential property lease;
 - iii. a local property tax statement dated within one year of the date it is submitted;
 - iv. a local real property mortgage payment receipt;
 - v. a bank account statement;
 - vi. proof that the applicant has a minor child currently enrolled in a school located within the city;
 - vii. an employment pay stub;
 - viii. a jury summons or court order issued by a federal or state court;
 - ix. a federal or state income tax or refund statement dated within one year of the date it is submitted;
 - x. an insurance bill (homeowner, renter, health, life, or automobile insurance);
 - xi. written verification issued by a homeless shelter that receives city funding confirming at least fifteen days residency;
 - xii. written verification issued by a hospital, health clinic or social services agency located within Wyandotte County confirming at least fifteen days residency; or
 - xiii. Any other documentation that administering office/agency deems acceptable.
6. The administering organization may create alternative methods by which individuals who are homeless can establish residency notwithstanding the lack of fixed address.
- ~~7. The Unified Government of Wyandotte County and Kansas City, Kansas shall not obtain or retain originals or copies of records provided by an applicant to prove identity or residency for a municipal identity card.~~
- ~~8. The Unified Government of Wyandotte County and Kansas City, Kansas shall not obtain, retain, or disclose information about municipal ID card applicants to any public or private entity or individual, including federal, state, or city immigration or law enforcement entities unless required by law.~~
- ~~9.7.~~ In the event of litigation, the Unified Government shall require the Program Administrator to defend against the disclosure of such information to the maximum extent possible under the law. ~~This protection shall extend to the municipal ID card application forms, information contained on those forms or obtained through the card application process, to the lists of individuals who hold or have applied for a municipal ID card, and to the fact of any individual's participation in the ID card program.~~
- ~~10.8.~~ All Unified Government agencies and offices, and all municipal employees, including law enforcement officers, shall accept such card as proof of identity and residency, except for the Election Commissioner, his or her appointees, and any election board members or employees.
- ~~11.9.~~ The Unified Government shall seek to expand the benefits associated with the municipal community identity ID card, including encouraging eligible persons to apply

for the card and promoting the acceptance of the [municipal identity community ID](#) card by banks and other public and private institutions.

~~12.~~10. Unified Government agencies and officers shall not require the possession of a [municipal identity community ID](#) card where identification is not already required to obtain city services. Provided, however that agencies may require the possession of a [municipal identity community ID](#) card to obtain benefits or privileges offered exclusively to those who possess a [municipal identity community ID](#) card as an incentive to apply for a [municipal identity community ID](#) card.

11. The Unified Government shall, consistent with applicable law, require the Program Administrator to provide language assistance to applicants for the [municipal identity community ID](#) cards to facilitate access thereto. The administering organization shall identify and implement measures, including staff training, community outreach, and language assistance tools, to address the needs of limited English proficient individuals in the administration of the [municipal identity community ID](#) card program.

~~13.~~

12. (a) It is a violation of the code of ordinances for any person or entity to undertake any of the following acts:

- (1) [Display, cause or permit to be displayed, or have in possession, any fictitious, fraudulently altered or fraudulently obtained identification card.](#)
- (2) [Lend any identification card to any other person or knowingly permit the use thereof by another.](#)
- (3) [Display or represent any identification card not issued to the person as being the person's card.](#)
- (4) [Permit any unlawful use of an identification card issued to the person.](#)
- (5) [Display or possess any photograph, photostat, duplicate, reproduction or facsimile of an identification card unless authorized by law.](#)
- (6) [Photograph, photostat, duplicate or in any way reproduce any identification card or facsimile thereof in such a manner that it could be mistaken for a valid identification card or display or have in possession any such photograph, photostat, duplicate, reproduction or facsimile unless authorized by law.](#)
- (7) [Fail or refuse to surrender to the division upon its lawful demand any identification card which has been canceled.](#)
- (8) [Display or cause or permit to be displayed any canceled identification card.](#)
- (9) [Lend any identification card to or knowingly permit the use of any identification card by any person under 21 years of age for use in the purchase of any alcoholic liquor.](#)
- (10) [Lend any identification card to or knowingly permit the use of any identification card by any person under the legal age for consumption of cereal malt beverage for use in the purchase of any cereal malt beverage.](#)
- (11) [Lend any identification card, driver's license or other form of identification to aid another person in obtaining an identification card or replacement identification card.](#)
- (12) [Display or cause to be displayed or have in possession any fictitious or fraudulently altered identification card by any person under 21 years of age for use in the purchase of any alcoholic liquor or cereal malt beverage.](#)

(b) Violation of subsections (a)(1) or (a)(8) is a class B nonperson misdemeanor. Violation of subsections (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), (a)(7) is a class A nonperson misdemeanor. Upon a first conviction of a violation of any provision of subsection (a)(9), (a)(10), (a)(11), (a)(12), a person shall be guilty of a class B nonperson misdemeanor and shall be sentenced to not less than 100 hours of public service and fined not less than \$200 nor more than \$500. Upon a second or subsequent conviction of a violation of any provision of subsection (c), a person shall be guilty of a class A nonperson misdemeanor.

- ~~14. It is a violation of the code of ordinances under this section for any person or entity to undertake any of the following acts. Any person convicted of a violation of this section of this ordinance and amendments thereto shall be guilty of a class C misdemeanor and punished for that violation by a fine of no more than \$100 for each violation.~~
- ~~b. To knowingly present false information in the course of applying for a municipal ID card, or~~
 - ~~c. To alter, copy, or replicate a municipal ID card without the authority of the Unified Government, or~~
 - ~~d. To use the municipal ID card issued to another person, with the intent to cause a third person or entity to believe the holder of the card is the person to whom the card was issued.~~

Sec. 18-166 - Severability

If any section, sentence, clause, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction it shall not affect the validity of any remaining parts of this ordinance.

Sec. 18-167- Nonliability and Remainders

This Act does not create or form the basis for liability on the part of the Unified Government, its agents, or agencies. The exclusive remedy for violation of this chapter shall be through the Unified Government's disciplinary procedures under regulations including but not limited to the Unified Government personnel rules.

Sec. 18-168 Legal Compliance

Nothing in this Act shall be construed to permit the violation of any federal or state statute, federal or state regulation, or federal or state judicial decision. The requirements of this Act do not apply under circumstances where the Unified Government must comply with a lawful condition or term imposed by a funding source, noncompliance of which may cause the Unified Government to lose funds from that source.

Section 2. That said original Sections 18-162 through 18-168; Safe and Welcoming City Act, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas is hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after the passage, approval, and publication in the official Unified Government newspaper.

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

THIS ____ DAY OF _____, 2022

Tyrone Garner, Mayor/ CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

Misty Brown, Chief Counsel

Published _____

ORDINANCE NO. _____

An ordinance relating to the “Safe and Welcoming City Act” Chapter 18, Sections 18-162 through 18-168 of the Code of Ordinances for the Unified Government of Wyandotte County/ Kansas City, Kansas.

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

Section 1. That Chapter 18 – Safe and Welcoming City Act, Sections 18-162 through 18-168, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, are amended to read as follows:

Whereas, Wyandotte County and Kansas City, Kansas are an inclusive community that values immigrants and the diversity they bring to our cultural fabric, economic growth, and global competitiveness; and

Whereas, the Unified Government is committed to building a welcoming and neighborly atmosphere in our community, where all people, including immigrants, are accepted and able to access all Unified Government services regardless of their immigration status; and

Whereas, the Unified Government recognizes and upholds the Fourth Amendment of the United States Constitution, guaranteeing the right of all persons to due process and protection against unreasonable searches and seizures, and is committed to upholding those rights for all even when presented with illegal or improper orders from federal agencies; and

Whereas, the Unified Government recognizes that under the Tenth Amendment of the United States Constitution states and local governments have the right to be free from mandates or financial obligation to perform the duties of the federal government, or to be threatened or coerced to do so by withholding federal funding; and

Whereas, residents need to feel safe and protected by law enforcement when they seek services and that they will not be exposed to immigration enforcement, and

Whereas, the Unified Government recognizes that this Safe and Welcoming ordinance is necessary to build a community for all residents, without regard to age, race, national origin, religion, sex, sexual orientation, gender identity, disability, or immigration, housing, or financial status, and

Whereas, many residents of Wyandotte County, including the elderly and indigent, the homeless and the immigrant, as well as youth, especially those leaving foster care and ex-offenders lack photo IDs, making it very difficult for them to conduct normal daily activities.

Chapter 18, Article III, Division 5- The Safe and Welcoming City Act

Sec. 18-162. Definitions.

As used in this Act, the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“*Immigration and Customs Enforcement*” or “*ICE*” means the federal law enforcement agency primarily responsible for the enforcement of federal immigration laws.

“*Immigration status*” means matters regarding questions of citizenship of the United States or any other country and the authority to reside in or otherwise be present in the United States.

“*Municipal-Community ID card*” shall mean an identification card issued by the Program Administrator selected by the Unified Government of Wyandotte County and Kansas City, Kansas that shall, at a minimum, display the cardholder’s photograph, name, date of birth, address, and an expiration date and on its face the statement “Not valid for state ID”. Such card shall also, at the cardholder’s option, display the cardholder’s self-designated gender. Such identification card shall be designed in a manner to deter fraud.

“*Non-citizen status*” means the state or condition of not being a citizen of the United States.

“*Program administrator*” means the County Administrator’s designee to issue and administer the Community identification card, who may be an employee, Department of the City or contracted 3rd party administrator.

“*Resident*” means any person whose primary place of habitation falls within the geographic boundaries of Kansas City, Kansas.

“*Threat to public safety*” means posing serious and imminent threat of injury or death to a human.

“*Unified Government department*” means a department under the exclusive control of the Unified Government Board of County Commissioners.

“*Unified Government employee*” means a full or part time employee of a department under the exclusive control of the Unified Government Board of County Commissioners.

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 - ~~i. This includes but is not limited to:~~
 - ~~1. Granting access to any restricted area of a Unified Government facility solely for immigration enforcement operations; or~~
 - ~~2. Providing information solely for the purpose of an immigration enforcement operation when the information is not available to the public or the agency under applicable law; or~~
 - ~~3. Establishing traffic perimeters for the sole purpose of an immigration enforcement operation.~~
 - ~~b. Collect information about a person’s immigration status in the provision of Unified Government services, including policing, unless immigration status is relevant to the crime being investigated or the collection of the information is required by law.~~
 - ~~e.a.~~ Discriminate based on non-citizen status or immigration status. Unified Government employees will serve all residents and Unified Government services will be accessible to all residents regardless of non-citizen status or immigration status.
 - ~~d.b.~~ Require individuals to provide specific immigration identification, rather Unified Government employees shall accept any valid photo identification that provides the person’s name and photo. This policy shall not apply to the completion of the federally mandated I-9 forms or in the presentation of lawful authorization to operate a motor vehicle within the City.
 - ~~e.c.~~ Limit or restrict any service, benefit, or opportunity provided by the Unified Government and all Unified Government employees shall make available to all persons residing in the City any service, benefit or opportunity provided by the Unified Government, regardless of immigration status, unless otherwise required by law.
 - ~~f.d.~~ Require any person making payment to the Unified Government to present a valid photo identification beyond any document containing the person’s name and picture, which is issued by a government, whether municipal, state, federal, or

foreign. Nothing herein shall prohibit the Board of Public Utilities from requiring additional identification.

- ~~2. Within 120 days of the effective date of this ordinance, the Unified Government shall remove any questions regarding citizenship or immigration status, other than those required by law, from all applications, questionnaires, and interview forms related to Unified Government services.~~
- ~~3. If a Unified Government employee receives a request from ICE to provide assistance for the sole purpose of immigration enforcement and the assistance is not required by law or available to the general public, the employee shall report the request to a supervisor. The supervisor shall determine whether to grant or deny the request based on the following factors:
 - ~~a. The public policy expressed by this Act~~
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 - a. KCKPD shall use its resources and authority to protect the public in Kansas City, Kansas, including residents without immigration status. It is not the mission of the KCKPD to enforce federal immigration law.
 - ~~b. Members of KCKPD will limit involvement with undocumented persons to situations independent of civil immigration enforcement.~~
 - ~~c. b.~~ KCKPD will seek to ensure that all persons who request the assistance of KCKPD feel safe asking the KCKPD for help, reporting crimes, and aiding investigations. ~~Officers and personnel will not inquire about the national origin, citizenship, or immigration status of any individual who approaches the Department for assistance, including, but not limited to, persons who have been the victims of crime, except when doing so is necessary to gather facts relevant to the reported crime.~~
 - ~~d. c.~~ KCKPD will not publicly disclose information about an individual’s national origin, citizenship, or immigration status except as required by law.
 - ~~e. The KCKPD shall not enter a Memorandum of Understanding with the United States under Section 287(g) of the Immigration and Nationality Act to enforce federal immigration law without the prior approval of the Governing Body.~~
 - ~~f. KCKPD will not respond to call for assistance for federal immigration enforcement authorities to enforce immigration law but may respond to calls for assistance from federal immigration enforcement authorities to the extent necessary to mitigate a threat to public safety or enforce criminal laws beyond the scope of effectuating an immigration arrest. Nothing herein shall preclude KCKPD from participating in coordinated law enforcement actions with federal law enforcement agencies if the purpose is not solely enforcement of federal immigration law.~~

~~g.d.~~ Nothing in this Ordinance will preclude KCKPD from assisting or participating in judicial warrants and criminal investigations.

2. Kansas City, Kansas Municipal Court

~~a. Unified Government employees of the Kansas City, Kansas Municipal Court shall not inquire about the immigration status of any person charged with a crime except as otherwise required by law.~~

~~b. The Kansas City, Kansas Municipal Court does not support or condone and strongly discourages Unified Government employees of the Kansas City, Kansas Municipal Court from initiating contact with ICE based on information learned during their job duties.~~

~~e.a.~~ Kansas City, Kansas Municipal Court shall provide interpretation services for defendants who do not speak English as required by law.

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~~e.b.~~ The City prosecutor shall negotiate plea agreements without regard to immigration status. A person's immigration status shall not be a bar to diversion programs.

~~f.c.~~ Public defenders under contract with the Unified Government, if any, shall be encouraged to affirmatively and competently advise defendants of the potential immigration consequences of criminal offenses as required by applicable law. Public defenders under contract with the Unified Government should advise such defendants to seek counsel from an immigration attorney.

~~g.d.~~ The Unified Government shall provide defendants with contact information for the Kansas Bar Association Lawyer Referral Service.

3. Parks and Recreation

a. Unified Government resources or services shall never be denied based on immigration status.

4. City Clerk

a. A person's immigration status shall not prohibit such person from applying for and being granted a license, permit, or registration through the City Clerk's office, except as required by law.

b. The City Clerk's office shall provide language translation services to any person as soon as is practicable upon request.

5. Human Resources

a. The Unified Government shall comply with federal and state laws regarding employment eligibility and employment records, such as the I-9 verification process, ~~but shall not otherwise collect, inquire, or disseminate information about an applicant's immigration status.~~

Sec. 18-165- Municipal Community Identification Card

(a) Issuance, Term

1. The Unified Government of Wyandotte County/Kansas City, Kansas shall promulgate all rules necessary to effectuate the purposes of the municipal community ID card program.

2. The Unified Government shall ~~contract with~~ designate a Program Administrator, which may be a qualified, locally-based non-profit organization that is and tax-exempt under section 501(c)3 of the Internal Revenue Code, to administer the day-to-day operations of the ~~municipal-community identity-ID~~ card program. That organization shall make applications for such card available for pick-up and submission at any agency or office where there is substantial contact with the public, shall also make applications available on-line, and shall follow all rules promulgated by the Unified Government for the operations of the program.
3. The ~~municipal-community~~ ID card shall be available to any resident of Wyandotte County, regardless of his or her race, color, creed, age, national origin, alienage or citizenship status, gender, sexual orientation, disability, marital status, partnership status, any lawful source of income, housing status, status as a victim of domestic violence or status as a victim of sex offenses or stalking, or conviction or arrest record, provided that such resident is able to meet the requirements for establishing his or her identity and residency set forth in this section.
4. The Unified Government shall establish a reasonable application fee for ~~municipal-community identity-ID~~ cards and adopt rules permitting residents who cannot afford to pay such fee to receive a full or partial waiver.
- ~~4.5.~~ ~~The community ID card shall expire two years from the date of issuance. A person must surrender the community ID card when the card expires, or when the person no longer resides within Wyandotte County.~~
- ~~5.6.~~ To obtain a ~~municipal-community~~ ID card an applicant must establish proof of identity and proof of residency within the county as follows:
 - (1) Proof of identity. (a) To establish identity, an applicant shall be required to produce one of the following documents that is an original or a copy certified by the issuing agency and be current or expired not more than 5 years prior to the date of the ~~municipal-community~~ ID card application:
 - i. a U.S. or foreign passport;
 - ii. a U.S. state driver's license;
 - iii. a U.S. state identification card;
 - iv. a U.S. permanent resident card (commonly known as a "green card") or I-551 permanent resident card;
 - v. a consular identification card;
 - vi. a photo identification card with name, address, date of birth, and expiration date issued by another country to its citizens or nationals as an alternative to a passport for re-entry to the issuing country;

- vii. U.S. Citizenship and Immigration Services (USCIS) Employment Authorization Card (EAC) or I-765;
- viii. U.S. certificate of naturalization;
- ix. U.S. certificate of citizenship;
- x. A national identification card with photo, name, address, date of birth, and expiration date;
- xi. Released offender identification from the state department of corrections (with photo);
- xii. U.S. or foreign military identification card (active duty, reserve or retired);
- xiii. U.S. military dependent identification card;
- xiv. U.S. Department of Veterans Affairs card;
- xv. U.S. Department of Justice inmate identification card;
- xvi. Concealed carry permit issued by any state, territory or possession of the U.S.;
- xvii. Student ID card from an accredited education institution;
- xviii. Tribal driver's license or identification card;
- xix. Public assistance ID card issued by a government office.

b. If the applicant is unable to produce one of the documents listed above to establish identity, the applicant shall be required to produce two documents when taken together, that displays a current photograph of the applicant and name, and must display the applicant's date of birth. A document that demonstrates the applicant's identity must be an original or a copy certified by the issuing agency and be current or expired not more than 10 years prior to the date of the [municipal community](#) ID card application:

- i. Birth certificate issued by any state, territory or possession of the U.S. (excluding hospital records/certificates and abstracts of birth);
- ii. A certified copy of a foreign birth certificate;
- iii. U.S. certificate of birth abroad (FS-240, 545 or DS-1350)
- iv. Tribal or Bureau of Indian Affairs affidavit of birth;
- v. U.S. military DD-214;
- vi. U.S. Social Security Administration card;
- vii. U.S. Selective Service card;
- viii. W-2 form issued by an employer in any state, territory or possession of the U.S.;
- ix. Medical insurance identification card;
- x. Professional license issued by any state, territory or possession of the U.S.;
- xi. Bank card issued by a bank that does business in any state, territory or possession of the U.S.;
- xii. Credit card issued by a bank that does business in any state, territory or possession of the U.S.;
- xiii. Marriage license or certificate;
- xiv. an electronic benefit transfer (EBT) card;

- xv. any other documentation that the administering agency deems acceptable;
- xvi. Student identification issued by any accredited educational institution;
- xvii. Employer ID;
- xviii. Union Membership Identification Card; or
- xix. any other documentation that the administering agency/Program Administrator deems acceptable.

Commented [MC1]: Legal staff request direction as this was raised as a concern during presentation to full commission.

e2. Proof of Residency. To establish residency, an applicant shall be required to produce one of the following items each of which must show the applicant's name and residential address located within the city and must be dated no more than sixty days prior to the date such document is presented, except as otherwise indicated in this paragraph:

- i. a utility bill;
- ii. a current residential property lease;
- iii. a local property tax statement dated within one year of the date it is submitted;
- iv. a local real property mortgage payment receipt;
- v. a bank account statement;
- vi. proof that the applicant has a minor child currently enrolled in a school located within the city;
- vii. an employment pay stub;
- viii. a jury summons or court order issued by a federal or state court;
- ix. a federal or state income tax or refund statement dated within one year of the date it is submitted;
- x. an insurance bill (homeowner, renter, health, life, or automobile insurance);
- xi. written verification issued by a homeless shelter that receives city funding confirming at least fifteen days residency;
- xii. written verification issued by a hospital, health clinic or social services agency located within Wyandotte County confirming at least fifteen days residency; or
- xiii. Any other documentation that administering office/agency/Program Administrator deems acceptable.

Commented [MC2]: Same as above.

~~6.7.~~ The administering organization/Program Administrator may create alternative methods by which individuals who are homeless can establish residency notwithstanding the lack of fixed address.

~~7. The Unified Government of Wyandotte County and Kansas City, Kansas shall not obtain or retain originals or copies of records provided by an applicant to prove identity or residency for a municipal identity card.~~

~~8. The Unified Government of Wyandotte County and Kansas City, Kansas shall not obtain, retain, or disclose information about municipal ID card applicants to any public or private entity or individual, including federal, state, or city immigration or law enforcement entities unless required by law.~~

~~8.~~ In the event of litigation, the Unified Government shall require the Program Administrator to defend against the disclosure of such information to the maximum

extent possible under the law. ~~This protection shall extend to the municipal ID card application forms, information contained on those forms or obtained through the card application process, to the lists of individuals who hold or have applied for a municipal ID card, and to the fact of any individual's participation in the ID card program.~~

9. **(b) Implementation, Acceptance by City Departments, and Acts Prohibited.**

~~10.1.~~ All Unified Government agencies and offices, and all municipal employees, including law enforcement officers, shall accept such card as proof of identity and residency, except for the Election Commissioner, his or her appointees, and any election board members or employees.

~~11.2.~~ The Unified Government shall seek to expand the benefits associated with the ~~municipal community identity~~ ID card, including encouraging eligible persons to apply for the card and promoting the acceptance of the ~~municipal identity~~community ID card by banks and other public and private institutions.

~~12.3.~~ Unified Government agencies and officers shall not require the possession of a ~~municipal identity~~community ID card where identification is not already required to obtain city services. Provided, however that agencies may require the possession of a ~~municipal identity~~community ID card to obtain benefits or privileges offered exclusively to those who possess a ~~municipal identity~~communityID card as an incentive to apply for a ~~municipal identity~~community ID card.

4. The Unified Government shall, consistent with applicable law, require the Program Administrator to provide language assistance to applicants for the ~~municipal identity~~community ID cards to facilitate access thereto. The administering organization shall identify and implement measures, including staff training, community outreach, and language assistance tools, to address the needs of limited English proficient individuals in the administration of the ~~municipal identity~~community ID card program.

~~13.~~
5. (a) It is a violation of the code of ordinances for any person or entity to undertake any of the following acts:

- (1) Display, cause or permit to be displayed, or have in possession, any fictitious, fraudulently altered or fraudulently obtained identification card.
- (2) Lend any identification card to any other person or knowingly permit the use thereof by another.
- (3) Display or represent any identification card not issued to the person as being the person's card.
- (4) Permit any unlawful use of an identification card issued to the person.
- (5) Display or possess any photograph, photostat, duplicate, reproduction or facsimile of an identification card unless authorized by law.
- (6) Photograph, photostat, duplicate or in any way reproduce any identification card or facsimile thereof in such a manner that it could be mistaken for a valid identification card or display or have in possession any such photograph, photostat, duplicate, reproduction or facsimile unless authorized by law.
- (7) Fail or refuse to surrender to the division upon its lawful demand any identification card which has been canceled.

- (8) Display or cause or permit to be displayed any canceled identification card.
- (9) Lend any identification card to or knowingly permit the use of any identification card by any person under 21 years of age for use in the purchase of any alcoholic liquor.
- (10) Lend any identification card to or knowingly permit the use of any identification card by any person under the legal age for consumption of cereal malt beverage for use in the purchase of any cereal malt beverage.
- (11) Lend any identification card, driver's license or other form of identification to aid another person in obtaining an identification card or replacement identification card.
- (12) Display or cause to be displayed or have in possession any fictitious or fraudulently altered identification card by any person under 21 years of age for use in the purchase of any alcoholic liquor or cereal malt beverage.

(b) Violation of subsections (a)(1) or (a)(8) is a class B nonperson misdemeanor. Violation of subsections (a)(2), (a)(3), (a)(4), (a)(5), (a)(6), (a)(7) is a class A nonperson misdemeanor. Upon a first conviction of a violation of any provision of subsection (a)(9), (a)(10), (a)(11), (a)(12), a person shall be guilty of a class B nonperson misdemeanor and shall be sentenced to not less than 100 hours of public service and fined not less than \$200 nor more than \$500. Upon a second or subsequent conviction of a violation of any provision of subsection (c), a person shall be guilty of a class A nonperson misdemeanor.

- ~~14. It is a violation of the code of ordinances under this section for any person or entity to undertake any of the following acts. Any person convicted of a violation of this section of this ordinance and amendments thereto shall be guilty of a class C misdemeanor and punished for that violation by a fine of no more than \$100 for each violation.~~
- ~~b. To knowingly present false information in the course of applying for a municipal ID card, or~~
 - ~~c. To alter, copy, or replicate a municipal ID card without the authority of the Unified Government, or~~
 - ~~d. To use the municipal ID card issued to another person, with the intent to cause a third person or entity to believe the holder of the card is the person to whom the card was issued.~~

(c) Cardholder's Responsibilities.

1. A cardholder must notify the program administrator within thirty (30) days of any change of name or change in address within the City. Upon receipt of notification and completion by the applicant/cardholder of the requirements contained in this section, a new community ID card will be issued.
2. A community ID card may be suspended or revoked by the program administrator for violation of rules and regulations adopted by the program administrator or for a violation of this article.

(d) Annual Report and Audit.

1. The program administrator shall submit a report to the Mayor and the Unified Government Board of Commissioners on the status of the Community Identification Card Program annually or at the request of the Mayor, Board of Commissioners or County Administrator.

2. The Unified Government may conduct audits of the program administrator as needed to ensure compliance with the issuance and application requirements set forth herein.

Sec. 18-166 - Severability

If any section, sentence, clause, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction it shall not affect the validity of any remaining parts of this ordinance.

Sec. 18-167- Nonliability and Remainders

This Act does not create or form the basis for liability on the part of the Unified Government, its agents, or agencies. The exclusive remedy for violation of this chapter shall be through the Unified Government's disciplinary procedures under regulations including but not limited to the Unified Government personnel rules.

Sec. 18-168 Legal Compliance

Nothing in this Act shall be construed to permit the violation of any federal or state statute, federal or state regulation, or federal or state judicial decision. The requirements of this Act do not apply under circumstances where the Unified Government must comply with a lawful condition or term imposed by a funding source, noncompliance of which may cause the Unified Government to lose funds from that source.

Section 2. That said original Sections 18-162 through 18-168; Safe and Welcoming City Act, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas is hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after the passage, approval, and publication in the official Unified Government newspaper.

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

THIS ____ DAY OF _____, 2022

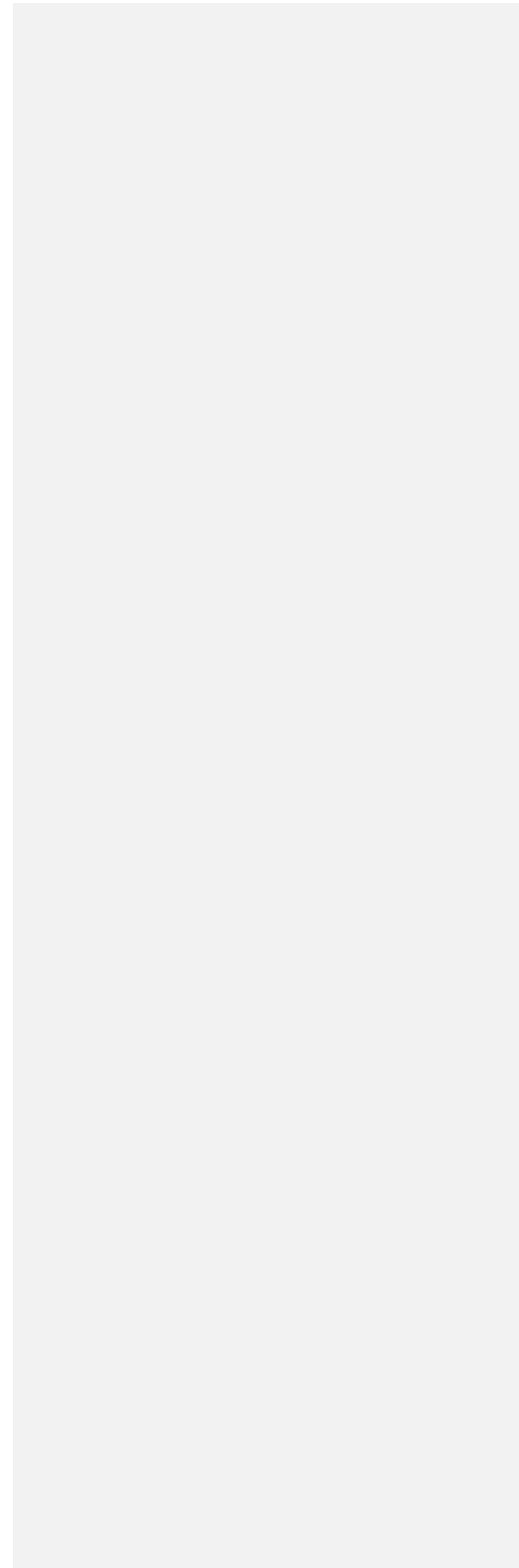
Tyrone Garner, Mayor/ CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

Misty Brown, Chief Counsel





Staff Request for Commission Action

Tracking No. 211597

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action:
(If none, please explain):

Publication Required: No

<u>Date:</u> 05/12/2022	<u>Contact Name:</u> Laura Cromwell	<u>Contact Phone:</u>	<u>Contact Email:</u> LCromwell@kckpd.org	<u>Department/Division:</u> Police Department
<u>Item Description:</u> The Police Department is seeking approval to apply for and accept the FY22 Law Enforcement Crime Gun Intelligence Center grant award in the amount of \$700,000, There is no match required from the UG.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				



Staff Request for Commission Action

Tracking No. 211598

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action:
(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
05/12/2022	Laura Cromwell		LCromwell@kckpd.org	Police Department

Item Description:

The Police Department is seeking approval to apply for and accept funding through the FY22 COPS Hiring Program to fund twelve patrol officer positions for a three-year period. We are requesting a match waiver to cover these positions at 100%. Should we not receive the match waiver, we are estimating the total cost to the UG would be \$173,355 per position over the three-year period, which would equate to \$2,080,267 per twelve patrol officer positions over the three-year period.

Action Requested:

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:



Staff Request for Commission Action

Tracking No. 211574

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 5/23/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 05/10/2022	<u>Contact Name:</u> Angel Obert	<u>Contact Phone:</u> x8354	<u>Contact Email:</u> aobert@wycokck.org	<u>Department/Division:</u> Parks & Recreation
<u>Item Description:</u> An overview of the Fishing Supplies Budget over the past five years and projections for the next three years, submitted by Angel Obert, Director of Parks and Recreation.				
<u>Action Requested:</u> <i>For information only.</i>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				



Staff Request for Commission Action

Tracking No. 211572

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action:

(If none, please explain): For information only.

Publication Required: No

<u>Date:</u> 05/09/2022	<u>Contact Name:</u> Jeff Fisher	<u>Contact Phone:</u> x5415	<u>Contact Email:</u> jfisher@wycokck.org	<u>Department/Division:</u> Public Works
<u>Item Description:</u> The sidewalk & curb replacement incentive program gives residents the opportunity to replace existing sidewalk/curb at a 50/50 cost-share with the UG. This discussion is a review of the existing policy and a discussion with the Standing Committee on potential changes they would like to see to the policy going forward. For example, currently this policy is geared towards residential properties and we have had some interest from non-residential property owners. The current policy and application packet is attached.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> sidewalk-curb-rehabilitation-incentive-program-application				



PUBLIC WORKS

ONE MCDOWELL PLAZA

701 NORTH 7TH STREET, KANSAS CITY, KANSAS 66101

(913) 573-5400

Sidewalk & Curb Replacement Incentive Program Policy

Program Elements

- Reimburse contractor approximately 50% of the average cost for sidewalk and/or curb removal/replacement and replacement for permitted and inspected work.
- The County Engineer, or his or her designee, will determine the reimbursement rate according to current market rates for sidewalk and/or curb replacement.
- Reimbursement amount may be adjusted annually to balance demand for this program and to reflect changing construction costs.
- Program will be funded as a separate line item in the annual budget.
- Reimbursement is limited to extent of annual funds available on a first come, first serve basis.
- Funds will be allocated equally to each of the eight commission districts until July 1, 2012 and each year after. After July 1, all uncommitted funds will be available for any eligible location in the city.
- Any funds still available September 1 may be used on a first come, first served basis for sidewalk removal and replacement for properties adjacent to UG facilities, parks or schools.
- The Unified Government, upon review and approval of the project invoice, will strive to reimburse the contractors within thirty (30) days from the submission of all required paperwork.

Quality Controls

To be eligible for reimbursement all of the following must occur

- Application must be approved by the County Engineer or his or her designee prior to the commencement of any work.
- Application must contain estimate area of repair and/or replacement & estimated cost per square foot in the form of a quote or bid from a qualified contractor.
- A Right-of-Way Use permit must be obtained.
- UG staff will perform initial site inspection during which area of removal are marked and photos taken. UG staff will also perform a form inspection and final inspection with photos.
- It is the responsibility of the applicant or their contractor to coordinate the necessary inspections.
- Materials and workmanship must comply with Kansas City, Kansas construction standards.

Eligibility

- Eligible work is the replacement of sidewalk and/or curb in the right-of-way parallel to the street for repair of trip hazard or cosmetic.
- **Property must not be delinquent for taxes.**
- Only existing Kansas City, Kansas properties with existing sidewalk and/or curb are eligible.
- Brick or specialty concrete will be reimbursed at the same rate as concrete walk.



PUBLIC WORKS

ONE MCDOWELL PLAZA

701 NORTH 7TH STREET, KANSAS CITY, KANSAS 66101

(913) 573-5400

Sidewalk & Curb Rehabilitation Incentive Program Application

I, _____, have applied for application for the Unified Government's Sidewalk & Curb Rehabilitation Incentive Program for the following location: _____.

I understand that the reimbursement rate will be targeted to cover the approximate percentage as set out in the Sidewalk & Curb Rehabilitation Incentive Program Policy.

I also understand to be eligible for reimbursement that the following must occur:

- Complete and receive application approval prior to the commencement of any work.
- Obtain a right-of-way use permit.
- Coordinate the necessary inspections by Unified Government staff.
- All materials and workmanship must comply with the Kansas City, Kansas construction standards.

Applicant Signature _____

Date _____

This Portion to be Completed by Public Works Staff

Date Application Received _____

Application Received By _____

Is the Application Complete? _____

Reimbursement Amount _____

Application Approved _____

Application Denied (Reason) _____



PUBLIC WORKS

ONE MCDOWELL PLAZA

701 NORTH 7TH STREET, KANSAS CITY, KANSAS 66101

(913) 573-5400

Sidewalk & Curb Rehabilitation Incentive Program Application

Date of Application _____

Applicant Name _____

Applicant Address _____

Applicant Phone Number _____

Project Location _____

Estimated Area _____

Estimated Cost per Square Foot _____

Cost Estimate/Quote Attached? Y N

KCK Resident? Y N

Commission District _____

This Portion to be Completed by Public Works Staff

Marking Inspection _____

Form Inspection _____

Final Inspection _____

Reimbursement Amount _____

Date Reimbursement Authorized _____

Reimbursement Authorized By _____



Staff Request for Commission Action

Tracking No. 211571

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action:
(If none, please explain):

Publication Required: No

<u>Date:</u> 05/12/2022	<u>Contact Name:</u> Jeff Fisher	<u>Contact Phone:</u> x5415	<u>Contact Email:</u> jfisher@wycokck.org	<u>Department/Division:</u> Public Works
<u>Item Description:</u> On April 7, 2022, a presentation was made to the elected body regarding stormwater rates. The Commission directed staff to move forward on the matter, but there two specific items of interest: 1) tax exempt properties, and 2) credits/appeals. Staff will present to the Standing Committee findings and an overview of the credits/appeals with draft ordinance. Staff is tentatively planning for Commission consideration of new a stormwater rate structure in upcoming budget process.				
<u>Action Requested:</u> 				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> UG Credits Manual DRAFT - 2022.05.05				

Unified Government of Wyandotte County /
Kansas Unified Government, Kansas



Storm and Surface Water Utility Fee Credits Manual

DRAFT – Updated May 05, 2022

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Storm and Surface Water Utility Fee Credits Manual

1.0 General Information

1.1 Overview

The Storm and Surface Water Management (stormwater management) program of the Unified Government of Wyandotte County/Kansas Unified Government, Kansas (Unified Government), aims to manage both the quantity and quality of stormwater that is generated within the Unified Government stormwater service area and conveyed to its local surface waters. The Unified Government recognizes stormwater as an important natural resource that needs to be managed and protected effectively. The core goals of Unified Government's stormwater management are:

- Minimize flooding risks within the service area;
- Protect property, infrastructure, and the environment;
- Manage in a sustainable manner the stormwater infrastructure now and into the future;
- Enhance the community's safety and health; and
- Reduce pollution in the creeks and rivers within the service area.

To mitigate flooding risks and manage the impact of pollution on creeks and rivers, the Unified Government performs the following: (i) maintains and operates a complex drainage system, (ii) rehabilitates and improves the system to reduce flooding issues and protect water quality, and (iii) implements green solutions and stormwater best management practices. These efforts help protect the service area within Unified Government's jurisdiction from flooding, erosion, water pollution, property damage, and also enable the Unified Government to comply with federal and state combined sewer system (CSS) and stormwater management regulatory requirements.

1.2 Stormwater Utility Fee

The Unified Government transitioned to an impervious area-based *Storm and Surface Water Utility Fee* (stormwater utility fee), effective January 1, 2024, pursuant to amendments to Article VIII of Chapter 30 of the Unified Government Code. The stormwater utility fee provides a dedicated source of revenue to fund Unified Government's annual revenue requirements that include stormwater management Operations & Maintenance (O&M) costs, utility reserves and stormwater system infrastructure related capital program costs.

A key objective of transitioning to an impervious area-based stormwater utility fee is to facilitate equitable recovery of the Unified Government's stormwater management costs from all the parcels

Storm and Surface Water Utility Fee Credits Manual

within the Unified Government's stormwater service area.

Per the rate ordinance, Unified Government's stormwater utility fee consists of two components – a monthly Base Charge that is assessed on each property and an Impervious Area Charge (IA Charge) that is assessed on properties that have impervious area. The total monthly stormwater utility fee for a property is determined as the sum of the monthly Base Charge and the monthly IA Charge.

Generally, it is not feasible or practical to directly measure the stormwater runoff volume and its associated pollutant loads that a parcel contributes to the system. Therefore, the industry best practice is to establish a utility's stormwater user fee based on a surrogate measure such as impervious area of properties.

Impervious Area refers to all types of *hard surfaces* including pavements, buildings, patios, driveways, compacted soil, and even gravel. Hardscaped areas restrict stormwater from absorbing into the ground, leading to increased runoff and pollution.

All parcels, within Unified Government's stormwater service jurisdiction, that have impervious area are charged a monthly IA Charge based upon the square footage of impervious area determined for each property. Unified Government determined impervious area for all properties within the stormwater service area based upon available aerial ortho-imagery and other available geospatial data on properties.

Per Unified Government's stormwater charge ordinance, a monthly stormwater IA charge is assessed by applying the stormwater rate per 500 square feet of impervious area that is in effect to the total number of Stormwater Units (SWUs) determined for the parcel. One SWU equates to 500 square feet of impervious area.

1.3 Purpose

In conjunction with the implementation of the stormwater utility fee, the Unified Government has established a Storm and Surface Water Utility Credits Program (Credits Program). The Credits Program will become effective when the revised stormwater utility fee rate structure becomes effective on January 1, 2024.

The purpose of the stormwater utility fee credits program (credits program) is to enable parcel owners to seek reduction in IA charge component, if specific onsite stormwater control measures have been implemented and/or the property has certain characteristics or conditions, and if they conform to the technical criteria that Unified Government has defined for the credits program. Stormwater Credits are associated with the construction, operation, and maintenance of privately-

Storm and Surface Water Utility Fee Credits Manual

owned stormwater management facilities and/or non-structural best management practices that complement the Unified Government's stormwater management efforts and support the Unified Government's stormwater management activities.

1.4 Definitions

This section provides definitions for key terms relating to stormwater credits and the stormwater utility fee adjustments appeals process described in this credits/appeals manual. See also the definitions § 30-324 of Article VIII of Chapter 30 of the Unified Government Code.

1. Appellant: Refers to the parcel owner or the owner's authorized nominee who files an application for a stormwater utility fee adjustment appeal.
2. Applicant: Refers to the parcel owner or the owner's authorized nominee who files an application for a stormwater credit.
3. Base Charge: The fixed monthly charge established by Ordinance, that is assessed on each property.
4. Best Management Practices (BMPs): Best Management Practices are structural and/or non-structural stormwater management practices that are deployed in a property to control stormwater runoff and/or to improve the quality of stormwater runoff.
5. BPU: The Board of Public Utilities, an administrative agency of the Unified Government.
6. Certificate of Occupancy: A certificate issued by the office of central inspection that permits a newly constructed or a new addition to a residential developed property or nonresidential developed property to be occupied.
7. City: All of the territory of Wyandotte County, except the territory of the cities of Bonner Springs, Edwardsville, and Lake Quivira and the unincorporated area of Wyandotte County.
8. Debt Service: An amount equal to the sum of (i) all interest payable on bonds during a fiscal year, plus (ii) any principal installments payable on such bonds during such Fiscal Year.
9. Developed Property: Any parcel of real property on record with the registrar of deeds which either contains more than 400 square feet of impervious area or is part of a larger composite use of land which contains more than 400 square feet of impervious area.
10. Director: The person appointed by the Wyandotte County administrator to be the director of the storm and surface water utility.
11. Dwelling Unit: A singular unit providing independent living facilities for one or more persons in a single-family, duplex, multifamily or condominium residential property.
12. Exempt Property: Refers to public rights-of-way, public streets, public alleys and public sidewalks.
13. Fiscal Year: A twelve-month period commencing on the first day of January of any year.
14. Impervious Area: The number of square feet of surface areas over which the open pore structure of the soil is covered, compacted or chemically sealed by human activity in a manner which either prevents or retards the entry of water into soil mantle, as it entered the unmodified soil with vegetative cover, and/or causes water to run off the surface in greater quantities or at an increased rate of flow than from the unmodified soil with vegetative cover. Impervious area will include, but is not limited to, roofs, roof extensions, patios, porches,

Commented [KPN1]: This is not applicable to Stormwater Utility Fee and hence should be removed.

Storm and Surface Water Utility Fee Credits Manual

- driveways, sidewalks, pavement, athletic courts, and graveled areas. For the purpose of calculating drainage Stormwater Utility fees, natural rock outcrops, permanent pools of water, gravel landscape mulch, gravel railroad track ballast, playground sand and riparian sand flats will not be included in the calculation of impervious area.
15. Land Use: means the land based classification function assigned by the Wyandotte County Appraiser.
 16. Non-Residential Property: refers to any Property other than Single-Family Residential Property.
 17. Property: refers to Land, buildings, and other improvements together considered as a parcel as identified by the tax parcel established by the Wyandotte County Appraiser.
 18. Service Area: means all of the area which is contained within the boundaries of the municipal limits of the city of Kansas City, Kansas except for the area contained within the boundaries of the Fairfax Drainage District.
 19. Single-Family Residential Property: refers to a developed property with up to three dwelling units.
 20. Storm and Surface Water Management System, Sewer System or System: Refers to storm sewers that exist at the time the ordinance codified in this chapter is adopted or that are hereafter established and all appurtenances necessary in the maintaining and operating of the same, including, but not limited to, pumping stations, main sewers, intercepting sewers, lateral sewers, outfall sewers, surface drains, street, curb and alley improvements associated with storm or surface water improvements, natural and manmade wetlands, channels, ditches, rivers, streams, detention and retention ponds and basins and other flood control facilities and works for the collection, transportation, pumping, treatment, and disposing of storm or surface water and pollutants born or carried in such waters.
 21. Stormwater Unit (SWU): The stormwater billing unit, which is 500 square feet of impervious area, as established by Unified Government ordinance as provided herein.
 22. Stormwater Units (SWUs): A billable storm water unit calculated for a property as a property's total impervious area divided by SWU.
 23. Stormwater Unit Rate or SWU rate: The amount of a drainage stormwater utility fee charged on each SWU as established by Unified Government ordinance as provided herein.
 24. Storm and Surface Water Utility or Utility: The utility created by this chapter to operate, regulate, maintain and improve the storm and surface water management system and for such other purposes as are set forth in this chapter.
 25. Stormwater Customer: The person, partnership, corporation, public agency, or other entity who occupies, controls, possesses, owns, benefits from, or takes stewardship of any developed property and to whom Stormwater Utility drainage fees are billed as provided herein.
 26. Stormwater Utility Fee or Stormwater User Fees: A service fee authorized by Charter Ordinance CO-04-08, this chapter and as set forth in an ordinance adopted or amended by the Unified Government Commission that is established to pay operation and maintenance, extension and replacement and debt service associated with the storm and surface water management system.
 27. Stormwater Contiguous Parcel: Contiguous parcels with similar or related ownerships, classified as having the following Land Use and with at least one parcel in that group of contiguous parcels having a Single Family Residence:
 - Farming / ranch land (no improvements)
 - Farming / ranch operations (with improvements)
 - Farming / ranch land (with agricultural improvements)

Commented [KPN2]: This needs to be discussed with legal.

This phrase could lead to unintended challenges of properties with different ownership claiming they are related??

Storm and Surface Water Utility Fee Credits Manual

- Crop harvesting and post crop activities
- Single family residence (detached) contiguous with one of the above classifications and similar or related ownerships

28. Unified Government: The Unified Government of Wyandotte County/Kansas City, Kansas.
29. Unified Government Commission: The governing body of the Unified Government.
30. Water Quality: Those characteristics of stormwater runoff from a land disturbing activity that relate to the chemical, physical, biological or radiological integrity of water.
31. Water Quantity: Refers to those characteristics of stormwater that relate to the rate and volume of the stormwater runoff resulting from land disturbing activities.

Storm and Surface Water Utility Fee Credits Manual

2.0 STORMWATER IA CHARGE CREDITS

2.1 Objective

The policies and procedures defined for the stormwater credits program is designed based on the following key objectives:

- Support fair and equitable charges for all properties;
- Reduce pollution in local water bodies and protect natural resources;
- Recognize customers who proactively engage in implementing and maintaining stormwater best management practices (BMPs) that foster green space; and
- Support the Unified Government in meeting stormwater regulatory compliance requirements.

2.2 IA Charge Credits Technical Policies

The system of Stormwater IA Charge credits defined in this Storm and Surface Water Utility Fee Credits and Appeals Manual (manual) is governed by the following policies:

a) Credits Eligibility

Effective January 1, 2024 all non-residential properties are eligible to apply for stormwater IA Charge credits.

b) Credits Application

Only parcels with BMPs which meet the technical criteria, further outlined herein, are eligible to apply for stormwater credits. In order to qualify for credits, the BMP must be maintained and functional in accordance with its intended design.

Note: Stormwater credits are applicable only to the monthly IA Charge and not to the monthly Base Charge

The Stormwater Credits Application (See Form C-1 in the Appendix) and all supporting documentation must be filed by the applicant in writing, with the Director of the Department of Public Works and Water Resources. The credit request may be filed any time but adjustments, if any, will be effective as stated in Section 2.2(i). of this manual.

c) Types of Credits

- Quality Credits: Quality Credits are available to properties that implement BMPs that effectively control pollutants in the runoff and enhance water quality.
- Quantity Credits: Quantity Credits are available to those properties that control the rate of stormwater runoff contributed to the Unified Government's stormwater system or surface water system (rivers, streams, etc).
- Discharge Credit: Discharge Credits are offered for parcels with permitted discharges and/or for parcels, adjacent to the Kansas or Missouri Rivers, where the runoff from the property flows directly or through a private system into these rivers.
- Ratio Credit: Ratio Credits are offered to properties with large pervious areas that help minimize runoff from impervious surfaces.

Note: Credits will not be provided for stormwater management practices that are under construction

Storm and Surface Water Utility Fee Credits Manual

and/or are not fully functional and/or are not properly maintained.

d) Quality Credits

Quality Control BMPs help to mitigate the impacts of development on water quality in local streams and water bodies thereby reducing pollutant loading and/or managing water quality volumes.

Quality Credits are available to parcels, if the Unified Government determines that the parcel has implemented onsite BMPs that manage pollutants in the runoff, as follows:

Example: Quality Control BMPs

- Raingardens
- Infiltration Basins
- Bio-swales

Credits Level	Quality Credits (%)	Technical Criteria
I	10%	Meet Current Requirements: Applicable to BMPs which manage post-development runoff quality to the pre-development condition.
II	10-25% (Beyond Level I)	Exceed Current Requirements: Applicable to BMPs that improve post-development runoff quality beyond pre-development conditions, by improving overall conditions, reducing pollutants loading beyond current targets and/or managing large stormwater events.

Design standards and criteria for Water Quality BMPs must conform to the guidelines and design standards defined in the most recent version of the Mid-America Regional Council (MARC) and American Public Works Association (APWA) Manual of Best Management Practices for Stormwater Quality (the MARC / APWA BMP Manual).

Applicants applying for Water Quality Credits Level II must document and demonstrate that the BMPs exceed applicable Unified Government requirements as well as the standards set forth in the MARC / APWA BMP Manual. Water Quality Credits Level II applications will be evaluated on a case-by-case basis.

Consideration for credits may be given to additional water quality best management practices at the discretion of the Director of Public Works and Water Resources. If water quality credits are provided, the Unified Government may at any time revoke the credits for non-compliance with BMP maintenance standards.

e) Quantity Credits

Quantity Control practices help to mitigate the impacts of development on the peak rate of runoff from a site, especially from larger storm events that are most associated with major causes of flooding.

Quantity Credits are available to parcels, if the Unified Government determines that the parcel has implemented onsite BMPs that manage the rate of runoff, as follows:

Example: Quantity Control BMPs

- Retention and detention ponds
- Wet ponds
- Dry basins
- Underground systems

Storm and Surface Water Utility Fee Credits Manual

Credit Level	Quantity Credit (%)	Technical Criteria
I	10%	Meet Current Requirements: Applicable to BMPs which manage post-development peak rates to the pre-development rates.
II	10-25% (Beyond Level I)	Exceed Current Requirements (Rate of Runoff): • Reduce post-development to 90% of the allowable rate. • Reduce post-development to 80% of the allowable rate. • Reduce post-development to 70% of the allowable rate.

Design standards and criteria for Water Quantity BMPs must conform to the guidelines and standards defined in the most recent version of the Mid-America Regional Council (MARC) and American Public Works Association (APWA) Manual of Best Management Practices for Stormwater Quality.

Applicants applying for Water Quantity Credits Level II must provide engineer certified documentation and demonstrate that the BMPs exceed applicable Unified Government requirements as well as the standards set forth in the MARC / APWA BMP Manual. Water Quantity Credits Level II applications will be evaluated on a case-by-case basis.

The applicant must submit certified engineering documentation that affirms the existence of fully functioning, privately owned and privately maintained stormwater management facilities. If quantity credits are provided, the Unified Government may at any time revoke the credits if the stormwater management systems are found to be poorly maintained and/or non-functional.

f) Discharge Credit

Discharge Credits are offered to a parcel which either: 1) has and is in compliance with an active National Pollution Discharge Elimination System (NPDES) Permit, or 2) reflects conditions where the stormwater discharge from the parcel drains directly or entirely through use of a privately owned stormwater system, into Kansas or Missouri rivers within Unified Government's service area.

Discharge credits are offered as follows:

Type I – Permitted Discharge Credit: A 5% Permitted Discharge Credit may be provided to a parcel which demonstrates ongoing compliance with its NPDES Stormwater Permit or a Unified Government approved discharge permit.

To be eligible for a Type I-Permitted Discharge Credit, the property must be in full compliance with all permit requirements. Applicants must submit a copy of the original stormwater permit along with the latest compliance report.

Type II - Direct Discharge Credit: A 75% Direct Discharge Credit is provided to a parcel that is directly adjacent to the Kansas or Missouri rivers, where the runoff from the property flows either directly, or through a privately owned and maintained pipe or pump, into these rivers.

Applicants applying for Type II-Direct Discharge Credit, must provide engineer certified documentation that runoff from the parcel drains either directly to or via a private system to the Kansas or Missouri rivers.

Note –Type II-Direct Discharge Credit is only applicable to areas of the parcel which drains directly to the

Storm and Surface Water Utility Fee Credits Manual

Kansas and Missouri rivers.

g) Ratio Credit

Ratio credit is offered to properties with large pervious areas that help minimize runoff from impervious surfaces, reducing a property's overall contribution of runoff to the system.

In order to be eligible for a ratio credit, the ratio of total parcel area square footage to impervious area square footage must be a minimum of 30:1. Qualifying parcels will receive a 50% credit on the IA charge.

h) Maximum Allowable Credits

For a parcel that seeks one or more of the following types of credit, the maximum allowable stormwater IA Charge credits, for each type of credit, that can be applied to a parcel's total SWUs, are as follows:

- Quality Credits - 35%
- Quantity Credits - 35%
- Ratio Credit – 50%
- Type I – Permitted Discharge Credit – 5%
- Type II – Direct Discharge Credit – 75%

The aggregate maximum stormwater credit for any individual parcel cannot exceed 75% of the total SWUs determined for the parcel.

However, when special circumstances arise, such as a property infiltrating 100% of its stormwater, then the Unified Government may, at its discretion, provide up to a maximum of 75% credit.

2.3 Stormwater IA Charge Credits Administrative Policies

The Applicant applying for stormwater credits for one or more parcels must adhere to the following credits administrative policies.

a) Validity of Credits

Any stormwater credit that is provided to a parcel is contingent on continued maintenance and operation of the private stormwater facilities, devices, landscaping, and overall drainage conditions as stipulated by the Director of Public Works and Water Resources and on Unified Government's determination that the stormwater management practices are fully functional per the stated design specifications. The Unified Government may revoke the stormwater IA Charge credits at any time for non-compliance.

The approved credits are valid for a full two-year term if the credits application is received in the first month (January) of a calendar year. However, for credits applications received in any of the subsequent months in a calendar year, the credits expiration will be set to December 31st of the following year.

b) Credits Application

Stormwater credits application for each parcel must be initiated by the applicant.

The applicant must submit a fully completed Stormwater Credits Application (See Form C-1 in the Appendix) if applying for first time credits, or a fully completed Stormwater Credits Renewal Application

Storm and Surface Water Utility Fee Credits Manual

(See Form C-2 in the Appendix) if applying for renewal of credits. The application must be accompanied by the appropriate application fee and all required supporting technical documentation.

The applicant may seek more than one type of credit defined in 2.2(c), in a single credits application. The applicant must submit a separate application form and application fee for each parcel for which credits are requested. Supporting technical documentation can be submitted to cover multiple parcels if the stormwater management practices serve multiple parcels.

The applicant can apply for first time stormwater credits at anytime during a calendar year. The term of the credits will be as defined in Section 2.3 (a).

c) Credits Renewal

Renewal of the Credits is contingent on the Applicant submitting a Stormwater Credits Renewal Application (See Form C-2 in the Appendix) on or before October 1st of the calendar year in which the credit is set to expire.

A \$50 late fee will be charged if credit renewal application is not received by the renewal deadline. A late fee of \$95 will be charged if the credit renewal application is received two months or more after the renewal deadline.

d) Credits Application Fees

A first time credit request requires a non-refundable application fee of \$95.00 with the original credit request application (Form C-1) submittal.

The application fee can be paid by cash at the counter, or by check payable to the Unified Government of Wyndatte County / Kansas City, Kansas. Please do not mail cash.

Note:

- A credits application will not be considered complete and will not be processed unless accompanied by a non-refundable fee of \$95.00 per parcel, along with all other required supporting documentation as defined herein. If the application fee submitted is uncollectible, the Department of Public Works and Water Resources will terminate the technical review, until a valid application fee is credited.
- If the stormwater BMPs associated with the credits application, have been previously reviewed via the Development Review Committee (DRC) process, the application fee will be waived. The Applicant must indicate the DRC Project Review Number on the credits application.

e) Technical Documentation

The applicant shall provide the following supporting technical documentation:

- i. Conceptual site plan and structural control location diagram showing the site, topographic details, overland flow paths, all stormwater facilities, and surrounding area.
- ii. Maps with locations, dimensions, and characteristics of existing and proposed storm drainage patterns and facilities.
- iii. Topographic map outlining the size of the drainage area upstream of the developed parcel.
- iv. Maps indicating existing and proposed grading and locations of all structures including

Storm and Surface Water Utility Fee Credits Manual

- buildings, parking, driveways, paving, and other impervious areas.
- v. Detailed engineering calculations that show the comparative results of pre-development runoff to post-development runoff that is routed through the stormwater control structures.
- vi. As-built plan drawing may be utilized.

The required supporting technical documentation and drawings listed above must be certified by a registered professional engineer or certified land surveyor. Under certain limited financial hardship conditions, the Director may waive in writing the submission of a land survey or other professional engineer certified technical documentation.

f) Effective Date of Credits

For all stormwater credits applications along with required technical documentation that are received on or before July 1, 2024, any approved stormwater credits will be applied retroactively to the first IA Charge assessed effective January 1, 2024. The total amount of retroactive credits, if any, may be applied to the parcel's future stormwater utility fee until the retroactive credit amount is fully applied or a refund may be issued equal to the retroactive credit amount.

For all stormwater credits applications along with required technical documentation that are received beginning July 1, 2024, any approved stormwater credits will be applied to the bill that has a bill date that is within 60 days of the date in which the fully completed stormwater credits application and all associated required supporting documentation is received and considered administratively complete by the Unified Government. There will be no retroactive stormwater utility fee adjustments for bills that do not conform to the bill dates stipulated herein.

g) Stormwater Utility Fee Payment

A pending credit request application shall not constitute a valid reason for non-payment of the stormwater utility fee. All stormwater utility fees that are outstanding at the time of filing of the credit application must be paid in full prior to the Unified Government commencing the technical review, unless that requirement is waived in writing by the Director of Public Works and Water Resources.

h) Documentation Costs

The Unified Government will not reimburse any costs that the applicant incurs in the preparation of the required documentation and/or the credit request application package.

i) Burden of Proof

The burden of proof shall be on the applicant to demonstrate the validity of the credits application and all of the required supporting technical documentation by providing clear and convincing evidence as required by the application.

j) Right-of-Entry

Following submission of a stormwater credits application, the Unified Government shall have an automatic Right-of-Entry into the parcel, following notice to the parcel owner, for the sole purpose of inspecting the facility/structure/BMPs or system in the parcel for which the stormwater credits are requested.

Storm and Surface Water Utility Fee Credits Manual

k) Technical Review

The Unified Government will initiate the technical review of the credits application when it deems the credits application is complete per the Unified Government's credit program Technical Documentation Requirement, defined in Section 2.3(e).

l) Decision on Credits

The Department of Public Works and Water Resources will review and send a written notice of disposition to the applicant, with a copy to the Director of Finance, within 45 days of the receipt of the fully completed credits request package, unless any extraordinary circumstances necessitate additional review time. The decision of the Director of the Department of Public Works and Water Resources is final.

m) Termination of Credits

The Unified Government may revoke a property's stormwater credits for any of the following reasons:

- i. Property no longer meets the credits program requirements;
- ii. Failure to submit the credits renewal application by the stated deadline. If the credit holder does not seek credits renewal along with required technical documentation prior to the expiration of the existing credits, then the existing credits on the property will be revoked at the expiration of the credits;
- iii. Failure to submit annual inspection and maintenance records with the credits renewal application;
- iv. Failure to remain current in utility fee payments with the utility account receiving the credits;
- v. Property is modified or stormwater management BMPs/facilities are removed or modified; and
- vi. Unified Government's site visit/inspection results in a determination that the stormwater management BMPs/facilities are not functioning properly per design specifications.

If credits are revoked due to one or more of the above stated reasons, then the credit holder must re-apply under the credit program standards that are in effect, during the calendar year, in which the applicant re-applies for credits. The credit amount associated with the months during which the credits are not applicable due to termination of credits, will not be re-issued to the property, if and when the applicant re-applies for credits.

2.4 Stormwater IA Charge Credits Application Procedures

The following general procedures will be adhered to during the receipt, processing, and disposition of the stormwater credits application:

The applicant can either download Form C-1 or Form C-2 as appropriate from the Unified Government's website or request Customer Service to mail the application.

The completed application, supporting documentation, and the appropriate non-refundable application fee can be delivered in person or by mail to:

Storm and Surface Water Utility Fee Credits Manual

The Director of Public Works and Water Resources
Unified Government of Wyandotte County and Kansas City, Kansas
City Hall
701 N 7th St, Suite 712
Kansas City, KS 66101

The Department of Public Works and Water Resources will review and send a written disposition (Form N-1) to the applicant, with a copy to the Director of Finance, within 45 days of the receipt of the fully completed stormwater credits request package, unless any extraordinary circumstances necessitate additional review time.

Storm and Surface Water Utility Fee Credits Manual

3.0 STORMWATER CREDITS ADJUSTMENTS EXAMPLES

The following examples illustrate the calculation procedures that would be applied in the assessment of monthly stormwater utility fee, if stormwater credits are approved for a parcel. The examples are based on a non-residential parcel with an estimated 100 SWUs and a monthly SWU Rate of \$0.80/500 sf (per SWU).

a) Quality Credit

The following example shows the credit amount calculation and the billable monthly stormwater utility fee for a parcel that is granted a Quality Credit only.

Total original SWUs estimated for the parcel: 100 SWUs
Total original monthly stormwater utility fee:

- Monthly Base Charge = \$4.73
- Monthly IA Charge = $\$0.80 \times 100 \text{ SWUs} = \80.00
- Total Monthly Stormwater Utility Fee = \$84.73

Approved Quality Credit: 15%

Quality Credit Adjustment: $15\% \times 100 \text{ SWUs} = 15 \text{ SWUs}$

Total Billable SWUs estimated for the parcel:

- Original SWUs – Quality Credit SWUs = $100 \text{ SWUs} - 15 \text{ SWUs} = 85 \text{ SWUs}$

Total Billable monthly IA Charge: $\$0.80 \times 85 \text{ SWUs} = \68.00

Total Monthly Stormwater Utility Fee after Quality Credits:

- $\$68.00 \text{ (Revised IA Charge)} + \$4.73 \text{ (Base Charge)} = \72.73

b) Quantity Credit

The following example shows the credit amount calculation and the billable monthly stormwater utility fee for a parcel that is granted a Quantity Credit only.

Total original SWUs estimated for the parcel: 100 SWUs
Total original monthly stormwater utility fee:

- Monthly Base Charge = \$4.73
- Monthly IA Charge = $\$0.80 \times 100 \text{ SWUs} = \80.00
- Total Monthly Stormwater Utility Fee = \$84.73

Approved Quantity Credit: 10%

Applied Quantity Credit Adjustment: $10\% \times 100 \text{ SWUs} = 10 \text{ SWUs}$

Total Billable SWUs estimated for the parcel:

- Original SWUs – Quantity Credit SWUs = $100 \text{ SWUs} - 10 \text{ SWUs} = 90 \text{ SWUs}$

Storm and Surface Water Utility Fee Credits Manual

Total Billable monthly IA Charge: $\$0.80 * 90 \text{ SWUs} = \72.00

Total Monthly Stormwater Utility Fee after Quality Credits:

- $\$72.00 \text{ (Revised IA Charge)} + \$4.73 \text{ (Base Charge)} = \76.73

c) Quality and Quantity Credit

The following example shows the credit amount calculation and the billable monthly stormwater utility fee for a parcel that is granted both Quantity and Quality Credits.

Total original SWUs estimated for the parcel: 100 SWUs

Total original monthly stormwater utility fee:

- Monthly Base Charge = \$4.73
- Monthly IA Charge = $\$0.80 * 100 \text{ SWUs} = \80.00
- Total Monthly Stormwater Utility Fee = \$84.73

Approved Quality Credit: 15%

Approved Quantity Credit: 10%

Quality Credit Adjustment: $15\% * 100 \text{ SWUs} = 15 \text{ SWUs}$

Quantity Credit Adjustment: $10\% * 100 \text{ SWUs} = 10 \text{ SWUs}$

Total Aggregate Credit Adjustments: $15 \text{ SWUs} + 10 \text{ SWUs} = 25 \text{ SWUs}$

Total Billable SWUs estimated for the parcel:

- Original SWUs – Credit Adjustment SWUs = $100 \text{ SWUs} - 25 \text{ SWUs} = 75 \text{ SWUs}$

Total Billable monthly IA Charge: $\$0.80 * 75 \text{ SWUs} = \60.00

Total Monthly Stormwater Utility Fee after Quality and Quantity Credits:

- $\$60.00 \text{ (Revised IA Charge)} + \$4.73 \text{ (Base Charge)} = \64.73

d) Ratio Credit Only

The following example shows the credit amount calculation and the billable monthly stormwater utility fee for a parcel that is granted Ratio Credit only.

Total original SWUs estimated for the parcel: 100 SWUs

Total original monthly stormwater utility fee:

- Monthly Base Charge = \$4.73
- Monthly IA Charge = $\$0.80 * 100 \text{ SWUs} = \80.00
- Total Monthly Stormwater Utility Fee = \$84.73

Storm and Surface Water Utility Fee Credits Manual

Total Lot Size (square feet): 1,750,000 Total Impervious Area (Square feet): 50,000
--

Ratio of Total Parcel Square Footage (Lot Size) to Impervious Area Square Footage:

1,750,000 sf (Lot Size) : 50,000 sf (Impervious Area) = 35:1

Approved Ratio Credit = 50%

Approved Ratio Credit Adjustment: $50\% \times 100 \text{ SWUs} = 50 \text{ SWUs}$

Total Billable SWUs estimated for the parcel:

- Original SWUs – Ratio Credit SWUs = $100 \text{ SWUs} - 50 \text{ SWUs} = 50 \text{ SWUs}$

Total Billable monthly IA Charge: $\$0.80 \times 50 \text{ SWUs} = \40.00

Total Monthly Stormwater Utility Fee after Ratio Credits:

- $\$40.00 \text{ (Revised IA Charge)} + \$4.73 \text{ (Base Charge)} = \44.73

APPENDIX



UNIFIED GOVERNMENT, KANSAS

UTILITY FEE CREDITS APPLICATION

Request Number

I. General Information

Parcel ID:	Account # (from Utility Bill):	Date:
Parcel Owner:	Service Address:	
Owner Phone:	City / State / Zip:	
Owner Email:	Mailing Address:	
Authorized Nominee:	City / State / Zip:	
Nominee Phone:	Stormwater Class (from Utility Bill):	
Nominee Email:	Credit Request: Quantity ☐ Quality ☐ Discharge - Type I ☐ or Discharge - Type II ☐ Ratio ☐	

II. Required Documentation Checklist

Check if any of the following attachments are included:	
☐ As-Built Drawings	☐ Site Map / Plan ☐ Drainage Area
☐	Pre-development and Post-development Calculations
☐	Routing Calculations through the Facility or Control
☐	Total Storage Volume of Facility or Control
☐	Maintenance Plan and Schedule
Have you been through Development Review Process?	
☐ Yes (Application Fee waived)	☐ No (Please Attach Application Fee of \$95.00 (Non-Refundable))
(Make Checks Payable to the Unified Government, Wyandotte County)	

III. Engineer Certification

I certify that the "As-Built Drawings" and other maps are an accurate representation of the subject stormwater facility or control, and that the required calculations have been performed as per acceptable engineering standards.

Registered Professional Engineer: _____ Registration Number: _____

Company: _____

Phone: _____ Email: _____

Signature of Engineer _____

_____ Date

Revised Date: xxxx

C-1-1



UNIFIED GOVERNMENT, KANSAS

UTILITY FEE CREDITS APPLICATION

Request Number

IV. Owner Certification and Right-of-Entry

I certify that the information contained in the application and in the attached documents is, to the best of my knowledge, correct and represents a complete and accurate statement. I further understand that the stormwater credit will be based on the information provided and Unified Government may revoke the credit if a later determination indicates that the information provided was inaccurate. I hereby grant permission for Unified Government's representative to enter the parcel for the purpose of inspecting the facility/structure or system in the parcel for which stormwater credit is requested.

Signature of Owner

Date

V. FOR CITY USE ONLY (To be completed by the City)

Application Received By: _____ Date Received: _____

Application Reviewed By: _____ Date Reviewed: _____

Application Status: Approved: _____ Denied: _____

Credit Approved (%): Quantity: _____ Quality: _____

Discharge – Type 1: _____ Discharge – Type 2: _____

Ratio: _____

Remarks:

Send the Completed Application and Supporting Documentation To:

The Director of Public Works and Water Resources
City Hall

Revised Date: xxxx

C-1-2



GOVERNMENT, KANSAS

UTILITY FEE CREDITS APPLICATION

701 N 7th St, Suite 712
Kansas City, KS 66101

For inquiries, please call: (913) 573-5400

(NOTE: A separate application form and supporting documentation must be filed for each parcel)

Request Number



GOVERNMENT, KANSAS

UTILITY FEE CREDITS APPLICATION

Request Number



UNIFIED GOVERNMENT, KANSAS
R UTILITY FEE CREDITS RENEWAL APPLICATION

Request Number

I. General Information

Parcel ID:	Account # (from Utility Bill):	Date:
Parcel Owner:	Service Address:	
Owner Phone:	City / State / Zip:	
Owner Email:	Mailing Address:	
Authorized Contact:	City / State / Zip:	
Contact Phone:	Stormwater Class (from Utility Bill):	
Contact Email:	Credit Request: Quantity ☐ Quality ☐ Discharge - Type I ☐ or Discharge - Type II ☐ Ratio ☐	

II. Supporting Documentation Checklist

Check if any of the following attachments are included:	
☐	As-Built Drawings (if changed)
☐	Site Map / Plan (if changed)
☐	Drainage Area Maps (if changed)
☐	Written Description of Inspection and Maintenance Activities Performed During the Past Year
☐	Maintenance Plan and Schedule
Are you submitting on or before the October 1st deadline? ☐ Yes (Fee Waived) ☐ No	
Within two months of the deadline, attach \$50.00 late renewal fee. After two months of deadline, attach \$95.00 late renewal fee. Late renewal fees are non-refundable.	
<i>(Make Checks Payable to the Unified Government, Wyandotte County)</i>	

III. Owner Certification

I certify that the information contained in the application and in the attached documents is, to the best of my knowledge, correct and represents a complete and accurate statement. I further understand that the stormwater credit will be based on the information provided and Unified Government may revoke the credit if a later determination indicates that the information provided was inaccurate. I hereby grant permission for Unified

Revised Date: xxxx

C-2-1



UNIFIED GOVERNMENT, KANSAS
R UTILITY FEE CREDITS RENEWAL APPLICATION

Request Number

Government's representative to enter the parcel for the purpose of inspecting the facility/structure or system in the parcel for which stormwater credit is requested.

Signature of Owner

Date

IV. FOR CITY USE ONLY (To be completed by the City)

Application Received By: _____ Date Received: _____

Application Reviewed By: _____ Date Reviewed: _____

Application Status: Approved: _____ Denied: _____

Credit Approved (%): Quantity: _____ Quality: _____

Discharge – Type 1: _____ Discharge – Type 2: _____

Ratio: _____

Remarks:

Send the Completed Application and Supporting Documentation To:

The Director of Public Works and Water Resources
Unified Government of Wyandotte County
City Hall
701 N 7th St, Suite 712
Kansas City, KS 66101

For inquiries, please call: (913) 573-5400

(NOTE: A separate application form and supporting documentation must be filed for each parcel)

Revised Date: xxxx

C-2-2



UNIFIED GOVERNMENT, KANSAS
R UTILITY FEE CREDITS RENEWAL APPLICATION

Request Number



UNIFIED GOVERNMENT, KANSAS

FE ADJUSTMENT/CREDITS

Request Number

NOTICE OF DISPOSITION

Parcel ID: _____ Account #: _____ Date: _____

To:

Disposition For: ☐ Fee Adjustment Appeals Application ☐ Stormwater Credits Application

☐ Your application for Fee Adjustment has been reviewed and approved as indicated below:

☐ Revised Impervious Area: _____ Sq. Ft.

☐ Your application for Stormwater Credit has been reviewed and approved as indicated below:

☐ Quantity Credit: _____% ☐ Quality Credit: _____%

☐ Discharge Credit: _____% ☐ Ratio Credit: _____%

☐ Stormwater Landscape Credit: _____%

☐ Your application for Fee Adjustment / Stormwater Credit has been reviewed and returned for the following reason:

☐ Your application for Fee Adjustment / Stormwater Credit has been reviewed and denied for the following reason:

☐ Your application for Fee Adjustment / Stormwater Credit has been reviewed and the following revised monthly charge is approved:

Your Revised Monthly Charge: \$ _____

Bill Amount due to Owner (if any): \$ _____

Bill Amount due from Owner (if any): \$ _____

By:

Director, Department of Public Works and Water Resources

Date

Revised Date: xxxx

C-2-1



Staff Request for Commission Action

Tracking No. 211575

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 5/23/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 05/10/2022	<u>Contact Name:</u> Monica Sparks	<u>Contact Phone:</u> x4122	<u>Contact Email:</u> msparks@wycokck.org	<u>Department/Division:</u> UG Clerk
<u>Item Description:</u> Appearance by Martin Cunningham to request discontinuance of herbicide spraying at Rosedale Park.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				