



Public Works and Safety Committee
Standing Committee Meeting Agenda
Monday, June 27, 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: Jun 27, 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/87168067604?pwd=amdNa1Nzenl3TjFWZ0xNT256TkJPZz09>

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Webinar ID: 871 6806 7604

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<u>Name</u>	<u>Absent</u>
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 June 27, 2022 Agenda**

III. Approval of standing committee minutes from April 25, 2022

IV. Committee Agenda

Item No. 1 - GRANT: KANSAS CITY KANSAS POLICE DEPARTMENT VICTIM SERVICES VOCA FY 2023

Synopsis: Authority to submit the fiscal year 2023 VOCA grant, submitted by Wendy Medina, Police Department. No matching funds are required.

Tracking #: 211736

Item No. 2 - RESOLUTION: AUTHORIZING KANSAS CITY, KANSAS POLICE DEPARTMENT TO ENTER INTO AN INTERLOCAL COOPERATION AGREEMENT WITH THE KANSAS CITY BOARD OF POLICE COMMISSIONERS.

Synopsis: A resolution authorizing the Unified Government Kansas City, Kansas Police Department to enter into an Interlocal Cooperation Agreement with the Kansas City Board of Police Commissioners, Kansas City, Missouri Police Department, submitted by Casey Meyer, Senior Counsel, and Chief Oakman, KCK Police Department. The agreement, as submitted, has been reviewed and approved by the Attorney General's office for compliance with KSA 12-2904.

Tracking #: 211741

Item No. 3 - PRESENTATION: PUBLIC WORKS QUARTERLY REPORT

Synopsis: The Public Works team will provide a quarterly update on culture, development, and division updates such as APWA Accreditation, cost increases on projects and asphalt, street preservation and Waste Management challenges, submitted by Jeff Fisher, Director Public Works.

For Information Only.

Tracking #: 211573

V. Public Agenda

VI. Adjourn

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, April 25, 2022**

The meeting of the Public Work and Safety Standing Committee was held on Monday, April 25, 2022, at 5:02 p.m., remotely via Zoom. The following members were present: Commissioner Bynum, Chairman; Commissioners Ramirez, Markley, Kane. Commissioner Johnson, and BPU Board Member Groneman, was absent. The following officials were also in attendance: Jonathon Gutierrez, Solid Waste Program Manager; Monica Sparks, Deputy UG Clerk; Casey Meyer, Senior Counsel; James Bain, Assistant Counsel; Emerick Cross, Assistant County Administrator; Alley Porter, Commission Liaison; Ashley Hand, Director of Strategic Communication; and Tifani Portley-Lott, Clerk's Office.

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

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

The public is allowed to participate by Zoom or submit comments by email prior to the meeting and those comments will be included in the record of the meeting. The public can also indicate their intent to provide remote public comment by contacting the Clerk's Office by 5:00 p.m. on the Thursday prior to the meeting. The public will also have an opportunity to provide brief comments tonight either by telephone or Zoom from the lobby of the Municipal Office building.

Chairman Bynum said I will now call our meeting of the Public Works and Safety Standing Committee to order and ask the Clerk to please call the roll. Roll call was taken, and all members were present as shown above.

APPROVAL OF STANDING COMMITTEE MINUTES

No minutes submitted.

Chairman Bynum said we only have one item tonight. We have no minutes to approve, and our only item is a public hearing on our solid waste. I will recognize Jonathan Gutierrez from our Public Works Department.

IV. Committee Agenda



Item No. 1 – 211511...- PUBLIC HEARING: SOLID WASTE MANAGEMENT PLAN

Synopsis: The State of Kansas statutes require each county in the state of Kansas to have a Solid Waste Management Plan. The plan must be reviewed and updated on a five-year basis and a public hearing is required for the approval process, submitted by Jonathan Gutierrez, Public Works. This item was scheduled to appear before the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, on April 25, 2022. It was requested, and approved by the Mayor, to fast track this item to the April 28, 2022, full commission meeting.

Jonathan Gutierrez, Solid Waste Program Manager, said as mentioned earlier tonight we are going to be presenting a presentation on the Wyandotte County Solid Waste Management Plan. I want a couple acknowledgments before I begin. Once again, the meeting tonight is fulfilling a requirement under Kansas statutes on the five-year review to have a public hearing. That is what we're having tonight during this meeting. Also, tonight I do believe that we have Laura Drescher

with Burns & McDonnell on this meeting as well, who assisted in putting together the plan and the presentation that we'll be presenting tonight.



SOLID WASTE MANAGEMENT COMMITTEE

► Purpose

- Required by KDHE for all counties
- Assist with major SWMP updates
- Report progress annually
- Make recommendations to Commissioners

► Membership Composition

- UG, Bonner Springs & Edwardsville staff
- Representatives from unincorporated area(s)
- Representatives from the general public, civil organizations, private industry
- Any other persons (commissioners, planners, etc).



First of all, I want to note that every county in the state of Kansas is required to have a Solid Waste Management Committee. The purpose of that committee is to have and assist with the Solid Waste Management Plan that we will be discussing tonight. In addition to that, there are some other requirements when it comes to some annual reporting and then also making recommendations to elected officials. The current makeup of the committee here in Wyandotte County consists of staff from the Unified Government, Bonner Springs and Edwardsville. It also includes representatives from unincorporated areas, the general public, civil organizations, private industries, and other individuals that are interested in the solid waste.

KDHE SWMP REQUIREMENTS

- ▶ Review current solid waste practices and confirm applicability to regulations and protection of environment;
- ▶ Project solid waste needs, practices, and available facilities for a 10-year planning period;
- ▶ Establish plans for future solid waste management program development, if needed;
- ▶ Develop plan for reducing volumes disposed;
- ▶ Develop plan for public education pertaining to solid waste management;
- ▶ Take into consideration certain wastes which pose an increased environmental threat (batteries, household hazardous, medical waste, etc.); and
- ▶ Take into consideration wastes generated by natural disasters.

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The Solid Waste Management Plan itself, there are some specific requirements that the state of Kansas or KDHE does require in the plan. Those are noted here on the bullet point. Really, I just wanted to point out, once again, that the plan itself is for a 10-year planning period and, again, it establishes plans for future Solid Waste Management Development. Again, tonight, we are looking at the five-year review of the plan that occurred back in 2020.

PLAN DEVELOPMENT PROCESS

- ▶ Burns & McDonnell contracted to develop the Plan
- ▶ SWMC Involvement - 3 Workshops in 2019/2020
- ▶ DRAFT Solid Waste Management Plan
 - Has not been yet reviewed or publicly adopted by the governing body



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The plan development process itself in 2020, we brought on Burns & McDonnell here in the Unified Government to help develop the plan that we're speaking on tonight. In 2020, there were three workshops with the Solid Waste Management Committee to essentially bring forth ideas and to look at the previous plan and see if there were any changes that needed to be done. A draft of the Solid Waste Management Plan was then put together. As indicated on the slide, it had not been reviewed yet or publicly adopted. That is where the process we are currently right now.

SWMP GUIDANCE

- Plan to represent status of existing services provided within the County including:
 - Kansas City, Kansas
 - Bonner Springs, Kansas
 - Edwardsville, Kansas
 - Lake Quivira, Kansas
 - Unincorporated area
- Implementation Plan included in Appendix A includes recommendations, responsible parties, and schedule (near - term, short-term, or long-term)
 - Some recommendations may be implemented by the UG
 - Some recommendations may be implemented following the completion of the current UG collection contract
 - Some recommendations may be implemented by others

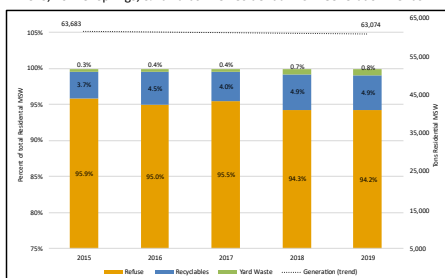
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Some of the guidance that was put in place back in 2020 when the plan was being reviewed is, again, to kind of see the current status of services provided here in the county. Once again, this is a countywide plan, so we are looking at all municipalities here in Wyandotte County. In addition to that, if you look at Appendix A, within the plan itself, it has an implementation plan for the recommendations that came out of this plan for both short term and long term. Some of those recommendations are for the Unified Government, some of those recommendations are also for some of the other municipalities here within Wyandotte County.

COUNTY RESIDENTIAL MSW MANAGEMENT

KCKS, Bonner Springs, & Edwardsville Residential MSW Generation Trends



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This graph right here is kind of a breakdown again of the waste streams that we see for municipal solid waste here in Wyandotte County. As you can see in the yellow kind of color, that's kind of the trash, the refuse, that here is generated in Wyandotte County. The blue is recyclable. These are all the percentages and then yard waste, and this does go from 2015 to 2019.



Now we'll kind of look real quickly at current system reviews that are here in Wyandotte County for the different municipalities.

SINGLE-FAMILY RESIDENTIAL REFUSE- Current System Review

- ▶ KCK/Bonner Springs
 - Weekly collection, unlimited
 - No carts provided
 - Take all system includes unlimited quantities, comingled yard trimmings, bulky items
- ▶ Edwardsville/Lake Quivira
 - Weekly collection, limited to cart
 - Carts provided
 - No yard trimmings permitted (no collection)
 - Bulky item collection not included



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For single-family residential refuse or trash, I think most of us know here in KCK or Bonner Springs we have a weekly collection. It is unlimited, carts are not provided at this point in time, residents are able to use any container that they would like up to a certain weight and then in that when we say unlimited, it does include yard trimmings and bulky items. Edwardsville, Lake Quivira also has a weekly collection. There carts provided, yard trimmings are not permitted, and their refuse service and bulky items collection is also not included.

SINGLE-FAMILY RESIDENTIAL RECYCLING

– Current System Review

- ▶ KCK/Bonner Springs:
 - Weekly collection, unlimited
 - Recycling totes provided upon request; limited quantities
 - 4% diversion curbside
- ▶ Edwardsville:
 - Weekly collection, unlimited
 - Carts for all customers
 - 18% diversion curbside
- ▶ Drop off locations:
 - WY Co Yard Waste and Recycling Center
 - WM Landfill Recycling Center
 - Ripple Glass (Glass Recycling)



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For single-family residential recycling, again here in KCK and Bonner Springs, we have weekly collection unlimited, totes or bins are provided upon request, and currently our diversion rate with the current system is about four percent. In Edwardsville they have a weekly collection unlimited, they do provide carts at this point and has indicated about 18% diversion curbside rate. We do have some drop-off locations here in the county that our residents can utilize, our Wyandotte County Yard Waste and Recycling Center on Park Drive. In addition to that, you can actually go to the Johnson County landfill itself and drop off recyclable materials, and then there are locations throughout the county where you can drop off glass at Ripple Glass.

ORGANICS – Current System Review

- ▶ KCK/Bonner Springs:
 - Comingled with waste for landfill disposal
- ▶ Edwardsville/Lake Quivira:
 - Yard trimmings are not allowed in weekly trash service
- ▶ Yard trimming drop off facilities:
 - WY Co Yard Waste and Recycling Center
 - WM Landfill (for composting)



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For organics or your yard trimmings, tree waste debris, KCK and Bonner Springs, that can be comingled or put out with your regular curbside trash and then goes to the landfill.

Edwardsville, Lake Quivira does not provide any of that kind of service at this point in time, but again, there are drop-off locations for the county as a whole at our yard waste and recycling center. You can drop off your yard trimmings there and you can also take that to the Waste Management Landfill directly.

BULKY WASTE– Current System Review

- ▶ KCK/Bonner Springs:
 - Weekly collection, unlimited
- ▶ Edwardsville:
 - Annual city-wide collection event



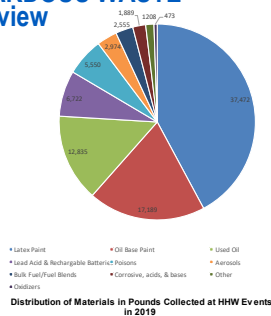
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Bulky waste or bulky items, KCK and Bonner Springs that is included in the weekly collection and it is unlimited. Edwardsville at this point in time does not allow for that at the curbside, but there are city-wide collection events.

HOUSEHOLD HAZARDOUS WASTE– Current System Review

- ▶ WY Co owned and operated facility
- ▶ Open one Saturday each month, April through October



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There is a household hazardous waste facility here in Wyandotte County. This graph just kind of shows at least in 2019 the pounds of materials that we did collect at that facility. It is open from April to October, typically the third Saturday of each of those months, so we just had an event last weekend, the first one for 2022.

CONSTRUCTION & DEMOLITION WASTE– Current System Review

- ▶ No C&D landfill facilities located in Wyandotte County
- ▶ C&D wastes disposed of in Johnson County landfill or transported outside of the County
- ▶ Small quantities diverted through Kansas City Habitat for Humanity ReStore

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Construction and demolition waste, or otherwise known as C&D, there are currently no C&D landfill facilities located here in Wyandotte County. C&D waste can be disposed of or brought to Johnson County landfill at this point in time, and there have been other opportunities where some small quantities have been diverted or reused, in this example here is Habitat for Humanity at the resource facility.



REFUSE COLLECTION RECOMMENDATIONS

- ▶ Transition to a cart-based system to align with current industry practices (Edwardsville and Lake Quivira have implemented a cart refuse program)



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The next are some of the recommendations that came out of the Solid Waste Management Committee that are now included in the current plan. Again, I'll stress that these are recommendations for either potentially to look at short term or long term, again these are reflective in the Appendix A within the plan itself.

For refuse collection, there was a recommendation to transition to a cart-based system. Again, as the slide reads, that kind of aligns with our current industry practices.

CURBSIDE RECYCLING RECOMMENDATIONS

- ▶ Provide all customers a recycling container
- ▶ Transition to a cart-based system (Edwardsville and Lake Quivira have implemented a cart recycling program)
- ▶ Consider every other week collection frequency
- ▶ Continue to provide education and outreach



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Edwardsville and Lake Quivira at this point in time have implemented a cart refuse program for curbside recycling, again, continue to promote it, but also to provide all customers recycling containers. At this point in time, I believe all municipalities in Wyandotte County do provide some sort of a container. Again, KCK and Bonner Springs has the bins. Edwardsville and Lake Quivira, at this point, do have a cart-based system which they have transitioned to. Also, the recommendations again to look at the current frequency of those collections whether or not to continue with a weekly or to move maybe to other frequency.

ORGANICS RECOMMENDATIONS

- ▶ Yard Waste
 - 11% of UG's waste
 - Continue to promote drop-off options for yard trimmings
 - Provide separate collection of yard trimmings
 - Consider a variety of service options weekly, monthly, seasonally, subscription



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Organics recommendations, here it points out that specifically for the UG, so we're talking about KCK and Bonner Springs, makes up about 11% of what is collected. We would again—the recommendations are to continue to promote drop-off options so again like our Park Drive, and then also to look at some possibilities of some separate collection for those yard trimmings. Again, looking at the county as a whole and what those services could provide.

ORGANICS RECOMMENDATIONS

- ▶ Food Waste
 - 18% of UG's waste
 - Consider long-term potential for food waste diversion
- ▶ Evaluate a municipal organics compost facility
- ▶ Education and outreach on backyard composting and diversion options



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Food waste, the stat here again at the 18% is again, for when we say UG, it's for Kansas City, Kansas and Bonner Springs. So currently from studies performed in the past approximately 18% of what's going out for curbside trash collection is organics. Recommendations we're looking at possibilities for some long-term food waste diversion and those recommendations does look at a potential compost facility here in Wyandotte County, which we did receive a grant last year from the EPA and currently do have a feasibility study occurring. Then also just continued outreach to looking at backyard composting and other diversion options for residents.

BULKY ITEM RECOMMENDATIONS

- ▶ Provide separate bulky item collection
- ▶ Reduce bulky item collection frequency (Kansas City & Bonner Springs)
 - Monthly or quarterly
- ▶ Investigate opportunities for bulky item drop-off



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Bulky items recommendations, out of the committee and the plan was to look at potentially separate bulky item collections. Again, reducing the bulky item collection frequency here in Kansas City, Kansas and Bonner Springs, as some of the other municipalities at this time do not offer a bulky item collection at all through their service. Then also investigate other opportunities for bulky item drop-off. Here in the UG we have implemented or started a program, or at least an event we call dumpster days. We've had a couple of those and those are another alternative or option to looking at collecting bulky items.



COMMERCIAL/MULTI-FAMILY RECOMMENDATIONS

- ▶ License commercial haulers and require as a provision to report waste and diversion tonnages
- ▶ Include business licensing provision requiring adequate disposal service
- ▶ Provide education and outreach through a free technical assistance program to identify areas of increased diversion

And then there were some other additional recommendations that came out of the committee and are included in the current plan. For commercial and multi-family recommendations, some of these would have to be in partner with our business licensing, of those we were potentially looking at licensing commercial haulers and requiring that they have and report the amount of waste that is hauled off from their facility. And also, potentially looking at the diversion tonnage as well. Then when it comes to business licensing, providing adequate disposal service as part of when

they come and apply for a business license each year, and then continuing to provide some education and outreach assistance program to commercial and multi-family.

ILLEGAL DUMPING RECOMMENDATIONS

- ▶ Continue to promote prevention through municipal programs such as the UG Stabilization Occupation and Revitalization (SOAR) program
- ▶ Look for opportunities to provide cost -effective drop offs (brush drop off, transfer stations, neighborhood clean ups, public drop off center, etc.)

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Illegal dumping, which is still an issue that's ongoing here in Wyandotte County. The committee and the plan continue to promote the idea of municipal programs, such as the SOAR Program we have here in the UG to looking at this issue. And then also again looking at other opportunities for drop-off or community or neighborhood cleanups. Once again as I mentioned earlier, dumpster days. I do believe that Edwardsville also has some drop-off events as well, and then there are other programs like our Adopt-A-Spot Program as well promoting those.

CONSTRUCTION & DEMOLITION AND HHW RECOMMENDATIONS

- ▶ Lead by example: adopt an ordinance for county funded projects to require a minimum standard of C&D recycling and use of recycled materials
- ▶ Continue monthly HHW collection events
- ▶ Explore opportunities to increase service frequency at the existing HHW facility
- ▶ Explore grant funding opportunities through KDHE to support the HHW program

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Construction or demolition or again our HHW or household hazardous waste, there are no C&D recycling facilities here in Wyandotte County, that might be something to look at and promoting and seeing if one would be here or move here. Then for our HHW center or facility, once again, we only operate one Saturday from April to October. So, the potential of expanding those services

which might include a facility or just the frequency as well, and then also looking for maybe some other opportunities to go with those expansions for some grant opportunities.

EDUCATION AND OUTREACH RECOMMENDATIONS

- ▶ Continue existing education and outreach efforts
- ▶ Commit resources
- ▶ Develop a specific, targeted plan for each new or changing service
- ▶ Utilize clear consistent messaging
- ▶ Leverage existing resources and partnerships (MARC, Resource Recycling)

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Then just education and outreach recommendations; the committee and then the plan itself continues to promote the idea that we get information out there about what services are provided here in Wyandotte County no matter what municipality you are located in. Committing some more resources to that, and then also looking at some of the partnerships that might exist out there. Mid-America Regional Council or MARC has some opportunities there to partner with them and get any more information out there, and they have some resources already available from them.

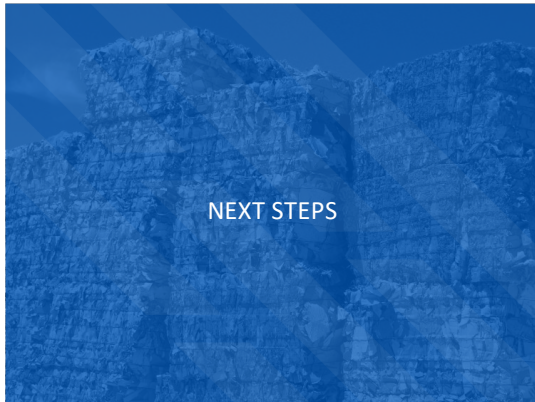
FACILITIES RECOMMENDATIONS

- ▶ Consider and evaluate municipally provided residential collection services
- ▶ Consider and evaluate municipally owned and/or operated transfer station
- ▶ Consider and evaluate municipally owned and/or operated organics processing facility

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Then we have some facility recommendations that came from the plan, possibilities of looking at municipally provided residential collection services. Now to kind of go with that would be a potential transfer station as well, and then again as we discussed earlier an organics processing facility or a potential compost facility. Again, keeping in mind that a lot of these recommendations might also be a long-term recommendation.



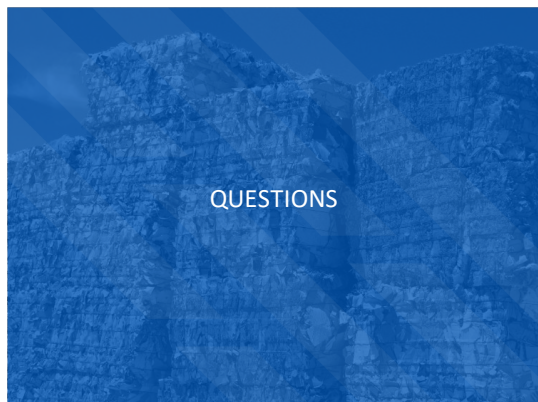
SWMP APPROVAL

- ▶ Vote upon by SWMC
 - Approved by SWMC on March 28, 2022
- ▶ Introduced to UG Board of Commissioners and out for public notice late March
 - March 31, 2022, Board of Commissioners meeting presentation
 - April 8, 2022, The Wyandotte Echo Public Notice (online)
 - April 14, 2022, The Wyandotte Echo Public Notice (online/print)
- ▶ Public Hearing
- ▶ Voted upon by UG Board of Commissioners late April
- ▶ Submitted to KDHE by May 1

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Where we are at, at this point a Solid Waste Management Plan. Again, as I kind of alluded to at the beginning, every five years it is required that a thorough review of the plan does occur as per Kansas statutes, that's where we're in the process now. The plan itself was voted and approved by our Solid Waste Management Committee back on March 28th. Then on March 31st, as an information only, we did present this presentation and plan to the full Board of Commissioners meeting. Then it is required that a public notice is provided for the Solid Waste Management Plan that went out on April 8th and then again on April 14th. Tonight, we are fulfilling the requirement for a public hearing of the Solid Waste Management Plan, which then will go to our elected officials or vote by the Board of Commissioners meeting this Thursday. And then at this point in time, KDHE is requiring that the plan be submitted by May 1st.



So, with that if you have questions, I'll leave it open for comments.

Chairman Bynum said thank you very much. That was a pretty quick synopsis of multiple years of work done by a pretty large body of folks, and I appreciate the effort Mr. Gutierrez, that you specifically, have put into this. Does any of our committee members have any questions or comments on the item tonight?

Chairman Bynum said I am not seeing any hands raised. Did we receive any comments from the public on this item?

Tifani Portley-Lott, UG Clerk's Office, said there were none received.

Chairman Bynum asked is there anyone present among the public that wishes to speak. I'm not aware that we have.

Ms. Portley-Lott said, Chairman, we do have one that wants to speak.

Chairman Bynum said okay please, you will have up to three minutes to state your comments and if you would give your name and city of residence and you will have up to three minutes. Madam Clerk, I cannot see who that is, is it someone that's present in the building?

Shirley Carter Eichard said I'm a Wyandotte County, Kansas City Kansas resident, and I'm wondering is it possible that I could have a list of the committee people? I'm also wondering why we're sending this out through *Echo*, because how many people really that live in the communities look at *Echo* or know anything about the *Echo* paper. I think that these are some of the things that need to be brought to the public before the commissioners vote on it.

Chairman Bynum said thank you Ms. Eichard. I'm sure that you can have a list of the committee members. I'm certain that Mr. Gutierrez can provide that to you. Also, this document, I'll ask Mr. Gutierrez to confirm for me, but I'm going to say I believe this document is also available on our website and available to be read. It's also fully available in its complete form within the agenda packet for this meeting that we're having right now. So definitely, through our Clerk's link to this meeting agenda tonight, and I may be mistaken, but I do believe that the *Echo* is the official newspaper if you will, publication of the Unified Government and so that is certainly a part of where it has been published as required by law. Mr. Gutierrez, I don't know if you want to speak to any of that or not.

Mr. Gutierrez said as Commissioner Bynum did mention, we do have this out on our website at this point. You can go there and see the full document. Within the document there is a listing of all the current committee members within the plan itself, but we can always provide a listing specifically if there's any inquiries to that. That is not an issue whatsoever and then it is my understanding. Once again, as Commissioner Bynum has mentioned, the *Echo* at this point in time, is the official publication document and as this was a public hearing, we were required to do a public notice in our public official public notification means at this time.

Ms. Eichard said I can think of hundreds of people that live in some of the poorer districts. Some of the people they never come to a meeting, but they need to know what is going on. When you mention *Echo* newspaper to people that I know where I live in downtown area, they know nothing about the *Echo* paper. **Chairman Bynum** said yes ma'am, I would agree that that is a valid comment and certainly the topic of which newspaper could be the official publication of the Unified Government could be a larger discussion, but as it stands right now, you know, that is the

official publication that we must use for this purpose because we're following state statute in how we notify the public and I appreciate your comments as far as doing as much as we are able to notify as much as of the public as is willing to receive information.

I do also think that you know we have a number of news sources that are no longer printed and so what I do not know is by statute does the official publication need to be a printed item. I'm guessing that our state law still requires that it be a publication that's actually a printed publication. I don't know that 100 percent. Ashley Hand our Strategic Communications Director may know that answer or Emerick Cross, but I'm going to guess that that's still true, but it doesn't take away the validity of what you suggest which is sharing our information as broadly and widely as we possibly can. I really appreciate you took the time to come and speak with us tonight. We do have a request that this item be fast tracked to the April 28 full commission meeting.

Ms. Sparks said Ashley Hand has her hand up to speak.

Ashley Hand, Director of Strategic Communications, said just in response to our community member for showing up, thank you very much. As you may be aware, last week we were subject to a cyber security attack, so some of the traditional tools that we've used for noticing and communications were offline. So, I think you know, unfortunately, we were unable to do as much as we would like to have done to get the word out, but to Commissioner Bynum's point, from a statutory perspective noticing, these hearings in the *Echo* is a requirement, as is our public agenda which is on our website. I think there's always more that we can do, and I appreciate that input and we will certainly look at additional ways we can help support departments, such as Public Works in the future.

Chairman Bynum said thank you Miss Hand, and I appreciate that and any further comment or discussion by our committee members and if not, I would accept a motion.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Kane, to approve and fast track to the commission meeting April 28th. Roll call was taken and there were five "Ayes," Groneman, Kane, Markley, Ramirez, Bynum.

Chairman Bynum said I thank you very much, that carries. We will see this item again April 28th in just a few days. As this was the singular item on this standing committee tonight, that concludes Public Works and Safety, and we are adjourned. Thank you very much for your attendance.

By the way, there is no Administration and Human Services meeting tonight as there were no agenda items for that standing committee so that concludes all of our business for this evening.

V. Public Agenda

VI. Adjourn

bm



Staff Request for Commission Action

Tracking No. 211736

Full Commission Meeting Date: 7/14

Committee: Public Works & Safety

Date of Standing Committee Action: 6/27/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 06/06/2022	<u>Contact Name:</u> Wendy Medina	<u>Contact Phone:</u> x5656	<u>Contact Email:</u> wmedina@kckpd.org	<u>Department/Division:</u> Police Department
<u>Item Description:</u> I am requesting permission to submit an application to VOCA for Fiscal Year 2023. VOCA has funded the Victim Services Unit since its inception in 1999. The current VOCA grant (FY 2022) has provided \$364,025 in federal funds. The required match funds were waived for this fiscal year under the VOCA Fix legislation due to the pandemic. For the 2023, the proposed budget draft requests \$361,340 in federal VOCA funds. I have received notification from the Kansas Governor's Grants Office to anticipate another VOCA Fix match waiver for the 2023 grant cycle, therefore there is no match requirement from KCKPD in 2023. One significant change in the budget is within the Personnel line item. I have calculated a raise for Response Advocate 2, in light of her recent graduation with a Bachelor's Degree. Her salary level would now be consistent with PFA Advocate 2 who possesses the same education level and similar experience. This slight increase in Personnel is offset by two main expenses: 1) a decrease in Fringe, due to actual health plans chosen by staff being significantly less than budgeted last year. 2) A decrease in the salary rate actually paid to PFA Advocate 1. That position had a larger budget due to being open at the time of the grant application last year, however, a lesser rate based on education and experience was offered. In 2023, the unit expects to be fully staffed with a Program Supervisor, two Response Advocates, two PFA advocates, one Lethality Assessment Coordinator and one Administrative Assistant. In summary, I am requesting a similar federal funding level as last years', resulting in no additional funds from the Police Department for Fiscal Year 2023.				
<u>Action Requested:</u> Give approval for KCKPD Victim Services Unit to apply for VOCA Grant FY 2023				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				



Staff Request for Commission Action

Tracking No. 211741

Full Commission Meeting Date: 7/14/22

Committee: Public Works & Safety

Date of Standing Committee Action: 6/27/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 06/15/2022	<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> This is a resolution authorizing approval for the Unified Government (Kansas City, Kansas Police Department) to enter into an Interlocal Cooperation Agreement with the Kansas City Board of Police Commissioners (Kansas City, Missouri Police Department) pursuant to K.S.A. 12-2902, et al. The attached agreement outlines the relationship of the parties to provide assistance to each agency for the investigation of officer involved critical incidents, submitted by Casey Meyer, Senior Counsel, and Chief Oakman, KCK Police Department. The agreement, as submitted, has been reviewed and approved by the Attorney General's office for compliance with KSA 12-2904.				
<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> Resolution for KCKPD and KCMOPD Interstate Compact Agreement OICI, KCKPD KCMOPD Interstate Compact Ag signed				

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE APPROVAL OF AN INTERSTATE COMPACT AGREEMENT BETWEEN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AND KANSAS CITY BOARD OF POLICE COMMISSIONERS REGARDING THE PROVISION OF INVESTIGATIVE ASSISTANCE IN OFFICER INVOLVED CRITICAL INCIDENTS.

WHEREAS, pursuant to the provisions of the Kansas Interlocal Cooperation Act, Kansas Statute Annotated § 12-2902, et seq., as amended, certain public agencies, including political subdivisions of the State of Kansas and political subdivisions of any other state as defined therein, are authorized to enter into mutually advantageous agreements for joint or cooperative action regarding police protection and public safety, to the extent the laws of such state permit such joint exercise or enjoyment; and

WHEREAS, the Kansas City, Kansas Police Department and Kansas City, Missouri Police Department, through their respective governing bodies, have voluntarily determined that the interests and welfare of the public within their respective jurisdictions will best be served by an Interlocal Cooperation Agreement to provide for joint and cooperative action in conducting officer involved critical incident investigations; and

WHEREAS, the parties have reached and prepared an Agreement describing the responsibilities of the parties concerning the above relationship in accordance with Kan. Stat. Ann. § 12-2904;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS: That the Unified Government is hereby authorized to enter said agreement by signature of the Mayor/CEO and who is hereby authorized to take any action required and necessary to implement and satisfy the intent of said Agreement.

THIS RESOLUTION IS ADOPTED by the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas, this ____ day of _____, 2022.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS

By: _____
Tyrone A. Garner, Mayor/CEO

ATTEST:

Unified Government Clerk

KCKPD and KCMOPD
INTERSTATE COMPACT AGREEMENT

This Interstate Compact Agreement regarding Officer Involved Critical Incident Investigations (the "Agreement"), is made and entered into by and between the UNIFIED GOVERNMENT of KANSAS CITY, WYANDOTTE COUNTY, KANSAS CITY KANSAS and the KANSAS CITY, KANSAS POLICE DEPARTMENT (collectively referred to as "Unified Government/KCKPD") a political subdivision of the State of Kansas, 701 North 7th Street, Kansas City, KS 66101 and the KANSAS CITY BOARD OF POLICE COMMISSIONERS, the governing body of the KANSAS CITY, MISSOURI POLICE DEPARTMENT ("KCMOPD"), a political subdivision of the State of Missouri, 1125 Locust Street, Kansas City, MO 64106.

WITNESSETH

WHEREAS, pursuant to the provisions of the Kansas Interlocal Cooperation Act, Kansas Code Annotated, Section 12-2902, et seq., as amended, certain public agencies, including political subdivisions of the State of Kansas and political subdivisions of any other state as defined therein, are authorized to enter into mutually advantageous agreements for joint or cooperative action regarding police protection and public safety, to the extent the laws of such state permit such joint exercise or enjoyment; and

WHEREAS, the Unified Government/KCKPD and KCMOPD, through their respective governing bodies, have voluntarily determined that the interests and welfare of the public within their respective jurisdictions will best be served by this Agreement to provide for joint and cooperative action in regards to conducting officers involved critical incident investigations; and

WHEREAS, the governing bodies of the Unified Government/KCKPD and KCMOPD have by resolution agreed to adopt this Agreement to provide for the joint and cooperative action contained herein.

NOW, THEREFORE, be it mutually covenanted and agreed as follows, each of the parties accepting as consideration for this Agreement the mutual promises and agreements of the other:

SECTION ONE
EFFECTIVE DATE AND DURATION

This Agreement shall be effective on the date it is approved by the Kansas Attorney General's Office, or otherwise deemed approved as set forth in K.S.A. 12-2904(g) and upon approval by the Kansas City Board of Police Commissioners as set forth in 84.420, RSMo., and shall continue for a period of up to ten (10) years, unless sooner terminated as provided herein.

SECTION TWO
ADMINISTRATIVE ENTITY

The parties do not contemplate nor intend to establish a separate legal entity under the terms of this Agreement.

SECTION THREE **PURPOSE**

This Agreement is established for the purpose of creating a neutral, impartial and thorough procedure for the criminal investigation of an officer involved critical incident by an officer of the Kansas City, Kansas Police Department or an officer of the Kansas City, Missouri Police Department.

SECTION FOUR **MANNER OF FINANCING**

This Agreement and the matters contemplated herein shall not receive separate financing, nor shall a separate budget be required. Each party shall be responsible for its own obligations under this Agreement.

SECTION FIVE **TERMINATION**

Either party may terminate this Agreement at any time by giving the other party at least thirty (30) days prior written notice of the same.

SECTION SIX **ADMINISTRATOR**

Pursuant to K.S.A. 12-2904(e)(1) as amended, the parties agree that Unified Government/KCKPD shall act as administrator responsible for this Agreement.

SECTION SEVEN **PROPERTY ACQUIRED**

Given the purpose of the agreement, the parties do not contemplate acquiring real or personal property.

SECTION EIGHT **FILING OF AGREEMENT**

A copy of this Agreement shall be filed in accordance with K.S.A. 12-2905.

SECTION NINE **DESCRIPTION OF ARRANGEMENT**

KCMOPD agrees to provide sworn law enforcement officers to respond to Kansas City, Kansas to conduct Officer Involved Critical Incident Investigations when requested by the Kansas City, Kansas Police Department Chief or Chief's Designee for criminal investigation purposes in accordance with K.S.A. 48-3602. Unified Government/KCKPD agrees to provide sworn law enforcement officers to respond to Kansas City, Missouri to conduct Officer Involved Critical Incident Investigations when requested by the Kansas City, Missouri Police Chief or Chief's Designee for criminal investigation purposes in accordance with 44.095, RSMo. Both parties shall perform the duties as set forth in Exhibit A, attached hereto and incorporated therein.

SECTION TEN **GOVERNING LAW, JURISDICTION, AND VENUE**

All question with respect to the construction of this Agreement and all right and liability of the parties hereto shall be governed by the laws of the State of Kansas. Jurisdiction and venue for the enforcement of this Agreement shall be found in the courts of Wyandotte County, State of Kansas.

SECTION ELEVEN **GENERAL PROVISIONS**

A. Severability. In the event that any condition, covenant, or other provision herein contained is held to be invalid or void by any court of competent jurisdiction, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect any other covenant or condition herein contained. If such condition, covenant, or other provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

B. Entire Agreement. This Agreement contains the entire agreement between the parties. No promise, representation, warranty, or covenant not included in this Agreement has been or is relied upon by the parties. All prior understandings, negotiations, or agreements are merged herein and superseded hereby.

C. Amendments. This Agreement may be modified only by a writing signed by each of the parties hereto.

D. Covenants and Conditions. Each provision of this Agreement performable by the parties shall be deemed to be both a covenant and a condition.

E. Not Assignable. This Agreement is specific to the parties hereto and is therefore not assignable.

F. Binding Effect. This Agreement shall bind the parties and their respective successors and assigns.

G. Captions. The captions to the various Sections of this Agreement are for convenience and ease of reference only and do not define, limit, augment, or describe the scope, content, or intent of this Agreement or any part or parts of this Agreement.

H. Time. Time is of the essence of each term, provision, and covenant of this Agreement.

I. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

J. Gender and Number. The singular number includes the plural whenever the context so indicates. As to all this Agreement and any policies or procedures executed in connection thereto, the neuter gender includes the feminine and masculine, the masculine includes the feminine and neuter, and the feminine includes the masculine and neuter, and each includes corporation, limited liability company, partnership, or other legal entity when the context so requires. The word "person" means person or persons or other entity or entities or any combination of persons and entities.

K. Waiver or Forbearance. No delay or omission in the exercise of any right or remedy by any party hereto shall impair such right or remedy or be construed as a waiver. Any waiver of any breach must be in writing and shall not be a waiver of any other breach concerning the same or any other provision of this Agreement.

L. No Partnership, Joint Venture, or Third Party Rights. Except as specifically set forth herein, nothing in this Agreement shall be construed as creating any partnership, joint venture, or business arrangement among the parties hereto, nor confer any rights or benefits to third parties.

M. Cash Basis Law. This Agreement is subject to the Kansas Cash Basis Law, K.S.A. 10-1101 *et seq.* and amendments thereto. This Agreement shall be construed and interpreted so as to ensure that the Unified Government shall at all times stay in conformity with such laws and, as a condition of this Agreement, the Unified Government reserves the right to unilaterally terminate this Agreement if the Agreement is deemed to violate the terms of such law. The Unified Government is obligated only make payments under the Agreement as may lawfully be made from: (a) funds budgeted and appropriated for that purpose during the Unified Government's current budget year; or (b) funds made available from any lawfully operated revenue producing source.

- SIGNATURES ON FOLLOWING PAGE -

IN WITNESS WHEREOF, the parties have signed and executed this INTERSTATE COMPACT AGREEMENT, after resolutions duly and lawfully passed, on the dates listed below.

DATED this ____ day of _____, 2022.

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

By: _____
Tyrone A Garner, Mayor/Chief Executive Officer

ATTEST:

By: _____
(Name) _____, _____ (title)

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF KANSAS:

Casey Meyer, Senior Counsel

DATED this ____ day of _____, 2021.

KANSAS CITY MISSOURI POLICE BOARD OF COMMISSIONERS

By: _____

ATTEST:

By: _____

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF MISSOURI:

Holly Dodge, General Counsel

APPROVAL BY THE ATTORNEY GENERAL

The foregoing Interlocal Agreement is approved this 18 day of May, 2022.

THE ATTORNEY GENERAL OF THE STATE OF KANSAS

By: [Signature] RICHARD D. SMITH, ASSISTANT ATTORNEY GENERAL FOR
Derek Schmidt, Attorney General of the State of Kansas

Exhibit A
KCKPD and KCMOPD Interstate Compact Agreement

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This *Exhibit A* sets forth the procedure to be followed when the Chief or Chief's Designee requests assistance for an Officer Involved Critical Incident (OICI) Investigation from the Responding Agency.

This is not a substitute for and does not preempt the policies and procedures of either law enforcement agency which is party hereto and shall not be construed or interpreted to create or alter the standard of care imposed by law on the conduct of any criminal investigation conducted pursuant to the terms hereof. This agreement shall not interfere with any terms proscribed within the collective bargaining unit contracts of either party.

The responding agency shall follow the law of the State to which they are responding and shall conduct their investigation in accordance with all applicable State and Federal law from that jurisdiction.

I. Definitions

Involved Agency: The agency employing an officer involved in an OICI.

Involved Officer: The officer involved either as an actor or victim (or both) in an OICI.

Officer: A commissioned employee of a law enforcement agency.

Officer-Involved Critical Incident (OICI): The intentional or unintentional discharge of a firearm by an officer, or use of force, either as actor or victim, in which a person is injured or killed or the potential exists for criminal charges to be filed as a result of the use of force. This includes incidents in which the involved officer takes police action while off duty. This does not include intentional or unintentional discharges or uses of force in which no one is injured or there is no foreseeable possibility of a criminal charge.

Responding Agency: The agency responding to the other party's jurisdiction to conduct the OICI investigation.

II. Activation.

1. The Chief of Police or Chief's Designee of the Involved Agency will contact a commander designated by the Responding Agency to notify the Responding Agency of the request for assistance to conduct the OICI investigation as soon as possible after the OICI.
2. The Involved Agency will designate an officer or officers employed with the Involved Agency as an OICI liaison to coordinate with Responding Agency regarding communication of known circumstances, location to respond, and any applicable legal requirements in the jurisdiction of the Involved Agency.

III. Authority and Responsibilities.

1. Once the Responding Agency's OICI Team Commander or Lead Supervisor has arrived on site, the Responding Agency shall assume and maintain authority over the OICI investigation and all aspects of the investigative process, to include scene access. The OICI case investigation may include any crimes that led up to the OICI itself.
2. The Involved Agency will coordinate with Responding Agency regarding scene security. This includes additional scenes, such as a hospital room.
3. Death notifications, whether employee, perpetrator or witness/victim, shall remain the responsibility of the Involved Agency. Involved Agency may request Responding Agency to assist in death notifications when appropriate.

IV. Media Responsibilities and Open Records

A. Public Information Officer.

1. It shall be the decision of the Involved Agency as to whether public information duties regarding the OICI will be handled by the Involved Agency or a PIO attached to the Responding Agency, or both.
2. The Public Information Officer (PIO) shall work closely with the Involved Agency to determine what information may be released to the media.

B. Records Requests made by the Public

Dissemination of records will be in accordance with the laws of the State of the Agency holding the records.

V. Criminal and Administrative Investigations

A. Separate and Distinct Investigations.

OICIs customarily result in at least two separate and distinct investigations: criminal and administrative.

B. The Criminal Investigation.

The primary goal of the criminal investigation is to gather all relevant evidence so that a decision can be made by the District Attorney of the Involved Agency's jurisdiction as to whether anyone committed a crime during the course of events which led up to and included the OICI. The secondary goal is to incidentally provide factual information to administrative investigators (criminal investigators should NOT address strictly administrative matters during their investigation).

C. The Administrative Investigation.

The Involved Agency's Internal Affairs Unit investigators will conduct administrative investigations in accordance with their Fraternal Order of Police Memorandum of Understanding and Department Policies. This type of investigation includes determining

compliance with department policy and establishing possible disciplinary or training issues.

VI. Custodian of Records and Evidence

The Responding Agency will be the Custodian of Records for original reports and evidence. Upon completion of the investigation or prosecution, if charges are filed, Responding Agency will provide the Involved Agency with the original investigative case file, and will arrange the transfer of any evidence collected.



Staff Request for Commission Action

Tracking No. 211573

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 Public Works team will provide a quarterly update on culture, development, and division updates such as APWA Accreditation, cost increases on projects and asphalt, street preservation and Waste Management challenges.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				