

**PUBLIC WORKS AND SAFETY COMMITTEE
STANDING COMMITTEE MINUTES
Monday, March 28, 2022**

The meeting of the Public Works and Safety Standing Committee was held on Monday, March 28, 2022, at 5:00 p.m., remotely via Zoom. The following members were present: Commissioner Bynum, Chairman; Commissioners Ramirez, Johnson, Markley, Kane and Groneman, BPU Board Member (arrived at 5:15 p.m.). The following officials were also in attendance: Melissa Sieben and Alan Howze, Assistant County Administrators; Susan Alig, Senior Counsel; Jeff Fisher, Executive Director of Public Works; Troy Shaw, County Engineer; Robert Anderson, Asset Manager, Public Works; Matt May, Director of Emergency Management; Karl Oakman, Chief of Police; Major Brittanie Pruitt, Police Department; LaVert Murray, Economic Development Advisor in Mayor's Office; Kathleen VonAchen, Chief Financial Officer; Gayle Bergman, Air Quality Supervisor, Health Department; Jennifer Stewart, Health Department; Mark Weckwerth, Environmental Engineer, Health Department; Misty Brown, Chief Counsel; Casey Meyer and Jon Khalil, Senior Assistant Counsel; James Bain, Legal Counsel; Gunnar Hand, Director of Planning & Urban Design; Chief Mark Heath, EMS; Monica Sparks, Deputy UG Clerk; and Allie Facio, UG Clerk's Office.

Chairman Bynum said good evening and welcome to our Public Works and Safety Standing Committee for March 28, 2022.

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 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 knows who is speaking. This is critical given the number of remote participants and it is also 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 are included in the record of the meeting. The public can also indicate their intent to provide remote public comment by contacting our Clerk's Office by 5:00 p.m. the Thursday before the meeting. The public also has an opportunity tonight to provide brief comments either by phone or Zoom from the lobby of our Municipal Office building.

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

Allie Falco, UG Clerk's Office, called roll: Kane, Markley, Johnson, Ramirez, Bynum.

Chairman Bynum said we have two revisions on tonight's agenda: the revision of documents for Item No. 2, which is the approval of project prioritization for various grant submissions; and the revision of documents for Item No. 6, which is consideration of a grant submission for the bi-state sustainable reinvestment corridor.

Approval of standing committee minutes from December 6, 2021 meeting.

Commissioner Markley made a motion, seconded by Commissioner Johnson, to approve the minutes. Roll call was taken and there were five "Ayes," Kane, Markley, Johnson, Ramirez, Bynum.

Committee Agenda:

Item No. 1 – 211421...APPROVAL: INTERSECTION SAFETY GRANT

Synopsis: A request for approval to apply for federal aid safety funding from the Kansas Department of Transportation for federal fiscal years 2025-2026, submitted by Jeff Fisher, Executive Director of Public Works.

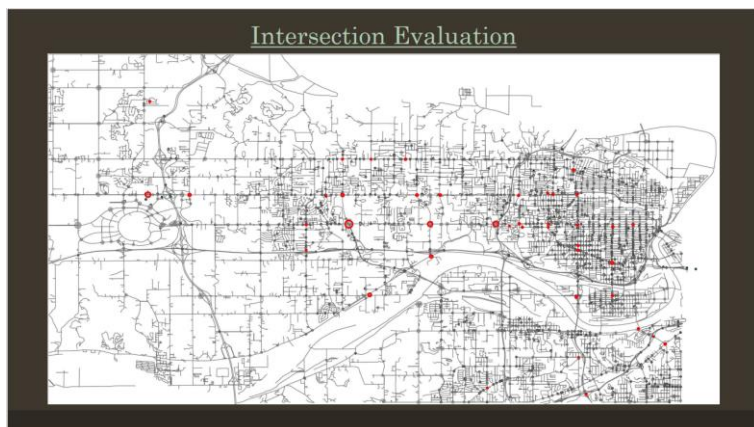
Jeff Fisher, Executive Director of Public Works, said I'm going to let Troy Shaw take this over and highlight this initiative.



Troy Shaw, County Engineer, said this is an intersection safety grant. We received a memo from KDOT about these funds. As you noted, this fiscal year, federal 2025 and 2026, the grant is at 90% matching. So, 90% federal, 10% local for construction and construction inspection as opposed to other grants we do that are federal. Design fees are not included in that so by the time you get done with it, it'll be roughly a 70/30 match. The deadline for submission is May 1st.

Grant Requirements	
I.	Up to four (4) high crash intersections may be submitted - Intersections may be on any state system or off system within the city where an intersection improvement recommendation can impact a reduction in fatal and severe crashes. - To be considered, the intersection should have crash rates that are over the statewide average of 0.4 crashes per MEV and approach the critical crash rate for a three (3) year period. The number of crashes will vary based on Average Daily Traffic (ADT). See the examples below:
II.	Crash Reports and Collision Diagrams - Official crash reports MUST be submitted for the most recent full three (3) year period available (i.e., 1/1/2017 to 12/31/2019 or 1/1/2018 to 12/31/2020). - The crashes should involve property damage exceeding \$1,000 or be an injury/fatality crash. - Collision diagrams MUST also be submitted along with the crash reports.
III.	Traffic Volume Data to be provided by the City 24-hour volume count broken into one (1) hour intervals. The data will need to be broken into one (1) hour intervals particularly if traffic signals are to be considered. 2-hour turning movement count broken into 15 minute intervals. - All raw data will need to be electronically emailed to Ryan.Rindi@ks.gov.
IV.	Proposed Recommendations - Provide a recommended improvement or countermeasure that you believe will effectively reduce the existing crash experience and a tentative construction cost estimate. - Recommend resource: Highway Safety Manual (HSM) Chapter 14 – Intersections. This publication will provide you with Crash Modification Factor's (CMF's) based on proposed treatments. Please reference any CMF's you may have considered when recommending an improvement or countermeasure. Additional CMF's from the National CMF Clearinghouse are acceptable.

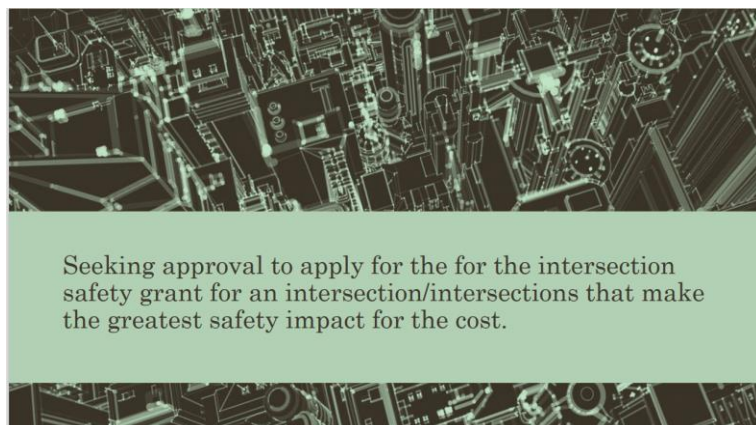
Real quick, I'll go over—these are all the grant requirements. I'm not going to read these in depth, but it's a pretty technical grant. What they're looking at are intersections that are the most dangerous, basically, throughout the city; and there are requirements behind how you calculate that safety. It's noted here a little bit. This one's unique as in there's a lot of information that needs to be provided that we are currently looking into, so I don't have the actual intersections I'm going to ask for approval to apply for.



We're basically taking all the crash data we can pull from PD and the information we know, volumes on roads, and doing calculations and putting the work in to see what intersections qualify for the grant requirements. And then, what safety factor is behind each one of those and what improvements we can make for a dollar value.

So, here's just kind of a map of the whole county and you can see the red dots. The red dots don't really mean anything at this point. They're just a map and the ones we've looked at. You can see gray dots on there as well. Those are all the other intersections we have that we're looking at as well. So, we're pulling a lot of data together to try to figure out which intersections make the most sense.

One thing we are looking at with this is we have a lot of signalized intersections, and a lot of those signals are outdated and need additional work. What we're hoping to do with this, kind of like with our other stuff, is see if we can merge a signal improvement project with an intersection safety improvement project and, hopefully, if we can do that and the numbers work out and fits that way, we have existing funds annually dedicated to our priority traffic signal projects. So, we would hope to write the bond description for those projects, in whatever year we get a grant, to cover our matching portion of that. Maybe we can do multiple intersections with those funds as opposed to just a single one; and not only do traffic signal improvements, but also make safety improvements as well. So that's the hope when we put the numbers together and what we're looking to do.



As I said, this will be really short. Basically, all we're doing is seeking approval to apply for one or up to four grants at these intersections that determine to be the biggest safety impact we can make for the dollar value defined. Like I said, I apologize. We don't have those sitting in front of you but with all the work required behind it and the timeline, we're just putting it together and hoping to get there and make the biggest safety impact for the community. That's really all I have. I'm open to any questions.

Chairman Bynum asked, Mr. Shaw, what did you say the deadline was? **Mr. Shaw** said May 1st.

Chairman Bynum said okay. I have no doubt in my mind that you have the data available to your team to make the wisest selection for safety. I believe I heard you say, and I think we've said in prior conversations, that the matching dollars simply could be the money that the Unified Government has basically budgeted for traffic signal safety in our annual budget. Is that correct? **Mr. Shaw** said yes, that is correct. It would be for the federal fiscal years 2025, 2026. It's in our budget annually and it's there right now. Obviously, that could change kind of. We can update it annually, but that gives us the opportunity to, if we do get a grant for one of these intersections of signalized, we can write the bond description for that fund to fit that intersection, hopefully getting us maybe three intersections. Outside we would normally only get one out.

Chairman Bynum said okay, that was the other comment I was going to make is if we were to receive the additional funding through this grant, then it just means that our local money goes further. **Mr. Shaw** said correct.

Chairman Bynum asked, what other questions or comments for Troy Shaw, or anyone in Public Works?

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

Chairman Bynum said we have a motion and a second. Before we take roll, were there any comments received from the public on the item? **Ms. Facio** said no comments were received.

Chairman Bynum asked, is there anyone in person in our lobby with their hand raised to speak? **Ms. Facio** said there is no one in the lobby.

Chairman Bynum said thank you very much. As in, literally no one? **Ms. Facio** said no one.

Chairman Bynum said roll call on this motion, please.

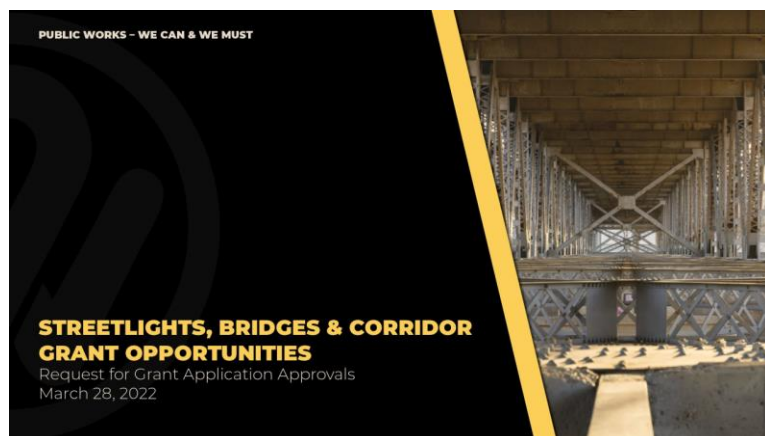
Roll call was taken and there were five "Ayes," Kane, Markley, Johnson, Ramirez, Bynum.

Item No. 2 – 211423...APPROVAL: PROJECT PRIORITIZATION FOR GRANT SUBMISSION – RAISE, SAFE STREETS AND ROADS FOR ALL, MEGAPROJECTS, ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT, AND INFRA GRANTS

Synopsis: Approval of project prioritization for grant submissions – RAISE, Safe Streets and Roads for All, Megaprojects, Energy Efficiency and Conservation Block Grant, and INFRA Grants, submitted by Jeff Fisher, Executive Director of Public Works.

- Revised RFA
- Removed 18th Street cost estimated attachment

Jeff Fisher, Executive Director of Public Works, said, Commissioner, Mr. Groneman has joined us here in our conference room.

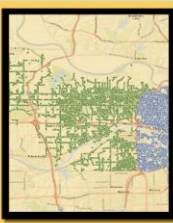


As we've discussed for going on three years now, KCK/Wyandotte County has a lot of infrastructure needs. So, tonight, we're going to talk about several opportunities centered around streetlights and streets and bridges.

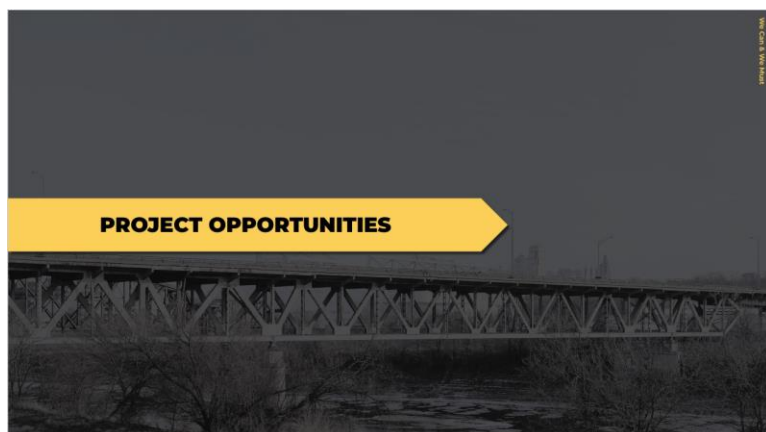
RELATED TO SUB COMMITTEE WORK

OUTCOMES

- The Streetlight system will be fully modernized, provide adequate lighting, and include energy reduction/performance controls throughout Kansas City, Kansas by 2030.
- Increase the bridge Sufficiency Index Rating (SI) according to the following by 2040:
 - 40% of structures are within the SI range of 75-100 (Good).
 - 20% of structures are within the SI range of 50-74 (Fair).
 - Less than 20% of structures are within the SI range of 25-49 (Poor).
 - Less than 5% of structures are within the SI range of 0-24 (Replace).
- The UG has developed actionable plans for replacing or retiring major bridges when their sufficiency index rating (SI) reaches 60.




As you know, infrastructure subcommittee, made up of commissioners and staff, has been meeting—was commissioned in August last year and has been meeting ever since. Right now, we're at a point where we have a draft document of desired outcomes and strategies. That final document is still a few months away, but we thought we have a few outcomes that are really solid that we can go ahead and reference them for this presentation. As you can see, three of those—this isn't all of them—there are many, but three of those are relevant tonight. One of the outcomes is the streetlight system that's fully modernized by 2030 to increase the bridge sufficiency index rating in several different categories, both in major structures and minor bridge structures and then the UG has developed actionable plans for replacing and retiring major bridges when the index reaches 60. The subcommittee hopes that we will be proactive in that way regarding these major structures.



So, tonight, we're going to present two projects to target, construction projects: streetlights and the bridge. Then, Melissa Sieben is going to highlight several different planning grants that we want to recommend.



Regarding streetlights, Peter Hinkle, with Schneider Electric, we've been working with that group for quite a while trying to figure out what solutions look like, trying to find that funding solution. Peter's been with us for a couple of years now, and he's going to highlight the next few slides and then we'll move on to the bridge with Troy Shaw.

Peter Hinkle, Schneider Electric, said I'm just going to be kind of talking through—I'm sure a few of you all have heard kind of our discussions or talking points here, but I'll try to make this brief and just highlight a few of the things that we're working on behind the scenes. As far as the streetlights project overall and the scope, it's really centered on kind of three core areas. It's the current streetlight system that's in place and modernization of that streetlighting system. It's expansion of that streetlighting system as well and really creating a safer road and pedestrian

walkways within the city and within the county as a whole, and really developing then kind of a smart cities infrastructure centered along the streetlights and how we can better leverage those current streetlight assets in terms of the Unified Government's use and just how they're becoming more modern in terms of new LED streetlighting and the upgrades that go along with that.

The goals of this project have kind of maintained throughout the past year or two when working with Jeff and Melissa and the entire staff. It's been driving kind of safety as a whole. I mentioned that as far as pedestrians as well as roadway safety, but also just the system reliability. We've noticed that a lot of the lights in terms of their spacing and how they're operating, it just becomes a real challenge. I think we really want to work with the Unified Government and the BPU to redesign and relook at how those systems are being utilized and maximize them to the fullest.

Additionally, there's a huge portion of this project that really centers on energy efficiency and operational efficiency across the entire Unified Government. Reducing streetlights or changing out streetlights from the current technology that's there to an LED system is in the ballpark of about 40 to 75% just on the energy cost reduction and use of energy within those new lamps and those luminaires. So, when you really think about it, it's a significant value while at the same time improving the overall streetlights as a whole.

PROJECTED SCOPE & SAVINGS					Streetlight Savings			
Streetlights	Quantity	Energy Cost	Maint. Cost	Total Cost	Year	Energy Savings	Operations & Maintenance	Total Savings (A+B)
Rental	5,669	N/A	N/A	N/A		A	B	C
Existing Nonrental Inventory	20,628	\$2,303,045	\$814,000	\$3,117,045	1	\$1,568,220	\$400,000	\$1,968,220
All LED Nonrental Inventory	20,628	\$744,825	\$414,000	\$1,158,825	2	\$1,604,967	\$412,000	\$2,016,967
					3	\$1,603,116	\$424,360	\$2,027,476
					4	\$1,702,709	\$437,091	\$2,139,800
					5	\$1,753,790	\$450,204	\$2,203,994
					6	\$1,806,404	\$463,770	\$2,270,174
					7	\$1,860,596	\$477,821	\$2,338,417
					8	\$1,916,404	\$492,360	\$2,408,764
					9	\$1,973,906	\$506,708	\$2,480,615
					10	\$2,033,124	\$521,909	\$2,555,033
					11	\$2,094,177	\$537,567	\$2,631,744
					12	\$2,156,941	\$553,694	\$2,710,634
					13	\$2,221,449	\$570,304	\$2,791,753
					14	\$2,288,799	\$587,413	\$2,876,212
					15	\$2,358,948	\$605,036	\$2,963,984
					16	\$2,431,896	\$623,187	\$3,055,083
					17	\$2,507,646	\$641,883	\$3,149,529
					18	\$2,586,200	\$661,139	\$3,247,339
					19	\$2,667,565	\$681,073	\$3,348,638
					20	\$2,751,748	\$701,692	\$3,453,440
					Total	\$41,869,355	\$10,749,150	\$52,618,505
Savings Potential								
		\$1,558,220	\$400,000	\$1,958,220				
Savings Assumptions								
- Wattage x Runtime x BPU Rate - BPU Rate: Municipal Lighting Rate 751 - Savings escalated at 3% per year - Maintenance assumed \$40 per HID vs. an LED rate of \$20 per light								

So, this kind of gives you a general sense of how the project's shaped up in terms of cost and savings. Right now, we're kind of budgeting a high level of anywhere between \$40M and \$50M for this type of work and; again, that's not just LED lighting, but it's also expansion of the lights. It's developing that solution as a whole, and it's really looking at the additional poles that are going to be needed to create a more safe and sound environment here within the Unified Government.

When you look at the overall savings and the potential that's there, you can kind of see, just working from left to right there on the bottom, it's about \$1.5M worth of energy cost savings, about \$400K or so of maintenance and operational cost savings, and then obviously the reduced total price of around \$2M. Over a 20-year lifecycle, 20-25 is about average, you're looking at upwards of \$52M coming back to the Unified Government. Really, what we're trying to do, is find a way to help fund this project. It's kind of been the stalemate, if you will, in terms of moving this process forward, but really with the INFRA grants, with RAISE, with a bunch of the grants that Melissa will hit on here in just a little bit, there's a great opportunity for the Unified Government to leverage the federal dollars that are available and be able to reinvest that back into your infrastructure.

So, with that being said, if there's any questions, happy to answer, otherwise, you guys can move on to the next topic and I think the next is a bridge discussion.



Troy Shaw, County Engineer, said I'll hop in real quick on the Kansas Avenue Bridge. So, the Kansas Avenue Bridge, which is also the Cesar Chavez Bridge as you get into Missouri, is currently one of our lowest rated bridges that we have from a structural standpoint. We've recently, I think it actually was closed today for evaluation and then the last few days has been closed again for evaluation. We had to do some minor repairs and monitoring on it this year.

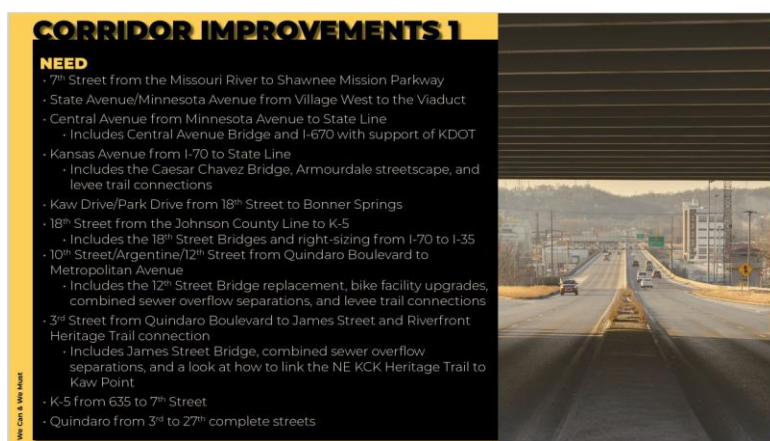
We've been in discussion with the city of Kansas City, Missouri, on and off for the last year, year and a half about the need to possibly replace this bridge. Kansas City, Missouri, side is of the same opinion as us that they need to look at that. It's pretty much in the same condition on their side as it is on ours.

This bridge carries about 7,000 vehicles a day. A major connection between KCK and KCMO. There's quite a bit of development going on right now, as most of us know, around that side of the river and with the levee project. The estimate for this is somewhere between \$35M and \$70M. A massive disparity but it all depends on what you want to build back if it comes down and gets redone. There are opportunities to reduce it, make it larger, put pedestrian accommodations on it. There are all kinds of things that we could do with it, and that discussion has been had with KCMO.

So, what we would do with this one, this bridge, we would look for complete street improvements for a bridge—let's use that terminology—LED lighting, multi-modal accommodations. Do we need a bus transit through here? How does this tie into the connecting streets on our side as well as working with KCMO on their side and see how that all fits together to help make a connection not just for vehicles but for bikes, for transit, for pedestrians, especially with the levee system that's coming up right now. We'll see major improvements in the next few years.

That's just one of the projects we're looking at in conjunction with Kansas City, Missouri and we feel would probably score pretty well on some of these larger grants, given that we'll have two major cities with crossing two state lines and a major connection between the two.

So, I will pass it on to the next slide and Melissa Sieben.



Melissa Sieben, Assistant County Administrator, said yeah, I believe this comes over to me and I just want to comment. We have lots of bridges, as the subcommittee that's been working on streets and bridges has been discussing, that are of concern. I know that the Central Avenue Bridge is another one that is sitting out there that we want to talk about. There are multiple, different

angles to take on all of these. One of the big concerns we have is looking at things from a corridor perspective, and that's what we're going to talk about here; and also looking at our other partners. As we noted before, Kansas City, Missouri, and in many cases throughout our community, this would be the Kansas Department of Transportation and Federal Highway and the Kansas Turnpike Authority.

So, just talking about corridor improvements. Over the last number of months, our Planning Department, Gunnar Hand, who would be here tonight, but due to some personal issues is not able to be here; would want to walk through these slides with you. This is all coming out of the goDotte study, which we've been doing, which is a transportation study looking at all the different modes of transit that people can use.

I want to highlight all of these for those of you who haven't attended a goDotte presentation. What we're looking at with these corridor improvements is the need to do intensive planning around sort of what the streetscape and what other infrastructure improvements would be needed to accommodate the different modes that we would be looking at from a complete streets' perspective. Also looking at our underground infrastructure as well as possibly, again, streetlighting, what that looks like. Planning those spaces, but then taking those interactions with our community to a design level which is where we have our gaps with the federal government. I want to make that really clear. Many of these grants are for construction which means you already have engineering. We will not compete well without that. So let's just go through these and I'll kind of explain to you the rationale.

So, 7th Street, Missouri River to Shawnee Mission Parkway, again, major corridor partnerships here would be not only with Westwood but also Kansas City, Missouri, possibly looking at some of the linkages we have not only with the ATA but also future streetcar expansion.

State Avenue/Minnesota Avenue from Village West to the viaduct. Obviously, there's been a lot of interest in this over the last 20 years in this community, but there's more opportunity there as well.

Central Avenue, again, looking at everything including the Central Avenue Bridge. Also working with KDOT and the I-670 connection, which is critical to them as that piece of infrastructure is aging as well. Then taking that, obviously, to the state line as we move forward along with that, but also into the Park Drive neighborhood as well.

Kansas Avenue, again, these are I-70 to State Line. We're looking at these comprehensively because we want to understand what's needed throughout the community as these roadways traverse across the county. Again, this starts with Cesar Chavez or Kansas Avenue Bridge through Armourdale, which we're completing current planning studies on; and then, of course, levee trail connections. It also takes us out the K-32 corridor as well. Kaw Drive/Park Drive, 18th Street to Bonner Springs. That kind of leads off to the Kansas Avenue discussion.

Then we work down into 18th Street which is another one that has been recommended.

I know there's some questions on all of these about sort of level of intensity, but we would work through the GODOT finalization and then the prioritization with the community and the Commission going forward. If we don't have planning details or engineering design, we can't kind of determine the stack going forward on these.

Tenth Street/Argentine/12th Street, Quindaro to Metropolitan Avenue, another area where we just have a lot of needs related to bridge replacements and bike facility connections as well. Then here we go Quindaro Boulevard to James Street, Riverfront Heritage Trail connection. We did just receive an earmark through David's office that we put in for a year ago that will help with some of the trail connectivity from Kaw Point Park, but we also have a major opportunity in this area to enhance it for future redevelopment and infill as well. K5, Leavenworth Road, I-635 to 7th Street. This is just all these connections you can see here.

Then Quindaro from 3rd to 27th complete street. These are all ones we don't have design on. Any questions on those so far? I've got more.

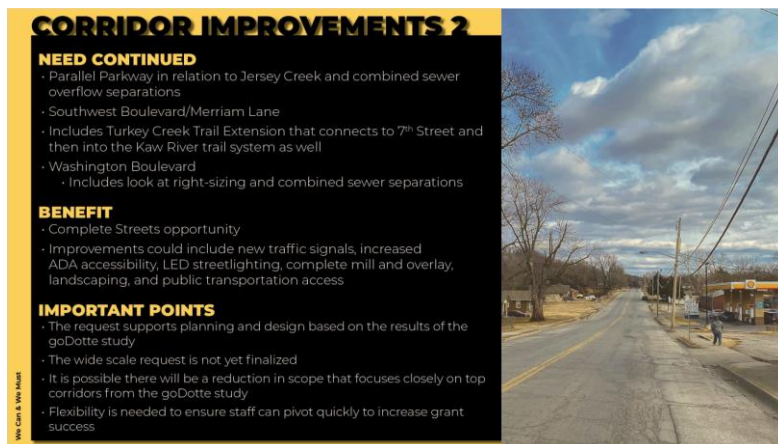
Chairman Bynum said all of them, obviously, I think we can all visualize and recognize the needs. Our community has no shortage of those. I've been the one chairing the Public Works and Infrastructure Subcommittee that is touching on the topics we're on tonight: streetlights, bridges, so I might have had more in-depth conversations with our other subcommittee members and Public Works' staff. But suffice it to say that it's baked in with me now, and I think I can speak somewhat for Commissioner Ramirez as well. When you spend the kind of time that we have spent diving into these infrastructure committees such that we have, we certainly have no doubt of the enormity of the need. On this slide, I just had a question on specifically the 18th Street from Johnson County to K-5 because KDOT has done a lot of work on that particular item. Is that not correct? I mean that one. **Ms. Sieben** said I can explain that if you'd like, Commissioner.

Chairman Bynum said if you could, briefly. We've spent quite a bit of time on that. Those commissioners who—any part of that 18th Street stretch cuts through their district. We've been in meetings with not only KDOT, but Benesch. So, yeah, if you could talk a little bit just about that.

Ms. Sieben said I'm going to specifically talk about the connection between I-70 and basically the Argentine area. This is one where there is a bridge replacement slated over the Kansas River. Currently, there is no multi-modal component to that and that is something that we see a need to delve into further. KDOT is willing to have those conversations with us if we're looking at things more holistically. I guess I would defer to Troy or Jeff, as well, if there is anything they wanted to add as far as the rest of the whole length; but it's looking at sort of what that is and how we address other infrastructure challenges that we have in that corridor as well.

Mr. Fisher said, Commissioner, you're right. Benesch and KDOT have been here at least once or twice in the past three years. They are actually making arrangements to visit with commissioners again here very soon to give you an update on where they're at with that bridge project. Actually, I have Chris Harker here behind me from Benesch who's here to help with any technical questions around these bridge discussions, but that has, I believe, been limited to that river crossing. What we're talking about now is look at that whole corridor to see where those updates and those opportunities could be and meet community expectations. We just believe it's a very important thoroughfare for the long-term.

Chairman Bynum said okay. We'll, that's really all I had on that. I appreciate it, Melissa, if you want to continue.



Ms. Sieben said I'm going to go ahead and finish up on these next few. We have Parallel Parkway in relation to Jersey Creek. That's, again, going back to combine sewers and separations. Do also want to mention that we did just receive an earmark to do a limited scope engineering design in the Douglass-Sumner area that we had submitted a little over a year ago. Those earmarked dollars will be coming down to us as well. Again, looking at how the environmental side of watershed across these neighborhoods also impacts other related design as far as roadways and things of that nature. All very important.

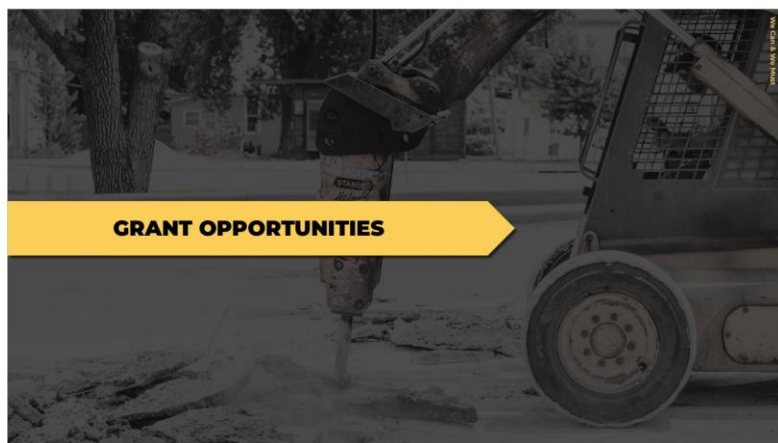
Again, Southwest Boulevard/Merriam Lane. Then Turkey Creek Trail Extension as well as connections to 7th Street and the new levee trail system.

Then Washington Boulevard, which we're starting some work around Big 11 Lake, but this is just kind of the right-sizing component of the infrastructure.

When we're talking about corridors, we're really looking at things comprehensively and, again, we've adopted a complete streets ordinance but now we need to do that kind of dive into the ones that are listed here to really understand what that looks like for our community, how we implement those, what the design elements would be, and the engineering aspects that we want to deploy. So, again, these are opportunities to get these things basically lined up and get some stuff sitting on the shelf, which we desperately need.

Also, to address these notes here, things like ADA accessibility, which we obviously are working to attain, conversion of our streetlight infrastructure, and also just improvements of driving surfaces, as well as landscaping. Those aesthetic improvements, that when we make them, cause folks to want to reinvest in their neighborhoods and have a better feeling of safety and overall security within our community.

So, basically, I mentioned this earlier but this is in relation to the GODOT study, which, again, Gunnar, again, may have done a better job on this than I, but it's a very wide scale request. What we're trying to do is look at one of these grants coming up that we're going to talk here in the next slides.



Grant opportunities. Jeff, I am covering this, correct? **Mr. Fisher** said yes.

GRANT OPPORTUNITIES

REBUILDING AMERICAN INFRASTRUCTURE SUSTAINABLY & EQUITABLY (RAISE)

- The RAISE Discretionary Grant program provides a unique opportunity for the DOT to invest in road, rail, transit and port projects that promise to achieve national objectives while maximizing local or regional impact
- Must be shovel ready
- **Deadline: April 14, 2022**
- Maximum Award: \$25,000,000

SAFE STREETS & ROADS FOR ALL

- [...] Advance "vision zero" plans and other complete street improvements to reduce crashes and fatalities, especially for cyclists and pedestrians
- **Deadline: TBD, Applications expected to open May 2022**
- Maximum Award: TBD
- Minimum Award: TBD

Ms. Sieben said this is where it gets fun and where it gets a little complicated but wanted to walk through this. As it was noted by Commissioner Bynum, there are multiple requests out there. In fact, I just received another one today which merges three of the ones into one set of applications, which we will work with the federal government on to determine which is the best one for whatever we're submitting.

When we talk about the RAISE Grant, which is the first one listed here, there's two things that we're looking at. The third presentation tonight, which will be done with our partners at the

Mid-America Regional Council, we'll talk about a planning grant for RAISE. Planning grants allow you to kind of do a study in and around the environmental analysis of the area or corridor identified, equity analysis, community engagement, feasibility studies, other pre-construction activities, and cost estimating, as well as any required right-of-way acquisition. So, these grants, RAISE grants, are very powerful. You can submit up to \$25M for those either for construction or for planning, which is unheard of. This is something we're really focusing on.

The first focus is going to be for the Unified Government, if approved tonight, for us to submit a planning grant with all those corridors we just addressed in the last two slides. That allows us to get things to what we would call shovel ready. That's really critical for communities to get to that phase with their engineering and design. But it also allows for all that community engagement that we desperately need on these projects before we would even go to submit for construction. We want to bring people into the conversation, help us understand what they're looking for in their community, and then be able to get that down and have them react to those kinds of designs and have that engagement in the neighborhoods. So, that is one grant that we're looking to do.

Then the one with MARC is a similar type of grant, but it's going to be for this bi-state corridor that we'll talk about next.

The Safe Streets and Roads for All. Again, this kind of goes back to that multi-modal concept. I don't know that we've identified anything particularly for this yet, but we are looking at it. It is a to be determined timeframe, but I think it's probably one of the ones that's going to be coming open in mid-May, first submission.

GRANT OPPORTUNITIES

**NATIONAL INFRASTRUCTURE PROJECT ASSISTANCE
"MEGA PROJECTS"**

- [...] Advance "vision zero" plans and other complete street improvements to reduce crashes and fatalities, especially for cyclists and pedestrians
- **Deadline: TBD, Applications expected to open May 2022**
- Maximum Award: TBD
- Minimum Award: TBD

ENERGY EFFICIENCY & CONSERVATION BLOCK GRANTS

- [...] \$550 million to states, local governments, and tribes for projects that reduce energy use, increase energy efficiency, and cut pollution
- **Deadline: Late Fall 2022**
- Maximum Award: Formula Grant
- Minimum Award: TBD



The one that just came out today is one of these projects that's considered as cluster Megaprojects and another one called INFRA, which I believe is the old TIGER Grant, and then the last one called RURAL. We will qualify for all of those to submit. These are again, ones that look at these multi-modal components and impacting safety as well. Turner Diagonal, as an example, was funded out of something similar but it was the TIGER process at the time, so these are due May 23rd, we just found that out this afternoon, literally, and we are obviously looking to submit some projects out of this as well. I don't believe we are able to do anything other than construction out of those so that's going to be a bit of our challenge at this time. Does anybody know if I'm missing that on these, because I don't know? Can you do design and construction with Mega or INFRA?

Mr. Fisher said I believe that's the case. **Mr. Shaw** said with the BUILD Grant, we did design. We did it as an alternative delivery, but there was design and construction within that.

Ms. Sieben said what Troy is saying is that there's the possibility of kind of like the design and build or alternative delivery models that we could deploy with these given that we do not have a shovel-ready project, per se, at this time.

The next one, these energy efficiency-grants are similar to some of the stuff Peter Hinkel was just discussing with us. There are other opportunities we will be looking at with these with Buildings and Logistics, as well as other infrastructure-related matters, which could be with our wastewater plant or other areas where we can find that we're able to apply these dollars and successfully reduce our footprint.



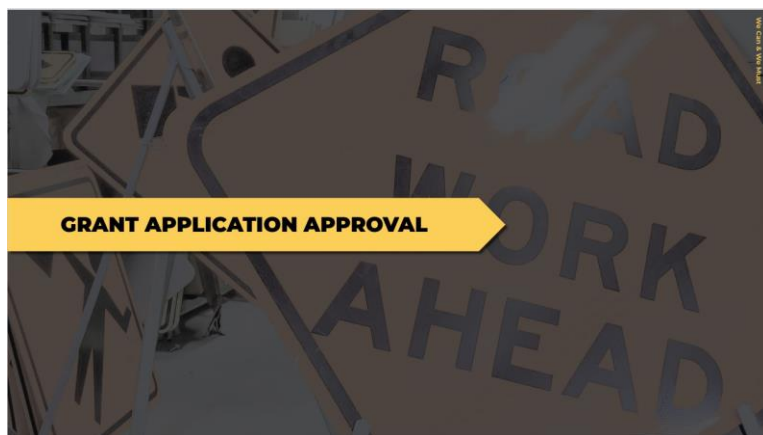
GRANT OPPORTUNITIES

CHARGING & FUELING INFRASTRUCTURE GRANT
 • [...] strategic deployment of publicly accessible electric vehicle charging infrastructure, as well as hydrogen, propane, and natural gas fueling infrastructure, along designated alternative fuel corridors and in communities
 • **Deadline: TBD**
 • Maximum Award: TBD
 • Minimum Award: TBD

BUS & BUS FACILITIES COMPETITIVE GRANT
 • [...] financing of buses and bus facilities capital projects, including replacing, rehabilitating, purchasing or leasing buses or related equipment, and rehabilitating, purchasing, constructing or leasing bus-related facilities
 • Maximum Award: \$25,000,000

Again, these two similar types of things. A lot of these may go through the KCATA for us to apply, or perhaps MARC. When we're looking at the bus facilities—Justus Welker, I believe, is

on here tonight, or he would be on here tonight. Sorry, I'm also filling in for him. I forgot; I'm wearing multiple hats today. These are things we'll be looking at, also, along with our Fleet Division within Public Works. Jeff, is there anything you wanted to say on any of that? **Mr. Fisher** said no, you're covering it well.



This is where the conversation starts for us because we're just really curious to talk to you about some of our items that we just presented and kind of get some blessings for us to start building these massive grant applications.

APPLICATION APPROVAL

STREETLIGHTS

- Updating the existing system with LED lighting would reduce long-term costs.
- Bring added controls to the system.
- Increase sustainability.
- Provide economic benefits like local hiring for electricians
- Allow the Unified Government to create more lighting consistency throughout the system.
- **May require local match**
- **Grant Request:** Up to \$50,000,000

KANSAS AVENUE/CAESAR CHAVEZ

- Repair or replace
- New structure would meet needs for KCK and KCMO.
- Would satisfy public transportation needs.
- Could include new amenities like bike lanes, pedestrian paths, LED lighting, and other multi-modal options that improve quality of life
- Improvements would compliment development around the KCK's Levee system.
- **May require local match**
- **Grant Request:** Up to \$70,000,000 (Does not include KCMO's portion)

Mr. Fisher said to sum it up, tonight, to sort of simplify things; streetlights, there will be two or three opportunities to get funding for a streetlight project. A few of those were mentioned earlier. We're pursuing up to \$50M. Essentially, whatever the UG is successful in receiving, we'll start in the eastern third and then work west with whatever money we have. We will focus initially on the eastern third.

On the Kansas Avenue Bridge, we'll probably pursue two or three programs there as well. She mentioned INFRA grant and Mega, and there's probably one or two other opportunities, right, and that grant request will be up to \$70M. As we mentioned earlier, not to include KCMO's portion.

Then, as Melissa covered very well, there are many opportunities to receive planning grants through the RAISE program.



On those planning grants, the RAISE grant, we've discovered along the way, are only available for shovel-ready projects, otherwise we would have been talking about construction or maybe a Quindaro project or the like. The RAISE is limited to shovel-ready or for planning grants unless highlighted. What we're recommending is pursue RAISE grants up to \$25M for that long list of projects. We attempted to set this item up, package it in a way that led to efficiency in pursuing all these opportunities. We hope it's not real confusing. Tried to simplify it, streamline it and give the UG the ability to be nimble and efficient moving through this process. That's all we have.

LaVert Murray, Economic Development Advisor in Mayor's Office, said could we go back to the previous slide? On the bridge replacement, we would certainly like to see the Central Avenue Bridge included in this initiative. As you may know, Commissioner, we've had discussions with KCMO, not so much KCMO, but Congressman Cleaver and there is a desire to move that Central Avenue Bridge, which is currently closed, up in priority. Congressman Cleaver believes we can, with a higher priority, receive federal funding that would help replace that bridge. So just wanted to point that out.

Chairman Bynum said, Mr. Murray, I understand what you're saying. I was there with you when we had that conversation. I am curious, I think it's a slide prior even to this, that we simply make sure we include that in basically the long list. What we're hoping for here, if I understood correctly, is to get planning and engineering ready, which helps us to secure construction money when those grant opportunities come along. I am certainly not disagreeing with you. The Central Avenue Bridge could be added to this list.

I appreciate the notion that we have support, we believe in the form of our Kansas Congresswoman and our Missouri Congressman in terms of helping to secure federal dollars for that. I just want to be clear with the Commission, this particular standing committee, that yes, while we can add that bridge through our infrastructure subcommittee work that I've been engaged with Commissioners Townsend and McKiernan, who are not on this standing committee, that particular bridge isn't necessarily ranked high among our professional staff that analyzes what absolutely must come first. So, I don't struggle with including it, especially if we believe that some form of dollars could come through our elected representations efforts...

Ms. Sieben said it is included in the corridor improvement. It's not excluded, it's part of what we work with KDOT on that, as well.

Chairman Bynum said okay. I think that's really important and certainly not to take away from anything else on the list.

Commissioner Ramirez said thank you, Melissa, Jeff, and all the Public Works staff. Thank you for everything you do with the little that you have. Last year, our previous mayor, Mayor Alvey, made the announcement of creating these infrastructure and subcommittees so that we, as a Commission, could be right alongside you and try and find a way to fix our infrastructure. We've spent months—my committee, Commissioner Markley sits on the committee that I chair and Commissioner Bynum and Commissioner Johnson, we've all been part of the conversation.

You said it perfectly, Commissioner Bynum. We all know that our needs are many and our resources are very few. We're going to have to leverage outside dollars to make a dent in our infrastructure. So, personally, I say let's apply for any grant that we can, any grant that's possible to get us to somewhat of a finish line. I know we're going through budget season right now. I can

tell you, I will not support any drastic change in the budget that will hinder or stop our progress in our infrastructure. So, I'm standing by our subcommittees. I'm standing by all the conversations we've had as a Commission and as a Commission and staff together in these subcommittees. I think we should, like I said, apply for any and all grant opportunities that we have because that is the only way we're going to be able to progress in any way, shape, or form.

Thank you for the presentation. Thank you for the information. I know it is a lot, but unfortunately with grants, they come and go very fast and so you have to act pretty quickly when they come. So, thank you for being able to put all of this together and to synthesize information as best as you can. Hopefully, we have some good luck with these grants and that we can get some good change in the community.

Commissioner Markley said I agree with Commissioner Ramirez. I just want to kind of jump on to a point he made there at the end, which is that this information is coming quickly and the grants are evolving quickly. I agree with the items on this list. I also want to make sure that staff has the ability to adapt to things that are coming out in a strategic way. We know sometimes if you just throw everything at the wall, the thing that sticks might not be the thing that's the highest priority. I guess what I'm saying is I just want to make sure that staff has the ability to strategize if they feel like that's necessary as these grants are coming down. It doesn't always make sense to apply with everything on the list depending on how the grants are going to be figured out. We want to prioritize.

I don't know exactly how it looks or how that sort of comes down the pike, but as we approve these, I want it to be in a way that allows staff that flexibility to say well, now they're only saying we get to apply for this many or now there's only this much money available or there's been a change in requirements so we need to make this list fit those. I don't know what that motion looks like exactly, but I want to make sure that whatever flexibility is required is there.

Ms. Sieben said I just want to make clear this is not our typical method or means for coming to you with individual grants. The timing is the problem that we're seeing, and we intend to—I asked the Interim Administrator to allow us to come before the governing body on commission meeting nights to do any updates as we try to pivot. We are going to cast the net in the way that helps meet

all of the competing priorities the best that we can. We're looking at trying to stack these in the most effective way.

I will tell you that we are working with our partners, again, just to make that very clear. Those partners are KCATA, which Commissioner Bynum chairs now, the Kansas Department of Transportation, the Kansas Turnpike Authority, as well as with the other municipalities that are adjacent to us, which there are many. So, I think that all of those play into stronger grant submissions when we show that we're working in coordination, in conjunction. If we step outside of that, we could not have a strong of an application. I think that's where staff is really working trying to help all of the governing body be successful in receiving dollars and getting them into the right alignment.

Mr. Murray said, Melissa, I would include MARC in that listing of partners as well who is willing to help us on the planning side. **Ms. Sieben** said absolutely. I mentioned earlier, and I didn't mention them again. Thank you, LaVert, I appreciate that.

Chairman Bynum said I think that was very well said. I guess the word is nimble.

Mr. Fisher said I want to get clear direction. The idea of Central Avenue Bridge came up. Is there alignment among standing committee to give staff direction to pursue opportunities to replace Central Avenue Bridge like Kansas Avenue?

Chairman Bynum said I would say let's hear from this committee. I'm going to go back to my earlier statement of knowing, again, what I've been taught through our deep work with your staff, Jeff, on the data. That while I do not disagree with including it on the list, I do also have an understanding that it is not a top priority inside our communities. In other words, it wouldn't be number one. There are bridges that are in front of it.

Commissioner Ramirez said I would personally say that I guess I'm going along the lines of what Commissioner Bynum said. We also have to keep in mind, we still have the infrastructure bill funding that is still—we don't know how much is yet going to come to us that could help with bridge repair, if that's what it takes in the future. I don't want us to keep adding to the list and it

puts our application in jeopardy. We have this calculated strategic list of projects that are needed throughout the community. I just don't want to keep adding to it. Again, I don't want to repeat, but jeopardize our application in the end. That's my only thought about adding the Central Avenue Bridge.

Chairman Bynum said I will say, it is there. If you look at the third bullet point on the slide we're looking at, it does say, includes Central Avenue Bridge and I-670; again, with support of KDOT. These also have KDOT components. So, it's there.

Commissioner Markley said I agree. I think we know this is a priority list, not the full list. We know there are many, many, many things that we would love to have on this list because we want them, but that are not necessarily priority or not priority because they are not anticipated to be good grant candidates. I'm comfortable with the list as presented by staff.

Commissioner Johnson said slide 7 and slide 15 both, when I read through this, I saw that Central Avenue Bridge was identified in both of those, so I assumed that included the items that Mr. Murray was referring to. Maybe I'm not understanding it correctly or misunderstanding what was there, but I thought when I saw those there, that did, in fact, include the Central Avenue Bridge. I thought we were good in that regard. If I'm wrong, just please correct me.

Chairman Bynum said I don't think you're wrong.

Ms. Sieben said no, Commissioner, you're not incorrect. What we are looking at is how we would attack that from a planning and an engineering perspective. There is a desire by Kansas Department of Transportation to talk to us, KDOT, on how that intersects. As you'll see on the slide that's before you right now, second or third bullet point, the indented bullet under it which is how that ties into I-670. As you are all aware, when you traverse Central Avenue towards Kansas City, Missouri, that bridge is a multi-faceted piece and it ties into what we refer to as the Central Avenue Bridge; but at the end of the day, they all come together. I'd love to have Troy Shaw talk bridge with you because now I'm getting way outside of my bailiwick. But what I can tell you is they are interconnected and there's dependencies.

Mr. Shaw said I mean, to what Melissa said, the portion of the bridge that is closed right now, if you go to the side of it, you can see the difference in the structure. That's the one that was built in the early 1900s. As you go west of that bridge, then basically it's just a connection to KDOT, more or less, I-670 and then ultimately to Central Avenue and 7th Street as you go west. So, yes, it really all connects together, but the portion that is closed right now is strictly the portion over the river. It's the part that's unsafe right now.

Chairman Bynum said so we will keep it right where it is. It's in the mix and it's part of the work. With regard to any other portion of this, are there other questions or comments? Madam Clerk, have we received any comments from the public on the item? **Ms. Facio** said no comments were received.

Chairman Bynum asked, is there a motion on this item?

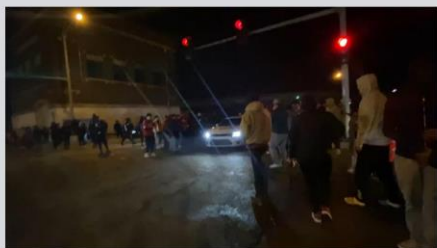
Action: **Commissioner Markley made a motion, seconded by Commissioner Johnson, to approve.** Roll call was taken and there were six "Ayes," Groneman, Kane, Markley, Johnson, Ramirez, Bynum.

Chairman Bynum said thank you very much. Excellent discussion. I really appreciate it. Very exciting to have that level of opportunity in front of us.

Item No. 3 – 211424...ORDINANCE: AMENDING SPEED REGULATIONS, SECTION 35-285 RACING ON THE HIGHWAY

Synopsis: An ordinance amending Chapter 35 - Traffic Article V, Speeding Regulations, Section 35-285 Racing on Highways including violations for spectators at any race or event, submitted by Casey Meyer, Senior Assistant Counsel; and Karl Oakman, Kansas City Kansas Police Chief.

Casey Meyer, Senior Assistant Counsel, said Major Pruitt and I are going to be presenting to you. (A short video was played.)



Sec. 35-285. – Racing on Highways; Sideshows; Spectators.

I'm sorry. We were hoping that you could hear the audio better. If you were able to hear audio, you would have been able to hear gunfire during that. That would have been nice for you to been able to experience that. Major Pruitt is going to explain some of the issues that the Police Department has been dealing with recently.

Public Health and Safety Concerns

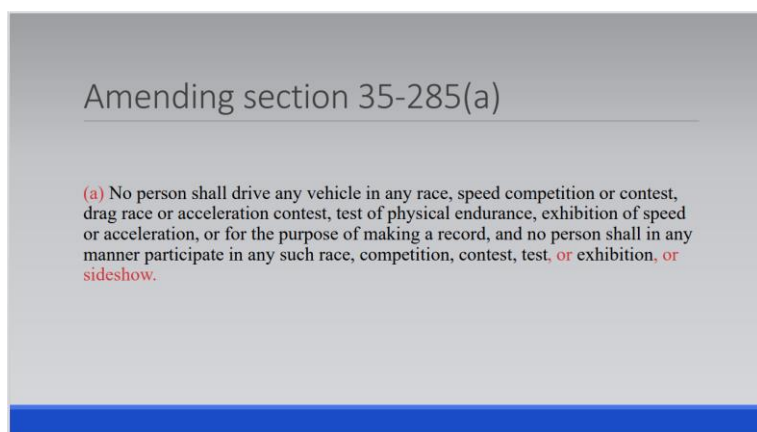
<u>PROBLEMS IN KCK</u> - Shootings - Injuries - Property Damage - Noise - Impeding the flow of traffic - Kaw Park Closure after hours	<u>HOW ADDRESSED IN OTHER JURISDICTIONS:</u> - KCMO - Wichita - Other cities (examples) - Albuquerque, NM - Dallas, TX - Stockton, CA; San Marcos, CA - Clark County, NV - Other states (examples) - Florida - Utah - Arkansas
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Brittanie Pruitt, Major, KCPD, said so, my apologies. I wish you could have heard that. Not only was there gunfire, but there were different munitions used, which means that there were multiple people in these intersections participating, watching this sideshow that had weapons at this event. This event that you did see was actually down in Fairfax. This is just one of the one weekends or days that this has happened. We have actually had a homicide in relation to one of these side events. Not only shootings, but there's also injuries.

When you see these sideshows, you see people standing in the middle of these intersections trying to videotape, getting as close as they can to the cars. We have had individuals get injured by that as well. We know that these street races and these side exhibitions are on the rise. Not only is it us having these issues, but it's also Kansas City, Missouri. We are in constant contact

with them about these sideshows. A lot of times these are going to cause property damage if they are going into parking lots and then we do get a lot of calls on this.

They are impeding traffic as well. People that are just trying to get to and from are being blocked. What these individuals will do is actually block an intersection completely and then not allow any traffic through. They could be there anywhere from 30 minutes to an hour. We've had a lot of issues with trying to combat this because, unfortunately, we are not able to keep up to speed on where they are actually going at all times. These are some of the issues that we've come across with the Police Department.



Ms. Meyer said because of that, the Police Department requested that I amend our current ordinance, which currently just addresses racing on highways and exhibition of speed. The Sheriff's Office, Sheriff Soptic, is also supportive of this. What I did, based upon their request, is, of course, I did research about how other jurisdictions are handling it. Several states have passed legislation, including statutes which have added spectators to the list of people who can get an infraction if they engage in this activity including sideshows. So, I amended our current ordinance to include sideshows specifically, just to make sure everybody was aware and on notice that sideshows are prohibited.

Adding section (b)

(b) No person shall knowingly be present as a spectator at any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition, or sideshow.

Then I added a section. The reason it's red is because this is the red line version. All the new language is in red, which includes language prohibiting being present as a spectator at any of those previously prohibited events including a sideshow.

Adding section (c)

(c) No person shall knowingly be present as a spectator where preparations are being made for any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition, or sideshow.

Then a new Section C, which prohibits being a spectator where preparations are being made for any of those previously prohibited events including a sideshow.

Adding a definition for "Sideshow"

Sideshow means an informal demonstration of automotive stunts. Common activities at sideshows include doughnuts and ghost riding.

Of course, we have to know what a sideshow is, so we defined sideshow. In case you don't know what a sideshow is, it's an informal demonstration of automotive stunts which includes donuts, which is what you saw on the video, and ghostriding which includes people hanging out on the side of the car.

Adding a definition for "Spectator"

Spectator includes any individual knowingly present at to observe and purposely demonstrates through active encouragement, assistance, facilitation, urging, promotion or request that any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition, or sideshow commence or continue. Unintentional witnesses or passersby to such events are not considered spectators, as a spectator is one who attends an event for the purpose of viewing it.

Then our definition of spectator is as you see on the screen. We obviously don't want to include someone who just happens to be in the area accidentally. This is someone who is purposely there. With the language of our ordinance, it's who purposely demonstrates through active encouragement, assistance, facilitation, urging, promotion or request that any of those previously prohibited events, including a sideshow, either commence or continue. Again, unintentional witnesses or passersby to these events would not be considered spectators. So, in that video would be the people that you can clearly see engaging and encouraging the activity in the middle of the street.

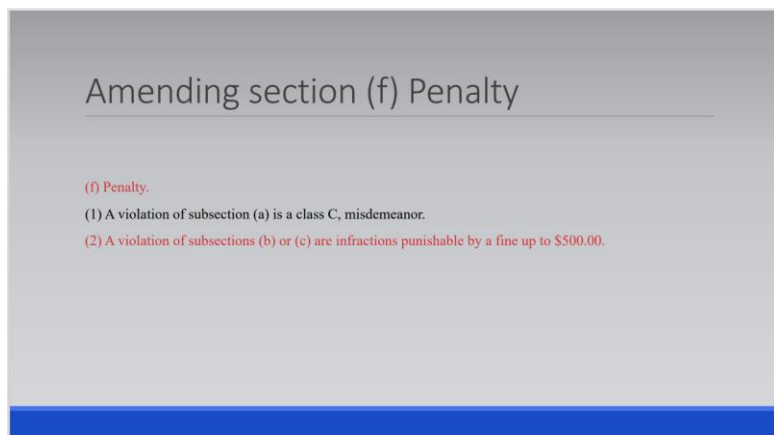
Adding section (e) Exceptions

(e) Exceptions.

(1) Nothing in this section prohibits law enforcement officers or their agents from being spectators at events described herein, when in the course of their official duties.

(2) This section shall not apply to races or sideshows that occur on public or private racetracks intentionally built and utilized for such activities.

I also included some exceptions. We have to have the ability for our law enforcement officers to be there and so I exception them out of this ordinance as long as they are there in the course of their official duties. Then, of course, an exception for any races or sideshows that occur on public or private racetracks which are intentionally built or specifically created for the purpose.



Then, as far as our penalty. Previously for racing and exhibitions of speed, whatever our original ordinance was, that was already a Class C misdemeanor. These two new prohibitions regarding the spectators are infractions. Infractions are punishable by a fine only which means that they are not arrestable offenses. But, it does mean the Police Department can give warning citations or tickets which then would require the person to show up to court. And that's it. The Police Department is requesting your approval for these amendments and the Legal Department is approving as to the form.

Commissioner Ramirez said thank you, Major Pruitt and Casey. Could you go back to the definition for spectator because I have a question. I know it says unintentional witnesses or passersby. Let's say someone's passing by and they become part of the group, and they became part of the group cheering on, the promoting and all that. Would they then be considered a spectator? **Ms. Meyer** said I would say yes. Major Pruitt, if you want to go further on how most of these people arrive to these events, feel free to add.

Major Pruitt said so these events are people usually sometimes even from out of town. They may not even be Kansas City, Kansas residents. So, they are driving in groups here, and they are actively and intentionally blocking off streets so that nobody can get through. If they are

encouraging this, if they are out on the side watching this take place, whether if that's on the inside of this where the car is driving around them or if they're on the outside videotaping for purposes to promote the event and not purposes to call police, that would be considered a spectator. They are encouraging it; they are facilitating it; and they are not doing anything to request police, assistance to these events.

Commissioner Ramirez said I agree with the ordinance in it's whole and the changes. My guess, it's not a hesitation, it's just a thought of how can—I guess it's not hard for—I guess you can attest to this, Major Pruitt. I guess it's not hard for law enforcement to decide who's a spectator and who's not. I'm guessing it's not that hard.

Major Pruitt said no, especially if you do come across these events. There are numerous people on the inside of these watching these cars go around them and are actively—one of their cars may be assisting with blocking the street. They are very actively participating in it, cheering, clapping, hollering for them to do more, or request a specific type of burnout or donut. It's very obvious knowing who is a spectator and who is not. People that are stuck in the intersection, they're not spectators. They're just the ones trying to pass through the intersection or get to where they need to go.

Commissioner Ramirez said thank you for that explanation. That did help. Again, I don't want to call it hesitation, but just the thought. Thank you for bringing this ordinance over. I know this has been something in the news in KCMO very often lately. I will say one night I was driving down Main because I was having dinner at a restaurant. I saw a sideshow get "busted." So, I was hoping that wasn't happening here in our community but, unfortunately, it seems that it is. If there's anything we can do to keep the health and safety of our community—thank you for bringing it forward.

Commissioner Markley said I was just going to comment at least for the sites that are an issue within my district. The other thing that makes it fairly obvious when somebody's a spectator is they are usually happening not at normal times of day. So, it's not like there's a bunch of people walking down the sidewalk like on their way to work at two or three in the morning. If there's a huge group of people gathered, it's pretty obvious what they're gathered for. So, I think that just as an example. I think that makes it easier for police to identify whether someone's there for the

sideshow or whether they're just happening by because it's pretty unlikely they're happening by at three in the morning in a large group.

Commissioner Ramirez said I had a previous question that I forgot to ask. How, Major Pruitt, I'm curious, how often do they happen in Wyandotte or KCK? I'm just curious. That was a question I was going to ask but I forgot.

Major Pruitt said I can tell you that they're approximately—about a month ago, we had officers having to come in extra and have to work with KHP and it was an every weekend thing. We tried to keep up with locations of where they were going through social media and stuff but, unfortunately, it's difficult to keep up with them or know when it's going to happen. But, I will tell you that it was about an every weekend thing and especially during the summertime when it starts to get nice, that's when it really becomes an issue as well.

Chairman Bynum asked, are there other comments or questions from our committee? I do have a question for Casey. Is there any need to fast-track this to our Thursday night agenda? Actually, that's a value judgment on the part of you and Major Pruitt. If we don't fast-track it, when do we see it come to a full commission agenda? **Ms. Meyer** said, Major, you would know better if there are any events planned.

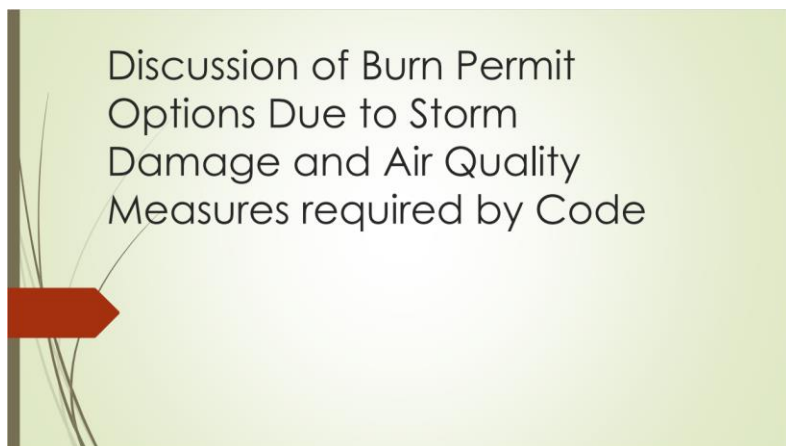
Major Pruitt said I don't know of anything right off hand and usually we try to keep up to speed on that. I don't know anything that would prohibit us from still trying to deter this type of issue in the meantime before it does get presented before full commission.

Chairman Bynum said okay. Other questions or comments from the committee?

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

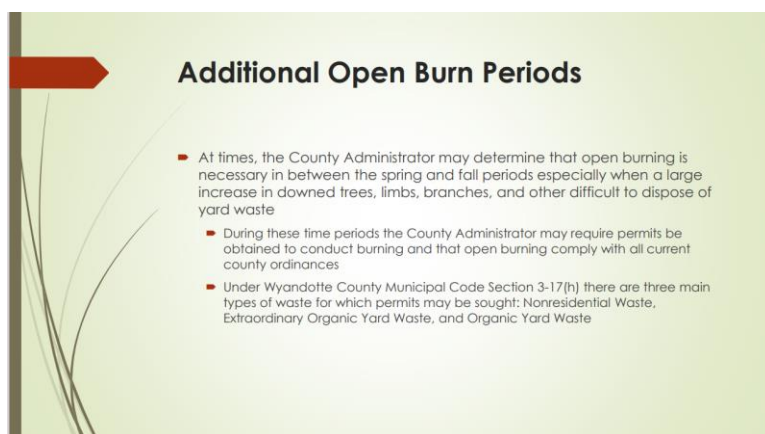
Item No. 4 – 211428...AMENDMENTS: OPEN BURN UPDATES

Synopsis: A request for approval on amendments to the Unified Government Code provisions relating to open burning, submitted by Jon Khalil, Senior Assistant Counsel.

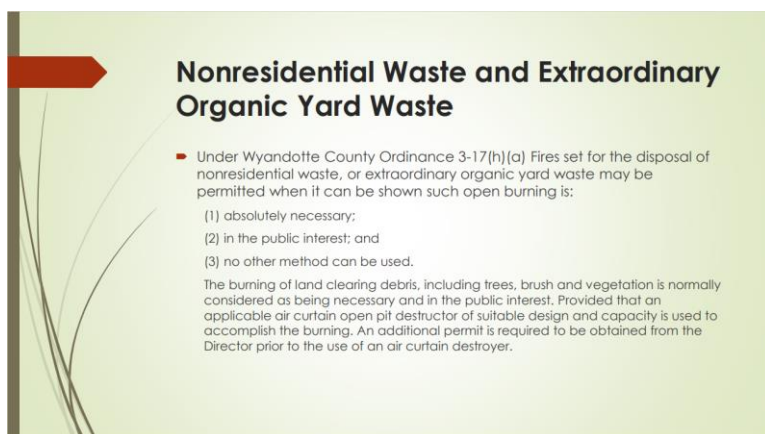


Jon Khalil, Senior Assistant Counsel, said this is an issue that has come before the standing committee I think twice before. It's a discussion relating to the open burn permitting process. There's currently two open burning seasons in Wyandotte County. It's the month of April, which is coming up, and then there's an open burn period from October 16th through November 15th. During that burn period, fire set for the disposal of organic yard waste generated on a property may be permitted between the hours of 7:00 a.m. and 6:00 p.m. Our current definition of organic yard waste includes leaves, brush, dead wood, tree cutting, and weeds that can fit within a 10 x 10 pile and can be burned completely in three days between the hours of 7:00 a.m. and 6:00 p.m.

During these periods, only one permit for a maximum of three days per property owner will be issued by the Chief of the Fire Prevention Division.



Currently, at times, the County Administrator may determine that open burning is necessary between the spring and fall periods, especially when there's a large increase in downed trees, limbs, branches, and other difficult to dispose of yard waste. During these time periods, the County Administrator may require permits to be obtained to conduct the open burning, and that open burning must comply with all current county ordinances under Wyandotte County Municipal Code Section 317(h). There are three main types of waste for which permits may be sought: non-residential waste, extraordinary organic yard waste, and organic yard waste.



Currently, non-residential waste and extraordinary organic yard waste are governed by Wyandotte County ordinance Section 317(h)(a), which states that fires set for the disposal of non-residential waste or extraordinary organic yard waste may be permitted when it can be shown that such open burning is absolutely necessary in the public interest and no other method of disposal can be used.

Burning of land clearing debris including trees, brush, and vegetation is normally considered as being necessary and in the public interest, provided that an applicable air curtain open pit destructure of suitable design and capacity is used to accomplish the burning. Then there's an additional permit required to be obtained from the Air Quality Director prior to the use of an air curtain destructor.

Nonresidential Waste and Extraordinary Organic Yard Waste



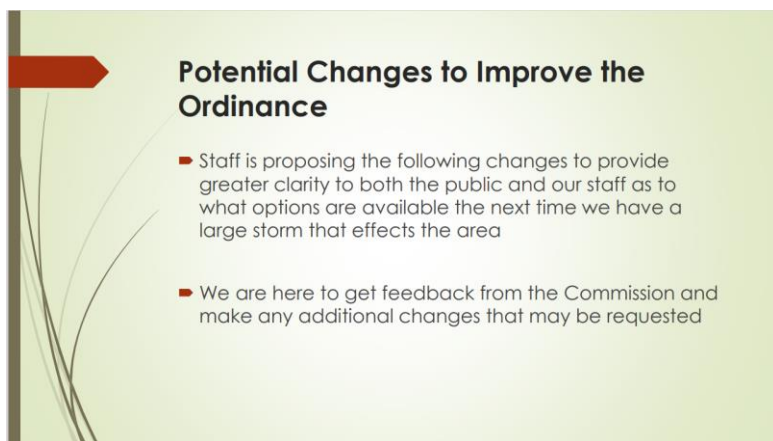
- Under the current code open burning of nonresidential waste and extraordinary organic yard waste is an option of last resort.
- And to mitigate against the environment effects of such, burning an air curtain open pit destructor is required for nonresidential waste and may be required for the burning of extraordinary organic yard waste at the discretion of the health director and chief of the fire prevention division.
- Whether or not an air curtain destructor is required for extraordinary organic yard waste depends on several factors including the amount of material and nature of material to be burned, and the location of the property.

This is a picture of an air curtain destructor. Under the curtain code, burning of non-residential waste and extraordinary yard waste is an option of last resort. Then to mitigate against environmental effects an open pit destructure is required for non-residential waste and may be required for the burning of extraordinary organic yard waste. Whether or not an air curtain is required for the burning of extraordinary organic yard waste depends on several factors, including the amount of material and nature of material to be burned and the location of the property in which burning is taking place.

Kansas Department of Health and Environment Policy

- KDHE allows for open burnings, but encourages and may require emission controls in sensitive areas or near population centers
- KDHE prefers to allow open burning only in a manner that guarantees the least number of people will be adversely affected by the burn

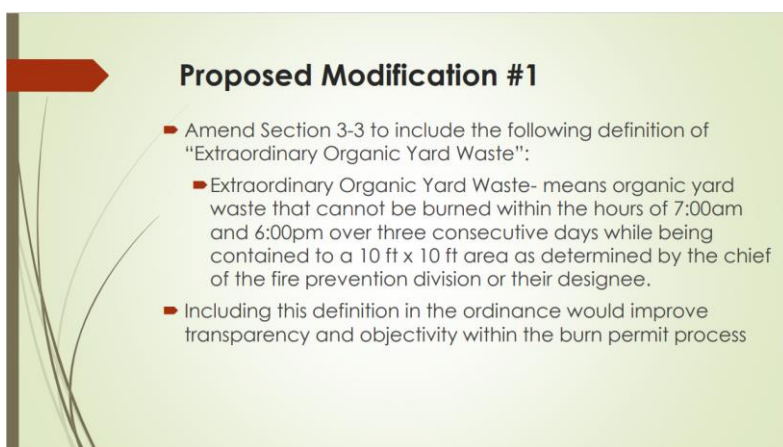
Currently, the Kansas Department of Health and Environment Policy allows for open burning, but it encourages and may require emission controls in sensitive areas or near population centers. KDHE prefers to allow open burning only in a manner that guarantees the least number of people will be adversely affected by the burn.



Potential Changes to Improve the Ordinance

- Staff is proposing the following changes to provide greater clarity to both the public and our staff as to what options are available the next time we have a large storm that effects the area
- We are here to get feedback from the Commission and make any additional changes that may be requested

The staff is proposing the following changes to provide greater clarity to both the public and our staff as to what options are available the next time we have a large storm that affects the area. We're here to get feedback from the Commission and make any additional changes that may be requested.

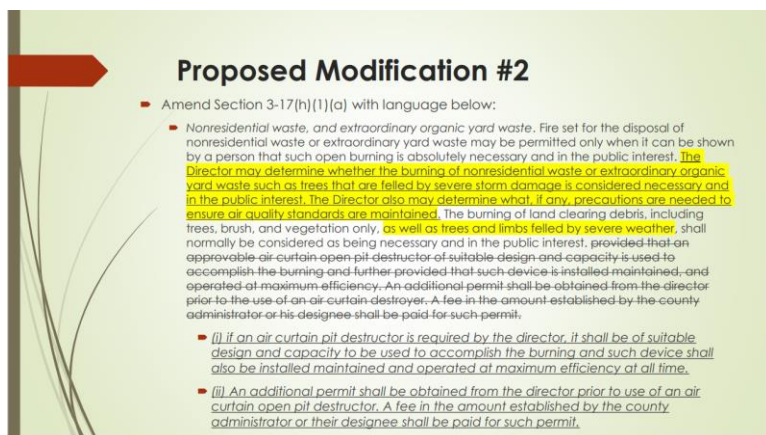


Proposed Modification #1

- Amend Section 3-3 to include the following definition of "Extraordinary Organic Yard Waste":
 - Extraordinary Organic Yard Waste- means organic yard waste that cannot be burned within the hours of 7:00am and 6:00pm over three consecutive days while being contained to a 10 ft x 10 ft area as determined by the chief of the fire prevention division or their designee.
- Including this definition in the ordinance would improve transparency and objectivity within the burn permit process

So, our first proposed modification is to amend Section 3-3, to include the following definition of extraordinary organic yard waste. There's currently not a definition of extraordinary organic yard waste in the code, so our definition would be that extraordinary organic yard waste means organic yard waste that cannot be burned within the hours of 7:00 a.m. and 6:00 p.m. over three consecutive days while being contained to a 10 foot x 10 foot area as determined by the Chief of the Fire

Prevention Division or their designee. Including this definition in the ordinance would improve transparency and objectivity within the burn permitting process.



Proposed Modification #2

- Amend Section 3-17(h)(1)(a) with language below:
 - Nonresidential waste, and extraordinary organic yard waste. Fire set for the disposal of nonresidential waste or extraordinary yard waste may be permitted only when it can be shown by a person that such open burning is absolutely necessary and in the public interest. The Director may determine whether the burning of nonresidential waste or extraordinary organic yard waste such as trees that are felled by severe storm damage is considered necessary and in the public interest. The Director also may determine what, if any, precautions are needed to ensure air quality standards are maintained. The burning of land clearing debris, including trees, brush, and vegetation only, as well as trees and limbs felled by severe weather, shall normally be considered as being necessary and in the public interest, provided that an approvable air curtain open pit destructor of suitable design and capacity is used to accomplish the burning and further provided that such device is installed, maintained, and operated at maximum efficiency. An additional permit shall be obtained from the director prior to the use of an air curtain destructor. A fee in the amount established by the county administrator or his designee shall be paid for such permit.
 - If an air curtain pit destructor is required by the director, it shall be of suitable design and capacity to be used to accomplish the burning and such device shall also be installed, maintained, and operated at maximum efficiency at all time.
 - An additional permit shall be obtained from the director prior to use of an air curtain open pit destructor. A fee in the amount established by the county administrator or their designee shall be paid for such permit.

Our second modification would be to amend Section 3-17(h)(1)(a) with the language below. This would change the code to say that fire set for the disposal of non-residential waste or extraordinary yard waste may be permitted only when it can be shown by a person that such open burning is absolutely necessary and in the public interest. The change would be that the Director may determine whether the burning of non-residential waste or extraordinary organic yard waste such as trees that are felled by storm damage is considered necessary and in the public interest. The Director may also determine what, if any, precautions are needed to ensure air quality standards are maintained. Then it would amend the next sentence to say that the burning of land clearing debris, including trees, brush, and vegetation only, as well as trees and limbs felled by severe weather, shall be normally considered as being necessary and in the public interest. Effectively, what this modification would do is it would give the Director of Air Quality some discretion as to if an air curtain destructor is required when there is extraordinary organic yard waste or non-residential waste that someone wants to burn, rather than under the current language which the Director doesn't have any discretion to determine if an air curtain is needed.



Proposed Modification #3

- Approvable air curtain open pit destructor means a device specifically approved by the director as being consistent with engineering and design requirements established by the director and used to accomplish the controlled high-temperature, minimum-emission burning of land clearing debris (trees, brush and vegetation only) **or other nonresidential waste or extraordinary organic yard waste**. Such device shall consist of a large blower or fan designed to deliver at least 800 standard cubic feet per minute of air for each foot of length of the pit in which the burning is accomplished and a nozzle-equipped plenum chamber designed to deliver air at a minimum air velocity of 150 feet per second in a flat sheet or curtain of air blowing diagonally downward across the pit. The pit used to accomplish the burning with the air curtain destructor must be the exact length of the manifold plenum chamber, eight feet or less across in the direction of airflow perpendicular to the manifold plenum chamber, 12 feet or deeper (consistent with local soil conditions) and have all four sides vertical. New pits conforming to these requirements shall be excavated as necessary to replace pits in which the high temperature operation has resulted in crumbling or erosion of the burning pit such that the pit no longer has the required four smooth vertical walls and/or is no longer consistent with the dimension requirements provided herein. The director may also require any additional design and/or operating conditions for the air curtain open pit destructor as are necessary to accomplish minimum-emission, smoke-free burning of the land clearing debris **or other nonresidential waste or extraordinary organic yard waste**.

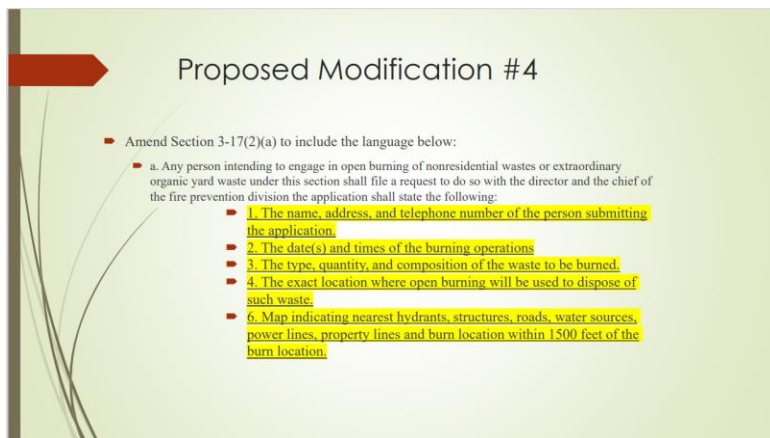
Our third proposed modification would just be adding, cleaning up some language which would be adding, or non-residential waste or extraordinary organic yard waste, to the definition of an approvable air curtain open pit destructor.



Proposed Modification #2 and #3

- These modifications would give the Director of the Air Quality Division more discretion to determine when an air curtain destructor is required.

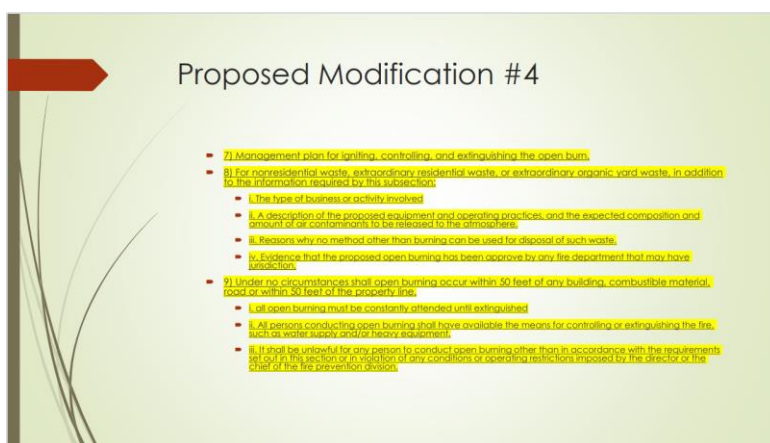
These modifications would give the Director of the Air Quality Division more discretion to determine when an air curtain is required.



Proposed Modification #4

- Amend Section 3-17(2)(a) to include the language below:
 - a. Any person intending to engage in open burning of nonresidential wastes or extraordinary organic yard waste under this section shall file a request to do so with the director and the chief of the fire prevention division the application shall state the following:
 - 1. The name, address, and telephone number of the person submitting the application.
 - 2. The date(s) and times of the burning operations
 - 3. The type, quantity, and composition of the waste to be burned.
 - 4. The exact location where open burning will be used to dispose of such waste.
 - 6. Map indicating nearest hydrants, structures, roads, water sources, power lines, property lines and burn location within 1500 feet of the burn location.

Our fourth proposed modification would be to amend Section 3-17(2)(a) to include the language below. It would say that, any person intending to engage in open burning of non-residential waste or extraordinary organic yard waste under this section shall file a request to do so with the Director and the Chief of the Fire Prevention Division, and that application shall state the following: the name, address and telephone number of the person submitting the application. The dates and times of the burning operations. The type, quantity, and composition of the waste to be burned. The exact location where the open burning will be used to dispose of such waste. And a map indicating the nearest hydrants, structures, roads, water sources, power lines, property lines, and burn locations within 1,500 feet of the burn location.

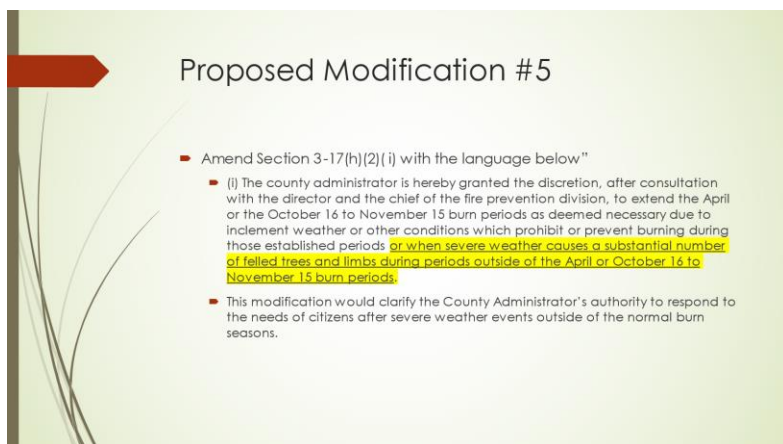


Proposed Modification #4

- 7) Management plan for igniting, controlling, and extinguishing the open burn.
- 8) For nonresidential waste, extraordinary residential waste, or extraordinary organic yard waste, in addition to the information required by this subsection
 - i. The type of business or activity involved
 - ii. A description of the proposed equipment and operating practices, and the expected composition and amount of air contaminants to be released to the atmosphere.
 - iii. Reasons why no method other than burning can be used for disposal of such waste.
 - iv. Evidence that the proposed open burning has been approved by any fire department that may have jurisdiction.
- 9) Under no circumstances shall open burning occur within 30 feet of any building, combustible material, road or within 30 feet of the property line.
 - i. All open burning must be constantly attended until extinguished.
 - ii. All persons conducting open burning shall have available the means for controlling or extinguishing the fire, such as water supply and/or fire extinguisher.
 - iii. It shall be unlawful for any person to conduct open burning other than in accordance with the requirements set out in this section or in violation of any conditions or operating restrictions imposed by the director or the chief of the fire prevention division.

That same modification also require them to submit a management plan for igniting, controlling, and extinguishing the open burn for non-residential waste, extraordinary residential waste or extraordinary organic yard waste. In addition to the information required above, the type of business or activity involved. A description of the proposed equipment and operating practices, and the expected composition and amount of air contaminants to be released to the atmosphere.

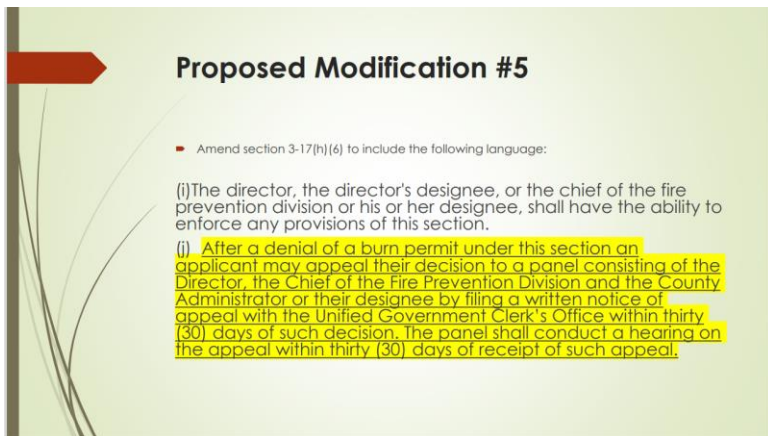
Reasons why no method other than burning can be used for the disposal of such waste. Evidence that the proposed open burning has been approved by any fire department that may have jurisdiction. Under no circumstances shall open burning occur within 50 feet of any building, combustible material, road or within 50 feet of a property line. All open burning must be constantly attended to until extinguished. All persons conducting open burning shall have available the means for controlling or extinguishing the fire such as water supply and/or heavy equipment. And it shall be unlawful for any person to conduct open burning other than in accordance with the requirements set out in this section or in violation of any conditions or operating restrictions imposed by the Director or the Chief of the Fire Prevention Division.



Proposed Modification #5

- Amend Section 3-17(h)(2)(i) with the language below"
 - (i) The county administrator is hereby granted the discretion, after consultation with the director and the chief of the fire prevention division, to extend the April or the October 16 to November 15 burn periods as deemed necessary due to inclement weather or other conditions which prohibit or prevent burning during those established periods or when severe weather causes a substantial number of felled trees and limbs during periods outside of the April or October 16 to November 15 burn periods.
 - This modification would clarify the County Administrator's authority to respond to the needs of citizens after severe weather events outside of the normal burn seasons.

The fifth proposed modification that we have to use, which would be amending Section 3-17(h)(a)(2)(i) with the language below. This would clarify the County Administrator's ability to respond to the needs of citizens, to the county, after severe weather events. It would include that when severe weather causes a substantial number of felled trees and limbs during periods outside of the current burn months, the County Administrator would be able to establish a period of open burning.



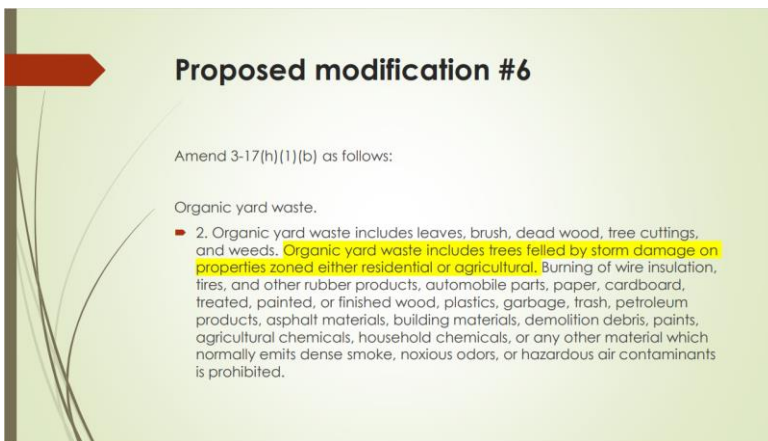
Proposed Modification #5

- Amend section 3-17(h)(6) to include the following language:

(i) The director, the director's designee, or the chief of the fire prevention division or his or her designee, shall have the ability to enforce any provisions of this section.

(j) After a denial of a burn permit under this section an applicant may appeal their decision to a panel consisting of the Director, the Chief of the Fire Prevention Division and the County Administrator or their designee by filing a written notice of appeal with the Unified Government Clerk's Office within thirty (30) days of such decision. The panel shall conduct a hearing on the appeal within thirty (30) days of receipt of such appeal.

This is supposed to be proposed modification #6. I apologize for that. This would amend Section 3-17(h)(6) to include the following language, after a denial of a burn permit under this section, an applicant may appeal their decision to a panel consisting of the Director, the Chief of the Fire Prevention Division and the County Administrator or their designee by filing a written notice of appeal with the Unified Government's Clerk's Office within 30 days of such decision. Then the panel shall conduct a hearing on the appeal within 30 days of receipt of such appeal.



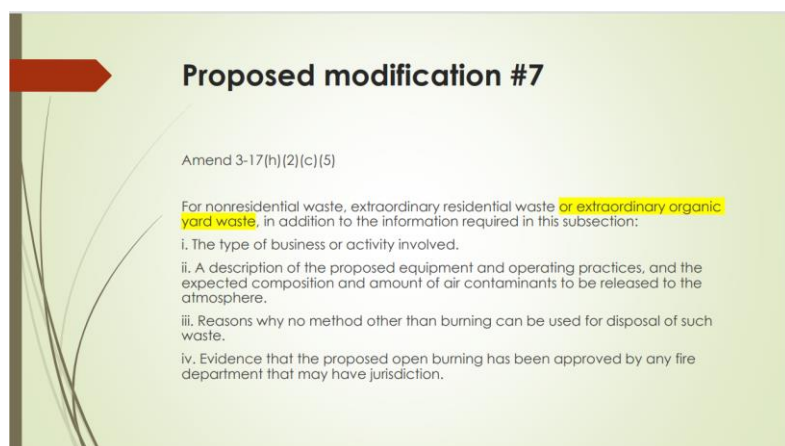
Proposed modification #6

Amend 3-17(h)(1)(b) as follows:

Organic yard waste.

- 2. Organic yard waste includes leaves, brush, dead wood, tree cuttings, and weeds. Organic yard waste includes trees felled by storm damage on properties zoned either residential or agricultural. Burning of wire insulation, tires, and other rubber products, automobile parts, paper, cardboard, treated, painted, or finished wood, plastics, garbage, trash, petroleum products, asphalt materials, building materials, demolition debris, paints, agricultural chemicals, household chemicals, or any other material which normally emits dense smoke, noxious odors, or hazardous air contaminants is prohibited.

This modification would give folks the ability to appeal why their open burn permit was denied. There's currently no such avenue for folks. This modification would amend Section 3-17(h)(1)(b) to include that, organic yard waste includes trees felled by storm damage on property zoned either residential or agricultural.



Then modification 7 would amend Section 3-17(h)(2)(c)(5) to include the words, extraordinary organic yard waste, would just clean up some of the language, make the code clearer and that is all that I have tonight.

Chairman Bynum said we have Fire Department representation and Health Department representation. Fire Marshal Droppelmann or those of you, I think there's two, Jennifer Stewart and another gentleman with Health. Do you have comments that you would like to add at this time?

Commissioner Kane said I'd rather hear from them first.

Chairman Bynum said, Commissioner, why don't you go ahead. I've got a question or two myself. Then, perhaps, with the question you ask, we might hear from the Health Department or Fire Department if it pertains.

Commissioner Kane asked, can you go back? I don't know if that's slide #4, the one where you said that you had the wrong number? When they talk about the times and the dates when they're going to do the burning.

The one where it is said the Administrator changed the dates or something like that or modify the dates.

All I'm asking is we had a major storm, and it doesn't happen that often, and one of my constituents had multiple trees down. It was going to cost somewhere between \$30K and \$40K to haul those trees off, so he was asking to burn them. There was some sort of situation that

Droppelmann showed up with a gun and a taser which, according to the State Fire Marshal, you're not allowed to do that. So there was some sort of riff right there. We started out on the wrong foot. All I'm asking for is an amendment to say, all agricultural uses should be allowed open burn permits at the time during the year as long as the air quality is acceptable and the wind is not excessive, similar to what they do in Leavenworth County. It's nothing drastic.

I'm not sure why this thing went sideways originally, but I'm just asking for this amendment. Not asking because you made some great changes, but all the stars have to line up before a person could burn at all. If the atmosphere was messed up, you couldn't do it; wind blowing, you couldn't do it. I think, like some of the things you put down, you got to be within 1,500 feet or so from a fire hydrant. All that stuff looks good.

I'm asking for one minor change and, again, I'll repeat it. All agriculture use should be allowed open burn permits at any time during the year as long as the air quality is acceptable and the wind is not excessive, because you don't want to sit there with brush all around your house and not be able to do it until the aligned times that work. I'll listen to whatever else they have to say.

Gayle Bergman, Air Quality Supervisor, Health Department, said, Commissioner Kane, I have a question. So, you say anytime? Do you mean anytime when trees are felled from storm, or do you mean if a property owner voluntarily...

Commissioner Kane said no, no, no, just a storm, just a storm. **Ms. Bergman** said I just wanted to clarify that.

Commissioner Kane said this has to be specific to a storm. If one tree blows down or 20 blows down. Everyone knows when there's a storm. Now you have to remember when this first went through there, staff said it only happened at Parallel. It only went out to 123rd Street and it only went over to Leavenworth Road. In fact, it started out at 7 Highway and destroyed some houses, and some roofs, and some trees, and the golf course there. The Administrator made a mistake. We had to go to Public Works so they could expand their working area.

I'm asking, during a storm situation, that the people would be able to clean it up. Not even if it was a storm, if something blew it over, that they would be able to remove it even though it's not during the regular times to clear their ground. It's pretty simple. The air has to be right. All the stars have to line up to make sure it works. I'm not reinventing the wheel. This is done in other communities, and I'm just trying to get our group to work with as other groups have.

Chairman Bynum said I feel like the slide we're looking at right now could cover your request, Commissioner Kane. It would simply need the County Administrator to state, upon the conclusion of the storm that the burn process is amended or lifted or whatever the proper wording is that the burning could occur of the felled trees as a result of the storm.

Commissioner Ramirez said I was just going to second and support the amendment that Commissioner Kane was making.

Commissioner Kane said we can leave what you're talking about; highlight it. I would like this, just to add it to the end, just as a final clarification so everyone understands because there could be some confusion with this. I think it's a simple modification that should be allowed.

Chairman Bynum said okay, so, you're suggesting a modification to this section.

Commissioner Kane said it could be. It could be right after where it says November 15th burn period. Just add this amendment to that.

Misty Brown, Chief Legal Counsel, said I do have a bit of a question to try and clarify. I have heard what you're saying that you're looking for this amendment for agricultural uses, but you do want it somewhat linked to the storm thing. Am I hearing that if you are agricultural and a severe weather caused a substantial felled number of trees, then the agricultural owners would not necessarily need to get approval by the County Administrator, it would just automatically be allowed to burn so long as air quality was acceptable and wind was not excessive? Is that correct?

Commissioner Kane said yes, and follow the other guidelines that are in here.

Ms. Brown said the only question I have is if they don't have to get approval from the County Administrator—Jon, is there a provision in here that would allow them to know or who to contact to check on the excessive wind and the air quality?

Mr. Kahlil asked, as far as in here? I don't know if there's a provision in here about who they would contact on that. My assumption would be that would be the Fire Prevention Division or the Director of Air Quality, or probably both, actually.

Commissioner Kane said I would think the Director of Air Quality because that's the issue here. They would know if the wind's doing this or the wind's doing that, we can't do it. And to simplify, instead of going to two different places, go to one place.

Chairman Bynum said okay. I think I'm becoming clearer on what you're asking for.

Ms. Bergman asked, in this modification, would the property owner still need to apply for a burn permit, or do they just have to contact us and ask what the conditions are? Because currently, all burning requires a burn permit.

Commissioner Kane said if they have to get a burn permit and then come to you to say we want to do this—I don't want them to do it just willy-nilly. I want people to know what they're doing. I just want them to have permission to do it.

Chairman Bynum said I agree. I think a permit is going to always be required.

Alan Howze, Assistant County Administrator, said perhaps a permit, and if it's on—what you're suggesting, commissioners—if it's on an agricultural parcel, then it's allowable at any point in the year to seek a permit. That permit then would be granted provided the air quality conditions were sufficient for burning. Is that getting at what you're...

Commissioner Kane said, correct.

Mark Weckwerth, Environmental Engineer, Division of Air Quality, said one thing I would like to ask, because I was involved in this incident last year, what criteria are we to give for the burn permit? The applicant last year wanted either a 60-day burn permit to burn anytime within 60 days, or 3 consecutive 20-days; excuse me, 20 consecutive 3-day permits, when the actual open burn season was only open for an additional 30 days.

Commissioner Kane said I would think we'd have to come up with a timeframe of when they could do it and how long they could do it. I don't know if that's two or three days. I would think if I'm the owner of the property I want to clean it up as fast as possible and still follow the guidelines and the timeframes and the hours that you're allowed to burn.

Mr. Weckwerth said we offered him a three-day permit the first day we were out there, and he said that wasn't good enough.

Commissioner Kane said because he couldn't burn that many trees in three days.

Chairman Bynum said so then we create a flexibility for staff to be able to accommodate the duration needed. Would that be correct?

Commissioner Kane said I would think it—that this doesn't happen that often. So each incident is going to be a little bit different. It would take longer than three days to do what happened last time, but in most storms, it doesn't take three days. In the situation we had last time, in fact, some of the trees are still down on the golf course, so you couldn't get it done in three days. Is asking for 60 days too much? Probably. We need to be a little bit lenient so they can clear their property.

Chairman Bynum said I think with regard to the timeframe, we need to keep that in the context of the severe weather event only. Does that make sense? **Commissioner Kane** said, yes.

Chairman Bynum said because we have timeframes around everything else. **Commissioner Kane** said, yes.

Chairman Bynum said so, if there were a way, Mr. Kahlil or Ms. Brown, to add that to the modification, that we're going to allow staff to work with the applicant for the time flexibility needed to complete the required burning, if that can be a phrase or sentence added into that portion of this section.

Mr. Khalil said I think that's possible, Commissioner. I'm just wanting to make sure I'm clear on what we're looking for here. So, we're wanting some flexibility in a timeframe around a storm?

Chairman Bynum said correct. I think in the event of a severe weather event, then everything that the modification we're requesting is tied to severe weather only and would include the duration of a length of a permit could also be adjusted, is what I'm adding just to try to cover all the bases.

Then I just have a very general question. We are modifying a county health code, correct? So, this is a county-wide, not a city-wide resolution, correct?

Mr. Khalil said yes. This is Unified Government Code Section 3-17 and section—I think there's a modification to Section 3-3 as well.

Chairman Bynum said but it's applicable county-wide, not city-wide, is that correct? **Mr. Khalil** said yes.

Chairman Bynum said so, in other words, it pertains to Bonner and Edwardsville? **Mr. Khalil** said yes, I believe so.

Chairman Bynum said okay. I'm just seeking that as clarification for my own purposes.

Mr. Howze said so, if I'm hearing this, there's two pieces. There's the severe weather allowance, which is in the revised language that allows the County Administrator to set an additional burn period regardless of the type of property. So, whether that's a residential property or agricultural property, or in the case, for example, the golf course, that's a commercial property. So, we've got the severe weather piece, I think is handled in the language. Then there's a second piece which is around the agricultural parcels and the allowance of the burn activities on agricultural parcels at any point during the year, provided they get a permit for that that allows—the weather conditions allow. Am I hearing that or is there sort of an additional piece where agricultural burn is also only under severe weather?

Chairman Bynum said I believe it's severe weather related only.

Commissioner Kane said if you'll let me do it where it's not severe weather, I'd push that too, but I don't think you'd let that happen.

Mr. Howze said you all set the policy, Commissioner.

Chairman Bynum said I believe it should be tied to severe weather with the modification that you just outlined, Alan; and the additional modification of the ability for the Unified Government to work with the applicant to determine the length of time needed for the permit such that they can complete the needed burning.

Commissioner Kane said that works for me.

Chairman Bynum said in severe weather only.

Commissioner Kane asked, can I make that motion? **Chairman Bynum** said yes, please.

Commissioner Kane said all right. I'm making that motion with all the modifications you and I just said. **Chairman Bynum** asked, is there a second on this item?

Action: **Commissioner Kane made a motion, seconded by Commissioner Ramirez, to approve with modifications.**

Chairman Bynum said, I ask if we believe this should be fast-tracked. **Commissioner Kane** said, no.

Chairman Bynum said okay. So, you say just let it come to the next regular session? **Commissioner Kane** said yes.

Chairman Bynum said okay. Further discussion? Any comments from the public on this item? **Ms. Facio** said no comments were received.

Chairman Bynum said all right, we have a motion and a second. Roll call, please.

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

Chairman Bynum said thank you so much, staff, for your continued work on bringing us to a resolution on that. I really sincerely appreciate it. And thank you, Commissioner, also, for your work on it.

Item No. 5 – 211434...RESOLUTION: STATE OF EMERGENCY EXTENSION

Synopsis: A resolution extending the state of Local Health Emergency for the COVID-19 Pandemic for the County of Wyandotte, Kansas, through July 1, 2022, submitted by Matt May, Director of Emergency Management.

Chairman Bynum said we have Item No. 5, a resolution for extension of our state of emergency. This has been requested for fast-track to March 31st.

Matt May, Director of Emergency Management, said just really quickly. All you folks have probably seen this before. You can see by the resolution, we've gone through this many steps. I believe we're on day 747 of continuous emergency status, which is never a great thing to talk about, but it is important because it allows us access to and ability to receive reimbursement for expenses that are COVID-related. What we'd like to do is continue our own local state of emergency so it coincides with the national state of emergency, which is in the resolution that the White House pushed out just last week. So, they're going to continue that until July 1. I would like to have our status match that. So, this resolution is to continue that emergency status until July 1 of this year.

Commissioner Ramirez said I feel I have to say this. This does not create any mandates of any sort. No mass mandate, nothing. This just allows us to reimburse expenses that we incur that are COVID-related. I just wanted to clarify that for the community that is watching.

Chairman Bynum said thank you for that. It's important to reiterate. Are there questions or comments otherwise from our standing committee members? Any comments from the public on the item? **Ms. Facio** said no comments were received.

Chairman Bynum said all right. I will take a motion, please.

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

Item No. 6 – 211422...GRANT: BI-STATE SUSTAINABLE REINVESTMENT CORRIDOR

Synopsis: A request for approval of local matching of funds to move forward with the Bi-State Sustainable Reinvestment Corridor grant application, submitted by Justus Welker, Director of Transportation.

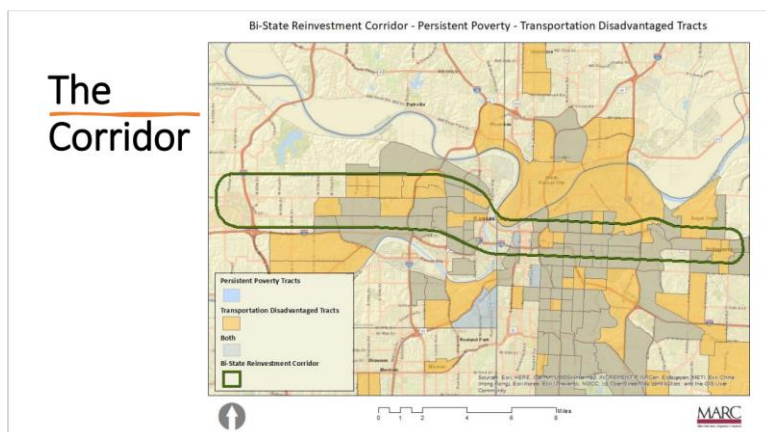
- Revised RFA
- Removed Program Overview attachment
- New Bi-State Sustainable Reinvestment Corridor. presentation attached

Chairman Bynum said Item 6. It's our last item. It's the second revised item for us tonight.

Melissa Sieben, Assistant County Administrator, said I am actually going to turn this over to Ron, who is with Mid-America Regional Council, to discuss this bi-state corridor plan which is also a RAISE Grant as we were discussing earlier. This one is kind of moving a bit all over the place, but I think Ron is on top of it. I know our Mayor's Office and Commissioner Bynum have also been involved.



Ron Achelpohl, Director of Transportation and Environment, MARC, said thank you for having me this evening. Before we start, I'd like to acknowledge a couple of the committee members that are Board members at MARC. Commissioner Johnson is our Board Chair and Commissioner Markley is also a member of the MARC Board as well. Thanks for the opportunity to share with you the concept for the bi-state reinvestment corridor as well as a request for your participation in a grant application that we're working on behalf of the region.



The corridors are intended to connect activity centers, employment centers, and neighborhoods and communities that may have experienced economic distress historically throughout the region. This is a map showing the extent of the corridor from really the Village West area in Wyandotte County, connecting the Quindaro neighborhood, downtown Kansas City, Kansas, to downtown Kansas City, Missouri, out to the Independence Square in Independence, Missouri. This is a concept that was really developed under the leadership of Congress members Davids and Cleaver in anticipation of the infrastructure bill that passed with a desire to create a concept that could attract federal dollars to the region by promoting a bi-state corridor concept.

Theory of Change

BISTATE SUSTAINABLE REINVESTMENT CORRIDOR

- **New Federal infrastructure funding provides a generational opportunity** to invest in **coordinated, comprehensive** transportation, housing, workforce, broadband, green infrastructure, public safety and economic development strategies to support **equitable growth and redevelopment** of promising but disadvantaged neighborhoods along a significant regional East-West corridor.
- New resources will **accelerate implementation** of **extensive community-based plans** that have already been conducted throughout the corridor.
- **Focused investment** along and connected to this corridor will enhance its capacity to catalyze growth and opportunity throughout the Kansas City metropolitan area using **sustainable strategies**.

The kind of theory of change that we're working on with this concept is that the infrastructure bill, and hopefully other legislation that Congress may take up, really provide a really important generational opportunity to advance a lot of different infrastructure needs in the region that by creating a concept that focuses this on an east-west corridor that connects both sides of the state line that that's an opportunity to attract significant resources to the region. It's also an opportunity to advance planning that communities have already done along the corridor, and that by doing this,

that we will be able to help the corridor, help the region, by catalyzing economic growth and development throughout the region.



Partners

Partners include civic and business organizations along with:



Proposals being developed in partnership with local governments along the corridor including Unified Government; City of Kansas City, Missouri; Jackson County, Missouri; Independence, Missouri. I don't have Sugar Creek, Missouri's logo on this slide, but they are participating in this along with the KCATA and the Mid-America Regional Council.



Key considerations

- Corridor concept will continue to evolve
- We are enlisting community voices to help shape the strategy
- The plan will serve as a magnet for attracting federal/state funds to be pursued through multiple grant applications over time
- A coordinated, comprehensive investment plan will be more competitive at the federal level and generate greater sustainability, mobility and opportunity outcomes
- Many grants will benefit areas of the cities and the region well beyond the corridor
- This corridor will serve as a pilot for similar strategies in other parts of the community

This is a concept that was really unveiled publicly last month on Veteran's Day. There was an event held on the Missouri side of the state line to really announce this, and it did get a lot of favorable media coverage. It's really important to note, this is still an early concept. It's going to evolve overtime. It's been evolving as we've been working to develop a proposal for a RAISE Grant. It's going to be very important that as we do this work along the corridor that we're working closely with all the local partners to really engage the community to help shape the corridor concept.

Once again, I've said this several times, we believe that this kind of concept could serve as a magnet to attract more federal dollars to the region than we might otherwise have without it. This is not the only game in town. This concept is important; should attract federal resources. There will be other ideas about these federal dollars, and you've talked about some of them earlier this meeting in other parts of the city. Other parts of the region will benefit by having this concept in the region.



Funding opportunities and near-term priorities

Transportation, Housing, Green Infrastructure, Broadband Access, Workforce, Safety

I'll just go really quickly through some of the things that we're looking at with this proposal. I'll focus back in on the transportation elements of it, but it's important to note that this is intended to look at lots of different types of infrastructure ranging from transportation, to housing, green infrastructure, broadband, etc.

Zero Emission Transportation



Components

- Electric Buses
- Depot Electric Bus Charging
- On-Route Electric Bus Charging
- New & Upgraded Transit Centers
- Traffic Signal Upgrades
- Sidewalks & ADA Ramps
- Bicycle & Trail Facilities

Funding Opportunities

- RAISE Grants
- Bus & Bus Facilities Grants
- MEGA Grants
- Small Starts Capital Improvement Grants
- Safe Streets and Roads for All Grants
- Charging & Fueling Infrastructure Grants

In terms of transportation, we're really focused on the zero emission elements of the corridor. It's an opportunity to advance deployment of electric buses or zero emission buses as part of the bus fleet. There's charging infrastructure that would accompany that. We're looking at opportunities

to tie in transit centers along the corridor. Tie those into the neighborhoods through better pedestrian connections for bicycles and pedestrians. We've already heard about a number of the funding opportunities out of the bipartisan infrastructure bill, and we've talked about several of these. There is also some more traditional Federal Transit Administration program funds that we might be well positioned for by pursuing a planning grant at this point.

Affordable Housing

Components	Funding Opportunities
• Regional Housing Partnership • Infill Housing • Expanded home ownership for low & moderate income households • Weatherization & Minor Home Repair • Transit Oriented Development	• Pending federal legislation • Existing State programs • Private investment



In terms of housing, we're interested in how to use transportation and link it to affordable housing throughout the region. There was really very little, very few dollars in the infrastructure bill that touches this, but we're hoping that there will be future legislation that provides more resources.

Broadband Access

Components	Funding Opportunities
• Infrastructure • Trunklines & connections • Digital inclusion • Subsidized services • Subsidized devices • Digital Literacy	• Middle Mile Grants Program • State Administered Funds (ARPA) • Pending Federal Infrastructure?



Similarly with a broadband access program, there's opportunities to expand middle miles and trunk lines fiber optic connectivity along the corridor. We'll also be looking for opportunities to promote digital inclusion and that may be other strategies to help with affordability for access to broadband along the corridor.

Green Infrastructure



Components

- Stormwater BMPs
- Renewable Power Generation
- EV Charging
- Enhanced tree canopy

Funding Opportunities

- Charging & Fueling Infrastructure Grants
- Smart Grid Investment Program
- Grants for Energy Efficiency and Renewable Energy Improvements in Schools
- Embed components in broader proposals (where eligible)

We'll be looking at opportunities for green infrastructure including stormwater best management practices, tree canopy, renewable power generation, electric vehicle charging along the corridor.

Workforce Development



Components

- Green jobs training
- KCATA workforce development facility
- Partnerships with educational institutions and workforce agencies

Funding Opportunities

- Target outreach for pending federal grants
- Potential Federal Legislation
- Embed components in broader proposals (where eligible)

There is a real strong desire to also couple this with workforce development opportunities. KCATA, in particular, is very interested in developing training programs that allow their mechanics and their operators to have a better sense on how to manage and maintain electric buses and the infrastructure associated with them. So, there are opportunities to partner with community colleges and other educational institutions around the region.



Safety & Security

Components • License Plate Readers • CCTV • Shot Spotter • LED Streetlighting • Pedestrian lighting • Traffic signal upgrades	Funding Opportunities • Embed components in broader proposals (where eligible)
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There's also opportunities to look at embedding safety and security; public safety and security provisions into the corridor. We've had conversations with emergency services in the jurisdictions along the corridor and have identified needs for license plate readers, closed circuit TV cameras, potentially expanding a system called shot spotter that's been deployed in the Kansas City, Missouri side, and looking at opportunities to embed those in other proposals where they're eligible.

Near-Term Funding Opportunities

MARC Suballocated Transportation Programs pre-applications due April 1

RAISE Grants due April 14 – Transportation elements \$5-25M

FTA “NoLo” Grants (TBD) – Zero Emission Buses and Charging Infrastructure

State Broadband Funding (MO)



Just very quickly, some of the near-term opportunities to advance the corridor. At MARC, we have the call for projects for our traditional sub-allocated federal funds: the Surface Transportation Block Grant, Congestion Mitigation Air Quality Program Funds, and the Transportation Alternative Program Funds. Those applications are actually due to MARC at the end of the week. We didn't talk much about that in this meeting but are hoping that some of the partner jurisdictions may take advantage of that opportunity along the corridor.

The one that we're really focused on tonight is the RAISE Grant. As has been said earlier, this is a discretionary program. It's an annual call for projects, so this will not be the last time to potentially apply for it. The deadline for this round is April 14th.

We're looking at a proposal for a planning grant that would be done in three phases. The first one would be to really refine the corridor concept and how the transportation elements tie to other elements that we've talked about. Then a second phase to do a more project development and environmental clearance on some of the transit elements and probably sidewalk and bike/ped elements along the corridor. Then a third phase to really drill down and do some preliminary engineering on some of the transit facilities along the corridor.

There's also currently out an opportunity to advance electric buses through the NoLo Program. We're looking at other opportunities on the Missouri side. The state is working on distributing their ARPA dollars, and so we're looking at opportunities there for broadband.

The proposal that we put together would really be a \$7M total planning grant. We'd be looking for the Unified Government to be able to provide up to \$350K to match that. We're currently working with other partners on their match share as well, but that's the contribution that we would be looking for in this application.

I know I've covered this very quickly. It's late in the meeting. I'd be happy to answer any questions about the proposal or the RAISE Grant request, in particular.

Commissioner Kane said so, our investment. What's the total investment? **Mr. Achelpohl** said the total cost of the planning grant is estimated at \$7M.

Commissioner Kane said and our investment is only \$350K? **Mr. Achelpohl** said yes. Each of the governments along the corridor would be contributing to the match for the federal funds.

Commissioner Ramirez said a couple of questions. Who—I'm sure it was more out of our hands locally? I'm sure it was more so Congressman Cleaver and Congresswoman Davids who mapped out the corridor. Who was involved in choosing, mapping out of the corridor, I should say?

Mr. Achelpohl said the actual map of the corridors evolved a little bit over time. The original proposal was based around some of the transit routing that's in the region's Smart Moves Public Transit Vision, which was adopted back in 2017. There are several routes in Wyandotte

County that are included in that in terms of east-west connectivity. Leavenworth Road and Quindaro, Parallel and State Avenue are the routes that are identified in that plan.

On the Missouri side, Independence Avenue and Truman Road were identified as a corridor for fast and frequent service as well. The City of Independence has asked for that alignment to be revisited as part of this plan, so I think that will be one of the early steps in the planning process to identify exactly where we want to really focus the transit investments that we'll be looking at for the corridor.

Commissioner Ramirez said I know this has probably taken a lot of planning, and it would be a disservice to my district that I represent south of that, Argentine and Rosedale. I said it would be a disservice if I didn't advocate that if there are opportunities along the way, to find ways to incorporate in some way, shape or form, in the future, not in the now, but in the future incorporate that area. Argentine has had, in the recent years, a surgency in economic development and Rosedale, as well, with KU and other opportunities. It's another way to continue that economic development, especially for Argentine. Argentine is a very—that area, my district—is a very heavily Latino community in Argentine. So, I would make sure that economic development is spread out across and is equal because, as we know, Quindaro and all of the eastern portion—of the eastern part of our community has seen a lot of disinvestments. So, I just ask if we see opportunities in the future, to some way, shape or form connect Argentine or Rosedale, or see any opportunities that way we, at least, try and look into it.

Mr. Achelpohl said thank you for that. Actually, there may be opportunities with this grant to do some of that as well. I think it's important to note, and I breezed right past it, there are many north-south connections that are also important along this corridor. We're really focused on east-west, but how this corridor ties into the rest of the region will be something that we'll be looking at, particularly in the early stages of the planning work.

LaVert Murray, Economic Development Advisor in Mayor's Office, said I wanted to address Commissioner Ramirez's question as well. If you look at the earlier map associated with the sustainable green corridor, you would find linkages to the corridor site that extended or does extend to Rosedale and Argentine. I believe there was an extension following 7th Street out to the med

center. The map that is before you tonight doesn't show those linkages, but I can assure you, all of my discussions with Congressman Cleaver and Congresswoman Davids, they anticipate at least as much federal activity outside of the corridor as they anticipate within the corridor. For that to happen, it would rely on those north-south linkages. I'm sure Mr. Achelpohl, forgive me for butchering your name. **Mr. Achelpohl** said that's correct on both counts.

Mr. Murray said staff has had some involvement in trying to make sure we can achieve the greatest benefit out of having the corridor follow the route that you see it following today.

Chairman Bynum said I was going to chime in on the availability of plentiful opportunities for extension and to particularly the Rosedale area. So, Commissioner Ramirez, you're spot on with those comments.

Commissioner Johnson said thank you to Mr. Achelpohl for the presentation. Certainly, I've already heard this at least two or three times. Anytime we can leverage federal dollars, I say we all—we've been talking about that all evening long already. I know the Mayor is waiting as well in terms of looking at some of the disinvested areas of our community, specifically with regard to Quindaro. There's been a lot of talk about investment in the northeast. We've not seen as many dollars actually being planted there yet. Well, we have in the past administrations, but certainly in recent years and I certainly agree and look forward to this.

We are in the planning stages of this. There will be plenty of time to kind of sharpen our pencils in terms of the direction and how this will impact both, or all communities that are involved with that. I certainly look forward and support this particular item there. With that, I do motion for approval as submitted.

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

Chairman Bynum said one question. The commitment of the match is only in play if the grant is awarded. Is that correct, sir? **Mr. Achelpohl** said that's correct.

Chairman Bynum asked, any comments from the public on the item? **Ms. Facio** said no comments were received.

Chairman Bynum said excellent. Roll call, please.

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

Public Agenda:

No items.

Chairman Bynum said that does conclude our Public Works and Safety Standing Committee meeting.

Adjourn:

Chairman Bynum adjourned the meeting at 7:11 p.m.

am