



Full Commission Meeting Agenda

Thursday, October 13, 2022
7:00 PM

Location: HYBRID

We invite you to view the meeting in person in the Commission Chambers, lobby level of the Municipal Office Building, 701 N 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

You are invited to a Zoom webinar.

When: Oct 13, 2022, 07:00 PM Central Time (US and Canada)

Topic: Full Commission meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81227370291?pwd=bjFTTklaYk52QlJpOFhpRXBuWDliUT09>

Passcode: 109138

Or One tap mobile:

US: +17193594580,81227370291# or +12532158782,81227370291#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 719 359 4580 or +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171 or +1 669 900 9128 or +1 386 347 5053 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 301 715 8592 or +1 309 205 3325 or +1 312 626 6799 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 812 2737 0291

International numbers available: <https://us02web.zoom.us/j/81227370291?pwd=bjFTTklaYk52QlJpOFhpRXBuWDliUT09>

Name

Absent

Mayor Tyrone Garner

☐

Commissioner At-Large Dist. 1 – Melissa Bynum

☐

Commissioner At-Large Dist. 2 – Tom Burroughs

☐

Commissioner Gayle E. Townsend

☐

Commissioner Brian McKiernan

☐

Commissioner Christian Ramirez

☐

Commissioner Harold Johnson

☐

Commissioner Mike Kane

☐

Commissioner Angela Markley

☐

Commissioner Chuck Stites

☐

Commissioner Andrew Davis

☐

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY COMMISSIONER HAROLD JOHNSON, FAITH DELIVERANCE CHURCH OF GOD IN CHRIST**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO OCTOBER 13, 2022 AGENDA BLUE SHEET**

**VI. MAYOR'S AGENDA
ADDING ITEM**

Item No. 4 – PROCLAMATION: 25TH ANNIVERSARY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KS

Synopsis: Proclamation proclaiming October 25, 2022, as the 25th Anniversary of the Unified Government of Wyandotte County and Kansas City, Kansas, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212032

VI. MAYOR'S AGENDA

Item No. 1 - COMMUNITY INPUT AND RECOMMENDATIONS

Synopsis: Public forum to allow citizens to express concerns and present solutions relating specifically and solely to the Unified Government's span of interest and control. Participants will be limited to two minutes in duration. Citizens appearing in the Municipal Office Building lobby will be given priority, followed by a limited number of participants who have registered online through the Unified Government Clerk's Office. Those who have registered online may not be given an immediate opportunity to participate due to time constraints to be determined by the Mayor/CEO. If time allows, persons listening online who wish to make comments will be recognized. All interested participants should know that Mayor/CEO Garner has also placed a maximum time limit of 45 minutes to host & conclude these discussions. In the interest of time, there should be no expectation for the requested participants' guaranteed inclusion to be recognized for comment and participation.

Tracking #: 211539

Item No. 2 - PROCLAMATION: AUGUSTA WHITE'S 100TH BIRTHDAY CELEBRATION

Synopsis: Proclamation proclaiming October 7, 2022, as Augusta White's 100th Birthday Celebration Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212024

Item No. 3 - PROCLAMATION: WIDOW'S SON LODGE #17 DAY

Synopsis: Proclamation proclaiming October 9, 2022, as Widow's Son Lodge #17 Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212025

Item No. 4 – PROCLAMATION: 25TH ANNIVERSARY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KS(ADDED PER BLUE SHEET)

Synopsis: Proclamation proclaiming October 25, 2022, as the 25th Anniversary of the Unified Government of Wyandotte County and Kansas City, Kansas, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212032

VII. CONSENT AGENDA

Item No. 1 - ORDINANCE: OPERATION OF UNMANNED AERIAL VEHICLES

Synopsis: An ordinance approving an addition to Chapter 22, Article IV, Offenses Against Public Peace related to unmanned aerial vehicles (drones), submitted by Casey Meyer, Senior Assistant Counsel.

*On September 26, 2022, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to the full commission.*

Tracking #: 211962

Item No. 2 - RESOLUTION: LEAVENWORTH ROAD AND HUTTON ROAD INTERSECTION PROJECT

Synopsis: A resolution declaring that this project is a necessary and valid improvement and authorizing a survey of land for said project, submitted by James Bain, Assistant Counsel. The location of the project is Leavenworth and Hutton Road Intersection, Project CMIP 1609.

*On September 26, 2022, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to the full commission.*

Tracking #: 211955

Item No. 3 - RESOLUTION: BRIDGE 311 RECONSTRUCTION PROJECT

Synopsis: A resolution declaring that this project is a necessary and valid improvement and authorizing a survey of land for said project, submitted by James Bain, Assistant Counsel.

The location of the project is Bridge 311 over Barber Creek, Reconstruction Project No. 105 U-2436-01.

*On September 26, 2022, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward it to the full commission.*

Tracking #: 211956

Item No. 4 - ORDINANCE/RESOLUTION: AMENDING CODE PROVISIONS FOR OPEN BURN

Synopsis: An Ordinance/Resolution amending the code provisions 3-3 Definitions and 3-17(h)(1)(a) related to Open Burning, submitted by Jon Khalil, Assistant Counsel, Legal Department.

*On July 25, 2022, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to the full commission. On August 11, 2022, at the request of the Chair, this item was remanded back to the standing committee for further discussion.*

*On September 26, 2022, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward it to the full commission. (Item to be Held for 30 days)*

Tracking #: 211743

Item No. 5 - ORDINANCE: AMENDING SECTION 3-22 RELATING TO EMISSION OF ODORS

Synopsis: An Ordinance amending Section 3-22 of the Code of Ordinances relating to the emission of odors, submitted by Jennifer Stewart, Environmental Health Manager.

*On September 26, 2022, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to the full commission.*

Tracking #: 211960

Item No. 6 - ORDINANCE: AMENDING SECTION 16-31, 16-32, AND 16-34 FOOD ESTABLISHMENT REGULATION AND LICENSING

Synopsis: An ordinance amending Section 16-31, 16-32 & 16-34 of the Code of Ordinances relating to food establishment regulation and licensing, submitted by Jennifer Stewart, Environmental Health Manager.

*On September 26, 2022, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to the full commission.*

Tracking #: 211961

Item No. 7 - PROPOSAL: KANSAS CITY REGIONAL ELECTRICAL VEHICLE STRATEGIC PLAN

Synopsis: MARC is looking to leverage a portion of this annual allocation to fund a regional electrical vehicle (EV) strategic plan. The Unified Government has been asked to support this effort with a \$5,000 contribution, submitted by Gunnar H. Hand, Director of Planning & Urban Design.

*On September 26, 2022, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to the full commission.*

Tracking #: 211958

Item No. 8 - GRANT: REGIONAL ELECTRIC VEHICLES AND INFRASTRUCTURE EXPANSION

Synopsis: Authority to participate in Mid-America Regional Council (MARC) grant to encourage the use of electric vehicles (EV) in underserved communities across the region.

This grant requires matching funds of \$15,000. This is a retroactive grant request that was submitted by MARC in August 2022, submitted by Gunnar H. Hand, Director of Planning & Urban Design.

*On September 26, 2022, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to the full commission.*

Tracking #: 211928

Item No. 9 - PLAT: ROCK ISLAND BRIDGE ON KAW

Synopsis: Plat of Rock Island Bridge on Kaw, located over the Kansas River, and being developed by Flying Truss, LLC, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 212020

Item No. 10 - PLAT: HYINK ADDITION NO. 1

Synopsis: Plat of Hyink Addition No. 1, located at 6702 and 6716 Berger Avenue and being developed by Steven F. Hyink, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 212021

Item No. 11 - MINUTES

Synopsis: Minutes from the Full Commission Meeting on July 14, 2022, and from the Special Session on September 15, 2022.

Tracking #: MINUTES

Item No. 12 - WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business materials dated September 15 and September 22, 2022.

Tracking #: WEEKLY BUSINESS

VIII. PUBLIC HEARING AGENDA

IX. STANDING COMMITTEES' AGENDA

X. ADMINISTRATOR'S AGENDA

Item No. 1 - RESOLUTION: PROJECT AUTHORIZATION - FAIRFAX TRAFFICWAY IMPROVEMENTS

Synopsis: A resolution to issue general obligation bonds and/or temporary notes for Fairfax Trafficway improvements, submitted by Jeff Fisher, Executive Director of Public Works.

Tracking #: 212015

Item No. 2 - ORDINANCES: AMENDING THE STORM AND SURFACE WATER UTILITY FEE

Synopsis: Approval of the following ordinances:

1. An ordinance amending Section 30 of Article VIII of Chapter 30 of the 1988 Code of Ordinances City of Kansas City, Kansas.
2. An ordinance amending the Storm and Surface Water Utility fee and providing an effective date,
submitted by Jeff Fisher, Executive Director of Public Works.

This item was previously before the Commission on December 2, 2021, and April 7, 2022.

Tracking #: 212016

Item No. 3 - UPDATE: UG FORWARD

Synopsis: Update on the UG Forward process, submitted by Cheryl Harrison-Lee, Interim County Administrator.

For Information Only

Tracking #: 212019

- XI. COMMISSIONERS' AGENDA**
- XII. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA**
- XIII. PUBLIC ANNOUNCEMENT**
- XIV. ADJOURN**

**AGENDA UPDATE
UNIFIED GOVERNMENT COMMISSION MEETING
THURSDAY, OCTOBER 13, 2022, 2022**

VI. MAYOR'S AGENDA

ADDING ITEM

Item No. 4 – PROCLAMATION: 25TH ANNIVERSARY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY AND KANSAS CITY, KS

Synopsis: Proclamation proclaiming October 25, 2022, as the 25th Anniversary of the Unified Government of Wyandotte County and Kansas City, Kansas, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212032



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

- WHEREAS,** the Unified Government of Wyandotte County and Kansas City, Kansas was officially established by public vote in 1997 to bring together the city and county governments; and
- WHEREAS,** the Unified Government has grown and transformed over the past 25 years since consolidation with the intent to provide a high quality of life for our residents; and
- WHEREAS,** at this 25th anniversary, the Unified Government is positioned for the kind of transformation that can ensure continued success and improvement over the next 25 years; and
- WHEREAS,** in reflecting on this historic milestone and to honor the reimagining of the next 25 years, this resolution is to recognize October 25th, 2022, for the celebration of the 25th Anniversary of the Unified Government of Wyandotte County and Kansas City, Kansas; and
- WHEREAS,** in observation of the 25th Anniversary, the Unified Government of Wyandotte County and Kansas City, Kansas County will host the UG 25 Summit to commemorate this milestone and plan for the future; and
- WHEREAS,** the UG 25 Summit will reflect on lessons learned, best practices and how to reimagine the organization and the needs of the community for the next 25 years.

NOW, THEREFORE, I, Tyrone A. Garner, Mayor of Wyandotte County and Kansas City, Kansas, joined by Unified Government County Commissioners, do hereby proclaim October 25th, 2022 as:

“25th Anniversary of the Unified Government of Wyandotte County and Kansas City, KS”

in Wyandotte County/Kansas City, Kansas and call upon all residents to recognize the 25th Anniversary. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO



Staff Request for Commission Action

Tracking No. 211539

Full Commission Meeting Date:

Committee: Full Commission

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

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
04/21/2022	Tayler Wash	x5010	twash@wycokck.org	Mayor's Office

Item Description:

Public forum to allow citizens to express concerns and present solutions relating specifically and solely to the Unified Government's span of interest and control. Participants will be limited to two minutes in duration. Citizens appearing in the Municipal Office Building lobby will be given priority, followed by a limited number of participants who have registered online through the Unified Government Clerk's Office. Those who have registered online may not be given an immediate opportunity to participate due to time constraints to be determined by the Mayor/CEO. If time allows, persons listening online who wish to make comments will be recognized. All interested participants should know that Mayor/CEO Garner has also placed a maximum time limit of 45 minutes to host & conclude these discussions. In the interest of time, there should be no expectation for requested participants guaranteed inclusion to be recognized for comment and participation.

Action Requested:

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:



PROCLAMATION

- WHEREAS,** one hundred years ago on this date, October 7th, 2022, Augusta M. Dooley-White was born to the late Frank Dooley and Judie (Flood) Dooley; and
- WHEREAS,** Augusta started this pilgrimage from the rural community of Center Ridge, Arkansas in 1942 to the Kansas City metro in pursuit of employment; and
- WHEREAS,** she married the love of her life, Readie White on April 17th, 1943, and established their home in Kansas City, KS. She was a faithful wife to Readie White for 57 years until his passing; and
- WHEREAS,** she was a devote Christian woman, she joined the Eighth Street Baptist Church on Wednesday, January 12th, 1944 under the leadership of I.H. Henderson, Sr.; and
- WHEREAS,** though eventually moving out of the area, she has maintained her membership with the church for over 78 years. In her prime, she was very active in the Adult Choir, Progressive Mission Circle, Sunday School Class #3. Sending greeting cards, visiting the sick, and helping the less fortunate were part of her ministry. A mighty prayer warrior, Augusta's prayer(s) have been published; and
- WHEREAS,** Augusta has always been very family oriented. Affectionately known as Gus, Gussie or Aunt Gus by family and friends, she was always helping or offering to help those in need; and
- WHEREAS,** Augusta Dooley-White has been a Wyandotte County/Kansas City, KS community asset for many years not only in her faith community but also serving as den mother of her only child Larry's Boy Scout troops.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim October 07, 2022, as:

"Augusta White's 100th Birthday Celebration"

in Wyandotte County/Kansas City, Kansas and urge all citizens to recognize Augusta White. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO



PROCLAMATION

- WHEREAS,** Widow's Son Lodge #17 Free & Accepted Mason Prince Hall Affiliated of Kansas City Kansas was granted a charter by The Most Worshipful Prince Hall Grand Lodge of KS; and
- WHEREAS,** a group of men wanting to serve their communities in a united noticeable way; and
- WHEREAS,** on October 8, 1881 Widow's Son Lodge #17 became a member the Prince Hall Masonic family; and
- WHEREAS,** Widow's Son Lodge continue to serve the community and grow in numbers and assets now boast the status of the largest subordinate Prince Hall Lodge in Kansas and its jurisdictions; and
- WHEREAS,** after 140 years of dedicated service located at 1029 N. 32nd Street KC, KS as a pillar of the community; and
- WHEREAS,** Widow's Son Lodge continues to attract members to further the cause of serving the community.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim October 9, 2022, as:

“Widow's Son Lodge #17 Day”

in Wyandotte County/Kansas City, Kansas and urge all citizens to recognize the importance of Widow's Son Lodge #17 Day. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

- WHEREAS,** the Unified Government of Wyandotte County and Kansas City, Kansas was officially established by public vote in 1997 to bring together the city and county governments; and
- WHEREAS,** the Unified Government has grown and transformed over the past 25 years since consolidation with the intent to provide a high quality of life for our residents; and
- WHEREAS,** at this 25th anniversary, the Unified Government is positioned for the kind of transformation that can ensure continued success and improvement over the next 25 years; and
- WHEREAS,** in reflecting on this historic milestone and to honor the reimagining of the next 25 years, this resolution is to recognize October 25th, 2022, for the celebration of the 25th Anniversary of the Unified Government of Wyandotte County and Kansas City, Kansas; and
- WHEREAS,** in observation of the 25th Anniversary, the Unified Government of Wyandotte County and Kansas City, Kansas County will host the UG 25 Summit to commemorate this milestone and plan for the future; and
- WHEREAS,** the UG 25 Summit will reflect on lessons learned, best practices and how to reimagine the organization and the needs of the community for the next 25 years.

NOW, THEREFORE, I, Tyrone A. Garner, Mayor of Wyandotte County and Kansas City, Kansas, joined by Unified Government County Commissioners, do hereby proclaim October 25th, 2022 as:

“25th Anniversary of the Unified Government of Wyandotte County and Kansas City, KS”

in Wyandotte County/Kansas City, Kansas and call upon all residents to recognize the 25th Anniversary. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO



Staff Request for Commission Action

Tracking No. 211962

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 9/26/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/06/2022	<u>Contact Name:</u> Casey Meyer	<u>Contact Phone:</u> x2851	<u>Contact Email:</u> cmeyer@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> An addition to Chapter 22, Article IV Offenses Against Public Peace, adding new Section 22-129 "Operation of Unmanned Aerial Vehicles" will provide operating regulations for unmanned aerial vehicles (drones) within the city, submitted by Casey Meyer, Senior Assistant Counsel, Chief Oakman and Deputy Chief Kent Anderson, KCKPD. This was requested by Sporting KC and supported by the KCKPD.				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Operation of UAV Section 22-129				

Published _____

ORDINANCE NO. _____

An ordinance relating to Chapter 22 Miscellaneous Provisions and Offenses, Article IV Offenses Against Public Peace, adding new Section 22-129; Operation of Unmanned Aerial Vehicles, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.

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

Section 1. That Chapter 22 Miscellaneous Provisions and Offenses, Article IV Offenses Against Public Peace, adding new Section 22-129; Operation of Unmanned Aerial Vehicles of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, to read as follows:

Sec. 22-129. – Operation of Unmanned Aerial Vehicles

(a) Definitions. For purposes of this article, the following terms and phrases shall have the meaning set forth below:

City airspace means the airspace above the land and waterways within the jurisdiction of the city.

Recreational purposes means any purposes governed or regulated pursuant to 49 U.S.C. 44809 (Section 349) of the FAA Reauthorization Act of 2018. "Recreational purposes" may include, but are not limited to, enjoyment, educational, or hobby purposes not otherwise governed or regulated as provided in subsection (c) Limitations on Operating Regulations of this section.

Operate means to pilot, steer, direct, fly or manage a UAV through the air. The term "operate" includes managing or initiating a computer system that pilots, steers, directs, flies or manages a UAV.

Unmanned aerial vehicle or *UAV* means an aircraft that: (1) is operated without the possibility of direct human intervention from within or on the aircraft, and (2) weighs less than 55 pounds at the time of operation, including the weight of any payload or fuel.

Weapon means any instrument, article or substance that, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury.

(b) Operating Regulations.

Except as otherwise provided in subsection (c) and unless any of the following prohibitions are superseded by applicable state or Federal law, no person shall operate any UAV for recreational purposes in city airspace:

- (1) Intentionally or negligently, and in such proximity to any person who is not involved in the operation of the UAV that is offensive to a reasonable expectation of safety from bodily harm, without such person's consent;
- (2) Intentionally or negligently, over an individual or over an open-air event venue wherein more than 100 individuals are gathered for such event, without the consent of both the venue owner or operator and the event sponsor or organizer;
- (3) Intentionally or negligently, over property that the operator does not own, without the consent of the property owner or such other person lawfully occupying the property; and subject to any restrictions that may be placed on the operation by the property owner or such other person lawfully occupying the property; provided, that the foregoing shall not prohibit operation of a UAV for recreational or hobby purposes in a city-owned park so long as the operator and UAV comply with all other requirements and restrictions of this section, Federal and State law;
- (4) While under the influence of alcohol, or other drug or drugs, that renders the operator incapable of operating the UAV;
- (5) That is equipped with a firearm or other weapon; or
- (6) Otherwise in a reckless or careless manner.

(c) Limitations on Operating Regulations.

- (1) *Commercial Operations Authorized by the FAA.* Notwithstanding the provisions of section 22-129(b), nothing in this article shall be construed to prohibit, limit or otherwise restrict any person who is authorized to fly a UAV as a commercial pilot pursuant to 14 CFR Part 107 (drones under 55 pounds) or under the Special Authority for Certain Unmanned Aircraft Systems at 49 USC § 44807 (drones over 55 pounds) by or other Federal Aviation Administration grant of authority for a specific flight operation(s), from conducting such operations(s) in accordance with authority granted by the Federal Aviation Administration.
- (2) *Operations Prohibited by FAA—Clarification.* Nothing in this Article shall be construed to authorize the operation of UAVs in city airspace in violation of any Federal statute or rules promulgated thereunder, including, but not limited to, any temporary flight restrictions or notices to airmen issued by the Federal Aviation Administration.
- (3) *Operations by City.* Notwithstanding the provisions of section 22-129(b), nothing in this article shall be construed to prohibit or restrict the use of a UAV by law enforcement, fire department, or Unified Government employees or for other emergency response operations in accordance with applicable law.

(d) Severability.

Severability is intended throughout and within the provisions of this Section. If any subsection, sentence, clause, phrase, or portion of this article is held to be invalid, illegal, or unconstitutional by any court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this article.

(e) Penalty.

Violation of this Section is a Class C misdemeanor.

Section 2. This ordinance shall take effect and be in full force from and after the passage, approval, and publication in the official Unified Government newspaper.

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

THIS _____ DAY OF _____, 2022.

Tyrone Garner/Mayor CEO

Attest:

Unified Government Clerk

Approved As To Form:

Unified Government Counsel



Staff Request for Commission Action

Tracking No. 211955

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 9/26/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/06/2022	<u>Contact Name:</u> James Bain	<u>Contact Phone:</u> x5077	<u>Contact Email:</u> jbain@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> Project Name: Leavenworth and Hutton Road Intersection Project CMIP 1609 A resolution declaring that this project is necessary and valid improvement project, submitted by James Bain, Assistant Counsel. The project includes the following improvements: laying-out, reconstruction, expansion, repair, maintenance, operation and use of the Leavenworth Road and Hutton Road Intersection. This Resolution directs the Chief Counsel to cause a survey and description of such parcels to be undertaken and prepared by a licensed land surveyor or a professional engineer to identify and describe the property to be acquired for this project, and to submit an Ordinance authorizing the exercise of eminent domain and to undertake all other necessary actions to complete the acquisition of such parcels.				
<u>Action Requested:</u> To adopt the resolution.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Hutton Road & Leavenworth Road Intersection-Eminent Domain Resolution				

(Published _____)

RESOLUTION NO. _____

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the Leavenworth Road and Hutton Road Intersection Project (CMIP-1609) in Kansas City, Wyandotte County, Kansas.

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

SECTION 1. It is hereby found and determined necessary that certain lands or interests in lands be acquired by all lawful means, including by exercise of the right and power of eminent domain, for public use for location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the Leavenworth Road and Hutton Road Intersection Project (CMIP-1609) in Kansas City, Wyandotte County, Kansas.

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

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

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

Tyrone Garner
Mayor/CEO

Attest:

Brett A. Deichler
Unified Government Clerk

Approved as to form:

Misty Brown
Chief Counsel



Staff Request for Commission Action

Tracking No. 211956

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 9/26/22

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
10/06/2022	James Bain	x5077	jbain@wycokck.org	Legal

Item Description:

Project Name: Bridge 311 Reconstruction Project No. 105 U-2436-01

A resolution declaring that this project is necessary and valid improvement project, submitted by James Bain, Assistant Counsel. The project includes the following improvements: laying-out, reconstruction, expansion, repair, maintenance, operation and use of the Thorne Drive Improvement Project, including the replacement of Bridge 311 over Barber Creek. This Resolution directs the Chief Counsel to cause a survey and description of such parcels to be undertaken and prepared by a licensed land surveyor or a professional engineer to identify and describe the property to be acquired for this project, and to submit an Ordinance authorizing the exercise of eminent domain and to undertake all other necessary actions to complete the acquisition of such parcels.

On September 26, 2022, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward it to the full commission.

Action Requested:

To adopt a resolution.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Bridge 311 Reconstruction-Eminent Domain Resolution

(Published _____)

RESOLUTION NO. _____

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands to be acquired by the right and power of eminent domain for the location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the Thorne Drive Improvement Project, including the replacement of Bridge 311 over Barber Creek, (Project No. 105 U-2436-01) in Kansas City, Wyandotte County, Kansas.

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

SECTION 1. It is hereby found and determined necessary that certain lands or interests in lands be acquired by all lawful means, including by exercise of the right and power of eminent domain, for public use for location, laying-out, reconstruction, expansion, repair, maintenance, operation and use of the Thorne Drive Improvement Project, including the replacement of Bridge 311 over Barber Creek, (Project No. 105 U-2436-01).

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

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

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

Tyrone Garner
Mayor/CEO

Attest:

Brett A. Deichler
Unified Government Clerk

Approved as to form:

Misty Brown
Chief Counsel



Staff Request for Commission Action

Tracking No. 211743

Full Commission Meeting Date:

Committee: Public Works & Safety

Date of Standing Committee Action: 6/27/2022
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/06/2022	<u>Contact Name:</u> Jon Khalil	<u>Contact Phone:</u> x5085	<u>Contact Email:</u> mjkhil@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> A Resolution and Ordinance Amending Code Provisions related to Open Burning. This is a draft ordinance amending the code provisions 3-3 Definitions and 3-17(h)(1)(a) related to Open Burning, to reflect the potential changes to the Unified Government of Wyandotte County/Kansas City Code of Ordinance. On September 26, 2022, the Public Works and Safety Standing Committee , chaired by Commissioner Bynum, voted unanimously to approve and forward it to the full commission.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> 22 07 22 Open Burn Admendments_revisions, 22 07 21 Open Burning Amendments (002) revisions				

(Published _____)

ORDINANCE NO. _____

RESOLUTION NO. _____

AN ORDINANCE and RESOLUTION regarding burn permits for various wastes, adding a definition of “extraordinary yard waste”, amending the definition of “Director” and clarifying and adding to the administrative exceptions to the fall and spring burn seasons; amending **Sections 3-3, and 3-17** of Chapter 3 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

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

Section 1. Section 3-3 of the 2008 Code of Ordinances, City of Kansas City, Kansas is amended to read as follows:

Sec. 3-3 Definitions.

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

Air pollution means the presence in the outdoor atmosphere of one or more air contaminants in such quantities and duration as is or tends significantly to be injurious to human health or welfare, animal or plant life, or property, or would unreasonably interfere with the enjoyment of life or property.

Alter means to make or effect any physical change in, or change in the method of operation of, any machine, equipment, device, or other article, or combination thereof which constitutes a source of pollutant emissions subject to the provisions of this chapter, and which increases the amount of such emissions.

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.

Contaminant means dust, fumes, smoke or other particulate, vapor, gas, odorous substance or any combination thereof, but not including uncombined water vapor or steam condensate.

Control device means any equipment, device or other article designed and/or installed for the purpose of reducing or preventing the discharge of contaminant emissions to the air.

Direct heating equipment means any device where fuel is burned in direct contact with, and for purpose of heating, air that comes in direct contact with the material being processed.

Director means the Manager of the Environmental Health division of the Wyandotte County/ Kansas City, Kansas Public Health Department or their designees.

Emission source means any machine, equipment, device or other article or operation that directly or indirectly releases contaminants into the outdoor atmosphere.

Existing means equipment, machines, devices, articles, contrivances or installations which are in being at a stated time, except that any such existing equipment, machine, device, article, contrivance or installation which is altered shall be reclassified as "new," as defined in this section. Any existing equipment, machines, devices, articles or installations that are moved to a new physical location shall also be classified as "new," as defined in this section.

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 10ft x 10ft areas as determined by the chief of the fire prevention division or their designee.

Incinerator means any device or structure used for the destruction or volume reduction of garbage, rubbish, or other liquid or solid waste materials by combustion pursuant to disposal or salvaging operations.

Indirect heating equipment means any device where fuel is burned to produce usable heat by transfer through a heat conducting materials barrier or by a heat storage medium to a material to be heated so that the material being heated is not contacted by, and adds no substance to, the products of combustion.

Malfunction means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

Multiple-chamber incinerator means any article, machine, equipment, contrivance, structure or part of a structure used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. The refractories shall have a pyrometric cone equivalent of 31, tested according to the method described in the American Society for Testing Materials, Method C-24, or any superseding method.

New means equipment, machines, devices, articles, contrivances or installations built or installed or altered or moved to a new physical location outside the original premises on or after a stated time.

Nonresidential waste means solid, liquid, or gaseous material or a combination thereof resulting from the construction or the prosecution of any business, industry, trade or agricultural operation, from the conduct of a salvage operation, refuse collection and/or refuse disposal operation, or from any demolition operation. The term "nonresidential waste" includes, but is not limited to, plastics, wood, cartons, rubber, grease, oils, asphaltic materials, chemicals, land clearing debris, weeds, trees, grass, brush, logs, limbs, other vegetation, tires, and cinders. The term "nonresidential waste" includes all refuse and waste excepting exclusively household waste generated and disposed of at the residential site were generated during the normal habitation of exclusively residential premises containing five or fewer dwelling units. Waste generated from residential premises containing more than five dwelling units shall be classified as nonresidential waste. Waste generated from residential premises and disposed of at a location other than at the site where generated shall also be classified as nonresidential waste.

Official observer means a designated representative of the director who has been certified by the director as qualified on the basis of actual testing to determine the degree of opacity of visible plumes by direct visual observation. The director shall develop and make public necessary requirements for official observers based upon actual testing of the ability of the official observer to accurately determine the opacity of visible plumes. Official observers shall be required to be retested at least once every six months in order to maintain their certification.

Opacity means the degree to which an observer's view of transmitted light is obscured by passing through a contaminant emission, with zero percent opacity being equivalent to perfect transparency and 100 percent opacity being perfectly opaque.

Open burning means the burning of any materials wherein contaminants resulting from such combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. For the purposes of this definition, a chamber shall be considered enclosed when, during the combustion process, only such apertures, ducts, stacks, flues or chimneys as are required to supply combustion air to permit the escape of exhaust gases are open. Burning in a barrel, drum or similar container shall be considered open burning.

Particulate matter means any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

Potential contaminant emission factor means an average value of the amount of contaminants that have been found to be associated with a specific type of processing or burning operation as compared to a given quantity of material processed or some other meaningful parameter. Such factors shall be those that have been recognized by the director on the basis of information published by the Federal Environmental Protection Agency or otherwise recognized by official air pollution control agencies.

Potential contaminant emission rate means the total weight of a contaminant that is or, in the absence of control equipment, would be emitted from an air contaminant source when that source is operating at its maximum capacity. The potential contaminant emission rate shall be determined by:

- (1) Sampling in a flue or duct prior to the inlet of any control device serving the flue or duct;
- (2) Estimating such emissions by performing a "material balance" calculation that indicates the difference between processing input weight and output weight of materials;
- (3) Using potential contaminant emission factors as recognized by the department; or
- (4) Using any other estimating technique mutually agreeable to the department and the person responsible for operation of the source.

Premises means any parcel of land under one ownership including any structures or equipment thereon.

Process weight means the total weight of all materials introduced into a source operation, including solid fuels but excluding liquids and gases used solely as fuels, and excluding air introduced for purposes of combustion.

Processing means any operation related to the handling, storage, treatment and/or conversion of input materials to produce a salable or usable end product.

Refuse means any combustible solid or liquid waste material resulting from industrial, residential, commercial and/or agricultural operations or processes.

Residential waste or refuse means household waste generated and disposed of at the residential site during the normal habitation of residential premises containing five or fewer dwelling units and including wastes generated from the land surrounding such units.

Salvage operation means any business, trade, industry or other activity conducted in whole or in part for the purpose of salvaging or reclaiming any product or material such as metals or chemicals.

Smoke means small gas-borne particles resulting from combustion, consisting of carbon, ash, and other material.

Source operation means the last operation preceding the emission of an air contaminant which:

(1) Results in the separation of the air contaminant from the process materials or in the conversion of the process materials into air contaminants, as in the case of combustion fuel; and

(2) Is not an air pollution abatement operation.

Standard conditions means a gas temperature of 25 degrees centigrade and a gas pressure of 760 millimeters of mercury absolute.

Vehicle means any self-propelled, nonstationary device moving over public or private property on wheels, tracks, rollers, rails or air, whether or not licensed as a motor vehicle. Motorized construction equipment and railroad engines are specifically included within this definition.

SECTION 2. Section 3-17 of the 2008 Code of Ordinances, City of Kansas City, Kansas is amended to read as follows:

Section 3-17 Open Burning Prohibition

- (a) Except as provided herein, no person shall dispose of residential waste or refuse by open burning or cause, or permit open burning of residential waste or refuse
- (b) No person shall conduct, cause or permit the conducting of a salvage operation by open burning.
- (c) No person shall cause or permit the disposal of nonresidential wastes or refuse by open burning.
- (d) Except as provided herein, no person shall otherwise cause, allow or permit open burning upon any property.
- (e) No person shall cause or allow to be initiated or maintained any open burning which creates a private or public nuisance or hazard to public safety.
- (f) ~~It shall be prima facie evidence that the person who owns or controls property on which open burning occurs has caused or permitted such open burning.~~
- (g) Exceptions to open burning prohibition are as follows:
 - 1. Fires used for the preparation of food such as barbecuing.
 - 2. Recreational or ceremonial bonfires and other recreational fires exclusive of those included in subsection (g)(1) of this section, provided prior written approval is obtained from the director and from the fire prevention division.
 - 3. Open burning of vegetation such as grass, woody species, crop residue and other dry plant growth for the purpose of crop, range, pasture, wildlife or watershed management. Provided that prior written approval is obtained from the Director and from the Chief of the Fire Prevention Division.
 - 4. The use of safety flares for disposal of flammable gases for which there is no other practical means of disposal.
 - 5. Fires set for demonstration purposes related to the training of governmental or industrial personnel in firefighting procedures, provided prior written approval is obtained from the director and from the chief of the fire prevention division.
- (h) *Opening Burning Shall be permitted as follows:*

(1) Open burning permits may be granted for the following types of waste:

a. *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. On a case-by-case basis the Director, or their designee, 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.

(i) 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. (Change to include “at the discretion of the director language”)

(ii) An additional permit shall be obtained from the director prior to the 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.

b) *Organic Yard Waste*

1. Fires set for the disposal of organic yard waste generated on property for which the permit is sought may be permitted during the month of April and from October 16 through November 15 between the hours of 7:00 a.m. and 6:00 p.m. or as extended pursuant to subsection 2(i) below.

2. Organic yard waste includes leaves, brush, dead wood, tree cuttings, and weeds. Organic yard waste also 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.

3. Only one permit (for a maximum of three days) per property per burn month will be issued, unless the chief of the fire prevention division determines that it is in the interest of public health or safety to issue more than one permit or to extend it beyond three days.

(2) Application and issuance of permits shall be as follows:

- 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.

5. Map indicating nearest hydrants, structures, roads, water sources, power lines, property lines and burn location within 1500 feet of the burn location.

6. Management plan for igniting, controlling, and extinguishing the open burn.

7. 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.

8. Under no circumstances shall open burning occur within 50 feet of any building, combustible material, road or within 50 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 heavy equipment.

- 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.

b. Any person wishing to burn organic yard waste under this section during the month of April or during the period from October 16 through November 15, or as extended pursuant to paragraph i below, shall file an application at any fire station, or at the fire department website (kckfd.org) within 15 days and at least 24 hours before burning.

c. The application shall state the following:

1. The name, address, and telephone number of the person submitted the application.
2. The schedule of burning operations.
3. The type, quantity, and composition of waste to be burned.
4. The exact location where open burning will be used to dispose of such waste.
5. 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 or the director of the health department that may have jurisdiction.

(d) Upon approval of the application by the director and the chief of the fire prevention division in the case of nonresidential waste, and by the chief of the fire prevention division, in the case of residential waste, the person may proceed with the operation without being in violation of this section; provided that the person conducting the burning fully complies with all conditions and operating restriction imposed as a part of such permit.

(e) The director or the chief of the fire prevention division may revoke such permit at any time for cause.

(f) The director or the chief of the fire prevention division may revoke any permit at any time or may ban all open burning if one or both of them determine burning would constitute a danger to public health or safety.

(g) Each such application shall be considered individually upon merits and the director, or the chief of the fire prevention division may decide that other factors require that such permit application be denied.

(h) The director or the chief of the fire prevention division or both may establish such conditions for burning or operational requirements in permitted the open burning authorized under subsection (h)(2)f. of this section as are necessary, in the judgment of the director or the chief of the fire prevention division, to minimize the air pollution emitted by such burning or to protect the health and safety of the public.

(i) The county administrator is hereby granted the discretion, after consultation with the director and 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.

(1) Additionally, if at any time during the year a severe weather event occurs as determined by the Director of the Air Quality Division, the owners of properties zoned for agricultural uses may apply for burn permits for trees and limbs felled by the severe weather event. The burn permit shall be approved only if the Director of the Air Quality Division determines that air quality conditions and wind conditions are acceptable, and that the application meets all other requirements and conditions as set forth in this Section.

(2) The duration of each burn permit would be determined on a case by case basis by the Director of the Air Quality Division or there staff.

(3) Under no circumstances shall open burning occur within 15 feet of any building or within 15 feet of the property line.

(4) All open burning must be constantly attended until extinguished.

(5) All persons conducting open burning shall have available the means for controlling or extinguishing the fire, such as water supply or a fire extinguisher.

(6) 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.

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 provision of this section.

j) After 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 thirty (30) days of such decision. The panel shall conduct a hearing on the appeal within thirty (30) days of receipt of such appeal the Wyandotte County District Court within thirty (30) days.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF
_____, 2022**

Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Chief Counsel



Opening Burning Amendments



Proposed Amendment #1

- ❖ Amend Section 3-3 to include the following definition:
 - ❖ “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 of their designee
- ❖ Amend the 3-3 Definition of Director to:
 - ❖ The manager of the Environmental Health Division of Wyandotte County/Kansas City, Kansas Public Health Department or their designees

Proposed Amendment #1 (Cont.)

- ◇ Amend the 3-3 Definition of Approvable air curtain open pit destructor to:
 - ◇ 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 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, 12 feet or deeper (consistent with local solid 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 had the required four smooth vertical walls and/or 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.



Proposed Amendment #2

◇ Section 3-17(f)

- ◇ ~~(f) It shall be prima facie evidence that the person who owns or controls property on which open burning occurs has caused or permitted such open burning.~~



Proposed Amendment #3

- ❖ Amend Section 3-17(g)(3) *Open Burning Prohibition Exceptions to read:*
 - ❖ Open burning of vegetation such as grass, woody species, crop residue and other dry plant growth for the purpose of crop, range, pasture, wildlife or watershed management. Provided that prior written approval is obtained from the Director and the Chief of the Fire Prevention Division.
 - ❖ This amendment would but our language in alignment with the current state regulations on open burning.

Proposed Amendment #4

◇ Amend Section 3-17(h)(1)(a) to read:

◇ (1) Open burning permits may be granted for the following types of waste:

- ◇ *a. 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. On a case-by-case basis the Director, or their designee, 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.
- ◇ (i) 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. (Change to include “at the discretion of the director language”)



Proposed Amendment #5

❖ Amend Section 3-17(h)(1)(b)(2) to read:

- ❖ Organic yard waste includes leaves, brush, dead wood, tree cuttings, and weeds.
Organic yard waste also includes trees felled by storm damage on properties zone 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.

Proposed Amendment #6

- ❖ 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.
 - ❖ 5. Map indicating nearest hydrants, structures, roads, water sources, power lines, property lines and burn location within 1500 feet of the burn location.

Proposed Amendment #6 Cont.

- ◇ 6) Management plan for igniting, controlling, and extinguishing the open burn.
- ◇ 7) 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 or the director of the Health Department that may have jurisdiction.
- ◇ 8) Under no circumstances shall open burning occur within 50 feet of any building, combustible material, road or within 50 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 heavy equipment.
 - ◇ 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.



Proposed Amendment #7

- ◇ Amend section 3-17(h)(2)(c)(5) to read:
 - ◇ For nonresidential waste, extraordinary resident waste, or extraordinary organic yard waste, in addition to the information required by this subsection

Proposed Amendment #8

◇ Amend Section 3-17(h)(2)(i) to read:

◇ The county administrator is hereby granted the discretion, after consultation with the director and 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 these 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.*

◇ (1) *Additionally, if at any time during the year a severe weather even occurs as determined by the Director, the owners of properties zones for agricultural uses may apply for burn permits for trees and limbs felled by the severe weather. The burn permit shall be approved only if the Director approved only if the Director determines that air quality conditions and wind conditions are acceptable, and that the application meets all other requirements and conditions as set forth in this Section.*

◇ (2) *The duration of each burn permit would be determined on a case-by-case basis by the Director or their staff.*



Proposed Amendment #9

❖ Amend section 3-17(j) to read:

❖ *After denial of a burn permit under this section an applicant may appeal their decision to the Wyandotte County District Court within 30 days.*



Spring and Fall Burning Season

- ◇ During the month of April and from October 16 through November 15 fires set for the disposal of organic yard waste generated on property may be permitted between the hours of 7:00am and 6:00pm
 - ◇ Organic yard waste includes leaves, brush, dead wood, tree cuttings and weeds that can fit within a 10 by 10 ft pile and can be burned completely in three days between the hours of 7:00am and 6:00pm.
 - ◇ During these periods only one permit (for a maximum of three days) per property per burn month will be issued unless the chief of the fire prevention division determines that it is in the interest of public health or safety to issue more than one permit or to extend it beyond three days



Additional Open Burn Periods

- ❖ At times, the County Administrator may determine that open burning is necessary in between the spring and fall periods especially when 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 be obtained to conduct burning and that open burning comply with all current county ordinances
 - ❖ Under Wyandotte County Municipal Code Section 3-17(h) there are three main types of waste for which permits may be sought: Nonresidential Waste, Extraordinary Organic Yard Waste, and Organic Yard Waste



Nonresidential Waste and Extraordinary Organic Yard Waste

❖ Under Wyandotte County Ordinance 3-17(h)(a) Fires set for the disposal of nonresidential waste, or extraordinary organic yard waste may be permitted when it can be shown such open burning is:

- (1) absolutely necessary;
- (2) in the public interest; and
- (3) no other method can be used.

The 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 destructor of suitable design and capacity is used to accomplish the burning. An additional permit is required to be obtained from the Director prior to the use of an air curtain destroyer.

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.



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



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



Staff Request for Commission Action

Tracking No. 211960

Full Commission Meeting Date:

Committee: Administration & Human Services

Date of Standing Committee Action: 9/26/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/06/2022	<u>Contact Name:</u> Jennifer Stewart	<u>Contact Phone:</u> 913-321-1445	<u>Contact Email:</u> jstewart@kckpd.org	<u>Department/Division:</u> Health Department
<u>Item Description:</u> An Ordinance amending Section 3-22 of the Code of Ordinances relating to the emission of odors, submitted by Jennifer Stewart, Environmental Health Manager. <i>On September 26, 2022, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to the full commission.</i>				
<u>Action Requested:</u> To approve the ordinance.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Sec. 3-22 Amendment Ordinance Clean, Sec. 3-22 Amendment Ordinance Redline				

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 3, Air Pollution, amending Section 3-22 of the Unified Government Code.

WHEREAS, the Wyandotte County Health Department is responsible for monitoring air pollution and responding to possible violations of the Unified Government Code; and

WHEREAS, the specific instrument referenced in Sec. 3-22 of the Unified Government Code is no longer being manufactured; and

WHEREAS, the Wyandotte County Health Department and Kansas Department of Health and Environment have found a comparable instrument to measure odorous emissions.

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

Section 1. That Chapter 3, Air Pollution, Section 3-22, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

Sec. 3-22. Restriction of emission of odors.

(a) No person shall cause or permit odorous emissions so as to cause air pollution.

(b) An odor occurrence shall be deemed a violation when a complaint from one person or more is received and substantiated at the point of complaint within one business day by observations of the director or their designee. The director shall deem the complaint valid only if the director or their designee finds the occurrence of sufficient duration or frequency so that the director or their designee can make two measurements of olfactometerodor strength within a period of one hour, these measurements being separated by at least 15 minutes.

(c) Odor measurement shall be made with a Nasal Ranger Field Olfactometeror any other instrument, device, or technique designated by the director as producing equivalent results.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval and publication in the publication of record for the Unified Government of Wyandotte County/Kansas City, Kansas.

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

THIS ____ DAY OF _____ 2022

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Chief Counsel

(Published _____)

ORDINANCE NO. _____

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WHEREAS, the Wyandotte County Health Department is responsible for monitoring air pollution and responding to possible violations of the Unified Government Code; and

WHEREAS, the specific instrument referenced in Sec. 3-22 of the Unified Government Code is no longer being manufactured; and

WHEREAS, the Wyandotte County Health Department and Kansas Department of Health and Environment have found a comparable instrument to measure odorous emissions.

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

Section 1. That Chapter 3, Air Pollution, Section 3-22, of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

Sec. 3-22. Restriction of emission of odors.

(a) No person shall cause or permit odorous emissions so as to cause air pollution.

(b) An odor occurrence shall be deemed a violation when a complaint from one person or more is received and substantiated at the point of complaint within one business day ~~two hours~~ by observations of the director or their designee. The director shall deem the complaint valid only if the director or their designee finds the occurrence of sufficient duration or frequency so that the director or their designee can make two measurements of olfactometer ~~scentometer no. 2~~ odor strength within a period of one hour, these measurements being separated by at least 15 minutes.

(c) Odor measurement shall be made with a Nasal Ranger Field ~~Olfactometer~~ ~~scentometer as manufactured by Barnebey-Cheney Company~~ or any other instrument, device, or technique designated by the director as producing equivalent results.

Section 2. This ordinance shall take effect and be in full force from and after its passage, approval and publication in the publication of record for the Unified Government of Wyandotte County/Kansas City, Kansas.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS ____ DAY OF _____ 2022**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Chief Counsel



Staff Request for Commission Action

Tracking No. 211961

Full Commission Meeting Date:

Committee: Administration & Human Services

Date of Standing Committee Action: 9/26/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 10/06/2022	<u>Contact Name:</u> Jennifer Stewart	<u>Contact Phone:</u> 913-321-1445	<u>Contact Email:</u> jstewart@kckpd.org	<u>Department/Division:</u> Health Department
<u>Item Description:</u> An ordinance amending Section 16-31, 16-32 & 16-34 relating to food establishment regulation and licensing, submitted by Jennifer Stewart, Environmental Health Manager.				
<u>Action Requested:</u> For approval of the ordinance amending Section 16-31, 16-32 & 16-34 relating to food establishment regulation and licensing.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Food Licensing ordinance 2.0 Clean, Food Licensing ordinance 2.0 Redline				

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 16, FOOD SERVICE AND FOOD SERVICE ESTABLISHMENTS, amending Section 16-31, 16-32 & 16-34 of the Unified Government Code.

WHEREAS, retail food establishments measuring greater than 200 cubic feet and selling only prepackaged foods are required to be inspected and licensed by the Kansas Department of Agriculture annually; and

WHEREAS, there are 205 licensed retail food establishments in Wyandotte County; and

WHEREAS, the Kansas Department of Agriculture adopted the current Food Code in 2012; and

WHEREAS, the Kansas Department of Agriculture inspects and licenses all food establishments annually under the 2012 Food Code; and

WHEREAS, the Kansas Department of Health and Environment revoked their food regulations in 2010.

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

Section 1. That Chapter 16, Article II, of the Code of Ordinances of the Unified Government of Wyandotte County/Kansas City, Kansas, be and is hereby amended to read as follows:

Sec. 16-31. - 2012 Food Code adopted.

The Kansas Food Code, adopted in 2012, prepared, compiled and promulgated by the state department of agriculture, is adopted by reference.

Sec. 16-32. - State administrative regulations adopted.

The provisions of K.A.R.4-28-1 through 4-28-34, as they exist on the effective date of this Code, are adopted by reference as if set out in full in this article.

Sec. 16-34. - Permit Required.

All food establishments, as defined by the 2012 Food Code, located within Wyandotte County must obtain and maintain all Kansas Department of Agriculture required permits and licenses.

Section 2. This ordinance shall take effect and be in full force upon its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,

THIS _____ DAY OF _____, 2022.

Tyrone Garner
Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to form:

Chief Counsel

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 16, FOOD SERVICE AND FOOD SERVICE ESTABLISHMENTS, amending Section 16-31, 16-32 & 16-34 of the Unified Government Code.

WHEREAS, retail food establishments measuring greater than 200 cubic feet and selling only prepackaged foods are required to be inspected and licensed by the Kansas Department of Agriculture annually; and

WHEREAS, there are 205 licensed retail food establishments in Wyandotte County; and

WHEREAS, the Kansas Department of Agriculture adopted the current Food Code in 2012; and

WHEREAS, the Kansas Department of Agriculture inspects and licenses all food establishments annually under the 2012 Food Code; and

WHEREAS, the Kansas Department of Health and Environment revoked their food regulations in 2010.

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

Section 1. That Chapter 16, Article II, of the Code of Ordinances of the Unified Government of Wyandotte County/Kansas City, Kansas, be and is hereby amended to read as follows:

Sec. 16-31. - ~~1999~~ 2012 Food Code adopted.

The Kansas Food Code, adopted in ~~2012~~1999, prepared, compiled and promulgated by the state department ~~of health and environment~~of agriculture, is adopted by reference.

Sec. 16-32. - State administrative regulations adopted.

The provisions of K.A.R. ~~4-28-1 through 4-28-34~~28-36-101—28-36-108, as they exist on the effective date of this Code, are adopted by reference as if set out in full in this article.

Sec. 16-34. - ~~Additional conditions of permit.~~ Permit Required.

All food establishments, as defined by the 2012 Food Code, located within Wyandotte County must obtain and maintain all Kansas Department of Agriculture required permits and licenses.

~~(a) All applicants for a permit as required by chapter 8 of the 1999 Kansas Food Code shall pay an initial application fee. The amount of the fee shall be set by the county administrator.~~

~~(b) The permit required by chapter 8 of the 1999 Kansas Food Code shall be renewed annually on or before January 1 of each year.~~

~~(c) For the permit required by chapter 8 of the 1999 Kansas Food Code, every person operating a retail food store shall pay an annual permit fee in addition to the initial application fee. The amount of the fee shall be set by the county administratorA.~~

~~(d) Application for the permit required by chapter 8 of the 1999 Kansas Food Code shall be made to the unified government public health department.~~

~~(e) For the purpose of this section, the sale or serving of food in the same location less than seven days in any calendar year shall be construed as the occasional sale or serving of food and shall not require a permit.~~

Section 2. This ordinance shall take effect and be in full force upon its passage, approval, and publication in the official Unified Government newspaper.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,

THIS _____ DAY OF _____, 2022.

Tyrone Garner
Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to form:

Chief Counsel



Staff Request for Commission Action

Tracking No. 211958

Full Commission Meeting Date: 9/29/2022

Committee: Administration & Human Services

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

Publication Required: No

<u>Date:</u> 10/06/2022	<u>Contact Name:</u> Gunnar Hand	<u>Contact Phone:</u> 5751	<u>Contact Email:</u> ghand@wycokck.org	<u>Department/Division:</u> Planning and Urban Design
<u>Item Description:</u> As a part of their annual funding allocation, the Mid-America Regional Council (MARC) is provided monies from the federal government for various planning activities. MARC is looking to leverage a portion of this annual allocation to fund a regional electrical vehicle (EV) strategic plan, which is an identified action plan item of the recently adopted goDOTte Countywide Strategic Mobility Plan and the Regional KC Climate Action Plan. The Unified Government has been asked to support this effort with a \$5,000 contribution to the local match fund being sought from all other municipalities within the MARC planning area. There is no deadline for this grant, but MARC would like to proceed with a Request for Proposals process by the end of 2022, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> MARC_Kansas City Regional EV Strategic Plan_SCOPE				

Kansas City Regional EV Strategic Plan – Draft Scope

1. **Steering Group Engagement** – Coordinate with steering group to ensure engagement output meets the needs of future city and regional planning and funding activities.
2. **Assessment –Identify current conditions and future needs including the following:**
 - a. Review existing local and regional plans
 - b. Coordination with local utilities on existing and future programs
 - c. Collection of current local and regional EV data and assessment of existing conditions
 - d. Identification of barriers to EV growth
 - e. Local and regional EV growth projection
3. **Identification of Needs – utilize input from the assessment phase to quantify charging infrastructure needed to support increasing EV population as follows:**
 - a. Recommendation for city fleet charging infrastructure (including quantity and type)
 - b. Identify opportunities for charging station co-usage with public (public charging access)
 - c. Identify equity considerations for public charging
 - d. Options for charging station operations/ management
 - e. Utility/ grid analysis required to support charging infrastructure
4. **Public engagement**
 - a. Identification of barriers to and public need for EV adoption and EV infrastructure
 - b. Public engagement targeting underserved communities
5. **Strategy & Recommendations – Summarize key next steps and define a phased approach to implementation of charging infrastructure plan including the following:**
 - a. Methods of eliminating barriers to EV and EV infrastructure growth
 - b. Program and policy recommendations for supporting implementation
 - c. Strategies for EV Adoption in Underserved Communities
 - d. Identification of potential private sector partners
 - e. Guidance on and prioritization of potential new charging station locations
 - f. Funding guidance to identify potential formula, grant, incentive, or rebate programs available to cities and MARC.
6. **EV Strategic Plan Report**
 - a. Draft Plan - Coordination with the Steering Group to ensure the strategic plan addresses defined deliverables and presents information in digestible format
 - b. Final Plan – Full plan will be provided once all final comments are received and incorporated



Staff Request for Commission Action

Tracking No. 211928

Full Commission Meeting Date: 9/29/2022

Committee: Administration & Human Services

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

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
10/06/2022	Gunnar Hand	5751	ghand@wycokck.org	Planning and Urban Design

Item Description:

This grant seeks to encourage the use of electric vehicles (EV) in underserved communities across the Mid-America Regional Council's (MARC) region by assisting with the purchase of EVs and EV charging infrastructure. The Unified Government has been asked by MARC to join this grant in order to develop a demonstration project(s) in Kansas City, Kansas, which is an identified action plan item of the recently adopted goDotte Countywide Strategic Mobility Plan and the Regional KC Climate Action Plan. If awarded to MARC, this grant would require an 80/20 local match for projects and is targeted to let in federal fiscal year 2026. The average cost for one (1) electric vehicle and one (1) installed charging station is approximately \$75,000 (\$15,000 local match). This is a retroactive grant request that was submitted by MARC in August 2022, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

Action Requested:

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

2022 MARC EVSE Application

2022 Sub Allocated Funding Call

Sub-Allocated Preliminary Questionnaire

No.	Question	Answer
Pre-Application review		
1	Project name	Regional Electric Vehicles and EV Infrastructure Expansion
2	What type of agency is requesting this application?	MPO
3	Sponsoring agency name	Mid America Regional Council (MARC)
4.1	Primary project mode	Other
4.2	Secondary project mode	Other
5	Project type (This limits available funding sources)	Other
6.1	Project description	This project includes electric vehicles and charging station infrastructure to expand the current regional fleet and network. This project will seek project partners for implementation. This project application is based on approximately 6 small electric vehicles and 16 level 2 and 3 charging stations to be installed in areas of the region where there are significant gaps in charging network today. EVs and EV infrastructure will serve centers, mobility hubs, and corridors that serve underserved and /or EJ communities and serve center, corridors, and mobility hubs to the extent possible. The EV charging stations would be fully accessible to the public. Electric vehicles may be for local government fleet replacement or other public-use scenarios, including carshare.
6.5	Project length in miles	0.0
7	Is this project listed in Connected KC 2050 (https://marc2.org/tr_rtp/browseprojects.aspx)?	Yes

Sub-Allocated Preliminary Questionnaire

7.1	What is its Project Number (https://marc2.org/tr_rtp/browseprojects.aspx):	1,289
8	Which Connected KC 2050 (https://connectedkc.org/) underlying strategies (https://connectedkc.org/strategies-list/) does the project implement or advance?	Air quality Equitable access to technology Emergency preparedness Mobility hubs Public transportation Electric Vehicles Climate protection and resilience Complete and Green Streets More mode choices Equitable investment Data and Technology Centers and corridors
8.1	List and describe how the project/program implements & advances underlying strategies (https://connectedkc.org/strategies-list/) selected in question 8.	Centers and corridors - Charging infrastructure will be located in centers and along corridors, when practicable. Complete streets - The project supports the vehicle component of complete streets, facilitating the transition of them to zero vehicle emissions and reducing direct exposure to pollutants to bikers, pedestrians, and transit users. Climate protection and resilience - See 8.6. Data and technology - the project includes technology needed to support EVs and provides data to both users and station owners. Air quality - project facilitates transition to EVs, which have zero tailpipe emissions. Electric vehicles – Expanding the EV charging network will directly facilitate and use and viability of electric vehicles in KC. Emergency Preparedness -Keeps EVs charged during natural disaster or other emergencies. Equitable access to technology and investment – Currently, there are gaps in the EV charging network. Investing to fill gaps in the network will make access to this technology more equitable. Mobility hubs – This project will diversify available alternatives to traditional transportation in the region’s mobility hubs. Mode choice - Electric vehicles could be used to expand options for low-income communities if used for carsharing. Public transportation – Expanding the network will facilitate future utilization of electric alternatives in existing public transit networks.

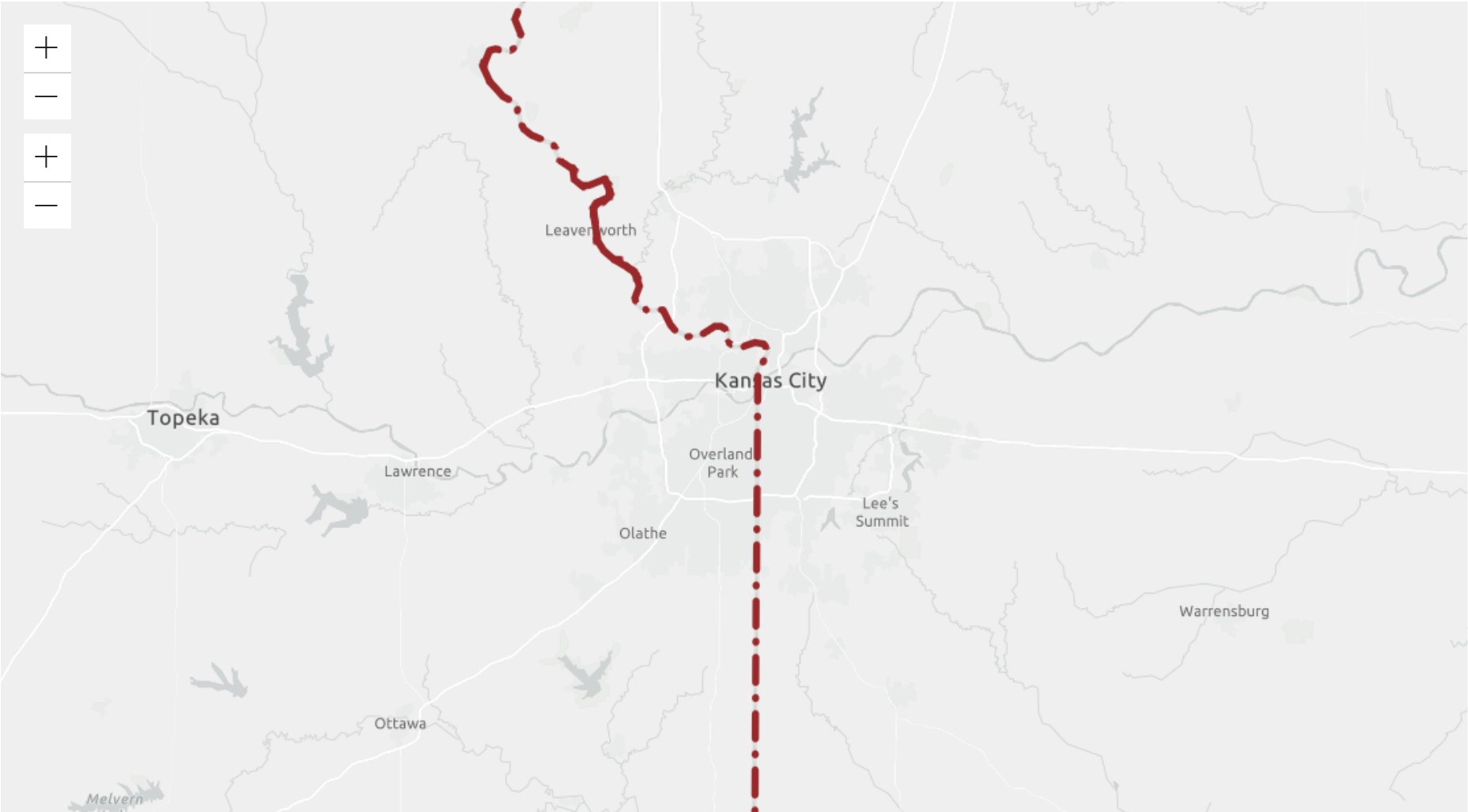
Sub-Allocated Preliminary Questionnaire

8.2	Describe contemplated complete street elements (transit accommodations, current and proposed type of bike/ped infrastructure, green infrastructure, etc.), if applicable.	The project supports the vehicle component of complete streets, facilitating the transition of them to zero tailpipe emissions and reducing direct exposure to pollutants to bikers, pedestrians, transit riders and other users exposed to open air.
8.3	The top contributing factors of fatal and serious injury crashes in the region as described in the Destination Safe Together Toward Zero plan (https://www.marc.org/sites/default/files/2022-06/Destination_Safe_Together_Toward_Zero.pdf) include: Aggressive/Speeding, Pedestrians, Impaired, Distracted, Intersections. Does this project address an identified safety crash type as identified in the Vision Zero Plan, or another safety topic?	No
8.4	Does this project or program implement specific strategies identified in a Planning or Creating Sustainable Places (https://marc-gis.maps.arcgis.com/apps/MapSeries/index.html?appid=0a958d0637c14704b267d92d16104e54) plan? Please be specific about which PSP/CSP plan is being advanced.	2021 - Countywide Mobility and TOD Strategy (UG Wyandotte Kansas City)
8.5	Describe strategies that advance the region's Clean Air Action Plan (https://www.marc.org/environment/environment-plans/clean-air-action-plan).	This project supports the CAAP by expanding electric vehicles and the EV charging network and closing gaps in areas known to have limited access to EV infrastructure; harnessing emerging technology and increasing equitable access to transport options that produce fewer/no emissions. The added charging stations will support mobility hub development; and, in line with the plan's ACES strategy, will serve to directly increase of the use of electric vehicles in the region.
8.6	Describe strategies that advance the region's Climate Action Plan (https://climateactionkc.com/plan).	This project supports the CAP by facilitating a transition to electric vehicles in the region that will lower GHG emissions. Accessibility to affordable electric vehicles is improving, but without a robust charging station network, KC residents' ability to take part in this transition will be limited. The project supports the CAP equity goals by making overall investment of EV infrastructure more equitable. Project supports adaptation by diversifying fleet fuel sources and ensuring EVs have access to charging stations in the event of natural disasters or other emergencies.
8.7	Describe additional conservation, restoration and watershed connectivity efforts.	None.

Sub-Allocated Preliminary Questionnaire

8.8	Describe how your project/program includes adaptation efforts and funding related to urban heat islands, flood and drought to protect public and safety. Please also describe how do these efforts support greater investments in transportation projects that address the needs of disadvantaged populations and communities and ensure more equitable outcomes.	Additional charging stations can help ensure EVs can continue to charge, in cases where urban heat and other emergencies create displacement. EVs produce about 20% less heat than conventionally-fueled vehicles which can aid in mitigating urban heat. This project would support EV fleet expansion and decreased ozone pre-cursor emissions that may produce ozone under greater heat island intensity. Ground level ozone disproportionately impacts disadvantaged communities as these communities have a higher prevalence of diseases affecting the heart and lungs, which may worsen due to pollution.
9.1	Project total budget	\$750,000
9.2	Amount of federal funds requested	\$600,000
9.3	What percentage of the total funds is allocated towards bicycle and/or pedestrian facilities and programs?	0%
13	Does this project have a geography that can be mapped?	Yes
13.1	Please draw the boundaries of your proposed project's study area.	

Sub-Allocated Preliminary Questionnaire



Unified Gov of Wyandotte Co, Missouri DNR, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS Powered by [Esri](#)

Sub-Allocated General Questions

No.	Question	Answer
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Sub-Allocated General Questions

1	Is this project included in the current Transportation Improvement Program (TIP) (https://www.marc.org/transportation/plans-and-studies/transportation-improvement-program)?	No
2.01	State	Regional (bistate)
3.01	County	Wyandotte County , KS Cass County, MO Miami County , KS Clay County, MO Jackson County, MO Johnson County , KS Platte County, MO Leavenworth County , KS
4.01	Municipality	Harrisonville, MO Gladstone, MO Buckner, MO Raymore, MO Fontana, KS Sugar Creek, MO Gunn City, MO Riverside, MO Homestead Village, MO Lone Jack, MO Gardner, KS North Kansas City, MO Missouri City, MO Lake Waukomis, MO Oakview, MO Lake Quivira, KS Orrick, MO Kearney, MO East Lynne, MO Pleasant Hill, MO Platte City, MO Tracy, MO Mission Hills, KS

Sub-Allocated General Questions

Fleming, MO
Oakwood Park, MO
De Soto, KS
Levasy, MO
Tonganoxie, KS
Westwood, KS
Mission, KS
Lansing, KS
Drexel, MO
Smithville, MO
Henrietta, MO
Freeman, MO
Oaks (Village of Oaks), MO
Greenwood, MO
Hardin, MO
Ferrelview, MO
Grain Valley, MO
Avondale, MO
Lake Winnebago, MO
Birmingham, MO
Houston Lake, MO
Linwood, KS
Excelsior Springs, MO
Richmond, MO
Cleveland, MO
Kansas City, MO
Independence, MO
Dearborn, MO
Glenaire, MO
Blue Springs, MO
River Bend, MO
Mosby, MO
Garden City, MO
Roeland Park, KS
Oakwood, MO
Camden Point, MO
Oak Grove, MO
Farley, MO

Sub-Allocated General Questions

Creighton, MO
Westwood Hills, KS
Randolph, MO
Merriam, KS
Claycomo, MO
Shawnee, KS
Loch Lloyd, MO
Edgerton, KS
Easton, KS
Weatherby Lake, MO
Strasburg, MO
Lenexa, KS
Wood Heights, MO
Edgerton, MO
Camden, MO
Pleasant Valley, MO
Ridgely, MO
Riverview Estates, MO
Kansas City, KS
Overland Park, KS
Parkville, MO
Crystal Lakes, MO
Spring Hill, KS
Northmoor, MO
Basehor, KS
Sibley, MO
Elmira, MO
Raytown, MO
Excelsior Estates, MO
Louisburg, KS
Lee's Summit, MO
Baldwin Park, MO
Edwardsville, KS
Leavenworth, KS
Peculiar, MO
Unity Village, MO
Lawson, MO
Fairway, KS

Sub-Allocated General Questions

		Archie, MO Platte Woods, MO Prairie Village, KS Prathersville, MO Weston, MO Olathe, KS Paola, KS West Line, MO Holt, MO Osawatomie, KS Bonner Springs, KS Lake Annette, MO Mission Woods, KS Liberty, MO Leawood, KS Lake Tapawingo, MO Grandview, MO Lake Lotawana, MO Iatan, MO Belton, MO
5.1	Do you plan on partnering with another agency or organization to implement this effort? (If yes, then you will need to click 'Add Project Partner Agencies', fill out the partner contact information, and then upload the partnership agreement)	Yes
5.2	Project Partners	
	Partner 1	
	Contact first name:	Gunnar
	Contact last name	Hand
	Agency	Unified Government of Wyandotte County/Kansas City, KS.
	Department	Planning and Urban Design
	Email	ghand@wycokck.org

Sub-Allocated General Questions

	Phone number	(913) 573-5750
	Description	Additional partnerships may be identified and involved in the implementation of this project.
6	Funding Type (Limited by Project Type chosen on previous page)	STP/STBG CMAQ
7	Given the results of the preapplication assessment, has the scope of the project been modified in any way compared to scope of work proposed in preapplication questionnaire?	Yes
7.1	Please describe how has the scope has changed.	The project now includes electric vehicles, in addition to EV charging infrastructure.
8	Project Contact	Karen Clawson kclawson@marc.org 816-701-8255
9	Describe the purpose and need for this project	The purpose of the project is to bring fleet electrification benefits to areas of the region that are underserved by electric vehicle infrastructure. The electric vehicles charging network is well developed in parts of the region where there are significant regional employment centers and/or higher than regional average household incomes. And because Evergy installed over a thousand chargers in their Kansas City regional service territory, these areas have higher charging station densities. Several areas of the region (outside Evergy service territory and where lower-income communities exist) have a much lower density of electric vehicles and electric vehicles chargers and do not enjoy the benefits of this infrastructure, including decreased pollution. This project could be implemented to support local government fleet transition with publicly accessible charging infrastructure or a carshare project.
10	Federal Functional Classification	Not Applicable
11	Other than, or in addition to ConnectedKC 2050, does this project implement a multi-agency plan?	No
12	Is this project included in a local Capital Improvements Plan (CIP) or equivalent?	No
13	At what stage is the project in the planning process?	Conceptual Plan

Sub-Allocated General Questions

14	Have the project plans been reviewed by the appropriate state DOT?	No
15	Status of Right-of-Way acquisition	Not started
16	Have project plans and/or ROW acquisitions been in accordance with the appropriate LPA process manual?	Yes
17	Does this project promote other unique local goals and objectives not identified in ConnectedKC 2050?	No
18	Please describe the transportation disadvantaged populations that will or may be affected (positively or negatively) by this project. (MARC defines transportation disadvantaged populations as low-income, minority, older adults, disabled, persons living in zero-car households, and/or veterans.)	Replacing ICE vehicles with electric vehicles (supported by EV charging stations) would positively affect all segments of the population, including transportation disadvantaged populations. Electric vehicles have zero tailpipe emissions and help reduce pollution that disproportionately burdens low income and minority communities. This project seeks to target its benefits towards transportation disadvantaged/EJ populations by placing EV infrastructure in these communities which could support a future electric vehicle carshare program designed for low-income users. Carshare would provide zero-car households with additional transportation options and greater connectivity to opportunities (jobs, education, healthcare, etc.) throughout the region.
19	Please describe relevant public engagement that led up to the development of the proposed project, from comprehensive planning level to conceptual project development. Please describe what public engagement tools and strategies were employed, how you engaged transportation disadvantaged populations, and how feedback received from the public influenced the project.	Public engagement for this project supported the development of the Connected KC 2050 (2020), Clean Air Action Plan (2018), and Kansas City Regional Climate Action Plan (2021). With each of these planning efforts the community and transportation stakeholders were widely engaged at multiple points in the plans' development process, using both broad and targeted engagement techniques. These techniques included regional surveys, public meetings, focus groups, technical working groups, collaborative online engagement, interviews, pop-up events, etc. Transportation disadvantaged groups were engaged through community organizations with shorter reach into these communities. Vehicle electrification was a widely accepted strategy for reducing greenhouse gas emissions and ozone pre-cursor emissions for these plans.

Sub-Allocated General Questions

20	Please describe ongoing public engagement planned for this project, including techniques and tools to be used for the general public and those to be used for transportation disadvantaged populations.	A regional electric vehicle strategic plan is currently being conceptualized to help prioritize investments in EV charging infrastructure. The plan will identify strategies for making these investments equitable and support environmental justice community in the region. Public engagement of these communities will be critical. Public engagement techniques would be conducted in partnership with trusted community organizations and could include piggy-backing at neighborhood meetings, interviews, community meetings, etc. Further public engagement for implementation of this project will help identify specific infrastructure placement and develop programs.
21	Sustainable places, wherever they occur, are vibrant, efficient and enduring. As a goal of CKC2050, placemaking should coordinate transportation and land-use investment along the region's corridors and centers as a means to strengthen the quality of our region. Please mark the sustainable places criteria (http://resource.sustainable-kc.org/) that the project will address and/or enhance. (Check all that apply)	Compact, Walkable Centers
21.1	Describe the relationship your project has with the criteria listed in question 21.	EV infrastructure and EVs could support opportunities such as EV carsharing. Carsharing supports compact walkable (and transit-oriented) centers by providing a transportation alternative that can replace vehicle ownership.
22	Does this project directly serve a regionally identified activity center(s)? <i>Use this map (https://marc-gis.maps.arcgis.com/apps/webappviewer/index.html?id=ed9509a789a44b4db669a9ba380d9c01) and turn on the appropriate layer to view data. You may then need to zoom to where your project is located.</i>	Yes
22.1	If yes, what activity center hierarchical classification(s) does this project serve?	High or Very High. While more exploration and partnerships will be developed to determine exact locations, EV infrastructure should be co-located with high levels of commercial activity and/or compact residential development.

Sub-Allocated General Questions

23	Does this project improve access to or from environmental justice tracts? <i>Use this map (https://marc-gis.maps.arcgis.com/apps/webappviewer/index.html?id=ed9509a789a44b4db669a9ba380d9c01) and turn on the appropriate layer to view data. You may then need to zoom to where your project is located.</i>	Yes
23.1	If so, how?	With carshare a potential application for EVs and charging infrastructure, and locating sites in underserved/EJ areas, EJ tracts will have greater access to other areas of the region. Electric vehicle infrastructure could help attract EV owners from other areas to patron small businesses in these areas.
24	Does this project reduce greenhouse gas emissions and/or the use of carbon based fuels? <i>Use this map (https://marc-gis.maps.arcgis.com/apps/webappviewer/index.html?id=ed9509a789a44b4db669a9ba380d9c01) and turn on the appropriate layer to view data. You may then need to zoom to where your project is located.</i>	Yes
24.1	If so, how?	This project supports the GHG reduction and carbon based fuel use by facilitating a transition to electric vehicles.. Accessibility to affordable electric vehicles is improving, but without a robust charging station network, residents' ability to take part in this transition will be limited. The project supports the Climate Action Plan equity goals by making overall investment of EV infrastructure more equitable.
25	Describe natural resource conservation and restoration measures to be implemented along project corridor	n/a
26	Describe how natural resource conservation and restoration measures link to other community and environmental assets at a watershed scale:	n/a
27	Identify local land use or comprehensive plans that support or include the project	Comprehensive plans to include electric vehicles and/or infrastructure include Leavenworth's and Shawnee's plans. This project is also supported by KCMO's draft Climate Protection and Resiliency Plan.

Sub Allocated Outreach/Other

No.	Question	Answer
C7 - All Projects		
1	Does this project specifically target diesel emissions?	No
2	How many people/businesses/vehicles/other are targeted in the project?	30000
3	What is the estimated number of people/businesses/other expected to take action?	500
4	How many automobile trips are expected to be eliminated per day?	18
5	What is the average length of the trips eliminated?	11.5
6	If the project is an ongoing service or program, how many days per week will it be in operation?	7
6.1	If not, how many days will the event or program last	7
7	What is your source for the above estimates or data? Please provide details of your analysis	various studies
Project Life: The default project life for outreach and other projects vary. For carpool/vanpool vehicle purchases, the default is 8 years; for public education and outreach programs the default is 5 years.		
8	How long do you expect the air quality benefits of the project to accrue?	8
8.1	If other than the default value, please explain	n/a
Shared Ride/Vanpool Projects		
9	What is the estimated percent of participants drawn from personal automobiles, rather than from other carpools or vanpools?	0
If purchasing new vehicles to provide vanpool/carpool services:		
10	How many new vehicles will be purchased?	n/a

Sub Allocated Outreach/Other

11	What is the year, make and model of the vehicles to be purchased?	n/a
12	How many carpool/vanpool riders are expected per new vehicle per day?	n/a

Sub Allocated Other

No.	Question	Answer
1	S1 -Does this project have elements that will encourage non-motorized travel?	No
2	Does this project improve a bicycle connection between complimentary land uses?	No
3	Does this project improve a pedestrian connection between complimentary land uses?	No
4	Does this project have elements that improve freight movement?	No
5	Does this project implement or connect to MetroGreen (https://www.marc.org/environment/natural-spaces/metrogreen)	Yes
5.1	If yes, please explain:	High potential to connect to trails and bikeways that intersect with prime areas, such as mobility hubs, where EV infrastructure could be located. These connections will be sought in project development.
6	Will this project use strategies to reduce ozone-forming emissions?	Yes
6.1	If so, how?	Electric vehicles have zero tailpipe emissions.
7	Has a safety study or crash analysis been conducted at the project location?	No

Sub Allocated Other

8	The top contributing factors of fatal and serious injury crashes in the region as described in the Destination Safe Vision Zero Plan include: Aggressive/Speeding, Pedestrians, Impaired, Distracted, Intersections. Does this project address an identified safety crash type as identified in the Destination Safe Vision Zero Plan (https://www.marc.org/sites/default/files/2022-06/Destination_Safe_Together_Toward_Zero.pdf), or another safety topic? (Y/N)	No
8.2	If Education Program was selected, please explain.	n/a
8.3	If Other was selected, please explain.	This project combines electric vehicles and EV charging stations.
9	Are project elements part of an overall systematic safety strategy for similar locations?	No
9.1	If project elements are part of an overall systematic safety strategy for similar locations, please explain.	n/a
10	Lifespan of facility/asset (in years):	15
11	Current condition of the facility/asset:	Excellent
12	Will the project reduce traffic congestion?	No
13	Is the project part of the current Congestion Management Network (https://www.marc.org/Transportation/Plans-Studies/Streets-Highways/Congestion-Management-Process)?	No

Sub-Allocated Budget

No.	Question	Answer
	Engineering Cost Estimate	\$0
	Equipment Purchase Cost Estimate	\$0

Sub-Allocated Budget

Right-of-Way Cost Estimate	\$0
Other Cost Estimate	\$0
Utility Adjustment/Relocation Cost Estimate	\$0
Program Implementation/Construction (including Construction Engineering/Inspection) Cost Estimate	\$0
Contingency Cost Estimate	\$0
Total Estimated Project Cost	\$750,000
CMAQ	\$300,000
STBG	\$300,000
TAP	\$0
Matching Funds (minimum 20% match required)	\$150,000
Funding Year Requested	2026
Source of local match	Source will likely include local government general funds or private sponsorship.
If the project is proposed to receive less funding than requested, how can the project be phased? How will the project scope proposed in this application change?	Yes, the project can be scaled/phased by reducing the number of vehicles and/or charging stations initially installed/purchased.
Other	100%

Sub-Allocated Budget

In compliance with 23 CFR 450.326, MARC's Transportation Improvement Program must be financially constrained, meaning that programmed expenditures will not exceed the projected amount of revenues reasonably anticipated to be available for each year of the program.

Before submitting an application for a project for inclusion into the TIP, all agencies must have sufficient, reasonably-available resources to provide the matching funds required to complete the project. Your project submittal certifies that your agency will have required non-federal matching funds available at the time of federal fund obligation.

I certify my agency will have the required non-federal matching funds available at the time of federal fund obligation.

Sub Allocated File Upload Page

No.	Question	Answer
Supporting Documentation		
Upload documentation:		
1	Do you have a file to upload?	No
2	Do you have a second file to upload?	No
3	Do you have a third file to upload?	No
4	Do you have a fourth file to upload?	No



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

October 6, 2022

Mr. Brett A. Deichler, PMP CMP
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for **ROCK ISLAND BRIDGE ON KAW**

Dear Mr. Deichler

Please be advised that the Engineering Division has reviewed the attached plat of ROCK ISLAND BRIDGE ON KAW located over the Kansas River and being developed by Flying Truss, LLC.

Currently, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, P.S.
County Surveyor

Troy Shaw, P.E.
County Engineer

Attachments

Final Plat of:

[illegible]

FLYING TRUSS, LLC.
15 E. 68TH STREET
KANSAS CITY, MO 64113

Client:

Project: FINAL PLAT OF
ROCK ISLAND BRIDGE ON KAW
PART OF FRACTIONAL SECTION 14,
TOWNSHIP 11 SOUTH, RANGE 25 EAST,
KANSAS CITY, WYANDOTTE COUNTY KANSAS

Project No:	027650
Field Crew:	SS
Field Date:	
Drawn By:	JDS/TAR/JMC
Issue Date:	
Sheet:	
3	OF 3



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

August 18, 2022

Mr. Brett A. Deichler, PMP CMP
Unified Government Clerk
East Building

Re: Subdivision Plat Approval for **HYINK ADDITION NO. 1**

Dear Mr. Deichler

Please be advised that the Engineering Division has reviewed the attached plat of HYINK ADDITION NO. 1 located at 6702 and 6716 Berger Avenue and being developed by Steven F. Hyink

Currently, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

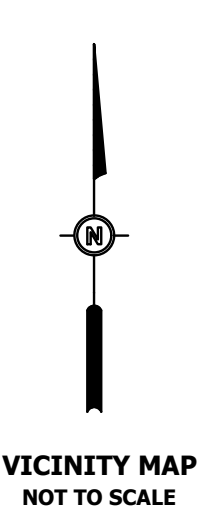
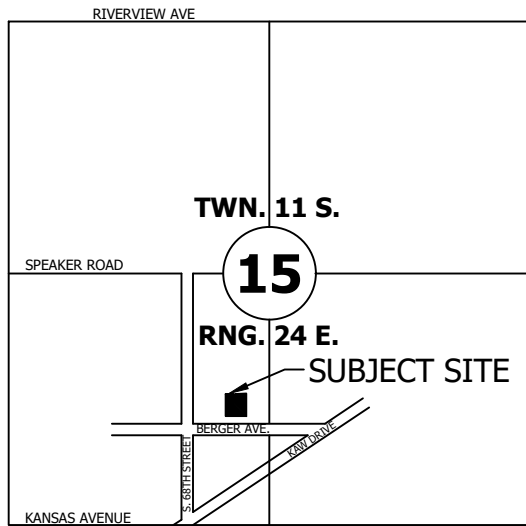
Brent E. Thompson, P.S.
County Surveyor

Troy Shaw, P.E.
County Engineer

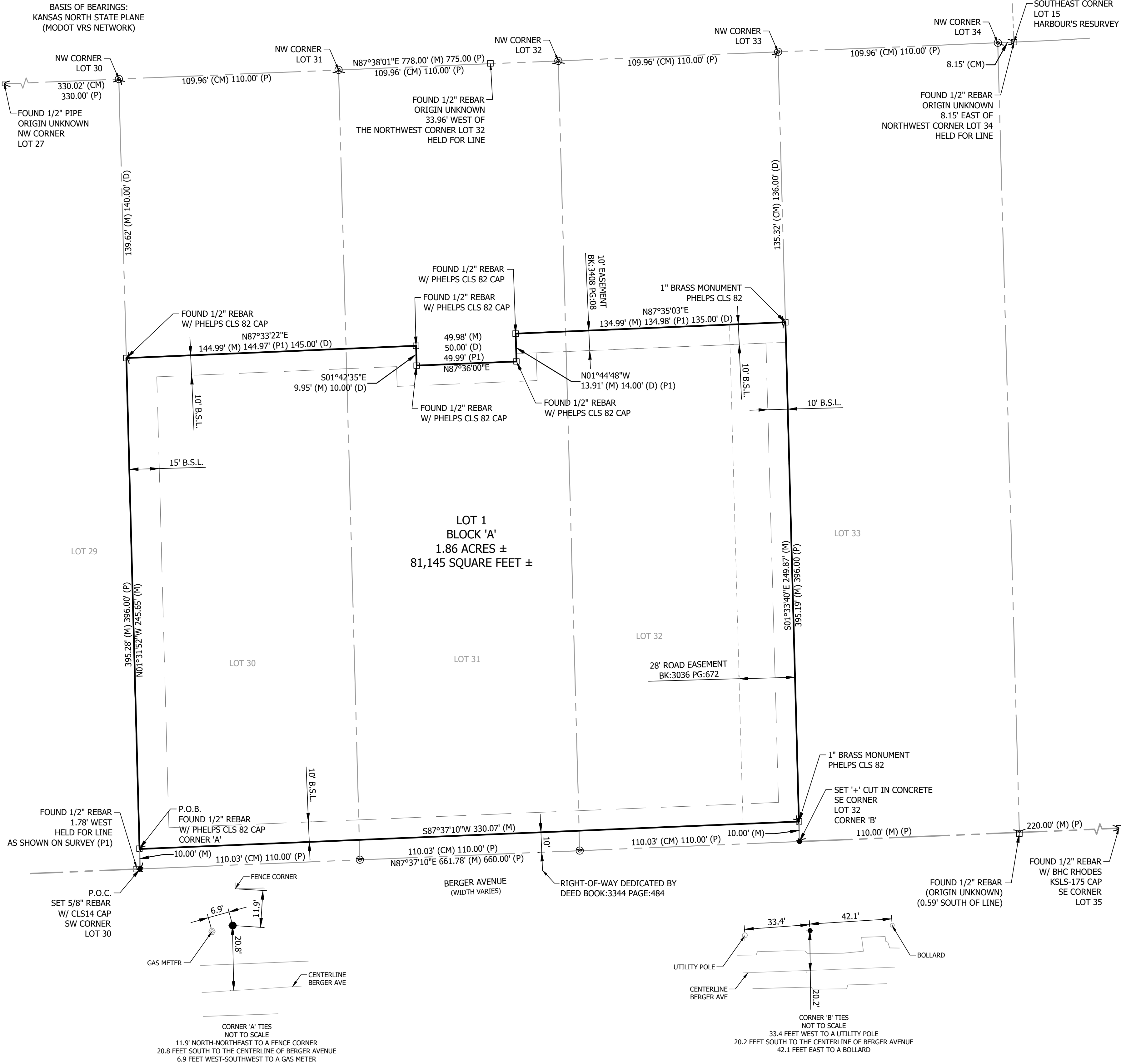
Attachments

FINAL PLAT OF HYINK ADDITION NO. 1

A REPLAT OF PART OF LOTS 30, 31, AND 32, VALLEY CENTER, A SUBDIVISION IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 15,
TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE SIXTH PRINCIPAL MERIDIAN, WYANDOTTE COUNTY, KANSAS



SCALE: 1" = 30'
BASIS OF BEARINGS:
KANSAS NORTH STATE PLANE
(MODOT VRS NETWORK)



LEGEND
--- BOUNDARY LINE
- - - RIGHT-OF-WAY LINE
- - - EASEMENT LINE
- - - BUILDING SETBACK LINE
● FOUND MONUMENT (AS NOTED)
○ SET MONUMENT (AS NOTED)
□ MEASURED
□ DEED
□ CALCULATED MEASUREMENT
□ B.S.L.
□ P.O.B.
□ P.O.C.
□ ESMT.
□ R/W
○ CALCULATED (NO MONUMENT SET)

DESCRIPTION:

A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK:4250 PAGE:284, AND IN DEED BOOK:4250 PAGE:285, AS RECORDED IN THE OFFICE OF THE WYANDOTTE COUNTY, KANSAS REGISTER OF DEEDS, IN KANSAS CITY, KANSAS, LOCATED IN LOTS 30-32, VALLEY CENTER, A SUBDIVISION IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED BY STEPHEN I. MARINO, II, PS 1380, ON OCTOBER 18, 2021, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 30, VALLEY CENTER, A SUBDIVISION IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS, THENCE NORTH 01 DEGREES 31 MINUTES 52 SECONDS WEST (BEARINGS BASED ON NAD-83 KANSAS NORTH ZONE STATE PLANE), COINCIDENT WITH THE WEST LINE OF SAID LOT 30, A DISTANCE OF 10.00 FEET TO THE NORTH LINE OF BERGER AVENUE, AS NOW EXISTS AND THE POINT OF BEGINNING;

THENCE, CONTINUING COINCIDENT WITH SAID WEST LINE, NORTH 01 DEGREES 31 MINUTES 52 SECONDS WEST, A DISTANCE OF 245.65 FEET; THENCE, DEPARTING SAID WEST LINE, NORTH 87 DEGREES 33 MINUTES 22 SECONDS EAST, A DISTANCE OF 145.00 FEET, DEED, 144.99 FEET, MEASURED; THENCE SOUTH 01 DEGREES 42 MINUTES 35 SECONDS EAST, A DISTANCE OF 10.00 FEET, DEED, 9.95 FEET, MEASURED; THENCE NORTH 87 DEGREES 36 MINUTES 00 SECONDS EAST, A DISTANCE OF 50.00 FEET, DEED, 49.98 FEET, MEASURED; THENCE NORTH 01 DEGREES 44 MINUTES 48 SECONDS WEST, A DISTANCE OF 14.00 FEET, DEED, 13.91 FEET, MEASURED; THENCE NORTH 87 DEGREES 35 MINUTES 03 SECONDS EAST, A DISTANCE 135.00 FEET, DEED, 134.99 FEET, MEASURED TO THE EAST LINE OF LOT 32, VALLEY CENTER; THENCE SOUTH 01 DEGREES 33 MINUTES 40 SECONDS EAST, A DISTANCE OF 249.87 FEET; TO THE NORTH RIGHT-OF-WAY LINE OF BERGER AVENUE, AS NOW EXISTS, THENCE SOUTH 87 DEGREES 37 MINUTES 10 SECONDS WEST, A DISTANCE OF 330.07 FEET TO THE POINT OF BEGINNING. CONTAINING 1.86 ACRES, 81,145 SQUARE FEET, MORE OR LESS.

SURVEYOR CERTIFICATION:

I, STEPHEN IRWIN MARINO, II, A PROFESSIONAL SURVEYOR IN THE STATE OF KANSAS, DO HEREBY CERTIFY THAT I HAVE MADE THE HEREON DESCRIBED SURVEY ON THE GROUND ON FEBRUARY 24, 2021 AND THAT SAID SURVEY MEETS OR EXCEEDS CURRENT KANSAS MINIMUM STANDARDS ADOPTED BY KANSAS STATE BOARD OF TECHNICAL PROFESSIONS.

STEPHEN IRWIN MARINO, II, P.S. #1380
BARTLETT & WEST, INC.

SURVEY NOTES:

- BOUNDARY CLOSURE CALCULATIONS
1:250,938
- SUBJECT PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FLOOD ZONE, AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 20209C0153D, WITH AN EFFECTIVE DATE OF SEPTEMBER 2, 2011.
- CURRENT ZONING: M-2 AS SET OUT IN UNIFIED DEVELOPMENT CODE; CHAPTER 27, ARTICLE VIII - ZONING, DIVISION 4 - DISTRICT REGULATIONS, SEC. 27-469 - M-2 GENERAL INDUSTRIAL DISTRICT.
- PREPARED FOR: ROBERT F. HYINK FAMILY, LLC.
4508 KINGFISHER CT.
AUGUSTA, MO 63332
- THIS SURVEY WAS DONE WITH THE BENEFIT OF LAWYERS TITLE OF KANSAS, INC.
OWNERS AND ENCUMBRANCE REPORT, CASE NO. 43092, EFFECTIVE DATE JULY 13, 2021, 7:00 AM.
- 45' LANDSCAPE BUFFER EASEMENT REMOVED:
CHANGE OF ZONING APPLICATION
CASE: CO22021-011 (PENDING)

REFERENCE SURVEYS:

- (P) - VALLEY CENTER, A SUBDIVISION OF LAND IN WYANDOTTE COUNTY, KANSAS
- BOOK 16, PAGE 11
- (D) - DEED - BOOK 4250, PAGE 284-285
- (P1) - NON-RECORDED SURVEY BY PHELPS ENGINEERING, INC., DATED SEPTEMBER 21, 2015
- (P2) - SURVEY BY BHC RHODES
DOCUMENT: 2012R-10844
- (P3) - SURVEY BY BHC RHODES
DOCUMENT: 2013R-11566

DEDICATION:

THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT OF LAND STATE THAT ALL TAXES HAVE BEEN PAID AND THAT THEY HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT WHICH HEREFTER SHALL BE KNOWN AS "HYINK ADDITION NO. 1". ALL STREETS, DRIVES, TERRACES AND OTHER WAYS SHOWN HEREON AND NOT HERETOFORE DEDICATED TO THE PUBLIC ARE HEREBY SO DEDICATED. AN EASEMENT IS HEREBY GRANTED ALL PUBLIC UTILITY COMPANIES, THEIR SUCCESSORS OR ASSIGN OR RURAL WATER DISTRICTS DULY INCORPORATED AND AUTHORIZED TO DO BUSINESS IN WYANDOTTE COUNTY, KANSAS, TO ENTER UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OF "U/E" FOR PURPOSES OF UTILITY INSTALLATIONS AND MAINTENANCE THEREOF. THE USE OF SAID EASEMENT BY ANY SUCH ENTITY SHALL OBLIGATE SUCH ENTITY TO RETURN SAID EASEMENT TO ITS CONDITION PRIOR TO ANY INSTALLATION, MAINTENANCE OR REPAIR ON SAID EASEMENT.

IN TESTIMONY WHEREOF,

I, STEVEN F. HYINK, PRESIDENT, ROBERT F. HYINK FAMILY LLC, HAVE SET MY HAND THIS _____ DAY OF _____, 2022.

STEVEN F. HYINK, PRESIDENT (DATE)

NOTARY CERTIFICATION:

STATE OF _____)
COUNTY OF _____)SS

BE IT REMEMBERED THE ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AN STATE CAME _____ TO ME PERSONALLY KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FORGOING INSTRUMENT OF WRITING, AND DULY ACKNOWLEDGED THE EXECUTION OF THE SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARY SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____ (SEAL)

APPROVALS

THIS PLAT OF _____ HAS BEEN SUBMITTED AND APPROVED BY THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY. KANSAS.

DATED THIS _____ DAY OF _____, 2022.

KANSAS CITY, KANSAS PLANNING COMMISSION

BY _____, CHAIRMAN

JEFF CARSON

BY _____, SECRETARY

GUNNAR HAND, AICP

COUNTY ENGINEER'S APPROVAL:

RECOMMENDED FOR APPROVAL BY THE COUNTY ENGINEER,

THIS _____ DAY OF _____, 20____.

COUNTY ENGINEER

TROY SHAW, P.E.

COUNTY SURVEYOR APPROVAL:

THIS SURVEY HAS BEEN REVIEWED FOR FILING, PURSUANT TO KSA 58-2003, 58-2005, AND 58-2011, FOR CONTENT ONLY AND IS IN COMPLIANCE WITH PROVISIONS. NO OTHER WARRANTIES ARE EXTENDED OR IMPLIED.

REVIEWED BY _____ DATE: _____
BRENT E. THOMPSON, KS P.S. 1277

STATE OF KANSAS)

COUNTY OF WYANDOTTE) SS

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE ON THIS _____ DAY OF _____, 2022, AT _____ O'CLOCK AND IS DULY RECORDED.

NANCY BURNS, REGISTER OF DEEDS

SUSIE NELSON, DEPUTY

THE DEDICATIONS SHOWN HEREON, IF ANY, ARE ACCEPTED BY THE COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF _____, 2022.

_____, U.G. MAYOR/CEO

TYRONE GARNER

(SEAL) _____, U.G. CLERK

BRETT A. DEICHLER

Drawing Name: W:\Proj\202003\20444\20444_000\Survey\Working\DWG\20444_000_FinalPlat.dwg Layout Name: Layout1 Plotted By: JCW01439 Plotted on: 9/7/2022 11:34:04 AM
Last edit on: 8/27/2022 10:12 AM by: JCW01439
ALL RIGHTS RESERVED. ALL BARTLETT & WEST PLANS, SPECIFICATIONS AND DRAWINGS ARE PROTECTED UNDER COPYRIGHT LAW, AND NO PART MAY BE COPIED, REPRODUCED, DISSEMINATED PUBLICLY, USED TO CREATE DERIVATIVES, DISTRIBUTED, STORED IN A RETRIEVAL SYSTEM OR TRANSMITTED IN ANY FORM BY ANY MEANS WITHOUT PRIOR WRITTEN PERMISSION OF BARTLETT & WEST.

#	DATE	DESCRIPTION
1	2021-10-18	REVISIONS PER COUNTY COMMENTS
2	2022-08-03	REVISED MAYOR NAME
3	2022-08-03	REVISED OWNER NAME

DESIGNED BY:	BY
DRAWN BY:	JCW
CHECKED BY:	JCW
PROJECT ENGR:	SIM

Bartlett & West
544 Columbia Drive
Lawrence, Kansas 66049
888.200.6464
www.bartlettwest.com

A REPLAT OF PART OF LOTS 30, 31, AND 32, VALLEY CENTER,
A SUBDIVISION IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH,
RANGE 24 EAST OF THE SIXTH PRINCIPAL MERIDIAN, WYANDOTTE COUNTY, KANSAS

FINAL PLAT
OF
HYINK ADDITION NO. 1

PROJ NO:	20444.000	DRAWING NO:
CONST PROJ:		P-1
SCALE:	AS NOTED	SHEET NO:
DATE:	AUGUST 2022	1 of 1

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

REGULAR SESSION
THURSDAY, JULY 14, 2022

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Regular Session Thursday, July 14, 2022, with ten members present via Zoom and onsite: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Markley, Commissioner Sixth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO, presiding. Kane, Commissioner Fifth District, was absent. The following officials were also in attendance: Cheryl Harrison-Lee, Interim County Administrator; Misty Brown, Chief Counsel; Jeff Conway, Assistant Counsel; Bridgette Cobbins, Assistant County Administrator; Brett Deichler, Interim County Administrator; Renee Ramirez, Director of Human Resources; Wilba Miller, Director of Community Development; Reginald Lindsey, Budget Director; Jeff Fisher, Executive Director of Public Works; Diana Jimenez, Public Works; Debbie Jonscher, Deputy Chief Financial Officer; Courtney Sachen, Human Resources Partner; Michelle Eskina and Erin Riley, Human Resources; Dave Wimberly, Senior Human Resources Partner; Tayler Wash, Organization Effectiveness Coordinator in County Administrator's Office; Alley Porter, Commission Liaison; Ashley Hand, Director of Strategic Communication; Mike Dupree, District Attorney; Colonel Daniel Soptic, Sheriff's Office; Jeff Miles, Interim Fleet Services Manager; and Monica Sparks, Acting UG Clerk.

Mayor Garner said before I call the meeting to order, I want to announce that some commissioners, staff, and the public are attending remotely via Zoom, by phone, or also onsite here at the Unified Government. All participants joining by phone should mute their phones when not speaking to avoid background noise.

During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General's Office.

I will now call the meeting to order.

Roll call: Ramirez, Johnson, Markley, Sites, Davis, Bynum, Burroughs, Townsend, McKiernan, Garner.

Mayor Garner said the invocation is being given tonight by Commissioner Harold Johnson of Faith Deliverance Church of God in Christ, followed by the Pledge of Allegiance.

Mayor Garner said I'll ask the Clerk, are there any revisions to tonight's agenda? **Monica Sparks, Acting UG Clerk**, said there are no revisions to tonight's agenda, Mayor.

Mayor Garner said tonight, as you noticed, we are modifying the order of the meeting to allow the items on the Administrator's Agenda to be first, as far as presentations are concerned. As I've stated previously, the Interim County Administrator has been conducting an audit of the organization and is ready to provide the initial updates from our auditors to the Commission as well as to the public. This information is valuable to the community and feeds into our continued budget discussions as well as how we can best provide services to our citizens here in Wyandotte County/Kansas City, Kansas. Therefore, I have elected to address the items at the beginning of this meeting. I will now turn it over to our Administrator to start with the resolutions.

ADMINISTRATOR'S AGENDA

Item No. 1 – 211806...RESOLUTION: NOTICE OF INTENT TO EXCEED THE REVENUE NEUTRAL RATE, SET PUBLIC HEARING, AND MAXIMUM MILL LEVY/PROPOSED TAX RATE

Synopsis: Notice of intent to exceed the revenue neutral rate, set public hearing, and maximum mill levy/proposed tax rate, submitted by Misty Brown, Chief Legal Counsel.

Cheryl Harrison-Lee, Interim County Administrator, said the first item that we will have on the Administrator's Agenda is a resolution for the notice of intent to exceed the revenue neutral rate. I will turn it over to our Chief Counsel Brown.

Misty Brown, Chief Counsel, said I have Jeff Conway in my office here to present the item along with Debbie Jonscher in case any other questions would arise.

Jeff Conway, Assistant Counsel, said it's a pretty simple resolution. It just complies with the requirements that there be some statement of intent to exceed the revenue neutral rate by July 20th of this year. It states that. It also must state the date, time, and location of the hearing that would be on the intent to exceed the revenue neutral rate. So, that's stated in the resolution. The other critical pieces are the statement of the revenue neutral rate itself for both the city and the county, as well as the proposed rates as identified in mills for the budget for both the city and the county. All of those critical pieces are in the resolution. That would be the first step to adopt the resolution and pass that on. Then, of course, the next step would be, of course, to have the hearing itself. That would be set for August 22nd at 7 p.m. Once that happens, then we follow through with the Senate Bill 13 process. There'd be the hearing. There'd be the passage of the resolution, presumably, at the end of that hearing. Then we'd move on from there. Then at the end, of course, the budget would be certified finally in October of this year. I don't want to belabor it. That's the basic idea. That's the resolution with the essential pieces in it and that's for discussion.

Commissioner Markley said I just want to confirm the proposed maximum mill rate that's stated in here is our current rate for the city and the county. Is that correct? **Mr. Conway** said that's correct, Commissioner. That was the certified rate carried over from last year. That was locked in last year. That's correct. **Commissioner Markley** said if there are no other questions, I'll move to approve.

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

Mayor Garner said we have a motion and a second to approve. If there are no other comments, I would like to comment that initially at the beginning of the year, I was in objection of exceeding the revenue neutral rate. I just would remind this Commission as we move forward with this budget process, especially as we look in our county and in our nation as we go headwind into what we believe may be a recession, that we have a lot of people in Wyandotte County that are struggling, working from pay check to pay check, dealing with high taxes, dealing with the BPU PILOT that is burdensome, not to mention the ongoing fees, and take your pick, that really lock a lot of our residents out of being able to utilize some of the amenities that we have in our county

and that stifle developments, from the individuals that I've talked to. So, let's keep those individuals in mind, those working families, and those individuals that are working hard to make ends meet.

I do have a question as well. Even though we're keeping the revenue neutral rate the same, I do believe at the beginning when we had this conversation, the tax rate from the mill levy increases, that I think were kind of brought through our county, really is going to bring in more tax dollars for our Unified Government, correct?

Mr. Conway said right. It's kind of the interplay between valuations and the mill rates. If you stay with the same mill rate, you're probably going to generate more revenue because of the valuations of the property. The mill rate here for the revenue neutral rate, as it's expressed in here, is lower because the mill rates had to be brought down so that you are raising the same amount of revenue because the valuations had gone up. I don't know if I explained that very well, but, in my non-budget mind, that's how I understand it.

Mayor Garner said but the bottom line is that residents will see a tax increase, correct, unless there's action taken by this Commission to counterbalance that. Is that correct? **Mr. Conway** said if the mill rates stay the same, naturally the assessed valuations are going to go up just because that's the way it is. That would increase the amount of revenue that comes in. **Mayor Garner** said which those revenues are generated from our taxpayers. Is that correct? **Mr. Conway** said that's correct. **Mayor Garner** said that, in itself, without an adjustment or this Commission taking that into consideration, can cause a tax increase unless the mill levies are adjusted in a manner that reflects those mill increases. Is that correct? **Mr. Conway** said that's right.

I do need to point out that this would set the maximum mill levies. It is possible to adjust it downwards, but this is the ceiling, so it would not be possible to go above these. **Mayor Garner** said and that's fine, but nevertheless, unless these factors are taken into consideration in a responsible way, as it stands today without any action on the part of this Commission to drastically and responsibly lower the mill levy to offset the mill increases, taxpayers will see a substantial increase. Is that correct? **Mr. Conway** said it all kind of depends on what the calculations are, but generally, yes.

Mayor Garner said with that being said, that's the position. As we move forward in this budget process, I'd just like to reassure the public that the decision has not been made by this Commission. I will continue to advocate for responsible tax reductions that can bring relief to the

residents of Wyandotte County that have been asking for it for a long time, as well as looking at the BPU PILOT and our fees and do so in a way that I believe can be done responsibly and without diminishing our essential services.

One area that I'd like to see talked about as we come to the conclusion of our budget process is we need to talk about how best to identify what essential services look like for our residents. Then we need to look at streamlining our government in a way and tightening our belt as the Unified Government. I have not heard that conversation. It is my opinion, based on the economists that I've talked to and some experts, that continue to raise taxes in a manner that we are and continue to raise costs without looking at how we streamline this government and operate more efficiently, is taking us on a path to bankruptcy, especially when we're \$1.7B in debt between both the BPU and the Unified Government with a lot of other fees, or I should say commitments that are still lingering out there. At some point, especially going into a recession, we cannot keep expecting to raise taxes on our residents. We are taxing people out of our county and taxing poor people deeper into poverty.

I say that. That's my position. This Mayor will continue to fight for responsible tax decreases, and I urge that this community share in that sentiment as you've asked me to.

Commissioner Bynum said I appreciate the comments that you're making, but I want to be crystal clear to the community that we're not setting any mill levy rate tonight. What's proposed on the table with a motion and a second is the maximum mill levy process that we go through as part of our budget efforts, setting the city and the county mill levies at the maximum level that would be allowable during this budget process. I think we still have a lot of budget conversations left to hold, especially including what you bring forward with identifying what we might consider to be essential services as well as possibilities for streamlining government. We have many opportunities yet in front of us for mill levy reductions before we adopt the budget. I just want to make sure that's very clear. These are not the mill levies that we're adopting. We are performing this exercise in setting the maximum mill levy.

Commissioner Burroughs said as I read the title, I think it's pretty clear as to what we plan on doing this evening. It's the governing body's intent to levy a property tax exceeding the revenue neutral rate. And, Mayor, I don't disagree with your comments.

Mayor Garner said I just want to make it clear, too. Revenue neutral, to my understanding, is not a tax reduction by any means. To do that, we would have to lower taxes beyond the revenue neutral, and I believe that was brought up at about 8.5%. Is that correct? **Debbie Jonscher, Deputy CFO**, said yes, that's correct. Going to the revenue neutral rate would keep the tax revenue that's collected exactly the same in 2023 as it is currently in 2022. **Mayor Garner** said and that was 8.5%, I believe. **Ms. Jonscher** said I believe what you had seen earlier it was about 8 mills.

Mayor Garner said I go further to say that what we wouldn't see is a tax decrease, but the proposal and the recommendation I brought forward with revenue neutral was to try to prevent a tax increase on our residents which would force us, when you talk about cost, to really bring back to our administration to basically tighten the belt, cut costs, determine what essential services are, and really fund our government at the same revenue that was approved in the current budget that we're under now. Is that correct? **Ms. Jonscher** said that's correct.

Mayor Garner said with that being said, I'd just like to reaffirm my commitment to that narrative and would encourage our commissioners to really think about our residents and the continued cries for both tax relief, BPU PILOT relief, and looking at our fees in a way that at least can put a pressure point on these burdensome taxes and fees that we have asked for far too long, in my opinion, for our residents here in Wyandotte County to carry the burden.

Commissioner Ramirez said, again, just want to remind the community, you're taxed only 46% of your tax dollars goes to us. The reminder: USD 500, the Library Board, KCKCC, and if I can remember from past, they are also going to exceed their revenue neutral rate. If we lower our taxes, it's going to have a minimal effect. It needs to have all taxing jurisdictions working together, but we don't have that. We, as a Commission, have asked for it but nothing has come from it.

Mayor Garner said I appreciate that comment, but I'd like to say that conversation, I believe is still on the table with all our taxing entities. Hopefully, it will be a part of this budget process. (inaudible) Unified Government. I think people in most other jurisdictions follow our lead, at least we hope they do. We should take the lead in making sure that we—you talk about 46%, that's almost half. That can be impactful especially when you're talking about mill levies have gone up. Just keeping a revenue neutral rate, the Unified Government has the ability on our own, as being the top governing body within Wyandotte County, to at least start paving the way

and saying we're going to do our part to put a pressure point on and we're going to work with these other taxing entities to move that conversation forward.

Commissioner McKiernan said I'd just like to remind everybody, as I do at all of our meetings, that at every meeting we come, people ask us to improve the level and quality of service delivery in terms of the services that we provide to the citizens of Wyandotte County. Just as the costs for goods and services and personnel is rising around the country, it is similarly rising for the Unified Government. For us to simply provide the same level of service that we have in the past, is going to cost us more money. I understand the desire to lower how much we pay. We just have to be mindful that we may not be able to provide services at the level that we want if we go that route.

Mayor Garner said I would remind those that are watching, that watched back in March, this Mayor came with a proposal that was completely rejected by this Commission—in a way, to me, that really raised eyebrows with folks in this community—that came with a responsible plan that could do just that, especially when you're talking about several hundred funded employee positions where we could have found cost savings that wouldn't have at all impacted essential services here in Kansas City, Kansas. Those are the types of conversations that we need to have. Those are the types of things that we need to move forward. The bottom line is, we cannot continue to put the burden of taxing our citizens and thinking that they can handle that tax burden when this is one of the poorest counties in the state of Kansas. It's irresponsible.

I have a motion and I have a second. Clerk, roll call.

Action: **RESOLUTION NO. R-35-22**, “A resolution of the Unified Government of Wyandotte County/Kansas City, Kansas, regarding the governing body’s intent to levy a property tax exceeding the revenue neutral rate.” Roll call was taken to adopt the resolution and there were eight “Ayes,” Ramirez, Johnson, Markley, Stites, Davis, Bynum, Townsend, McKiernan; and one “No,” Burroughs.

Item No. 2 – 211809...UPDATE: HUMAN RESOURCES ASSESSMENT

Synopsis: Update of Human Resources Assessment, submitted by Cheryl Harrison-Lee, Interim County Administrator.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY AND KANSAS
CITY, KANSAS
HUMAN RESOURCES AUDIT PRESENTATION



Presented by
Gail Meriweather, MBA
July 14, 2022

Cheryl Harrison-Lee, Interim County Administrator, said at the onset of my term as the Interim County Administrator, I committed to evaluating the organization and identifying areas for improvement while highlighting and capitalizing on the strengths that will benefit our community. As such, we have been in the process of looking at our organization to find ways to improve the Unified Government as a place to work, enhance our community outcomes through quality services, and leverage our centers of excellence as an organization to the benefit of everyone across Wyandotte County.

There are three areas I'd like to highlight tonight: an oral organizational review, a high level of finance, and Human Resources. During the first one hundred days, I spent time meeting with department leaderships, senior managers, external stakeholders, internal stakeholders, Fire Union staff, and several other stakeholders, business stakeholders, throughout the community. As part of that effort, we determined that there were areas that we needed to look at and so we started with the initial areas.

Tonight, we're going to start with the Human Resources Department assessment conducted by the Meriweather Group. With over 25 years of experience in human resource services across discipline, records success as an executive level human resource consulting firm, and substantial studies in government and economics, the Meriweather Group has a comprehensive knowledge and experience needed to analyze one of the most critical functions of our operations.

Directly following their presentation, we will have our overall organizational assessment presented by Management Partners with clients from across the nation, including the city of Kansas City, Missouri, and KCATA. Management Partners is known for building their work on the principles of knowledge, collaboration, proven methodologies, quality work, and action. Both of these consultants have been able to talk to staff and key stakeholders directly about what works and what needs improvement throughout our organization, and they've provided recommendations for how we should proceed.

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At this time, I'll turn it over to Ms. Gail Meriweather to present our HR assessment and Mr. Byron Marshall will follow with our organizational assessment.

Gail Meriweather, Meriweather Group, said if there's some familiarity, for more than 20 years, I was the area Vice President of Human Resources with the Arthur J. Gallagher Group. The Unified Government has been a client in that we completed your compensation study as well as the BPU. I am prepared tonight to have a discussion regarding what we've found. My partner at the Meriweather Group is also uniquely qualified to assist me with this project, a graduate of St. Pius, also studied at Harvard. Part of that concentration was government and economics. So, my colleague, Jillian, brings a unique perspective in this process as well.

ABOUT THE MERIWEATHER GROUP

Gail Meriweather, MBA

Executive level human resource consultant and entrepreneur with a record of success and impact in diverse industries and organizations (municipalities, nonprofits, and private sector). Partner with senior management to successfully implement and manage change, build coalitions, manage human and financial capital, and lead associates to achieving desired business results. For more than 25 years have provided human resource services in multiple disciplines to include: Compliance, Compensation, Performance Management, Recruitment, Organization Development, Training & Development.

Jillian Meriweather, BA, M.Ed.

A Diversity, Equity, and Inclusion (DEI) Consultant who has worked at multiple levels of education from instructor to district and systems level administrator. Jillian is uniquely qualified for this project in that she graduated cum laude from Harvard with a degree in Social Studies which included substantial studies in Government and Economics. In addition, she holds degrees from the University of Nevada Las Vegas, Johns Hopkins University and a Diversity and Inclusion Certificate from Cornell University.

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My MBA is from the University of Missouri.

SIMILAR CLIENTS

While our clients spread across the nation, local clients include the following:

State of Kansas

- Andover
- Gardner
- Great Bend
- Hutchinson
- Mission Hills
- Olathe
- Prairie Village
- Topeka
- Valley Center
- Westwood

State of Missouri

- Clay County
- IPMA
- Harrisonville
- Independence
- Jackson County
- Kansas City
- Little Blue Valley Sewer District
- MARC
- North Kansas City
- Riverside

THE MERIWEATHER GROUP

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Just for a conversation sake, my clients have ranged from the state of Rhode Island to small food banks in California. I've also spent a lot of time in the Kansas City area doing some similar work, I just listed maybe ten that would be familiar on both the Kansas side and the state of Missouri. I did leave off the BPU and I did leave off KCATA. With that, I'll turn it over to you, Jillian.

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OBJECTIVE

- Examine compliance with established regulations
- Explore how to better serve management and employees
- Examine work process
- Establish an "early warning system" to spot problems and identify issues

THE MERIWEATHER GROUP

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Jillian Meriweather, Meriweather Group, said as we focus on the objective and engaging in this Human Resources audit, our objections were fourfold. We started with the examination of compliance with established regulations, specifically centering state and federal laws that provide a framework for the work of human resources. We looked at Department of Labor that has established rules around employment. We centered items such as Fair Labor Standards, Anti-Discrimination laws, documentation requirements, ADA, HIPAA, etc.

Our second objective was to explore how to better serve management and employees recognizing, of course, that the function of HR is to focus on the people side of the business so discerning managers and employees were getting their needs met through the functions of HR.

Our third objective was to examine work processes from job postings to orientations to promotions to separations with every step of the HR processes in-between.

Our final objective focused on establishing early warning systems to spot problems and identify issues. Issues where we foresaw either deficits or opportunities in forms or processes that were leveraged by the UG, we brought to the attention of the UG and provided documents in the written report to support facilitation of that function.

METHODOLOGY

- Conducted individual interviews with leadership and human resources staff
- Reviewed employment related documents
- Reviewed employment file

Note: Not all up-to-date documents were submitted due to a cyber breach

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We'll center our methodology which began with conducting individual interviews with both leadership and Human Resources staff. Our goal was initially to engage with all of the ACAs in

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the UG, however, because of a recent vacancy in one of the roles, we also met with leadership within various departments throughout the Unified Government. In relation to HR staff, we spoke with each person that was responsible for a primary functional area be that FMLA, Workers Comp, benefits, etc. We also reviewed employee-related documents as well as employee files. At the time that we began the audit, we would like to note that the UG was subject to a cyber breach so all of the up-to-date documents were not submitted to the Meriweather Group because of that timing of the breach.

With that, I will turn it back over to my colleague to expand on the findings.

AREAS OF CONCERN

- Hiring Process
 - Documents and Processes
 - PAN
 - Streamline the process
 - HR must maintain all documents from start to finish
 - HR must ensure all tests, questions, etc. are reliable and valid
 - Employment Application
 - Equal Employment Opportunity Survey
 - HR must ensure solicited information is relevant, legal and consistent with the DOL's regulations
 - Update and all Job Descriptions
 - Job classifications should not be used as job descriptions
 - Ensure all jobs are in compliance with the Fair Labor Standards Act

Gail Meriweather said as we go through this process, this will be a high-level overview, and the expectation I am hopeful is that if it requires a deeper conversation, that we'll be able to go into a different session to have that because it does deal with the employees.

With that, the very first thing that I want to say, that we will address, are the areas of concern. You will note that the areas of concern that we have highlighted are the bases, the foundational functional areas of Human Resources. So, as we go through this process, what I want you to think about more than anything is that if the foundation isn't firm and strong, it is going to be difficult to have an effective Human Resources Department.

With that, starting with the hiring process. There's some delinquencies in the documentation, the processes themselves. The process can be streamlined. Documents are not where they should be, which is in Human Resources. All tests, questions, etc., must be deemed reliable and valid through a Human Resources process. The employment application needs to be updated. The Equal Employment Opportunities Survey needs to be updated and consistent with the Department of Labor and not inquire as to questions that are inappropriate and could be deemed illegal. Job descriptions need to be updated. There needs to be job descriptions for every position instead of using job classifications that we, at Arthur J. Gallagher, developed for the DBM

Methodology. The UG needs to also have job descriptions. We also need to make sure that all jobs are in compliance with the Fair Labor Standards Act, i.e., if the job is non-exempt, it needs to be identified as non-exempt and employee should be paid overtime. If the job is exempt, then it needs to be identified as exempt.

AREAS OF CONCERN

- Policies and Procedures
 - Update a clear set of policies and procedures
- Employee Files
 - General Employee Files
 - ALL employee files must be kept in a centralized location within human resources
 - Access should be restricted to those with a legitimate need to know or as required by law
 - Managers MAY maintain copies of general personnel files, but ALL original documents MUST be maintained by human resources
 - Medical/ Health Related Files
 - Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations; They do not have access to an employee's medical/ health files
 - Hiring Records
 - ALL should be obtained and maintained by human resources
 - I-9 Forms
 - ALL should be up-to-date and readily accessible
 - Payroll/ Financial Records

In addition to that, policies and procedures. They need to be updated, clear, and in a unified format that everyone can have access to so that there's clarity about the policies and procedures as it relates to the UG. The employee files. They should all, every file should be within the Human Resources Department. Files should be separated. General employee files, access to those should absolutely be given to those folks on a need-to-know basis. All of your medical, health related files from what the employee may have selected as their benefits, those should all be in Human Resources, not a manager. Not a single manager should have those files whether they're locked or unlocked in his or her possession. In addition to that, all hiring records from the time that you place an ad until the time that position is filled, all of those documents should be maintained within Human Resources. I-9 Forms should be up-to-date and accessible right at the spot. It shouldn't be that we need to look for them. They should be available. In addition to that, Payroll and Finance does not function under Human Resources. It is through Finance. We didn't have the opportunity to see those records, but HR needs to have access to those records to ensure that pay has been doled out consistently across the organization.

AREAS OF CONCERN

- Compensation
 - Conduct a "Pay Equity" Analysis
 - Develop a market-based system
 - Consider eliminating the current job evaluation methodology. It has become too subjective
- Performance Management System
 - Establish a system that includes job objectives and standards of performance
- Termination Process
- Equal Employment Opportunity Plan
 - Follow the guidelines established by the DOL

Compensation. The UG absolutely needs to conduct a pay equity analysis. We can discuss that further.

The performance management system. The one that you currently have is absolute and I understand it hadn't been used anyway. It's imperative that there is some sort of communication with the employees as it relates to their job, expectations, and how well they're performing the job, even if it is not tied to pay.

In addition to that, the termination process. We need to understand why people stay, why they leave, and where they leave to so that we can understand the competition and understand what we need to do to ensure that we can maintain the talent that we need.

The Equal Employment Opportunity Plan. There are clear objectives established by the DO, Department of Labor, that we need to be consistent in going through that process, especially given that at the UG, we've had some experiences with external entities and lawsuits. We need to be consistent with how we maintain this information so that we can get on the path that's deemed most appropriate.

AREAS OF CONCERN

- Service Quality Dimensions
 - Unreliable
 - Unresponsive
 - Not always accessible
 - Inconsistent with communication
- Level of Know-How
 - The number of employees is adequate
 - The level of human resource education is inadequate
 - Provide support and direction that is accurate, consistent, and reliable to all staff especially management

Through this process, it is one thing for me to go through and look at all the paperwork, along with my colleague, to have those conversations. We also did a service quality dimension. In that, we asked all of the folks that we had the opportunity to interview, what was their experience dealing with HR. That was imperative because HR has one client and that client is every employee of the

UG from the managers to the person who greeted us when we came in every morning through security. What we understood from the leadership is oftentimes unreliable, the answers to their questions what they will get back, inconsistent, sometimes unresponsive, not always accessible especially within a timely manner, and sometimes can be inconsistent as it relates to communication. So, it was imperative for us to understand the level of know-how within the HR function.

So then, one of the things we want to make sure is that you're staffed appropriately to handle the complexity of the UG. It is a complexed institution. It's not like you're just manufacturing shoes. You've got Fire, Police, Public Works, Finance across the board so the number of staff within the HR Department, and I think there's about 18, is appropriate. What we want to make sure that we have a more extensive view of is the level of Human Resources education as it relates to understanding employment law and the functionality of those key basic functions within the HR Department.

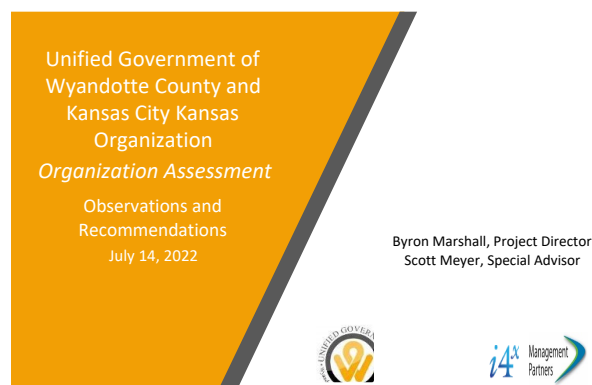
With that, going forward, if we could shore up just those basic components, then I think that HR function would be better equipped at helping managers to understand how they need to handle employee-related issues and the employees can feel better about getting the responses that they need in a timely fashion from HR. When we say HR, it's not just the Human Resources Department, it's everybody.

Thank you.

and

Item No. 3 - 211802...UPDATE: ORGANIZATION ASSESSMENT

Synopsis: Result of organization assessment, submitted by Cheryl Harrison-Lee, Interim County Administrator.



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Byron Marshall, Management Partners and the Institute for Excellence in Public Services, said I'm joined by Scott Meyer with the same firm.

Project Scope and Approach

- Conducted a high-level evaluation of the overall organizational structure of the UG and developed recommendations for possible optimization
- Reviewed UG data and documents including budgets, annual comprehensive financial reports, strategic plans, general plans, contracts with service providers, legislative audit reports, memorandums of understandings with bargaining units, and organization charts
- Conducted executive staff interviews with the Mayor, County Administrator and four Assistant County Administrators
- Conducted interviews with directors of most departments (notable exceptions include Human Resources, Legal, Community Corrections, Aging, and Public Health)



We were hired to do a high-level look at the organization, high-level evaluation of the structure and functions with the goal of identifying possible recommendations for optimization. I say high-level because unlike the audit that was done in HR and the one that's being done for Finance, we scanned. We weren't able to delve deeply, but we scanned to identify hotspots, things that we believe you need to look at more closely. We also collaborated some with both the HR Auditor as well as Finance.

The folks we assigned to this project, the four of us, all of us have been city managers or county managers. Scott is an engineer and has also been a city manager. I'm going to say it briefly and then if anyone ask specific questions, you can do that. I'm going to go over—we have another former city manager who's has also been a finance director and a public works director. A third who was a county manager and a public works director. I've been a city manager, budget director, and economic development director. All of us have over 30 years' experience. All of us have looked at governments, have run them, and seen similar issues and we think we can make recommendations to you.

The data we reviewed included your budgets, your long-term financial plan, your CAFR, strategic plan, general plans, contracts, etc. We also interviewed staff. We started interviewing the Mayor here, the Administrator, we interviewed the four Assistant Administrators, and virtually every department director. We did not interview the HR Director. I did interview the Finance Director. We did not interview Legal or Community Corrections or Aging. We just didn't have enough bandwidth and the dollars that we had to be able to do those. We think we got to the core of your departments.

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This is a large and complexed organization, as you know. Any organization like this will have opportunities for improvement. You've got about 25 years' experience as a consolidated government, and this is a good time to kind of stand back and look at it and see what else, what adjustments can be made.

There's like five areas that we noticed under major observations. One is that the structure doesn't focus on synergies between like organizations. If you look at the way the Assistant County Administrators are setup, there's no set of services that are interrelated. They're all over the place, and we'll see that in a couple of slides from now. That happens over time; it can happen over time in any organization. It happens sometimes because I may have experience in economic development and I've worked with another director and was successful at it, so I get put in one part of the organization. I'm given other assignments that compliment my particular set of skills. That doesn't necessarily mean that's the best thing for the organization.

You are at a point now, though, where you can stand back and look at that and realign, in part, because you have two vacant ACA positions. We think, as we go through this, we'll show you why we think you're realigned.

The second is, there's a lack of strategic planning. You have some strategic plans, but you don't have an overall strategic plan that's being focused on and being managed. We were unable to find, even in the plans, specific criteria and metrics for success. How do you know if you've achieved what your goals are? When you're allocating your budget, while you have a performance budgeting system, that's what the intent is, there's some elements that still need to be implemented with it.

The Commission has said you have about seven goals. Those goals are things you think that you are to focus on but there's no, from what we've been able to determine anyway, metrics that says here's how we know when we've achieved that goal. Here are the incremental changes

we're going to make each year to move toward the achievement of that goal. Here's what each department is responsible for doing in moving toward that goal and, therefore, they're being allocated a certain amount of money to achieve those things. Each director is judged based upon their achievement. Each individual employee, all the way down to the lowest level of employee, needs to know how what they do fits into the overall goals of the city, combined government, rather. We don't see evidence of that at this point.

Your IT Department is an achilles heel; recognized that recently with the cyber-attack. There doesn't seem to be an IT action plan on strategy. It's not coordinated. There are other groups that have IT functions that may actually endanger your IT integrity. You don't have cyber insurance. You've already spent about a million dollars trying to recover. Your premium would have been probably less than that. You've made some substantial improvements in the last eight weeks, but you still have some challenges, I would say.

There are a lot of opportunities for consolidation of functions and for increased collaboration. We'll talk about that as we get into this. I'm going to stay focused on that.

Your organization could also benefit from more effective communication, both enteral and external. Having a communications plan, a cooperate communications plan that speaks to different audiences within the government and then the citizens so that they know what's going on. You've got a lot of pieces that move in that direction, but it's not organized in a coherent fashion that we can see.

There's not a culture of continuous improvement. Some of that can be had by saying, here's where we want to go and then allowing employees to help you figure out how to get there and giving people the opportunity to make mistakes as long as they don't keep making the same mistake over and over. You're not going to make change without mistakes. So, setting the environment where people can have a safe space to make recommendations to managers all the way up to the County Administrator.

Opportunities For Improvement

Restructure to take Advantage of the Promise of Unified Government

Develop an Internal and External Strategic Focus

Develop a Culture of Continuous Improvement

Communicate and Coordinate



So, we think you should look at restructuring the way the government is organized, the different portfolios under the managers, the assistant county managers. Develop an internal and external strategic focus from what you've decided is important, as a governing body, down through your budget process and into your departments and your evaluation process. Develop a culture of continuous improvement and coordinate (inaudible).

Organization Structure

- UG functions are misaligned exacerbating strategic focus, communication and collaboration issues
- Align complementary / related functions under Assistant County Administrators
 - Administrative Services
 - Public Safety
 - Health Services
 - Economic and Community Development
- Identification of additional functional consolidation opportunities within UG is a priority for organizational improvement

✓ Conduct an evaluation of the placement of functional units within departments, and departments within the UG to support efforts to properly align functions in the organization

- Undertake targeted organizational restructurings to take advantage of synergies and improve coordination

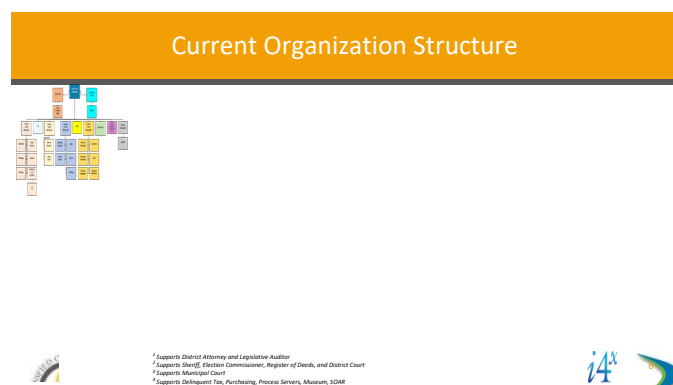


So, the UG functions are misaligned and that exacerbates the fact that you don't have a strategic focus and communication and collaboration issues exist. We think you should conduct an evaluation of the placement of functional units within departments and departments within the UG to support efforts to properly align functions in the organization. So, undertaking a targeted organizational restructuring to take advantage of synergies and improved coordination.

An example. You've got Planning, Development Review, Community Development—you have all your vacant lots under one unit, the Land Bank authority. They're not coordinated. The processes are not coordinated. This is not a fault of any of the staff because I think they're earnest people. If you run the Land Bank authority, you have to create a market to sell land to find people who want it. That's the first thing you've got to do. Once you create the market and now people want it, how does that relate to your Affordable Housing Program? How does that relate

to your Commercial Development Program? How does that relate to your Economic Development Program? How does it relate to your Master Plan? All those things need to be coordinated. There's a synergy there that could be had. It's not like you don't do cross-functional things or synergy.

You've got a program called SOAR, which moves across various departments, and it's successful, at least it seems to be successful. Now, I will say again, we were up here 30,000 feet. We didn't go down and investigate each and everything, but everything we heard sounded like SOAR was something that worked. You dealt with safety issues, you dealt with blight remediation, and those are crosscutting.



This is your current organizational structure. The first thing we noticed is that the span of control for the Administrator is too broad. There's no way one person can effectively—I shouldn't say that—most people would find it challenging to manage that many people. I've managed large organizations. That is hard. The other thing is the manager should have both an internal focus and an external focus. While they're responsible for the day-to-day operations to make sure things run smoothly, they're also responsible for looking out five years and ten years to see where the UG should be going working with the state, working with the school districts, working with BPU, working with your various planning organizations to make sure that they're coordinated and aligned so that the UG is moving ahead expeditiously and everything's coordinated and the dollars that are being spent, all the tax dollars are being leveraged properly.

Right now, you have an Assistant County Administrator who's over Public Health, Human Resources, Technology, Performance and Innovation, 311, and the Appraiser. There's little rhyme or reason to that structure. Public Health probably should be over with Health. I mean it just seems—I'm not trying to be funny. But I'm just saying, we park all human services type related

things, Aging, those things need to be kind of aligned under it. A person who really understands those things. Also, under the goals and priorities that were set by the Commission so that you have outcome measures that defines each of those clusters, each of the departments, and you know when the budget is allocated what they're supposed to be producing.

Potential Organization Structure

- Reduce direct reports to the County Administrator from 11 to six
 - Four ACAs, Communication (including PIO and Commission Liaison), and Legal Counsel
- Align internal functions under one ACA
 - Finance (including Purchasing), Human Resources, Technology (including Performance and Innovation), GIS mapping, Appraiser and Clerk
 - This ACA would also support the Election Commissioner, Register of Deeds, and Legislative Auditor
- Align public safety functions under one ACA
 - Police, Fire (with Emergency Management reporting to Fire)
 - This ACA would also support the Sheriff, District Attorney, District Court, and Municipal Court
- Align health services under one ACA
 - Human services (including Aging), Community Corrections, Coroner, Public Health, Parks and Recreation
- Align economic and community development under one ACA
 - Community Development (including Planning and NRC), Public Works (including Parking Control), Economic Development (including Land Bank)
- An additional option would be to hire a Deputy County Administrator that helps coordinate internal operations, allowing the County Administrator to focus at a strategic level and work with the Mayor, Commission, BPU, regional planning commission, schools, the State, the business community, etc.



Rather than going through all of these, we're going to show you what we think would be—well, I'm going to go back for a second. Too many directors report to the Administrator. She now has 11. That should probably be no more than 5 or 6. Align the internal functions under each ACA.

So, maybe under one ACA, you have Finance, all the internal services: Finance, Human Resources, Technology, GIS Mapping, the Appraiser, and the Clerk. They could also support the Election Commission, the Register of Deeds, and Legislative Auditor. Those are not management responsibilities, but coordination responsibilities. Align Public Safety under one ACA: Police, Fire, and Emergency Management. They would also work with the Sheriff, the District Attorney, the District Court, and Municipal Court. Align health services: Human Services, Aging, Community Corrections, Coroner, Public Health, Parks & Recreation. Then align Economic and Community Development activities: Community Development, Planning, Public Works, Economic Development, and the Land Bank.

You might want to consider, now that you have these two vacancies, to advertise for ACAs who actually have skill sets and experience managing those types of operations and showing success in doing those things. You might also consider having one of the ACAs actually be a Deputy, being responsible for keeping things moving internally while the Manager is dealing with some more of the external things also.

The other thing we recommend is you have a lot of key projects, that we're going to talk about that's necessary to move the UG forward, that you create champions under these ACAs to

take a major project under each of the areas and drive it home. You have a lot of projects, but it's not clear who's driving them to completion. So, somebody needs to adopt them and be responsible for them.

Potential Organization Structure



This reflects what we just talked about, aligning like services under ACAs and it would then move to, once they're aligned, making sure that there are specific tasks and outcomes that are designed to be completed by them.

I'm going to turn it over now to Scott who's going to talk about a couple of other items.

Management System

A management system is the array of policies and practices used to plan, manage and assess the work of an organization. It includes the full range of processes that a management team uses to operate the government.

- ✓ Develop a common UG management system integrated with departmental business plans that can be used at the divisional and program level by management staff
- ✓ Train all UG management staff on how to use the management system and participate in the business planning



Scott Meyer, Special Advisor, Management Partners, said I'm going to talk about management systems and strategic planning, and those type of things. The organizational system is really about putting things in the same function so it's alignment of functions so you get people all working in the same—Public Safety, those folks are all sitting and reporting to the same person, so they're all solving those same problems. Sitting next to each other and reporting to the same person tends to gain a lot of efficiencies and effectiveness in what you do. On top of that, we're recommending that management systems be put in place and really, really come to the forefront to manage those projects and manage your priorities throughout the organization.

You all were elected by the people to do the people's work. When you set those priorities, by remission, there were several that you identified, but let's go another step deeper and really begin to manage the directives and the priorities and goals of the elected to permeate the entire organization. How you can do that is really through management systems so that the Commission identifies six, seven, eight, whatever your priorities are. The administration gets the other and they set goals and processes of how those are going to happen and begin to allocate funds to do those things with expectations that there's going to be this benchmark, this will happen in six months, this will happen in seven months. So, they begin to develop an expectation as well as a measurement of what progress is being made toward that goal, whatever it is.

In each of these functional areas that the organization has, there are management systems throughout from the Commission to each individual employee they will be able to see how they get to participate in doing the work of the people that you are leading them to do. That's the overall view of that. Byron gave you that, but this is really an important part of that and it's an array of policies and practices that, as he said, as you begin to have those, you begin to work with the employees on how they go about it, and they come up with better ideas that had never been able to be heard before and now they're being heard and their ideas come to the forefront, more efficiencies, more effectiveness comes forward. It comes from both directions. The Commission sets the what, the here's what we want, and the employees say, here's how we can do it. Here's how we can do it the most effective and efficient way. So, those come together to then produce the best outcomes. Well, how do we know what those are? Well, we know by management systems how effective we are in doing that and how our progress is in doing that. That's the overall of the management systems and that accountability.

UG-Wide Strategic Planning

- Initiate a modern multiyear strategic planning process geared to a complex local government like the UG
- The strategic plan should focus both internally and externally. The plans will be integrated but have a somewhat different orientation



- ✓ Design and implement a consistent UG business planning and management system across all organizational units of the government
- ✓ Use the strategic planning process to feed a departmentally based annual business planning process that includes measurable objectives keyed to strategic goals



So, break that down, first of all, the UG-wide strategic planning, we heard a lot of employees and managers talking about a driven budget that's by managements and goals, but we really never saw that connection as we asked questions and asked for documents. We didn't see those connections always being made. Sometimes when they were made in the budget, there wasn't an accountability piece that came back and said, here's how we're doing on that, and here is the adjustment we need to make in order to hit our goals. We didn't see those types of management functions on the backside of those strategic plans and the budget to make that happen.

These are multi-year strategic plans. Big goals, big directions that you're setting for the people's business. Need times sometimes to do that. Sometimes you can do it pretty quick. Sometimes you need multi-years so that's the reason they're multi-years. They're integrated and then they are throughout the entire organization. So, we're recommending that you design and implement a consistent business plan and management system that all employees understand, that everyone understands, that the public understands, and use the process to annually have measurable objectives.

Then, celebrate success. When you measure for success, you get to celebrate. Sometimes in government it seems like we're always defeated because you never get enough done because you never have enough money to do everything for everybody. But if you set priorities, you say this is what we're going to do this year and then you accomplish that, you can celebrate it because you've done what you said you could do with the money that you have. You can celebrate that and then you can move on to next year and success builds success. Once you have a year or two of success, then you begin to expect to get that success each year. It really is that. So, that's the strategic planning.

Economic Development Strategic Plan

- The County does not have a culture of developing formal plans and executing on those plans and measuring results
- Countywide and departmental strategic and business planning, and implementation are needed
- Economic Development and the Land Bank need to develop a proactive strategy for the County

✓ Develop and implement an economic development strategic plan in coordination with Wyandotte Economic Council, MARC, KCK housing authority and the DPU



Specifically, we really want to see, and Bryon again talked about this a little bit, economic development strategic plan. There are a whole lot of plans out there through MARC, through different plans that the Unified Government had. Again, there's some good plans. We didn't really judge whether they were good or bad plans, but what we didn't see was a priority of what plan is to be accomplished now and what has priority over others.

If you've got 20 plans and it takes \$70B to do 20 plans and you're trying to accomplish them all, you're probably not going to get none of them done. It really takes focus to look at that and to prioritize and make those hard decisions, this is the one we're going to do this year. These are the three we're going to do next year. This is how much they cost and this is how we're going to allocate the monies to do that. Then we're going to do those. It's very difficult to do that when it comes to economic development because you want all the economic development you can possibly get. You really have to have a strategic plan that looks at what are the opportunities. What are the assets that you have? The Land Bank is a great asset that you have. How do you want to use that to move you forward in 2022 with the opportunities that are now and the strengths that you have within your budget and all the other things? How do you do that?

The city I just left, retired from at 12 years there, we decided that we wanted to be a regional hub and that we wanted to attract sports type of functions to our region. We made those decisions. We allocated some money. The voters voted a tax and we did several things with that. Over time, over four or five years, we had some new facilities and we did become that in that amount of time. I'm not saying that needs to be yours, it shouldn't. But you have opportunities. I see some that look pretty good. Really, it's about making those priorities to move your city forward.

We're recommending that you develop and implement an economic development strategic plan in coordination with Wyandot Economic Council, MARC, Kansas City Housing Authority, and BPU. Find out what you need. Find out what your priority is. Find out what the opportunity is in the region to take advantage of that. There are lots of opportunities right now moving forward.

That's really this piece of it. Again, we had the organizational piece that functions. This is about direction and alignment and bought-in alignment and accountability on management systems and strategic plans that get the things that you're elected to do and the priorities you make throughout the entire government to every employee to accomplish those goals.

Communications Strategy

- Communication in any complex organization is challenging. Some feedback we received includes:
 - Continued improvements in communication between executive leadership
 - Communication from executive leadership to staff needs to continue to improve so that staff are aware of the administration's strategy, goals, and directives
 - Departments work in silos and don't communicate well resulting in duplication of effort and resources and/or gaps in implementation and strategy
- Communication within highperforming teams requires a strategic focus aligned throughout an organization, the free flow of information, a shared agreement that no topic is offlimits, and frequent and respectful interactions among team members and other individuals in the organization



Mr. Marshall said the next piece is the communications strategy. Communicating in an organization is complexed anyway. One of the things we found when we first came is that people didn't seem to understand what was going on. Some of that was because there had been a change in leadership. They didn't know what to expect from the Administrator. There was also some change at the ACA level.

As we talked to folks, we shared with them what we knew and we talked to the Administrator about some of the things that we were hearing. For example, some people said they couldn't fill positions because they thought the positions were frozen. We saw an email that said, positions not frozen, but that had not trickled down to everyone. I think what helped was she had some out-of-town hall meetings to begin to explain to people what was intended; also, what was intended by these audits. If you don't share information, people fill in the blanks. We were here apparently to come in, cut all the department heads off and roll them down the street. Clearly wasn't our role because what we're saying is, we want to hear from them what are the things they think are important to improve the organization. I don't think we met anyone who wasn't dedicated to working in the city.

Lots of people talked about being DOTTEs. I had no idea what a DOTTE was before I came here. I'm glad I know now because people were very proud of that. Some of that is engendered by the fact that you have to live here to work here, but some of it is these people work their whole lives and they go home to their neighborhoods and go to the grocery store and people ask them questions about what's going on down there.

Having been a city manager and having gone to a grocery store and having people ask me questions about a whole manner of things, sometimes I wish they wouldn't. But that's the way it was. I knew they were my neighbors. They wanted to know what's going on. It made me feel good while working in the city where I grew up. I think the same thing happens here, but I think

what had happened was, people began working in silos and there wasn't as much communication as there might have been. Some of that is, people get busy, you go through COVID, people working remotely and I think people just kind of lost touch. We think there needs to be continued effort at improving communication, especially between the executive leadership team and then down from them to the people who report to them, people they manage. If people know what's going on, it's easier to keep everybody on the same track.

I will also say, you've got to figure out a way to get people out of silos. Sometimes the communication, the lack of communication can be detrimental. An example would be, we talked to the IT Director. He was concerned about a new work from home policy that was going to allow people to communicate directly into your system. You just dealt with a security breach. He was not involved in the development of the proposal, of the policy. That's not good. Somehow those two, the person who's developing the policies need to think about who it's going to affect and all those folks need to be in a room, or at least if they're not in a room at the same time, which is actually probably the most efficient way, they certainly need to be able to sign off on the documents.

A similar issue is with Workday. That's your ERP. It's a very important project that affects the government. It is not clear in talking to many of the people who have to implement it that they fully understand it, that they have the staff resources dedicated to be able to implement it once it goes into effect. That's kind of important. One of my major failures in my career was doing an ERP. It was a failure in that one, we rushed. We rushed because the payroll system was about to collapse because when I got there, that's the situation I found so I pushed it forward. Then we decided well, if we're going to do payroll, let's do everything. Let's do the big bang. We can do it all and try to get it done in a year. A huge mistake because people weren't ready for it, it is very complexed, and it's much better—and you've got to train change.

What we are hearing is that there were processes—those process mapping, which is important to do, but the question is, once it's mapped, that's the current state. Were there process improvements, the future state, designed so that you're not doing the same thing, the same bad thing faster. What you're doing is, you're improving it. Now we see some evidence, like in Payroll, that they went through, they thought about the process, they're making some changes, and that's a good thing. But it's not clear, even though we were told process mapping was taking place in all the departments, that it actually did because as we talked to the departments, many of them

said that didn't happen. So, there's a disconnect between what we were told and what the departments are realizing. There's a chance for a potential problem with your Workday implementation, which is now scheduled for October 1 to go live. It was June 1 or July 1. Even though, even that, I'm not suggesting that you change the date. I just want to make a point.

When you were planning to implement it at the middle of the year, July 1, you would have six months of data from one year and six months of data the next year once it was up and running. So, July through December and then the next year you'd have a full year. Now you're only going to have a quarter. It can be done. The question is, is it as useful that way? That's me. I'm not your Workday consultant. Your HR, your Finance people may have a whole different point of view. I don't think so, though. If I were them, that would be my concern.

In talking to your IT person, he doesn't seem to have the resources in place to be able to implement Workday when it comes up again in ten weeks. Again, with the stripes on my back, having screwed one up, I would suggest you look at this a lot more closely over the next few weeks. I'll say I screwed it up because I was in charge and I let it happen, Madam Administer.

Economic Development Strategic Plan

- The County does not have a culture of developing formal plans and executing on those plans and measuring results
- Countywide and departmental strategic and business planning, and implementation are needed
- Economic Development and the Land Bank need to develop a proactive strategy for the County

✓ Develop and implement an economic develop strategic plan in coordination with Wyandotte Economic Council, MARC, KCK housing authority and the DPU




One of the things that we focused on, that Scott was talking about, was developing an economic development strategy. I want to talk about that, not just as it relates to economic development, but as it relates to your long-range financial plan. You have a structural deficit in your budget. There's a structural deficit for the General Fund budget of the city portion. Your expenses are growing much faster than your revenues. You can't fix that by just cutting. Your taxes are already higher. I don't think you can raise revenue that way. One of the things you—there's some kind of stop cap one-time things that are being done: moving people off of the city onto the county where it was appropriate, using your rainy-day fund or your budget balance. That's a one-time kind of thing. Long run, you can't continue doing that. There needs to be—when we talk about planning,

there needs to be a serious plan for how you're going to fix that problem because it's only going to get worse over time.

I've heard people talking about—well, one of the issues that's driving this, of course, is employee pay. Not saying employees don't deserve pay, but as you look at that, it's driving a lot of your costs, probably 65% of it. That's not unusual. That's almost everybody. The question is, how do you get in front of that? Part of it will come from looking at those 300 vacant positions. As part of your budgeting process, determining what it is you have to do by statute, the law, so you have to do it. What are the things that are difficult to change? Taking health services away from people. And what are the things you can change? Those things have to be prioritized and hard decisions have to be made or else. That's hard to say.

Strategic planning for where you want to go long-term, a part of it has to be looking at your current financial situation and planning how to fix that. The economic development strategy helps you develop a broader base of taxes and helps you attract more people to town. You've done some really great things out by the racetrack, but there's parts of your central city that needs to be focused on. That involves working with the schools too because without schools, you can't attract people. You have to have a housing policy that's multi-generational and mixed-income, and you have to have services and transportation.

Communications Strategy

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 - Communication from executive leadership to staff needs to continue to improve so that staff are aware of the administration's strategy, goals, and directives
 - Departments work in silos and don't communicate well resulting in duplication of effort and resources and/or gaps in implementation and strategy
- Communication within highperforming teams requires a strategic focus aligned throughout an organization, the free flow of information, a shared agreement that no topic is offlimits, and frequent and respectful interactions among team members and other individuals in the organization



Communications Strategy, continued

- ✓ Initiate weekly meetings with executive leadership with consistent agendas linked to management plans
- ✓ Develop and implement a communications plan for UG staff to deliver a consistent message and ensure the implementation of key initiatives is ongoing



I'm going to end on my communications again. There has to be regular meetings between the executive leadership and they are. They need to continue and they need to focus, in our opinion, upon consistent agendas related to those management plans. You have a management plan for health. You have a management plan for transportation. You have a management plan for economic development. Somebody needs to be bird-dogging those things to make sure they're getting done. You've got to talk about them every week or at least every other week and ask, what have you done? What are the things that are ahead of us? What else do you need? What's the next step, and how much money do you need?

I'm going to turn it over to Scott to talk about development review.

Development Review

- The development review process involves various departments and divisions that do not effectively coordinate or communicate
- Information available to applicants about the development review process seems to be insufficient for communicating the process and requirements

- ✓ Complete a review and optimization process to improve the development review process to reduce uncertainty for development applicants and increase transparency into the process in conjunction with implementation of Accela system.



Mr. Meyer said I want to reiterate what Byron said about the structural deficit. It is a critical piece that you have to solve. The Mayor mentioned it earlier. It is absolutely critical to the health of the city going forward. If you don't solve that, nothing else that we say today matters. You know that, but it just can't be said too many times.

The next couple of slides I'm going to talk about, just as a preview to them, we have not doled deep into these but as we were looking at the processes and talking to people, these seemed like things that were critical and ones we wanted to just talk a little bit about. We don't claim to

know all of them. It's something that obviously administration needs to look at closer and test some of the things and ideas that we are talking about.

The development review process is extremely important because you're dealing with developers. You're dealing with people who want to invest money in your city. If they have a positive experience, they might want to spend some more money in your city. That's good. If they have a negative experience, they may want to take their money and never come back and spend it in other places. I think a lot of the folks we talked to have an understanding of that, and I think there's been a few attempts to try to look at how to improve that development process. It is a complicated process. It's one that city's struggle with throughout. I struggled with it when I was a city manager. Developers want to have it streamlined and they deserve to have their questions answered and that deserves to be very transparent to them. We need to do all we can to make it transparent and to make it as easy as possible to do business in your government.

It is complicated. It involves various departments. It involves various other agencies and it's legal. It can drive some of the things that it has. At the heart of it, it really is customer service. I think, again, you all understand that and many of your folks understand it. When you have all of these handoffs, it can be, as much as you care, it gets on somebody's desk who happens to be on vacation and then it goes to the next person who happens to be on vacation and all of a sudden you look up and it's been three months and you haven't got back to somebody that's wanting to spend money in your community. You really can't have that.

We talked a little bit about a one stop shop. It seems to be a buzz word. It does solve some of the problems. That might be something to look at and optimize the process in improving the development review process and reduce time and increase the transparency.

The ACILA software is coming. We think that is a solution that makes sense and one that needs to be implemented. You're almost to the finish line. You need to push that over and begin to use that and open that up so developers can see where things are, know who has it, and follow-up and move forward. This process still needs some work. We think it's really critical to economic development. We think you need to look at that.

Again, the preface to these things going forward is we didn't look deep the things and previses that you need to test and your administration needs to test.

Capital Project Delivery

- Public Works, Board of Public Utilities and private utilities exercise limited coordination
- There is limited knowledge of a clear long-term capital management and improvement strategy
 - Any existing strategy has not been communicated well throughout the organization

- ✓ Develop a CMIP strategy that is aligned with master planning, economic development, and asset management
- ✓ Implement CIP delivery performance measurement reporting system to improve on-time and within-budget project delivery





The next one is the capital project delivery. We talked to Public Works, the Board of Public Utilities, private utilities and it seems like as we talked through some of those things, there's limited coordination on the capital project delivery. They gave some examples of they went through and resurfaced a road and then a few weeks later they came and dug up portions of it to do waterline crossings. That's concerning and kind of points to potential lack of coordination between groups.

There was oftentimes I ask the question, what is the funding source of the different types of capital improvements? How do you fund your water program? How do you fund your street program, those types of things? Most of the time there was no answer at all or don't know that exist. That's not what I'm concerned about. I'm given a number and I just go with that. Understanding where money's coming from sometimes its important in maximizing that money or tapping into other monies. We always—our capital improvement program was always budget constraint and time. We called it budget constraint and time certain. When we put a project on, we said this is the budget. You will live with it. Here's the timeframe and you will deliver it. That is sometimes difficult in government, but it says a lot about expectation. You'll be amazed of what you can do if you set that as your, not just a goal but a measure of the effectiveness of those who are in charge of making sure that they deliver that.

Managing Partners has done some studies and they have found that when a capital project delivery program is managed and uses management techniques such as critical path and budgetary constraints that it's at least 10, up to 20% more effective so you save that money. If you save time, you almost always save money. So, it's good on two fronts. So, that's our recommendation that you develop a CMIP strategy that's aligned with all of your plans then delivery is tracked and accountability is held in order to be budget constrained and time certain.

Engineering and Utilities

- The UG currently has three separate engineering groups—public works, development, and utilities
- Board of Public Utilities as a separate entity creates duplication
- Wastewater and stormwater share crews but separate management of those crews

✓ Consider consolidating one or more engineering organizations to eliminate redundancy and take advantage of economies of scale
 ✓ Explore integrating BPU into the Unified Government
 ✓ Explore combining the management of wastewater and stormwater maintenance and repair



The last area I'm going to talk about is engineering and utilities. Talked with several of the engineers there and talked about water and stormwater. As we talked about the different engineering groups, it appears that there is a possibility of perhaps combining them all into one engineering group, maybe two engineering groups might be a way of saving some money. And perhaps also a way of attracting people. Sometimes engineers don't want to do the same waterwork all the time. They would like to do some waterwork and maybe some street work and then maybe some building work and sometimes that's an attraction to engineers. Sometimes it's not. Some people like to specialize.

There's also some real efficiencies that come when somebody's designing that waterwork and that person designs the street work at the design stage and they're talking about their projects. Then they say, oh, we need to make sure we do the water work and tear up the road before we go around and resurface it, so that's an opportunity of consolidation. Again, those things need to be tested and looked at in here. What are some of the difficulties of combining those?

Integrating the Board of Public Utilities into the Unified Government. It looks like it would also be a big goal and one they can chew off, but there also could be big benefits and efficiencies and effectiveness by exploring such a huge structural change.

The management of wastewater and stormwater, maintenance/repair. Again, those are very similar in skill sets and those type of things. Combining those gives you some flexibility and some efficiencies and effectiveness in doing that work.

Information Technology

- Information technology needs are not managed in a consistent manner across the government
- Due to the absence of fully centralized IT there are an abundance of disparate enterprise platforms in use that may not all communicate appropriately
- Centralized IT security is essential for decreasing risk exposure to the County

- ✓ Centralize information technology functions to enhance efficiencies, effectiveness, cyber security, and communication
 - Station IT liaisons in departments in rotations but maintain alignment with central IT policies and procedures
 - Develop, adopt and implement UGwide (including DA, District Court, Sheriff, etc.) IT policies that support cyber security needs
 - Secure cyber insurance
- ✓ Develop an IT master plan which audits the use of various enterprise software across the organization and develop a plan to consolidate and update enterprise software
 - This should include a plan to retire unused software, retire onpremise servers and move to cloud storage, and identify opportunities to reduce paper and automate functions




Mr. Marshall said before I talk about information systems, I wanted to say one thing about the budget. It wasn't that directors didn't know. They knew how much money they had. They weren't necessarily sure how they got that amount of money or how the priorities were set. It seems to me, to us, that the budget process to them was almost mystical. Having been a budget director, I can understand how that happens. You have a certain amount of time; you have a certain amount of money. You start getting it done and say, here's what you can have and you move it along because the boss said get it done and you got to get it to council.

That belies this whole notion of outcome based-budgeting. Because if it's outcome based-budgeting, then the priorities were set and everybody knows what they are and you vie for your part and you say here's how I'm going to get my part done and here's what my cost of services are and you can justify it. Then you move it along. That doesn't seem to be the overall practice. That's not to say the Budget people are doing a bad job. It's not to say that departments are doing a bad job. It's just the culture needs to be changed. If you're going to have outcome based-budgeting, then you really need to have all the elements of it in place.

A lot of cities have been doing it for a long time; cities and counties. Charlotte-Mecklenburg County is one that comes to mind. They do an outstanding job and they've been doing it for 20 years. So, every quarter or every month, the commission or council would get a report saying here's what Public Safety did moving towards their goals. Here's what Public Works did moving towards their goals. Then, every year during the budget, you can decide whether you want to move some goals higher or lower because you know what your goal is. You want your response time on ambulances to be three minutes or police response time five minutes for a particular kind of crime. You set those things up and you measure against them.

I didn't want to give the impression that folks didn't know anything about their budget. That's not what we were trying to say; saying they don't fully understand how they're calculated,

when the bonds are going to be sold, and maybe they don't necessarily need to, but to the extent that you understand how the whole process works, it makes you a better manager. That's what I found.

Innovation/Technology. I've talked about some of this so I'm just going to focus on the recommendations. You've got functions of IT in various departments including the DA, the District Court, the Sheriff, etc. Again, I'm going by what the IT Director said that we haven't had a chance to validate this. We suggest you bring somebody in to validate it. The court, for example, has staff and they have the ability to get a certain amount done, but if their staff is not there, they take vacation, then IT has to figure out how to get that work done.

It's not clear where the intrusion in your cyber attack came from. What is clear is that to the extent that you have things in the cloud and not individual servers, that makes it more difficult. Everything in those departments are not in the file. I'll just say that. Clearly, you need to get cyber insurance. One of the things that is necessary to do that is multifaceted authorization, multifactor authorization. You're now at about 90% of that. You were at about 30% a few weeks ago so, you're moving ahead. That's one of the major things you have to have in order to get the insurance. I've not been able to find out from anyone I've asked so far, how much it's going to cost for the premium. I would think that would be a high priority and somebody would figure that out since you've already spent over a million dollars to try to recover.

Fleet

- Consolidation of the management of the fleet function should be considered
 - The fire department currently operates separately from central fleet (except ambulances).

- ✓ Consolidate fleet operations into one operational unit
- ✓ Conduct a fleet utilization study
- ✓ Outsource the fueling function to reduce liability, maintenance costs, and the need to invest in future capital upgrades
- ✓ Develop, implement and enforce a uniform take-home vehicle policy







Fleet. Your Fleet Manager was a joy to talk to. He's an interesting guy, I'd just say. One day he wants to be mayor, so he says. He didn't say anytime soon, Mayor, just one day down the road. You do need to do a Fleet utilization study and look at consolidating Fleet operations under one

operational unit. I know this is going to cause some angst because the biggest place that you could possibly save—well, one place you could possibly save is combining maybe some fire trucks.

I've fought with many fire chiefs over that. Sometimes I won, sometimes I lost. When I won, we saved money. It really depends on what you're doing in the maintenance. If it's just PMs; you're not replacing engines, transmissions and you're sending that out, coming to somebody anyway, I'm not sure, but that's something I think that needs to be looked at more closely. It doesn't work all the time in all the places, but it's worth looking at particularly when you're talking about trying to reduce the gap between revenues and expenditures. You've got to look at pretty much everything. It's probably a sacred herd of things, not just sacred cows.

Outsourcing fueling functions should reduce liability. I think that's one of the things he recommended so you don't have fuel stored. Basically, you'd contract with somebody to store it for you in case of emergencies. You'd be clear on the costs where it is. You don't have the liability and the maintenance. So, it seems like a great idea without further exploring it. On the surface, it seems like a good idea.

Like many cities, your take-home car policy needs to be updated. There doesn't seem to be any rhyme or reason to it.

Purchasing

- Purchasing policies and procedures are often not followed and have not been updated since 2007
- P-card usage seems to be high
- Policy violators should be held accountable

- ✓ Assess current purchasing practices and update the purchasing policy and procedure manual
- ✓ Conduct periodic audits of P-card usage
- ✓ Review merchant category codes (MCC) to identify any needed adjustments

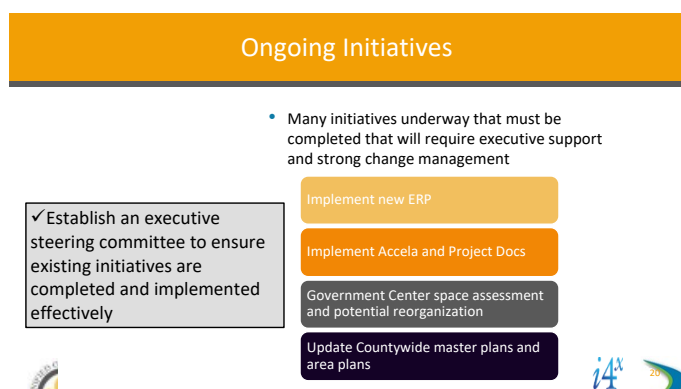




Procurement and Purchasing. You have not updated your procedures since 2007. That's enough right there. They need to be looked at.

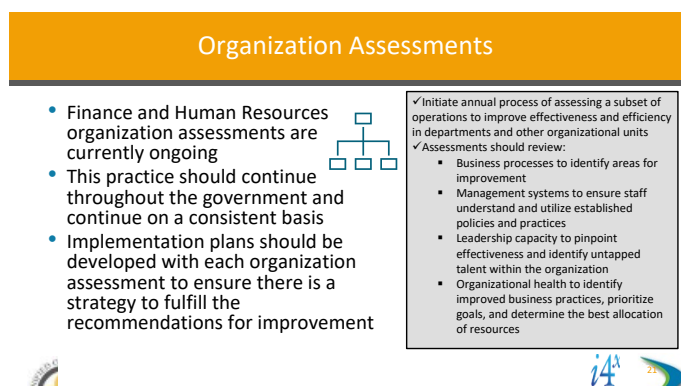
We looked at P-cards. There's something like I believe there were like 2,000 entries a month. That's high. We asked how often they are reviewed. I know Finance reviews them and Purchasing reviews them, but they're one or two people trying to review several thousands. That's pretty difficult to do. We recommend that a, you go back and look at the policies overall. That you conduct real periodic auditing, even if it's spot audits. That you look at your P-cards and look

at the merchant category codes and restrict them further. One of the things we heard was that the Procurement Director or Purchasing Director was pulling her hair out because an elected official, who she didn't tell me and I don't want to know who it is—not you, it was not a council member/commissioner, was buying alcohol for parties or receptions, which she believes is in violation of your policy, but she doesn't believe she has the power to enforce that. The power is you just don't pay it. That would be my way of dealing with it. It needs to be looked at more closely. It may require some political intervention to make it easier.



Ongoing initiatives. You have steering committees for ERP and Workday. That should continue and be pushed harder and involve more people, particularly the end users. Implement Accela and Project Docs so you can get your economic development on track. There's a government space assessment that's supposed to be done for potential reorganization.

Update the County-Wide Master Plan. We talked to your Planning Director and he had some good ideas. Some of these things should have been—area plans and master plans probably should have been done a long time ago. You can't move ahead without getting them done. They need to be coordinated with any long-term master plan and economic development plan.



You've got these assessments that are going on in Finance and Human Resources. You've heard from Human Resources already. The primary things we'll tell you about Finance is, again, there's a structural problem particularly with your General Fund for local government, or for the city. The budgeting process needs to move into the next phase, which is to have metrics. We also think that you ought to continue these assessments through the entire government, not all at one time necessarily, but department by department looking at all the processes, mapping them out, improving them, looking for opportunities to coordinate and to streamline. In doing that, you also will probably find, most likely will find savings if you look at the opportunity for combinations of departments. That doesn't necessarily mean that you lay people off. You may reassign folks and through attrition create some other change.

Conclusion

- Opportunity exists to realize the goal of unified government
- County administrator and assistants need support of elected officials
- Leadership and staff need a focused strategy that is aligned throughout the organization
- Change management is imperative to successfully integrating a culture of continuous improvement
- Prudent to tackle short-term, immediate recommendations in the current budget



Again, once you prioritize the vacant positions that you have and look at four things with these processes. One, look at your business processes to identify areas for improvement. Second, look at the management systems, things Kyle was talking about, to ensure staff understands them and uses the policies and practices. You also need to look at your leadership capacity to pinpoint those folks who are effective and those who are not effective. Those who are not effective maybe you can help them through training; you buttress them with somebody else. It's possible for somebody to be really good at one thing and not good at something else. Maybe pairing them with somebody it works. Sometimes it's time to separate them. You would determine that through looking at the capacity. Then, look at the overall organizational health by identifying improved business practices, prioritizing goals, and determining the best allocation of resources based upon those priorities.



That's it for us. Thank you for your attention.

Mayor Garner said thank you. At this time, we'll take questions from any of the commissioners.

Commissioner Bynum said thank you to both of the teams that brought the information. It's good to have it. Some of it, I think, is concerning, but I like that it helps us build a path forward in all the aspects. I'm kind of leaning in on the organizational assessment. Will we receive the full written report from both of your entities? **Gail Meriweather** said yes. **Commissioner Bynum** said when we've done these in-depth studies in the past, those have even been put on our website for public consumption. I would like to have the full reports from both of the entities.

When we talk about implementing some of their recommendations that you brought for us, it strikes me that a lot of this work is for our County Administrator to not complete alone certainly, but to lead. I think maybe some of what I'm saying might be in the form of questions. Some of its probably for the Commission possibly by way of policy adoption, but just in that general two-part statement would you agree so far?

Mr. Marshall said yes. I think that there are two parts. One is direction to the Administrator to develop the metrics by which your goals and priorities are carried out. The other part is you have to set the goals and make sure that they're the right ones based upon what you know and what your constituents have decided are important.

Commissioner Bynum said that answer kind of leads me to my next question, which was, do you see a strategic planning session or multiple sessions as our next step for kicking this off? **Mr. Marshall** said it is. It will be one of the next steps, yes, ma'am. **Commissioner Bynum** asked, and what would be some of the other next steps?

Mr. Marshall said to the extent that it's necessary, I don't know what your procurement policies are. You're trying to hire a new Administrator. If a recruiter came to me and said, what do you think about going to Wyandotte? I would want to know what's going on in Wyandotte. I've seen these two reports and then I'll see the third one. What are you doing about it? Am I going to come in and have to start from scratch or is something going to be underway so I'll have a landing plan. I think you need to figure out what you need to get done in advance of a new Administrator and also figure out what kind of Administrator you want. What their skill sets are, what their personality is, what their background is, are they a facilitator. I think they would need to be to be able to work with the government. Are they open to working with the community? I think they would have to be. Are they good at budgeting? They would have to be. Are they a good strategic thinker? I think they would have to be. Those are some of the things, I think, that you need to figure out before you hire the new person.

Commissioner Bynum said and I'll say this, and you don't have to answer it. I guess I'm speaking to you and the group here. It's interesting that you bring these points forward because you could have an Administrator Candidate that doesn't want to come in and pick up the playbook that somebody else just made. Maybe they want to create that playbook from brand new. I don't know. I'm really just kind of speculating out loud. Would you have a thought on that one way or the other?

Mr. Marshall said there's no one way of looking at things. Scott and I might look at this differently. I wouldn't mind having a playbook, but I would want to look at it when I got there and evaluate whether it was done well. Say these are the things I think were done well. These are things, I think, need to be done differently. **Commissioner Bynum** said thank you. I really appreciate it.

Gail Meriweather said I think part of the issue will be, as you hire someone new, do they come in and start from scratch or have you already put the foundations in place so that they can move the organization forward. **Commissioner Bynum** said that's exactly what...**Ms. Meriweather** said my opinion is, you've got some pieces in the foundation that are just broken that needs to be fixed.

The other thing I wanted to say, don't be afraid or uncomfortable or nervous about those big terms, strategic planning, because it sounds like a lot of work. One of the things that we have done at the Meriweather Group is to leave you a framework of a performance management system,

creating job descriptions, identifying job objectives. I've done it across the US. I've got them and I'm prepared to just give them to the UG so that there's something that they will have going forward. I don't just have a bunch of rhetoric here. I've got forms and formats that I'm giving to the UG. **Commissioner Bynum** said thank you so much.

Mr. Marshall said I did talk to Scott just for a second. Both of us feel like coming in knowing that the Commission has already decided they're going to make some changes, that gives the Administrator a sense that there's commitment. And if you notice the three to five-year slog, get it fixed then he or she would know what they're going to be evaluated on each year, what they need to accomplish. **Commissioner Bynum** said thank you very much.

Gail Meriweather said and whatever he or she is evaluated on every year, that needs to be pushed down so that we don't have folks just coming in every day lacking direction about what they are to achieve. That, again, is a performance management system that I'm giving to the UG.

I'm retired. I just play pickleball so I've got time to give these pieces away.

Commissioner Ramirez said thank you, Cheryl, for doing this. This was something that, I think, needed to be done for a while now, so I'm very excited. I will say for the potential organization structure, I like it. It's creating that synergy, like departments together working together rather than mix and match. I know currently one of our ACAs has a large amount of important departments underneath them that they're in charge of coordinating. It's all just a bunch of different departments. There's no real continuity of what they actually do together. So, I thank you for that. I thank Commissioner Bynum for your line of questioning. I do believe that we, as a Commission, along with Cheryl, I think we can work together to create that foundation for our next Administrator. I look forward to it. This is something I know our community has been waiting for it for a while. So, I'm ready to work with you.

Commissioner Johnson said thank you to our Interim County Administrator for having these presentations, and also to both groups that provided the information. I've got a lot of questions, but I think I'm just going to ask this one. Both analyses provided a critique of our departments. What I'm curious about is, were there any, I guess, positive milestones that you uncovered that we could build off of with regard to bringing into our organization a new Administrator? We'll agree,

I think I heard this said in the last presentation, there needs to be—there's always an opportunity to change culture. I think that this provides probably as good of a time as any to be able to do that. So, I'm just wondering, were there any positive things that you all were able to observe in the various departments as you all went about your process?

Mr. Marshall said yes, sir. There were several bright spots. The Police Department was a bright spot. Aspects of Public Works were bright spots. I don't think we talked to but maybe a handful of people who weren't really excited about the work that they do and weren't dedicated. You've got people who really want to do a good job.

I talked about one of the programs that was underway, SOAR, and that ACA who's was running it has left. What she expressed was, what she described was a program that worked well across various silos. So, there are a lot of bright spots. I think part of it is just adding leadership and a vision and an accountability system to help people.

Gail Meriweather said I also, too, wanted to add, absolutely, the brightest spot going through the functions of Human Resources were all the people that we had the opportunity to talk to. The Fire Department has worn me out but it's because they just got a lot to say. Often times people will not share because they're nervous and they're uncomfortable to do so. Everyone was candid.

I also want to add, if the foundation is weak, I can put the prettiest windows into a building; it is still going to crumble. So, at this point, there's a lot of work that has to be done within the HR Department. I'm not leaving them there. I'm giving them what we believe it is that they need.

Commissioner Johnson said the discussion I heard from both you all as well as the other group sounds like it's kind of touching on what the Mayor's talking about in terms of tightening our belt. It leaves me to believe that there's real thought that there are positions that are not filled right now that could be eliminated. Is that correct? Am I understanding that? I just kind of want to cut to the bone here. I mean not cut to the bone, but cut to the chase here, so to speak, to kind of figure out which way should we go.

Mr. Meyer said as I said earlier, we spent a very small amount of time talking to departments. We took a picture; somebody needs to watch the whole movie and really understand what makes sense and what fits your priorities. You're elected to represent the people. What are your priorities? When you cut, it doesn't mean that you can always—sometimes if you can cut

and keep the services the way they are, that's a no-brainer. To the level that you have to do it further, then you have to cut and you have to cut services as well. So, that's a prioritization process that people are elected to do and that's what you'll be asked to do.

Commissioner Burroughs said, gentlemen, ladies, thank you. It's been my experience that many, if not all, audits are not only conducted and discussed and reviewed then shelved. I would hope that we would work to continuously review these documents, implement, and embrace the findings. It's critical to this local unit of government. It's critical to the leadership here. More importantly, it's critical to the community. I might suggest, Mayor, Commissioners, instead of seeing this work product shelved that I'm going to make a motion that—first of all, Madam Administrator, is this an actionable item this evening? **Mayor Garner** said no, it's not. **Commissioner Burroughs** said for information only. If it was an actionable item, I'd make a motion this evening to begin the adoption of the work product and recommendations. We can ill afford to wait any longer. It's time.

Commissioner Davis said thank you all so much. I know this took a lot of work to take place. We did not vote necessarily to authorize the budget for this, correct? We did not. So, this is kind of under. I just wanted to make sure because I didn't see that on any agenda.

Either of you can answer because I do have some questions. Were you all given our budget and our charter to review? Okay. Do you all have any thoughts? The only reason why I say that is because one of the hard things about kind of implementation, and you all are city managers, you all know this, right, like there's the administration piece, right, which is the technical side and then there's the political will piece. There's the ability to compromise the ability to put stuff on the agenda, the ability to vote things through. So, do you all have any thoughts on that particular piece of our charter?

Mr. Marshall said each of us has been a city manager. We have enough sense to stay out of political fights, so we're not going to do that. What I would say to you is that one of the things that we find a little surprising, challenging, not surprising, is that you operate as two—you're a unified government, but you're operating as two separate budgets. Now I understand some of that is because you have these other cities that are in the county. I think you ought to look to ways of being less separate and try to make the operation work smoothly. I don't know. We didn't look

at the legal aspects of that. We weren't called upon to do that, but that may be something that you might want to do. See if there's a way to further consolidate. **Commissioner Davis** said got ya. I appreciate that.

Commissioner Davis said the other question that I have is I know that, are these assessments still ongoing or are they complete, this report, it's a go? Is the book closed or is it still open? **Gail Meriweather** said as it relates to HR, I'm done. I've completed it. I've got the information for you all.

I also want to address the question that you asked as it related to, you didn't see a budgeted item for this. Because I worked for Ms. Harrison-Lee in the city of Gardner, I did not charge her what Arthur J. Gallagher would have charged her. I charged her what the Meriweather Group would charge her because I've lived in this community long enough to appreciate the Unified Government. In addition to that, and you'll hear me say over and over again because I know you need to say things 15 times before people really understand it, if you can get the foundational pieces of HR together—like right now, there are EEOC claims that are just about \$2M, of which I think maybe a million dollars have been paid out and we're sitting being ready to pay another. All of this could be done far less than that.

Then the issue that we've had as it relates to employees and managers, most of that will go away because the expectation from the employees would be identified in a performance management system. Job descriptions will be clear. You'll have an HR Department that's responsive, who understand employment law, and can help them through the process. We can relieve some of the work that the attorneys are having to do around those kinds of things and you all can do more around contracts and bringing economic development into the UG. Does that make sense? **Mr. Davis** said yeah. Thank you.

Commissioner Davis asked, for the organization assessment, are you all done? Is the book closed on that as well? **Mr. Marshall** said yes. We're done. Our recommendation is that you have other people look more deeply into the areas we've identified. **Commissioner Davis** said okay. The only reason why I bring that up is because I do think that, as commissioners, and I'll just speak for myself, but I think others maybe would agree. I think we would have really loved to have gotten interviewed by you all. There's a particularly unique perspective that we offer within our particular

districts knocking on doors, talking to people, hosting town halls. That's why I asked if the book is closed on that. Thank you so much.

Gail Meriweather said the doors are still opened for you all, as elected officials, because the strategic planning process. As you guys are hired to do a job. You are elected because you knocked on doors and said this is what we want to do for the UG. That needs to be a part of what gets pushed down for the employees to do through that strategic planning process. I may have missed you and understanding what goes on in HR, but when it comes to moving the organization forward, that's exactly when you need to have that conversation. So, we say, the community wants this because they spoke through the elected officials to let us know. Then the Mayor and the Interim County Administrator, this then are their top three or four priorities. How do we get that done through the departments within the UG? So, we're not done with you yet.

Commissioner Stites said thank you for the presentation, both of you, all of you all. It was enlightening. I will tell you, so I've been here just seven months now. This question may not be directly at you all, but when was the last time, since the inception of the Unified Government 25 years ago, that we had a top-down evaluation of our departments? **Ms. Harrison-Lee** said never. **Commissioner Stites** said okay. That's what I was looking for. I, too, agree that with Commissioner Burroughs in the sense that we don't need to take this information and file it on a shelf and it never gets explored and we don't act upon it. We do have that opportunity now that we had professionals come in, give their advice. We need to evaluate that advice, take heed, and take action. I appreciate it and I think we have a unique opportunity to, I'm not going to say right the ship, but I do think that we can get this thing; not listing to the side so much.

Mayor Garner said thank you all so much. Appreciate the presentation. I think it was very valuable just not for this staff and Commission, but for the community to see. I advocated hard that we needed to have an outside, independent, unaffiliated audit for the Unified Government. Not only now but we need to continue down this path. We have awesome employees here. I've worked with them every day. I worked 32 years here with a lot of great people. I think some people forget that. I've been exposed to the organization when I started down in the basement here, the sub-basement, of City Hall back in 1987 and now I'm the Mayor. That's nothing to brag

about because we have so much work to do. I'm not here for me. I'm here for the people and that's what this is about for me.

I do encourage our Administrator moving forward that we continue a deeper dive, and that we look at all of the departments that have been recommended. I agree with Commissioner Burroughs is that what I've seen is a merry-go-round to nowhere. Some of you've heard me say that when you talk about all of these master plans, listening tours, community conversations, and presentations and they go absolutely nowhere. I think we're at a crossroads in the Unified Government. We have a real opportunity to be about the change that this community has demanded that they what to see from the Unified Government.

The other part of this aspect is outside of the employees that we know do a great job here, there is a culture that I've been exposed to and have been involved in. That culture is some of what you've seen tonight. Those are the things that this Commission is going to have to work with. I've heard a lot of the commissioners and we've got to work. Let me remind our commissioners, and not everybody, we have got to put whatever differences we had, personal/professional, and do the work of the people. This Mayor came out front on day one and said work with me, meet with me, and I encourage all of you to continue to do that, those of you who haven't cancelled your meetings with me. I'm here. I'm available. My team is here everyday and we want to work. We have got to put whatever differences aside. We've got to move these recommendations forward. The future of not just Wyandotte County, but residents that have demanded better from all of us is at stake.

When you talk about just from my experience being here for over 32 years in various aspects of leadership, there's a lack of diversity. You've got people in high positions of decision-making making decisions for this community but not culturally connected to the community or even a desire to work with the community. We've got to change that dynamic and it can be done responsibly. Not that everybody doesn't have value, but when you talk about people that are making leadership decisions for this community, that is something administration has to look at. We need a diverse, educated, talented, and connected workforce inside the Unified Government at the top leadership positions. So, leadership is really key when I talk about that.

We've also got to have a level of accountability. What I've seen over my 32 years when you talk about the culture, is it bothers me when you have an imbalance of this experiment of the Unified Government, and I'll call it that. I think a unified government is better than a divided one.

We've come a long way. When you talk about the form of government, I have issue with that. Some of that issue was brought out tonight. We've really got to work on creating a unified government where staff, for once, is accountable to the elected body, to include this Commission and the Mayor, because this Commission and this Mayor are accountable to the people. The people vote us into office because they think we are running this town. In reality the tail is wagging the dog.

When people call the Mayor's Office, when people call for commissioners and when commissioners ask for things, and not everybody, but there should never be a time when any commissioner, I mean any employee gives more excuses than they do solutions. There should never be a time when an employee tells any commissioner or elected official what they can't do as opposed to how do we make things work and find solutions. Those are my biggest issues we have. That the imbalance that we need to address. A lot of these issues—we've put together seven committees. I thank those commissioners that have been involved in these seven committees to address some of these issues.

Harold Johnson, Commissioner Johnson, he's working on trying to streamline the process so businesses can go from shovel-ready to development in a way that is responsible and streamlining that process. Commissioner Ramirez is working on efficiencies as well as criminal justice reform. We're also looking at our unhoused and improvised population to enhance services and improve what we do for them. So, there's a lot of room for improvement. Those taskforces were designed for one thing, collaboration. Commissioners, community, staff, Mayor's team coming together to find real solutions to real problems that we know affect the lives of real people every day. Actionable solutions, not just talk, but action where recommendations can be brought forward that can generate results that this community wants to see.

I'm going to keep saying it over and over again, this Mayor, this Mayor's team, is willing to work with this Commission, staff, and more importantly our community to do just that, to work on these problems and find solutions. I've always been a collaborator. I'll say it again, I'm not here to play politics. I won't. If you think I am, think again. I'm not here to do that. I'm here for one purpose and one purpose only, that is to get things done for the people of Wyandotte County that are sick and tired of being sick and tired of what they've been seeing come from this Unified Government, and I was one of those employees.

Again, I'd like to say for all those employees that do a good job, thank you. You are valued. We appreciate you. We know you're working hard every day. It's the culture of this organization that we've got to address. That's what we need to focus on because once we start working on the culture and getting these policies and practices and procedures in line and bring in qualified people for these positions, that's when change, in my opinion, begins to start.

So, there was a motion on the floor. This isn't an actionable item. If you want to repeat that again, Commissioner Burroughs.

Commissioner Burroughs said, Mayor, I had clearly stated that I would hope that we wouldn't shelve this study. It's important enough. There's been time and energy invested in it. If it was an actionable item, I would have been more than happy to make the motion this evening because I truly believe if we don't take action tonight, it will be shelved, it will be forgotten about. In my experience, that's exactly what happened. In my 26 years at the Kansas House, those audits were conducted on an ongoing basis and many of them were shelved and forgotten about. Same mistakes were made over and over again, and we can't afford to keep making mistakes. Mayor, I would just challenge each and every one of us to be mindful that the information is before us and very forthcoming, depending on how far we want to drill into it, but I stand ready to do my part, Mayor, to lead.

Commissioner Townsend said I appreciate the information brought forward tonight. It's already been stated that this is not an action item for a vote. The difference is how and when can action be taken. I think Commissioner Burroughs' point is this is not to be forgotten. I would just caution us about being hasty and taking a vote on something when this is not for a vote, but I support him and the intention in looking at this further.

The other thing, as I listen to this to keep in mind, is what this would mean to achievement of what's been proffered tonight as we look for another Administrator and how those candidates would look at their ability to come in and work to achieve some of these things that may have been offered. What's this really going to look like. That's the comment I wanted to make.

Mayor Garner said just for clarity, Commissioner Burroughs, in speaking with him, just like me and some others, we're just encouraging our Administrator to continue to deeper dive into this

organization and continue these assessments based on the recommendations from the individuals that you have here today. Thank you so much.

Action: Items 2 and 3 were for information only.

Mayor Garner said as a result of this meeting, we are going to need to go into executive session to discuss personnel matters.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Burroughs, to go into executive session until no later than 10:10 p.m. regarding personnel. Roll call was taken and there were nine “Ayes,” Ramirez, Johnson, Markley, Stites, Davis, Bynum, Burroughs, Townsend, McKiernan.

Mayor Garner reconvened the meeting back into regular session at 10:11 p.m.

Item No. 4 -211735...UPDATE: GRANTS AND GRANT PROCESS

Synopsis: Update on status of grants and grant process, submitted by Cheryl Harrison-Lee, Interim County Administrator.

Cheryl Harrison-Lee, Interim County Administrator, said an update on the grants has been provided to you regarding the ARPA funding as well as the funding that we received from Representative Davis. If you have any questions, I will answer them at this time. Hearing none, Mayor, that completes the overview of the grants update. It’s a standing item just to make sure that members of the Commission are current on what’s going on with grant opportunities.

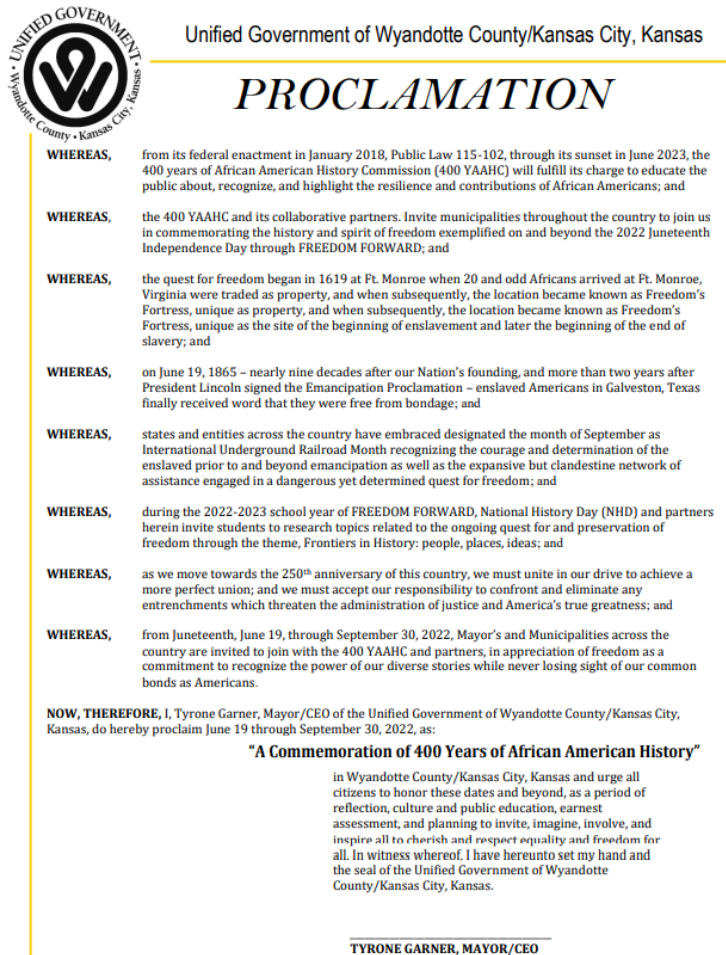
Action: For information only.

Mayor’s Agenda

Item No. 1 - 211812...PROCLAMATION: AFRICAN AMERICAN HISTORY COMMISSION (400 YAAHC)

Synopsis: Proclamation proclaiming June 19 through September 30, 2022, (400 YAAHC), submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Acting UG Clerk, read the proclamation as follows:



Action: Proclamation was read.

Item No. 2 - 211811...PROCLAMATION: NATIONAL NIGHT OUT

Synopsis: Proclamation proclaiming August 2, 2022, as National 39th Night Out, submitted by Tyrone A. Garner, Mayor/CEO.

Monica Sparks, Acting UG Clerk, read the proclamation as follows:

July 14, 2022



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

- WHEREAS,** the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug, and violence prevention program on August 2nd, 2022 entitled "National Night Out"; and
- WHEREAS,** the "39th Annual National Night Out" provides a unique opportunity for Wyandotte County/Kansas City, Kansas to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and
- WHEREAS,** the Unified Government of Wyandotte County/Kansas City, Kansas plays a vital role in assisting the Kansas City, Kansas Police Department and the Wyandotte County Sheriff's Office through joint crime, drug, and violence prevention efforts in Wyandotte County Kansas City, Kansas and is supporting "National Night Out 2022" locally; and
- WHEREAS,** it is essential that all citizens of Wyandotte County Kansas City, Kansas be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs, and violence in Wyandotte County Kansas City, Kansas; and
- WHEREAS,** police-community partnerships, neighborhood safety, awareness, and cooperation are important themes of the "National Night Out" program.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim August 2, 2022, as:

"National Night Out"

in Wyandotte County/Kansas City, Kansas and call upon all residents to join the National Association of Town Watch in supporting the "39th National Night Out." In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO

Action: Proclamation was read.

Item No. 3 - 211724...UPDATE: COUNTY ADMINISTRATOR SEARCH PROCESS

Synopsis: Communication on County Administrator's search process by Tyrone Garner, Mayor/CEO.

Mayor Garner said what I can tell you, Commissioners and public, is that an RFP put out. It closed on the 1st. I'll let the County Administrator talk more to that on a process that she's put in motion.

Cheryl Harrison-Lee, Interim County Administrator, said the deadline for receiving RFPs for recruitment firms interested in providing executive search services ended on the 1st of July. We received responses from four firms. Staff is now reviewing those proposals from the firms, doing

July 14, 2022

reference checks, and we anticipate that at the next meeting, we'll have a recommendation on a search firm.

Mayor Garner said I've also asked that each commissioner bring forward two selections to go on a selection taskforce that will assist this search firm. I've already selected the chair, Mayor Harrington from Bonner Springs. He's tentatively agreed as well as BPU President Mr. Johnson as the co-chair. I know that Melissa Bynum, At-Large District Commissioner, as well as At-Large District Commissioner Tom Burroughs have taken the lead to work with the commissioners to get their appointments to this taskforce as well. There should be two. One would be the commissioners' primary and then the secondary would be a backup in case of the absence of the primary.

The goal is to—when this search firm—before it's actually recommended for selection, I've asked the administrative staff to get that information to our commissioners so you all can have a chance to review the process, why that firm was selected, to be able to ask any questions in regards to their expertise in the area of these searches, request staff to go back, if necessary; and then that information will get to the Administrator and she'll ultimately give that to me. Hopefully, by that point, we should have both the selection team and the selection firm in place and they can start working on the process.

The ask I will be giving the selection team is to make sure that we involve our business community, our employees, as well as the community in a survey prior to putting out a call for interest for the job opening so that information can be included as part of the job description requirement that would coincide with the recommendations from the search firm.

After that point, the timeline and things of that nature, I really don't want to micromanage it from that point at all. Really, the process will be conducted in collaboration with the search firm and the search taskforce. Hopefully, they can get three candidates that can be evaluated and ultimately when we get to two, I would like for the Commission to interview both of those candidates and then have the search firm go back, take that information, and then make a recommendation to me on who they recommend to be the next County Administrator as part of their process.

My involvement would be at the very end based on the recommendations I get throughout this process. That's an update there. Are there any questions from any of the commissioners in that regard? (There were none.)

Action: For information only.

CONSENT AGENDA

Mayor Garner asked, do any members of the Commission or County Administrator wish to set aside any item on the Regular Consent Agenda? If an item is not set aside, all items on the Regular Consent Agenda will be voted on by one vote.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Bynum, to approve as submitted.

Mayor Garner asked, is there any discussion? Seeing none, roll call, please.

Roll call was taken and there were nine "Ayes," Ramirez, Johnson, Markley, Stites, Davis, Bynum, Burroughs, Townsend, McKiernan.

Item No. 1 – 211740...RESOLUTION: SISTER CITY WITH CITY OF CAMARGO, MEXICO

Synopsis: A resolution establishing a Sister City relationship with the City of Camargo, Mexico, submitted by Dr. Mildred Edwards, Chief of Staff in the Mayor's Office.

Action: **RESOLUTION NO. R-36-22**, "A resolution establishing a Sister City (Twinning) relationship between the Unified Government of Wyandotte County/Kansas City, Kansas, and the city of Camargo, Chihuahua, Mexico." **Commissioner McKiernan made a motion, seconded by Commissioner Bynum, to adopt the resolution.** Roll call was taken and there were nine "Ayes," Ramirez, Johnson, Markley, Stites, Davis, Bynum, Burroughs, Townsend, McKiernan.

Item No. 2 – 211736...GRANT: KANSAS CITY KANSAS POLICE DEPARTMENT VICTIM SERVICES VOCA FY 2023

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

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Bynum, to approve as submitted.** Roll call was taken and there were nine “Ayes,” Ramirez, Johnson, Markley, Stites, Davis, Bynum, Burroughs, Townsend, McKiernan.

Item No. 3 - MINUTES

Synopsis: Minutes from Special Sessions of May 26 and June 2, 2022.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Bynum, to approve as submitted.** Roll call was taken and there were nine “Ayes,” Ramirez, Johnson, Markley, Stites, Davis, Bynum, Burroughs, Townsend, McKiernan.

Item No. 4 - WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated May 5, May 26, and June 9, 2022.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Bynum, to receive and file.** Roll call was taken and there were nine “Ayes,” Ramirez, Johnson, Markley, Stites, Davis, Bynum, Burroughs, Townsend, McKiernan.

Mayor Garner said we’re going to pause just for a minute as there may be some technical issues with our live feed. (10:25 p.m.)

Mayor Garner reconvened the meeting at 10:28 p.m.

PUBLIC HEARING AGENDA

Item No. 1 – 211789...PUBLIC HEARING: 2022-2026 CONSOLIDATED PLAN

Synopsis: Final public hearing concerning the 2022-2026 Consolidated Plan and associated documents, submitted by Wilba Miller, Director of Community Development. On May 23, 2022, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to the full commission.

2022 -26 Consolidated Plan And Analysis of Impediments to Fair Housing Choice

Public Hearing #2
UG Community Development Department | July 2022

Wilba Miller, Director of Community Development, said the Unified Government of Wyandotte County/Kansas City, Kansas, receives an annual allocation of entitlement funds from the US Department of Housing and Urban Development for the following programs: Community Development Block Grant, HOME Investment Partnership, and Emergency Solutions Grant. In order to receive these funds, the Unified Government must submit a consolidated plan to HUD every five years. The '22 Annual Action Plan, '22 Analysis of Impediments to Fair Housing, and the updated Citizen Participation Plan are all included in this submission.

The Consolidated Plan consolidates the three grant programs into a single application which includes a description of the projects and activities expected to be undertaken using grant funds and any expected program income. The plan also includes actions that the UG expects to take during the program year to preserve strategies.

The UG must hold two public hearings to inform the community about the plan, the plan process, and to obtain community input. The first public hearing was held on March 31, 2022, prior to developing the draft plan. The draft plan was also published on June 2, 2022, and citizens were given 30 days to comment. We are fulfilling the second public hearing requirement tonight.

July 14, 2022

Community Engagement

-  142 Survey Participants
-  30 Community Stakeholder Orgs. Interviewed
-  4 Community Workshops with 24 participants
-  2 Targeted Resident Focus Groups
-  2 formal Public Hearings

In addition to these HUD required engagements, we also held a survey with 142 participants, 30 stakeholders interviewed, 4 community workshops, and 2 targeted focus groups.

Community Identified Needs

- **Housing needs**
 - Help for homeowners to make housing improvements
 - Rehabilitation of affordable rental housing/ apartments
 - Energy efficiency improvements to housing
- **Public service needs**
 - Health and mental health services
 - Childcare
 - Substance abuse/ crime prevention
 - Youth services/ programs
- **Homeless needs**
 - Transitional/ permanent supportive housing programs
 - Homelessness prevention
 - Supportive services/ case management
- **Public facility needs**
 - Community centers
 - Homeless centers
 - Community parks, gyms, and recreational fields
- **Public infrastructure needs**
 - Street/ road improvements
 - Sidewalk improvement or expansion
- **Economic development needs**
 - Redevelopment or demolition of blighted properties

This slide summarizes the top needs identified by the community. As you can see, housing needs, public service needs, homeless needs, etc.

Five -Year Goals

1. Improve Housing Access and Quality
2. Provide Housing and Services for People Experiencing or At-risk of Homelessness
3. Provide other public services for LMI households
4. Improve Public Facilities and Infrastructure
5. Support Economic Development
6. Planning and Administration

We use that community input along with local, regional, and federal data sources to identify six goals for our plan. One, improve housing access and quality, provide housing and services for people experiencing or at-risk of homelessness, provide other public services for low and moderate-income households, improve public facilities and infrastructure, support economic development, and planning and admin.

2022 CDGB Projects

Activity	Funding
Home Repair/Barrier Removal Program	\$500,000
Housing Rehab Delivery	\$583,868
Willa Gill Multi - Services Center (MCRC)	\$148,000
Livable Neighborhoods	\$20,000
Area Master Plan Activities	\$500,000
CDBG Administration (20%)	\$437,966
TOTAL	\$2,189,834

This slide shows the annual action plan. It identifies the number of projects to be working toward these goals. Projects are summarized in the following slide shown by grant program and activity. This activity is the Community Development CDBG grant. As you can see, we have Home repair, housing, Willa Gill, Livable Neighborhoods, and area master plan activities. As a side note, the area master plan activities that we're looking at right now are the Boston Daniels Park and if we have money to help Parkwood Park. Then, CDBG administration.

2022 HOME Projects

Activity	Funding
CHDO Set-Aside (Rehab/New Construction)	\$333,831
Subrecipient (Rehab/New Construction)	\$523,830
HOME Administration (10%)	\$95,295
TOTAL	\$952,956

The HOME projects, we're setting aside money for the CHDOs, Community Housing Development Organizations, such as Mt. Carmel and CHWC; and subrecipient monies for rehab/new construction, for instance, Habitat.

We have taken our CHIP Program, our down payment assistance program out. We haven't had good attendance to it for two years. Our client, the low-mod income clients, are being outbid for houses. They just can't get it so what we decided to do is work on the housing part of the program.

2022 ESG Projects

Activity	Funding
ESG Activity Subgrants	\$181,813
ESG Grant Administration (7.5%)	\$13,660
TOTAL	\$195,473

The last one is the Emergency Solutions Grant Project. This is for activities such as homeless agencies or near homelessness activities for people like Friends of Yates, Crosslines, Avenue of Life, and we have probably six or seven subrecipients that receive these monies.

Barriers to fair housing



After the community engagement and review of the data, we have identified six impediments—sorry, this slide shows community responses to the fair housing questions. In addition to the consolidated plan, we will be submitting an analysis of impediments to fair housing. All HUD activities are required to affirmatively further fair housing. This analysis identifies activities to help meet the requirements. Please note that we do not receive any special or dedicated funding to carry out fair housing activities.

The community survey included questions about fair housing. This slide shows barriers to fair housing that were identified by community members. Number one is neighborhoods need investment and revitalization. The next four barriers all relate to the affordability of housing.

Community Engagement: Fair Housing

Do you know where to file a fair housing complaint?



This slide shows the community's responses to the questions: Do you know where to file a fair housing complaint? You can see that less than 40% of respondents know where to file a complaint. This shows that we have an opportunity to increase education around fair housing issues.

Impediments to Fair Housing Choice

1. Low labor market engagement and limited incomes restrict housing choice and access to opportunity among protected classes
2. Continued need for neighborhood investment in areas with high poverty rates and low level of access to resources and services
3. Housing options for persons with disabilities are limited
4. Historical disinvestment in housing condition disproportionately affects protected classes
5. Multifamily uses are severely restricted by both policy and implementation of the zoning code
6. Lack of strong networks limits ongoing progress towards fair housing goals

After the community engagement and review of data, we have identified six impediments to fair housing. In the plan, there are a number of recommended actions for the Unified Government and partners to take in the next five years to address each of these impediments and increase fair housing in Wyandotte County. You can see low labor market engagement and limited incomes restrict housing choice and access to opportunity among protected classes. Continued need for neighborhood investment in areas with high poverty rates and low level of access to resources and services. Housing options for persons with disabilities are limited. Historical disinvestment in housing condition disproportionately affects protected classes. Multifamily uses are severely restricted by both policy and implementation of the zoning code. Lack of strong networks limit ongoing progress towards fair housing goals.

Public Hearing



The consolidated plan must be submitted to HUD 45 days prior to the fiscal year that starts October 1st, which means submission can be no later than August 15, 2022. Failure to submit by August 15th will automatically result in a loss of funds. A resolution calling for the adoption of the 2022-2026 Consolidated Plan and attachments will be presented to the Commission for approval during the meeting on July 28, 2022. This concludes my presentation.

July 14, 2022

Mayor Garner said I will now open the public hearing and ask the Clerk if any notifications were received from the public who wish to express their comments regarding this item. **Ms. Sparks** said no comments were received.

Mayor Garner asked, is there anyone present who would like to speak on this item? If so, please come to the podium and be recognized. Once you have been acknowledged, we ask that you provide your name and city of residency for the record. You'll be given up to three minutes to state your comments. Seeing none, is there anyone online who would like to speak to this item? If so, please raise your hand to be recognized. Once you've been acknowledged, we ask that you provide your name and city of residence for the record. You'll be given up to three minutes to state your comments. **Ms. Sparks** said no hands are raised.

Mayor Garner said if there are no further comments from the public, I will close this public hearing. Do any members of the Commission have any questions or comments? Hearing none that will conclude this item this evening.

Action: **Public hearing was held.**

STANDING COMMITTEES' AGENDA

Item No. 1 – 211795...RESOLUTION: SET A PUBLIC HEARING DATE FOR 505 CENTRAL

Synopsis: A resolution calling and providing for notice of a public hearing on the advisability of creating a redevelopment district at 505 Central Avenue on August 25, 2022, submitted by Katherine Carttar, Director of Economic Development. This item was scheduled to appear before the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, on July 11, 2022. It was requested, and approved by the Mayor, to fast-track this item to the July 14, 2022, full commission meeting.

Mayor Garner said I'll ask Commissioner Burroughs to make some opening remarks.

Commissioner Burroughs said, Mayor, all this does is set the hearing date for 505. We've all had an opportunity to hear a presentation a number of times. This just sets the hearing date.

Mayor Garner asked, any member of the Commission have any comments or questions in this regard? (There were none.)

Action: **RESOLUTION NO. R-37-22**, "A resolution calling and providing for notice of a public hearing to be held on August 25, 2022, on the advisability of creating a redevelopment district in the Unified Government of Wyandotte County/Kansas City, Kansas, pursuant to K.S.A. 12-1770 et seq, at 505 Central Avenue." **Commissioner McKiernan made a motion, seconded by Commissioner Burroughs, to adopt the resolution as submitted.** Roll call was taken and there were nine "Ayes," Ramirez, Johnson, Markley, Stites, Davis Bynum, Burroughs, Townsend, McKiernan.

Item No. 2 – 211794...RESOLUTION: ADOPTING PROCEDURES FOR REDISTRICTING COMMISSIONER DISTRICTS

Synopsis: Proposed resolution setting forth the procedures for redistricting commissioner districts pursuant to UG Code Section 2-53(b), submitted by Jeffrey Conway, Legal Department. This item was scheduled to appear before the Neighborhood and Community Development Standing Committee, chaired by Commissioner Burroughs, on July 11, 2022. It was requested, and approved by the Mayor, to fast-track this item to the July 14, 2022, full commission meeting.

Mayor Garner said I'll ask Commissioner Burroughs to make some opening remarks.

Commissioner Burroughs said that committee is chaired by my friend and colleague Commissioner McKiernan. **Mayor Garner** said it looks like Commissioner Burroughs assigned Commissioner McKiernan that task. So, Commissioner McKiernan.

Commissioner McKiernan said on Monday night, Mr. Conway from Legal did give us a presentation about where we are and how COVID and other factors have led us to a timeline that

he and the Legal team have put together to get us to redistricting our commission districts in time for the 2023 Election cycle. The committee heard his presentation and was in agreement with the timeline that he set out. That item was approved unanimously by the standing committee to be brought here. If any members of the Commission wish to hear from Mr. Conway, I'm sure that he can answer questions and give additional information.

Mayor Garner asked, do any members of the Commission have any comments or questions? Hearing none, I'll entertain a motion.

Action: **RESOLUTION NO. R-38-22**, "A resolution setting forth the procedures to reestablish the commission district boundaries following completion of the federal decennial census." **Commissioner McKiernan made a motion, seconded by Commissioner Markley, to adopt the resolution as submitted.** Roll call was taken and there were nine "Ayes," Ramirez, Johnson, Markley, Stites, Davis Bynum, Burroughs, Townsend, McKiernan.

COMMISSIONERS' AGENDA

No items.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

No items.

PUBLIC ANNOUNCEMENT

No items.

Mayor Garner said that concludes this meeting. I will entertain a motion to adjourn.

Action: **Commissioner Bynum made a motion, seconded by Commissioner McKiernan, to adjourn the meeting.** Roll call was taken and there were nine "Ayes," Ramirez, Johnson, Markley, Stites, Davis Bynum, Burroughs, Townsend, McKiernan.

MAYOR GARNER
ADJOURNED THE MEETING AT 10:38 P.M.
July 14, 2022

Monica Sparks
Acting Unified Government Clerk

cg

July 14, 2022

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

SPECIAL SESSION, THURSDAY, SEPTEMBER 15, 2022

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, September 15, 2022, with nine members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; Johnson, Commissioner Fourth District (arrived at 6:50 p.m.); Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO, presiding. McKiernan, Commissioner Second District; and Ramirez, Commissioner Third District; were absent. The following officials were also in attendance: Cheryl Harrison-Lee, Interim County Administrator (arrived at 5:37 p.m.); Misty Brown, Chief Legal Counsel; Alan Howze, Assistant County Administrator; Brett Deichler, Interim Assistant County Administrator; Becky Berger, Executive Director in County Administrator's Office; Monica L. Sparks, Acting Unified Government Clerk; Kathleen VonAchen, Chief Financial Officer; Debbie Jonscher, Deputy Chief Financial Officer; Reginald Lindsey, Budget Director; Michael Peterson, Assistant Budget Director; Richard Rocha, Management Analyst in Budget; Jeff Fisher, Executive Director of Public Works; Judi Her, Budget Department; Mike Callahan, Fire Chief; Daniel Soptic, Sheriff; J. J. Simma, President Firefighters Local 64; Jon Khalil, Assistant Counsel; Brent Thompson, Fire Department; Ashley Hand, Director of Strategic Communications; and Alley Porter, Commission Liaison.

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

MAYOR GARNER called the meeting to order.

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

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be conducted in a hybrid format on Thursday, September 15, 2022, at 5:00 p.m. in the Commissioner Chambers of the Municipal Office Building for updates related to the Public Works Biosolids Project and reopening of the Fairfax Fire Station.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Garner said tonight we have two items on our agenda. Our first item this evening is an update from our Public Works Director regarding the Biosolids Project. I'll turn this meeting over to Jeff Fisher for the presentation.

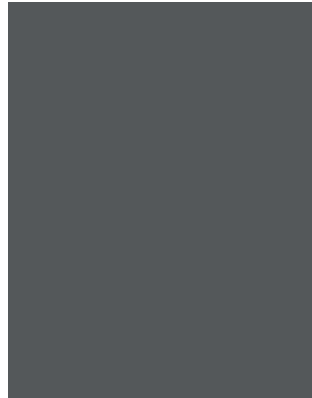


Jeff Fisher, Executive Director of Public Works, said I wanted first to make a few comments before handing it over to our owners rep.

Biosolids Improvement Project

Desired Project Outcomes

- ✓Improve customer service
- ✓Reduce risk and O&M costs
- ✓Create new revenue
- ✓Provide environmental benefits
- ✓Local contractor engagement



The UG has made some smart investments in our Wastewater Treatment Plants and you might recall Wolcott being our newest plant out west and has been nationally recognized because of its new technology and its benefits to the environment and long-term costs. We're really excited about that.

Kaw Point was also another opportunity to make sort of a plant of the future. You might recall the initial drivers behind Kaw Point in doing a Biosolids Project was landfill costs and were increasing and also because we're taking that waste to a landfill, we're vulnerable to the special use permit that the landfill has in Johnson County. With those cost increases, those operational increases and those risks, the Commission approved in the CMIP, I believe it was in '17, this Biosolids Project.

Then, we went about the process of further conceptualizing that and then selecting our method for project delivery which ended up being a progressive design build, which was new to the UG and for that we hired our owners rep, which is HDR. Pat and Jess are here with us with HDR. Pat's going to speak to the project itself.

I think the Biosolids Project has great potential because not only would we include digestion, you might recall that we included something new which was, we capture that, we would be the plant in the region that would take fog and high-strength waste and that kind of thing and process it and then generate gas, natural gas, which then we could sell back to the market and create revenues that the UG is not currently getting that would help user rates long term. Pat's going to speak a little bit to that.

We're still excited about that although our costs have increased. We have put in for earmarks for this project. Congresswoman Davids is pushing this one forward at \$2M. It's hit a few milestones already and has one last milestone that we hope to hear positive news on this year.

Then, more recently, Senator Moran has taken a lot of interest in this and is planning on making a trip to Kaw Point in the next few weeks. They're trying to secure EPA Region 7 as well, so we're waiting to hear what that schedule is going to be. That opportunity that Senator Moran is interested in helping us with would be about \$4M, so a total potential \$6M in grants to help with this project.

I'm going to hand it over to Pat to let him walk through the project and then entertain questions.

Patrick Young, HDR, said as Jeff indicated, we are the owner's representative. We've been engaged on this project for a few years and I'll really start by talking about what is the project and go a little more in-depth and then what Jeff talked about.

What you see in the upper right in the picture that we have up on the slide, those are existing digesters at your Kaw Point Wastewater Treatment Facility. They've been out of service for five or six years now. It was a function of condition. Frankly, that's not the way that we build digesters today from a safety aspect as well. When I talk about digesters—the reason we have digesters at treatment facilities is we treat wastewater, we create what's called solids or biosolids. It's a byproduct of the treatment process. We have to dispose of those solids or biosolids. Digesters like we show in the picture, they take those, they further stabilize them and they reduce the quantity of them, so it's an important process. What you've been doing as a community since the digesters have been out of operation is you're actually landfilling those solids themselves so they get thickened, they go straight to the landfill.

That second bullet point which talks about risks, landfills certainly here and around the country, they are either trying to minimize the amount of solids that go into them. It uses landfill capacity. They can produce odors so at times landfills will shut that ability to dispose of your solids in the landfill off. So, what they're doing as a part of that, you start to see the cost be inflated, that tipping fee for every pound of solids you take to that facility, they start to charge you more with that. If you look around, right now, the city of Olathe has a study to do a project much like this because they've seen those tipping fees continue to increase. When we talk about this project, we look at that, we talk about reducing risk, it's the risk of being shut off, it's the risk of those costs going up. It is O&M cost. We can take that same solid that goes to a landfill, we can stabilize it, it can go out on a farm field and become a nutrient source, it can become fertilizer and

has a beneficial reuse, so the cost of disposing of it that way is significantly less than disposing of it in a landfill. Just in today's dollars you're talking about roughly a million and a half dollars a year that you can save once this project is in and has been completed versus what you have today.

We talk about creating new revenues. Jeff talked about creating—when we digest solids we create gas. It is largely methane and has some other constituents. If we clean that gas, not only do we sell that gas for what natural gas is worth, but we sell it because it's a renewable gas source at a much higher value and looking at just today's value of that, we took about 75% of what renewable natural gas sells for today. At that 75% point, you're generating about \$2M a year now in revenue. In addition to that, it promotes some improved customer service. You make restaurants take their—they have grease traps, take that grease waste out, now it gives you a source to be able to take that, accept that industries in the community that generate a high strength waste gives you an outlet for that. That's a beneficial one.

That environmental benefit we're talking about when you just basically take the gas, that's created and what a lot of facilities will do, they will just burn and flare that off. A lot of emissions issues create CO₂ which goes to the environment. By us taking that gas and cleaning and selling it, we have an environmental benefit.

Then I'll talk a little bit about where the project is today. We're currently or the design builder, is currently working with a purchasing group here reaching out to the community starting that contractor engagement to solicit that support for this project.

Biosolids Improvement Project

Alternatives Evaluation

- March 2020
 - Option 1 – Rehabilitate Existing Digesters (UG only)
 - Option 2 – New Digester Complex (UG only)
 - Option 3 – New Digester Complex (UG + KCMO)
- April 2020 – Meetings with KCMO
 - Meeting 1 – KCMO indicated cost/ton no longer attractive
 - Meeting 2 – Discussed ways to potential reduce costs
 - Meeting 3 – UG is proceeding with its project without KCMO
- May 2020
 - Option 1 – Rehabilitate Existing Digesters (UG only)
 - Option 2 – New Digester Complex (UG only)

Meet with KCMO

Proceed without KCMO, project must create certainty and stability in long-term waste disposal

Proceed with New Digester Complex maximize revenue potential and allow for future expansion

A little bit of history on this, the last time we were in front of the Commission was back in 2020, we actually made a presentation in March of 2020. It was done through some on-three meetings and at that point in time we were talking about options. Do we rehabilitate those existing digesters that I showed you, do we build new ones, is this still a facility size just for Unified Government

only, let Kansas City, MO. as a west side facility close, is there benefit to economy of scale of incorporating both. At that point we were directed to go to Kansas City, MO. and, basically, are you in or are you out discussions with them. At that point in time it was decided by Kansas City, MO. that they were already making some biosolids improvement projects. At this point in time they thought it was not beneficial for them. Then the discussions, when we came back to additional on-three meetings, was let's make sure not to build that capacity today, but to build the facilities in a way that will allow for you to take additional solids from Kansas City, MO. if that—with improvements if that comes to fruition.

In addition, in May of 2020, we talked about which course do you want to take. Do you want to rehabilitate the existing or build new and it was decided at that point in time that building new digesters largely from the opportunities you have, what you get out of new ones versus existing ones, that to build new digesters was selected. I'm not going to go into it today, but there are a lot of safety issues with the way your original digesters were constructed. I talked about generating gas, methane, H₂S, both of which can be hazardous, and so configuration of a new was decided to be the best approach.

Market Volatility – Producer Price Index (PPI) for
Construction Bid Prices and Selected Inputs
Cumulative Change in PPIs (April 2020 – June 2022)



Since 2020 we all know we dealt with COVID for a couple of years, so the charts and graphs that I'm showing you are really reflective of what's happened whether it was shortages of materials, impacts of COVID. We have seen, as we all know, we talked about inflation of commodity prices increasing. Probably that top line is the biggest one that I want to point out, steel mill type products. When we build these type facilities we use a lot of steel in the structures themselves when we buy a lot of equipment, so we are seeing increases in pricing that we have today that are really reflective of that market condition.

September 15, 2022

Estimated Total Project Cost

Item	Original Budget Authority (\$M)	Current Estimate (\$M)	Spent to Date (\$M)
Construction Cost	\$75.5	\$91 ⁽¹⁾	-
Design/Builders Phase 1	\$3	\$7	\$3.9
Owner's Rep (Phase 1 & 2)	\$2	\$2	\$0.7
Total Project Cost	\$80.5	\$100	\$4.6

⁽¹⁾ Construction cost includes Phase 2 Design/Build Engineering and \$1.7M contingency

Benefits

- ✓ Sustainable, reliable biosolids facilities (digesters, hauled waste, biogas)
- ✓ Reduce O&M costs
- ✓ Eliminate risk from landfill restrictions
- ✓ Delay improvements at Plant 20 and Wolcott WWTPs
- ✓ New revenue generation

When we look at where we are today—I'm showing you a few columns. The first one is the original budget for the project and you can see it was a construction of around \$75M, the Design/Builder Phase 1 and what it was for the design builder to advance the design far enough to create a set of plans to go to market for construction with it.

There is an Owner's Rep piece of it so that was up to an \$80M project that was contemplated originally and then where we are today with it. We've just gone through with a second design building because the first one was off-ramp. With the second Design/Builder, then we've got some additional security. They've been doing a great job of working with us on total project cost and a way to try to minimize the impacts of the previous slide that I showed you, you've got some additional costs and so that project was originally contemplated of up to \$80M is around a \$100M project today.

The right column, I've shown you what you spent today, which, you know, is at this point small dollars on the total project cost itself.

Potential Project Funding Options

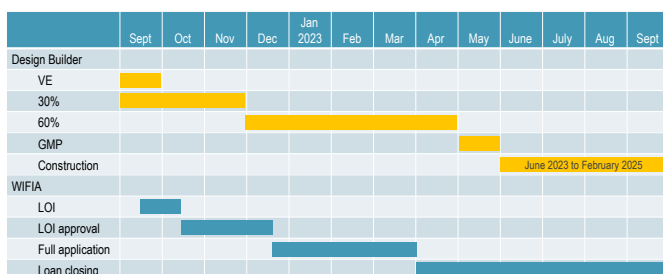
- UG Bond Funds
 - 30-year payback
 - Currently \$80.5 million
- Kansas State Revolving Fund
 - 30-year payback
 - Build America/Buy America (BABA) Requirements (exemption possible)
- USEPA WIFIA Loan
 - Maximum funding 49% of total project cost
 - 30-year payback + 5-year principal deferral
 - Build America/Buy America (BABA) Requirement (exemption possible)

Certainly, there are ways to mitigate some of those additional costs. One way to mitigate it to the ratepayers is to look at some of the funding opportunities. Certainly, some of the items that Jeff

talked about where grant money is basically coming into the project, one way to look at that is to look at how are those funds being paid back. This project was contemplated with UG bonds or the payback of 30 years. One of the alternatives that we typically want to look at is using the State of Kansas Revolving Fund. It has a very similar payback period, so there's not a lot there. There are some additional stipulations like the potential of Build America/Buy America. Because of the stage you were at in the project, you could possibly get some exemptions on that.

The second one that we've listed is the USEPA WIFIA Loan. The Unified Government is currently using one on the stormwater side and that can be used to fund up to 49% of a project. The payback on that is still 30 years, but you have the ability as a community to defer principal payments for five years, which really allows you to bank some of those dollars, use them to pay so the ratepayer increase can be less or impacted less. It does have some Build America/Buy America requirements associated with it. But again, with the status you're in, there are some exemptions that can be looked at on that.

Anticipated Project Schedule



So, how would WIFIA dovetail with where the project is today and what I'm showing in the upper set of bar graphs is where the project is today. The existing design builder is currently working on going from the basis of design report that was produced to a 30% set of plans and they're also doing value engineering. Anytime we have a project that's above budget, we certainly look at how can we save or minimize cost, so that's being looked at today.

In approximately December of this year, a little transition from 30% design milestone and a set of plans to a 60% and then the design builder will be offering their guaranteed maximum price or GMP, that I've shown, at that 60% stage. You're looking at next May as the current schedule for you to receive that price. When I say value engineering through September, it's not

going to stop in September all the way through those milestones, which are why we have milestones. It's our chance as an owner's rep, your chances, the community, to give input of where can we save money and what can we do. Then, construction would be anticipated to begin in 2023 and run, honestly, for about a couple of years as it stands today.

WIFIA is what I've shown in the lower center bar. Right now the way that the WIFIA application is set up, they put a bucket of money out there for a year, you apply to it with a Letter of Interest and they continue to basically make approvals until the funds are gone. So, it's the beginning of a cycle now and that's why we've shown a little bit of aggressive. If you decide you want to look at WIFIA financing, we would recommend there be a Letter of Interest that go in and in about a 30-day period from once you make that decision to go ahead and make that application. There are no application fees of the EPA associated with that. It would just be the preparation of the document itself. Typically, the EPA would take a couple months to basically say, yes, we've looked at your project, we approve it. Then you submit a full application, there would be a fee when you decide and if you decide to turn in a full application that you pay to the EPA and then there's a period of time where you go through loan closing. Understand you're in the full application process now. When you're in the loan closing piece you're really looking at the terms and conditions making sure they match up and line up. They're looking at all your financial information.

The point I wanted to make with this is if you decide this is the course you want to go, it would dovetail very nicely with this project in that you could have funds available to you in September of '23. Just a reminder that can only fund 49%, you're still paying 51%, so even though you're expending funds in construction, by the time you need to get to that amount of money, you would have it available.

Project Outcomes

- ✓Improve customer service
- ✓Reduce risk and O&M costs
- ✓Create new revenue
- ✓Provide environmental benefits
- ✓Local contractor engagement



Again, I just wanted to give an update on this project, really where it's at, talk about WIFIA for a minute. You know the outcomes of this, it really improves that customer service that you provide to your businesses, to your industries within. You do have a reduced risk. You're basically setting an end milestone when you're going to get off that land filling of those solids, start to save that annual money and O&M cost, provides that environmental benefit, creates that new revenue and the source of that gas sales and then really maximizes that local contractor engagement.

Questions?

With that, that's the presentation that I had for today. I'll certainly entertain questions or ask Jeff to come back up and entertain questions.

Commissioner Stites said when you said about a million to a million and a half on revenues that can be generated annually, does that start year one? **Mr. Young** said it starts as soon as the project's complete and just to clarify, it was about a million and a half in your current O&M cost that you have today, and then it's about an additional \$2M in revenue from the gas sale, so you're talking about a three and a half million dollar swing in what you're paying today. If landfill tipping fees were to go up, that savings is obviously bigger and then depending upon where that renewable

natural gas market is will affect that, but again I calculated that at 75% of what's today's market. So, I'm trying to give you conservative numbers at this point. **Commissioner Stites** said that's a number for a city of our size, not just a general number. **Mr. Young** said this is you based upon your biosolids.

Commissioner Davis said interest rates, obviously, with inflation and kind of where we're currently at, do you all have any insight for WIFIA or for any of the other financing mechanisms, what that would look like? **Mr. Young** said I don't know what you have on your current bond. I will tell you on the WIFIA side of it, that floats until you actually close. It is a lower rate than you typically go get at market. It is somewhat of a very attractive rate that keeps below market, but you can't actually set that WIFIA rate until that point in time and then I don't know the answer to the question on the existing bonds.

Mr. Fisher said I'm not sure, Commissioner. I have to defer to your CFO or Finance.

Commissioner Bynum said the current project cost as it stands, is it 80 or 100M? **Mr. Young** said the \$80M was the original budget for this project. The 100 is where we estimate it at today based upon the market conditions that we've seen today. We have escalated that up to the point we get to the GMP and then that's without the value engineering and that doesn't take into consideration any of the grants or earmarks that Jeff talked about. That does not include those.

Commissioner Bynum said Wolcott Wastewater Treatment, what was its budget? **Mr. Young** said it was \$34M that you spent on there. **Mr. Fisher** said just for the plant. **Mr. Young** said I do want to add that this plant and this facility takes the solids or treats the solids generated at the Kaw Point Plant, at your Treatment Plant 20, and at Wolcott, so all of those biosolids will be disposed of through here. We generate additional gas and items of that nature and really by doing this project it helped you keep that Wolcott cost lower that you had there. **Commissioner Bynum** said because I remember a much higher number when we were originally planning for Wolcott.

Mr. Fisher said the number you remember probably includes the interceptor that we also took down to the plant. I did want to note, if you don't mind, we'll be reporting at standing committee this month about the composting operations. EPA, we got a grant to explore the feasibility of a composting operation. That is directly tied to this biosolids project if we move

forward. It would produce waste that we would use in the composting operation and all the source material from the community like tree limbs and even food waste and then produce compost that the community could use, that Parks & Rec could use, that we could even market and sell to the public.

Commissioner Bynum said if we didn't finish this biosolids project, wouldn't we still need to do something at Kaw Point? **Mr. Fisher** said yes. I'll let Pat explain what that might be.

Mr. Young said you're really kind of limited on alternatives. You're basically—the landfill is kind of controlling you because you can only dispose of it through a landfill without doing something else to stabilize that waste and have another opportunity whether it's the land application that I talked about, whether it's using it within the compost material that Jeff talked about. That stabilization process is important. You could do some other stabilization processes. What you're doing, this is the most effective and efficient way for you to do that.

Commissioner Stites said this is my first year on the Commission. I wasn't here for the 2020 presentation. How did we come about with this group here? Was there an RFP put out and—I guess I'll let you answer that one first. **Mr. Fisher** said for the owner's rep, we have on-call contract program so we do that every five years and HDR is one of those on-call contractors or design contractors. **Commissioner Stites** said can you speak up? **Mr. Fisher** said the UG has on-call contracts for design firms and so we have 15 or 20 on-call consultants. HDR is one of those. Burns & Mac is one of those, Olsson; there's a number of them. We selected our owner's rep and then our RFP for construction partner. Does that answer your question? **Commissioner Stites** said somewhat, yeah. **Mr. Fisher** said there's a process involved in selecting all of our partners like this.

Commissioner Burroughs said, Jeff, if I remember correctly, this project didn't start out at \$80M. This project, when I first came aboard, I think we had a discussion about a private entity wanting to come in and do the digesters and manage it and we would have had it up and running possibly, but then Missouri got brought to the table and the price, I think, at that time was, if I remember correctly, was about \$40-\$47M. We had a byproduct called char that was going to be one of the byproducts that had a secondary market usage for it and at that time I was advised that I wasn't supposed to talk about it anymore to anybody in the public and that we were going to bring

Missouri to the table. Now they're not at the table and I see a price of almost \$100M. Share with me—I mean I see the inflation and I see the numbers that have been presented here this evening, but that's twice the cost in a matter of years.

I would like to see us get some sort of written documentation that if we're going to be using our solids that will be sprayed onto fields as a fertilizer that we are not going to be held liable for over saturation of property. We have a tremendous amount of byproduct that's going to be sprayed onto fields as a fertilizer. We haven't talked about a secondary market or a vendor, but I was advised at that time, and I think on our on-three's, that this was going to be revenue neutral and I made the comment at that time I've never seen government do anything that was revenue neutral. It always cost taxpayers. So, here I am tonight seeing a number that has grown quite a bit and we don't have Missouri at the table and now we're talking about a 30-year bonding process. I just kind of—I'll be waiting for answers to see where we go from there.

Mr. Fisher said well yeah, you brought up a lot there. You're right KC—well, originally KCMO wasn't involved and then, as you know, along the way they expressed interest so we worked through that idea and they walked away. I believe your right, I think you have a good memory. I think it was around \$40+ million, near 50. I was trying to think of what else you brought up. I remember the company approaching us with some interest and I can't remember the details of why they weren't exactly a good fit or maybe not proposing to do the same thing exactly that this would do. We talked about privatization and there are advantages to that in some projects. I can't remember the exact details of why we didn't think (inaudible) would be a good fit.

Mr. Young said I could add a couple of items. Certainly, you're right, the original costs were based upon rehabilitation of those existing digesters. In that second set of on-threes that did happen, I don't remember the exact number, but it was a number greater than the number in the 40s for the construction of that.

The second question, I wanted to answer for you. You asked about land application of solids, so there are federal EPA 503 regulations that dictate and govern the application of those solids that you as an entity must follow with that. Every load that goes out is tested and then there are limits and thresholds—limited thresholds set of how much you can apply, the amount of nutrients that the crop can take up number one, and number two, it tracks other constituents within and sets a threshold that this is the maximum that can be set.

When you set up a land application program like that, you have fields, you rotate them, you track and you monitor everything that goes out, but you as a community, do have the responsibility to make sure you stay below that threshold.

Mr. Fisher said I was going to say contractually Misty and her team always do a great job of making sure we don't have much risk at all, so I'm sure that would be mitigated contractually.

Commissioner Burroughs asked, so where did we lose the revenue neutral part because you talked about capturing the byproduct of gas, methane and then the byproduct, I don't know if there's still a char or anything available that would be sold on the secondary market, but are you talking about our tipping fees? Because I think in the partnership with Missouri, in the first presentation, we talked about a shared cost system and it would—I think you made a comment early on in your presentation about a million and a half or two million. Is that a projection that you're bringing forward from the tipping fee savings with continued inflation on those costs or is that in reference to—because we're going to have a cost to set this stuff out to spray it and oversight of that, so we're going to have costs associated with that. So, help me understand how you come to those numbers.

Mr. Young said the first item that I'll hit would be the revenue neutral side of it. It's the first question you asked. We met in March on on-threes, Kansas City, Missouri in, those were the numbers, so if Kansas City, Missouri's in doubled the amount of gas that you produced, you sold twice as much gas without those additional biosolids that went back to half. The second set said to move forward without KCMO, lay this out for maximum flexibility, which I didn't bring slides that would go into that. We laid this out in such a way, sized buildings, you know, that you can add another digester whether that means KCMO solids in, whether that would be you have a great support from the areas to bring their high strength waste in, you add a digester to deal with that and that's when you get to the revenue neutral would be addition of a future digester in that. When we decided to move forward without KCMO in the second set of on-threes, new digesters, you kind of lost that neutrality side of it.

To address the revenues, I'll hit them one more time, I wish I would have given you straight numbers in a slide. When I calculate your existing O&M savings, I'm looking at two things. One is the amount of biosolids you put out there in a year. We reduce the quantity by adding digesters so you pay less to go out to market whether it's a landfill or whether it's land

application. Then, the second item that I looked at would be setting up a contract with a company like Senegal, others working in the Kansas City area. For instance, they take all of Johnson County wastewater solids and they dispose of it, so a fee gets paid to them. It's about half the fee that you pay to a landfill today, so that was part of the savings that I looked at. That's part of that one and a half million dollars just in annual savings, so what's the cost to go to using a company to take it to the land versus the cost of taking it to a landfill.

The second part of that is the amount of chemicals that you use today to make it acceptable to the landfill. When you take a solid that's not stabilized, it has an odor and as a result you are currently adding \$600K worth of chemicals a year to your solids to be able to take it to a landfill. Once you stabilize it and you're taking it to a land application process, you no longer have to add that chemical, so that million and a half dollars I talked about was the difference between land app and landfill fee and those chemicals. So, that's a true cost, our best estimate. You obviously haven't gone out to a contract yet for land application, but what we are seeing in neighboring communities, those costs is what we're applying. I didn't assume any increase in landfill tipping fees or anything of that nature.

I want to give you a number that when it comes in we'll be better. Then the other \$2M I talked about associated with this is the gas side of it and there's two components of that. One, when a truckload of this waste whether it be waste from a restaurant, whether it be waste from a high-strength waste that comes in, you get paid, you know, in the neighborhood of seven or eight cents a gallon, but you would be amazed how many gallons you receive and how much revenue that generates. So, part of it's that revenue at a competitive to anybody else that takes that waste in the Kansas City area. Obviously, we don't control that, but you have many, many creators of high-strength waste that you are much closer to than hauling it to Topeka, for instance, and you save that fuel charge, they're going to come to you.

There has been—the design builder did a market survey and looked at that and, again, we've kind of taken a value that's on the lower end of how much exists out there to take conservative number in the first place. The revenue, that 2M that I talked about, has a component that they bring a gallon to, you charge them seven cents a gallon and then the other component is the amount of gas that we create. That gas is created from the solids that you generate and every time you bring in a load of the high-strength waste, it generates a lot of gas. You don't generate hardly any solids with it. So the way to think about it, you give your kid veggies, they're not

running around the room afterwards, but you give them a snicker bar, which is a high-strength waste, they're going to run around the room like crazy. That's what happens in a digester. Instead of running around the room, they produce a whole bunch of gas that you can sell. So, when I look at all those components, that's what I'm looking at with that. It's what do you save on O&M, what can you add from the revenue side of it.

Commissioner Townsend said I just kind of wrote down some questions so I can make sure I understand where we are now. It's already been mentioned that originally the cost was estimated at \$80.5M and now we're at about \$100M. Will that cost, and I'm looking at the back page where it says anticipated project schedule, would that take us through what, September of 2025? **Mr. Young** said yes, that would be total project cost. So, what we've done, the design builder has estimated that project based upon the basis of design report today. They've taken that and they've estimated that until we get to that GMP in about a year that these are the inflationary effects that are going to take place. You're going to have another chance to see the cost at the end of the 30% stage, 60% stage you get your GMP, but that number is the best estimate today estimated up for inflation to the point when they will offer the GMP. Once you get that GMP number, you have your firm number and the rest of those costs are everything that's necessary from a total project cost perspective.

Commissioner Townsend said share with me again what the GMP stands for. **Mr. Young** said it's a Guaranteed Maximum Price that the contractor provides. When you hear guaranteed maximum price you get comfort, but if they dig in the ground and find something they didn't anticipate, you can still have change orders associated with it. But that guaranteed maximum price to you, to the community, if nothing changes, no unforeseen conditions, that's the price that you pay to them to build it till it's complete and done and meet all the requirements. **Commissioner Townsend** said so if I'm reading this anticipated project schedule, that guaranteed maximum price will be shown to us or shared with us about May of 2023? **Mr. Young** said current schedule, yes. You know if we do end up slowing down for value engineering along the way or something else, it might change the date, but right now that's the schedule we were on and the one that we hope to stay on.

Commissioner Townsend said one of the benefits we've been talking about is the Unified Government being able to share these byproducts, the candy bar gas talked about, and

other byproducts. How would that be marketed though. I mean, I don't know, how do we get the numbers of what that anticipated revenue would be. Do we already have people in the pipeline who guarantee they will do this. How do we know, at this stage, what those revenues would be and from whom we're getting? **Mr. Young** said what we've used is, we've used what's called a RIN Credit. That's the federal government—what the federal government has mandated, you know, it's like, for instance, a power plant that's using gas to generate electricity, they've mandated that those power plants have x percent that has been a renewable fuel source that's been generated, so they've created that marketplace for this. What you have to do as a community, and we're currently working on those details, you have to have a natural gas supply line close to the plant site. You have to get the gas into that pipeline. You don't have to get it wherever it's actually used. You get it into the pipeline then somebody else around the United States you've created now a RIN Credit. Somebody else around the United States needs that RIN Credit, they then buy that from you.

So, there are gas brokers, so what you do when you get closer to the project and you certify it, a gas broker comes in and starts to sell your gas. Beyond this RIN, there are California credits, there are State of Washington credits, there are actually credits out of Canada that are required, so there's a lot of open market. Once you generate that renewable natural gas, you've generated it, there are large markets for that to be sold at, so it's kind of a complicated system, but in essence, you generate it and then there's a market out there for that gas to be purchased.

Commissioner Townsend said the piece I'm thinking about now in that is we have to get the gas, the byproduct, into a pipeline to get into that, what does that run? **Mr. Young** said that's all included in the price that we've shown. **Commissioner Townsend** said so the \$100M includes that. **Mr. Young** said yes, it includes that. It includes all the equipment that you need on your site and then what it includes is that gas supplier that's near the site, they will have a facility that has to be built and we've got that price and allowance for that covered because until we negotiate that fully out with them, we can't set that final price. So, what they'll have is a facility that will test the gas when it goes back in and it has a valve to shut the flow off, but the price you see in front of you is encompassing of all of those items.

Commissioner Townsend said the digesters you mentioned was the original plan that we were going to rework them and that proved not to be doable. **Mr. Young** said there were really

two issues associated with that. The first issue associated with that was simply the condition of those existing facilities. They needed a lot of renewable to be able to utilize those as anaerobic digesters again.

The second issue associated with that, just the existing configuration, and I'm trying not to get in too many details, but there's a building between all those digesters and gas can actually migrate through a wall, through any other kind of leak into that building. Then, inside that building you create hazardous conditions for employees, so it's really a safety issue. The standards you would build it today, you have standalone structures, you have envelopes around it where you create that safe environment.

Really the third issue associated with it, when we talk about the ability to bring KCMO solids in where I talk about the ability to go out to the market. You've got a lot of high-strength waste coming in and be able to expand it, those existing digesters just weren't big enough to be able to accommodate all of that and for those reasons, they are why a couple of years ago it was decided to build new digesters and then give yourself, this community, the flexibility to add these items into it. **Commissioner Townsend** said thanks for that recap. So much just happened in two years. This kind of summed it up.

Commissioner Bynum said we are currently, Mr. Fisher, in a 25-year consent decree with EPA and DOJ. We know the price tag of that is quite high. We know the projected annual increases for wastewater charges as a result of that. If we were to halt the current project with the biosolids component, what does that do to that whole plan, if anything? **Mr. Fisher** said we'll do our best Commissioner Bynum. Trent Foglesong has been closest to the consent decree. I'll let him speak to that.

Trenton Foglesong, Lead Wastewater Engineer, said it's really a complicated question I guess. We did have provisions in that consent decree for a project at Kaw Point in the future. It was about 10 years behind what we're doing now, so we did have a plan to incur some of these costs long-term, it wasn't quite this much. But I also feel that with considering everything they've talked about, I think we're probably in a much better position going forward to move forward with this project to manage costs and risks and determine as we go forward how that impacts the long-term overflow control program than we are to not do this and absorb higher costs and more risks. So,

it's kind of—I hope it doesn't sound like I'm trying to dodge your question. There's a lot of uncertainty and unknowns as we go forward with all the different cost escalations and everything that could impact a lot of the plans and commitments we've made on the flood control program. But, like I said, I think with all the input we've had, this would be our recommendation. We're still kind of waiting to see exactly what those impacts might be.

Commissioner Bynum asked, can I say it back to you the way I heard it? **Mr. Foglesong** said sure. **Commissioner Bynum** said it's a very expensive consent decree. We all know that. The price tag is very high. It's your belief that based on all the analysis that we've done and the work that we've done to date on this trajectory, that it's a better way to potentially control what the future might bring. Would that be fair? **Mr. Foglesong** said yes. **Commissioner Bynum** said okay, thanks.

Mayor Garner asked, what has been allocated for the project? What's the total amount? Is that that \$80M? **Mr. Fisher** said \$80.5M. **Mayor Garner** said and it's projected at almost 100 now? **Mr. Fisher** said that's right.

Mayor Garner said just where we were at when this was considered in the past and was kind of given the green light and where we are today, have we looked at things in a way that really talked about—especially when you talk about Kansas City, Missouri backing out and I don't know if there are any other contractors and vendors that are involved in this, but what's the return on investment to our taxpayers and have we done a cost of benefit analysis that really reflects that in a way that shows that this is really a viable project? So, that's the first question.

The second question is, this is a very expensive project and, again, where we were at then and where we're at today with a lot of the needs that we have, is this recommendation based on something that we would like to see or is this an emergency situation that if we don't do this, something catastrophic and bad is going to happen that is going to cost us more in the long run as opposed to if we do this now we'll save money or is this just something we want? If we have the money and we can do this and it will absorb the cost, I believe, you said over 30 years because I'm looking at this \$1M revenue. I just haven't seen anything in the information you've given me that shows that's a guarantee when you talk about that revenue generating, a prospect from this proposal. Then, there's nothing in here that says that anything that is there now is failing, and I say that respectfully, because the information that I've gotten from my team, as they've done their

own kind of look into this project, is that this isn't something that is a necessity at this time. That this isn't something that really is an extreme value to the Unified Government considering where we're at financially. If you can answer a couple of those questions, that would be great.

Mr. Fisher said I'll do my best. I certainly wouldn't recommend we wait until something fails to fix it because we've got a couple of those right now. Your first point—I mean beyond the points that have already been made, Mayor, I guess I'll just reinforce. I don't know where the million dollars comes from, but as Pat said a couple of times, there's a million and a half in operational savings and then two million in revenues, so it's a three and a half million dollar swing in the position of that treatment plant and the cost around that. Beyond that, you have the environmental benefits, everything we've already said.

Let's see, necessity, like, want; I believe in the business of making recommendations of this scale for things that staff feels like they like to do, it's a lot of money. We've attempted to describe here and make business case for and have in the past is you have increasing operational costs and you have increasing risks, so much so that we're vulnerable to a special use permit in another county. So, we're recommending that we mitigate that risk through this project and we are recognizing that there's a big increase in cost, no doubt about it. It's uncomfortable. We've done everything we can to this point to mitigate that and, as Pat pointed out, there will be milestones along the way where we can evaluate and make sure it's still the smartest investment for the UG. I do believe it's the best thing for this community long-term environmentally. You're going to generate revenues you're not getting right now, at least \$2M a year. Is it guaranteed, I'm not going to tell you it's guaranteed, but as Pat described, there's a market out there for this natural gas. It's there now, it has been, and it's going to be. All we have to do is get it into that pipe and take advantage of the federal RIN program. So, hopefully, I answered your questions. **Mayor Garner** said somewhat.

Commissioner Townsend said, Mr. Fisher, you mentioned the special use permit. Go over that one more time for me, what the implications of that are, why would we need a special use permit? What would be the situation that would bring us to that and you mentioned two to three, I'll say, million dollars, is that an annual savings in operations if this project goes forward or is that the anticipated sell of the energy byproduct? **Mr. Fisher** said the million and a half is just operational savings of not having to go to that landfill. **Commissioner Townsend** said a million and a half.

Mr. Fisher said a million and a half. **Commissioner Townsend** asked, is this annually? **Mr. Fisher** said annually. **Commissioner Townsend** said and that's without a sell of any of the byproducts. **Mr. Fisher** said that's correct and then there's a \$2M revenue, new revenue creation from the gas that we would produce.

Your first question, I was suggesting that the landfill is under a special use permit in Johnson County or Shawnee, I think it's Johnson County, and so as you know as you approve—you consider and approve SUPs here, that's always vulnerable to reevaluation by the agency. All we're saying is that is a risk and in addition to that, we're paying those tipping fees every year and they're increasing. **Commissioner Townsend** said okay, so we're already under a special use permit. **Mr. Fisher** said we're not, but the landfill that we take the waste to is.

Mayor Garner said I guess the last question. Again, is this a critical need and if so, are there things that we can forgo as part of this overall project that maybe aren't critical that maybe we can do at a reduced cost as opposed to the \$100M that things—okay. We may want this almost \$100M worth of upgrades and refurbishing and improvements, whatever the case may be, but here's our critical needs right here that we really need to focus on and we really recommend this Commission to consider that may only be \$20M and these are things that we need to take care of yesterday. Have you identified any of that and then put things into a perspective, well, we can kind of maybe hold off on this other aspect of this project for future discussions or consideration, but right now at this cost, which may be far less, these are the things that we recommend you need to take care of. So, has that been a topic of conversation for you? **Mr. Fisher** said I completely understand where you're coming from with questions like that. I completely appreciate that there has been value engineering already, maybe Pat can give you a few examples of that. It will continue, as he said, to be value engineering through the milestones. These are your experts and staff are experts and they're here to make sure that the UG and the community get the best we can give them. I promise you that, but, Pat, do you have any examples of value engineering?

Mr. Young said we looked at the project itself and the majority of the costs are associated with that digestion process. It's sized for your Kaw Point solids, your Plant 20 solids, and your Wolcott solids. It has some growth for what would be expected, a 20-year life of a project. Of the numbers that I put up there, I hate to add more numbers to the presentation, but we talk about \$90M roughly in construction cost. It was probably 75 of the 90 was that base cost. The other

15M of that was associated with the ability to receive these wastes that I talk about and the ability to create that renewable natural gas. So, if we run that number at \$15M, that is something you could take out of the project, but what you're forgoing with that is that \$2M a year in revenue. So, if you do that, that payback period 15 off 2 is 7.5 years. You still have 12.5 years of useful life in those facilities and you kind of forego the ability to generate 25M in revenue associated with that. We took hard looks at that, we have really the minimum size that you have for your facilities only. We've cut out redundancies where we can. We've done value engineering, we've changed arrangements to minimize what we actually have to construct, but the biggest look, like I said, was then, okay, to treat your solids get it out of the landfill, you don't have to do these other two items, but the payback on that is very, very good.

Commissioner Stites said something that you just said that I hadn't heard earlier, you said it's a 20-year life expectancy of this and we're expected and it's going to cost—or it's going to take us 30 years to pay it off, right? **Mr. Young** said but what you have—when I say 20-year life, when you build a facility like this, you're building a lot of infrastructure. We say 20-year life because at that 20-year timeframe, the pieces of equipment you put in there will need some renewal at that time. We typically look at a payback on a 20-year period. The concrete that we put in today, the majority of the cost in the infrastructure, those last 40-50 years, so it's—I hate to dodge your question, I'm not dodging it, but it's not a black and white answer because the majority is longer than 20 years. We talk about payback periods, we look at 20 because you'll have a reinvestment in equipment at that point in time, but then we're also not considering revenue beyond that 20 years when we think about that as well and what you have is that revenue continuing is going to by far more than pay for the cost of the replacement of that equipment because as you buy a car, you can't run it infinitely, right, the same thing with the equipment that we put in here. They have annual maintenance and about the 20 year point, you're making a little more major replacement on it.

Commissioner Davis said myself and Commissioner Stites or you as well, Mayor, I think it would be helpful if you all were to come back and we would just get more information at least for me. Jeff, I think it would be good for us to meet and kind of talk about wastewater, but I think we need more information on the consent decree itself and kind of what has been mandated by the federal

government and how it plays into all this. I think we need more of an itemized cost than kind of the general estimates. I know for construction you kind of gave some generalizations, but I think we need more detail. I think we need—I agree with the Mayor that we do need a cost-benefit analysis to this project, but particularly when it comes to wastewater for our cost revenues, what are our forecasts right now if we don't do this project, what is the return to the ratepayer and if we were to do this project, to get some forecasting as well. I think we just need to paint the picture of what is the overall value that this project will bring considering the cost. If we can get more of that information, it would help me kind of get caught up and be able to make more of an educated decision.

Mr. Fisher said we really—our only objective was to report on the status of it, so subsequent discussions, we'll be ready for it. I would suggest we do it as soon as we can. You already have a lot on your plate, but consider that WIFIA LOI, we want to be first to that pool of money. Sooner is better and we'll just be ready for whenever you want to have that conversation.

Mayor Garner asked, when were you all planning on starting this project. I mean, what would that look like? **Mr. Fisher** said construction, August of next year, August of '23. **Mayor Garner** said so we have some time. **Mr. Fisher** said some things have to happen to get there, but we have, yeah, Mayor, we can certainly have another discussion.

Cheryl Harrison-Lee, Interim County Administrator, said, Jeff, if you would just kind of refer back to the project schedule and give a little bit of insight of what you're doing in terms of design plans in continuing to move forward so the expenditures that would be incurred as you move towards construction. **Mr. Young** said when I had the slide up related to the costs, you can see the Design/Builder Phase 1. What you spent to date is about \$3.9M and then we had \$7M in there for Phase 1 total, so there's about \$3M that you haven't spent that takes you through design for the design builder. Then, you do have some costs associated with the owner's rep. We've shown you that \$2M would take you to all the construction, what's been expended on that is about \$700K to date. So, you do have some cost to allow this project to move forward. Basically, at the time Phase 1 ends, that's the point at which you get that guaranteed maximum price so that's the type of dollars we're talking about and why we wanted to show it in the slide. **Ms. Harrison-Lee** said I just wanted to make sure there was an understanding by the governing body that we are

continuing to invest resources in this project as we work on gathering information if that's the desire of the governing body.

Mr. Young said the only point that I'll maybe add to that, you know, what we've seen from projects and getting to the point of cost certainty, that dollars that you do spend, I know they are big numbers to continue through design, delaying projects typically have a much larger cost if inflation continues at the same rate and things of that nature. We can get back to this body fairly quickly with those answers and so my recommendation would be from working in this industry and what I see would be allow the design builders work to continue while we come back with this because ultimately if you move forward construction of anything, you're going to save dollars by staying on that course than delaying a project, putting it on hold and the cost increases that we've seen.

Mayor Garner said I guess this is another question for the Administrator just for some clarity for this body. The reason this was brought forward was just to look and see if there's an option, see if this was a critical priority or if it's something that we could postpone and if there were critical priorities as part of this project, what did that look like. I agree with Commissioner Stites and Commissioner Davis that I think there's a lot more information that needs to be had, but it is problematic for me, and I'll speak for myself, that as information has been requested, the Unified Government, our taxpayers, may be incurring costs while information is being gathered for the Commission to kind of get the information to make an informed decision on what to. As that goes on, if this Commission decides that maybe this isn't a priority anymore for us, then we've wasted money, we've dumped money probably unnecessarily in a project that may never come to fruition.

The question I would like to pose to this Commission is—I know there's been several requests for myself and some commissioners about wanting more information. I believe Commissioner Burroughs indicated he'd like more information as well. Just seeing what the next step would be to pump the brakes on this project until we get the information we needed that will not allow us to incur costs until we get to where we need to be as far as this Commission feeling comfortable to make an informed decision on how to proceed forward.

Ms. Harrison-Lee said one of the things you might elaborate on is the timeframe that it would take to get the material back to the Commission and what costs would need to be expended during

that timeframe if we could get some insight on that. **Mr. Young** said Jeff asked there—about three weeks to come back total, so two weeks for me to prepare information to get back in front of you in a two to three week period on that. You know if I just use the design builders round numbers, if there's 3M more to spend and it's going to occur over a year, I was trying to run that mental math through my head really quickly, that's what you're talking about. You know in a two-week period that design builder might spend \$100K or something, which you know is a large number, but it's a lot smaller number than if we pump the brakes and we tell them stop all work and give them a stop work order, they're going to scramble to get people working on other projects and bringing them back on is really problematic to them. That's the only thing that I'll add to that.

Mayor Garner said my opinion, but I don't want to speak for this Commission, so I just kind of want maybe an unofficial straw poll, that's the option. Just go forward or I know some commissioners have more questions. There is money that can be incurred. If that happens, I just need some insight or straw poll from this Commission on what your thoughts were so I can give direction to our Administrator so she can give direction to staff on what the will of this Commission would be.

Commissioner Townsend said I understand the request for more information; however, so much has been invested, if it's only going to take another three weeks for them to come back to us, let things ride as they are. It sounds like it would be more of a waste if that's what your other option is to tell them to stop and then go forward. So, if we're talking about three weeks after something that's been before the Commission for several years, that's how I would go and that would give those commissioners who asked for more information the opportunity to hear it.

Commissioner Davis said yeah, I agree. I would rather you all continue with the process because I think we can walk and chew gum at the same time and I can get some of my answers that I need to feel comfortable. I'm just thinking of other processes, where we're at with inflation and everything else, it would not behoove us to stop and then change our mind and try going again. So, I would be fine with continuing on as planned. There's a majority of the previous governing body, many of them are still here, they voted for that to go through and I'm going to trust their wisdom on this one. I can get those answers that I need in the meantime.

Commissioner Burroughs said I don't think anybody talked about stop order, Jeff. I don't think that was even discussed by us to that extent, but what I would say is that the cost of inflation has been something that we've dealt with over the years, but to see a project almost—at least a double in cost in a short amount of time, and no disrespect to the people presenting this evening, but I think I've talked to two or three different engineering firms since I've been here with this project and I think it was mentioned about—was there an RFP set out or something like—it's about the transparency of what we're trying to do here. These are the taxpaying dollars that the community has given and this is a long-term investment. Even at \$2M over 30 years revenue, that's only \$60M and we're looking at a \$100M project. So, it's the payback and I know it's part of the funding mechanism we put in place.

Jeff, do you know off the top of your head, and maybe financial staff can help us, how much have we had budgeted in the budget for the last couple of years towards this project that is already committed, do we know? **Mr. Fisher** said I think it's been 80M for two years now and maybe it was—yeah, it's been 7M spent or something like that, but I think it's been on the books for two to three years now, 80M. **Commissioner Burroughs** said yeah, and I think it's important that we hear how much we have invested in it already. Like I said, I do remember having an initial conversation when I first came aboard. The private entities that said they thought they could do this for even half of that and then it was dismissed and here we are. As I stated earlier, I think it would do the committee good to hear why the costs have jumped as much as they have and have some of the questions they've asked this evening brought forward to find a comfort level that we can continue to move this project forward if we can at a cost-effective manner, anywhere we can save some money.

I'm very concerned about the continued saturation of properties that may be associated to our byproduct from the process and this is new for us and I would hate to see us be down the road eight-ten years from now and then be slapped with an environmental fee or environmental fine and all of a sudden we don't have a vendor to deal with it and we're stuck. That's just my comments, but I do appreciate the other committee members bringing forward their concerns and questions.

Mayor Garner said I believe that—I think the consensus is, again, I don't want to speak, I'm just picking up from the commissioners that had some questions, we would proceed forward and you can get the information in short order.

Another question I have, and maybe you've answered, if so, I apologize but that the cost overrides that continue to grow, I just see this being at some point maybe well over a \$100M project. I would just like to see that factored into when you talk about the cost benefit and the return on this investment to our taxpayers because if the costs keep going up, that's got to be incurred by our taxpayers and I agree with Commissioner Burroughs that \$2M isn't going to cover that. And if I know anything about government, I would be surprised if that \$2M that you estimate, which there's no guarantee that we'll get that in return would go to pay off this project. I mean I could just—I would be shocked. Not saying that it wouldn't happen, but I know government and so that cost would be incurred by our taxpayers. Thank you so much.

Brett Deichler, Interim Assistant County Administrator, said, Mayor, if I could, just to be clear on the information request, I would—both to Commissioner Davis and to you all's request, a financial breakdown of this project. Also, to do a project breakdown to show the critical path of how do we get there, a revenue generation model and then the option of doing nothing and the risk including a risk model in inflation so if that is a general consensus, that's what we'll work towards. **Commissioner Davis** said the only thing I would add to that is just forecasting. What's the forecasting for expenses and revenue without the project for wastewater and then with the project, what are the forecasts for expense and revenue for sure. **Mr. Deichler** said I think what we'll also do in addition to an ROI is do what they call a present worth analysis. Basically, if you do nothing today, in two years, four years, and that hesitation what would that cost if that's okay.

Mayor Garner said we're going to head into the second part of our presentation from the Administrator's Office. This is regarding the reopening and the conversation about Fire Station 15 which is in Fairfax here in Kansas City, Kansas. I'll recognize and turn this topic for discussion over to our Interim County Administrator.

Cheryl Harrison-Lee, Interim County Administrator, said the Budget team has looked at the options that staff was asked to look at, at the last workshop, which was to look at the costs to open

the fire station as well as the impact on the budget. We've had an opportunity to do one-on-one briefings as was requested and at this time I'll turn it over to Reginald Lindsey so he can kind of walk you through that presentation.



Reginald Lindsey, Budget Director, said some of what we're going to do tonight is we're going to go through five different scenarios for reopening of the Fairfax Fire Station and we would like to get your feedback on those five scenarios.



How we have it broken down, first we have command staff's recommendations.

Rebuild Fire Station # 15 Closer to Fairfax

Analysis:

- No Additional Funding Needed
- Negative cash balance in 2025

Assumptions:

- Move rebuild for Quindaro Fire Station From 2033 to 2023

City General Fund	2022 Amended Budget	2023 Proposed Budget	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast
TOTAL REVENUES	\$160,969,102	\$155,221,370	\$160,633,968	\$165,765,064	\$171,016,489	\$176,351,469
TOTAL EXPENSES	\$173,997,913	\$159,453,294	\$170,334,986	\$179,837,473	\$192,487,131	\$208,205,757
Rebuild Quindaro Fire Station	-	-	-	-	-	-
Net Change in Fund Balance	\$(13,028,811)	\$(4,231,924)	\$(0,701,028)	\$(14,072,409)	\$(21,470,642)	\$(31,854,288)
Cash Basis Ending Fund Balance	\$17,950,789	\$13,718,865	\$4,017,837	\$(10,054,572)	\$(31,925,214)	\$(63,379,502)
ACFR Ending Fund Balance	\$32,839,724	\$28,607,800	\$18,906,772	\$4,834,363	\$(16,636,279)	\$(48,490,567)
Reserve % of Expenditures	18.87%	17.94%	11.10%	2.69%	-8.64%	-23.29%
Fund Balance 17% Target	\$29,579,645	\$27,107,060	\$28,956,948	\$30,572,370	\$32,722,812	\$35,394,979



2023 Unified Government PROPOSED Budget



The first recommendation there is to rebuild the Quindaro Fire Station closer to Fairfax and, basically, what we would do there is—we already have three fire stations within our 5-Year CMIP Plan and we will replace one of those stations with the Quindaro Fire Station. The Quindaro Fire Station right now as planned is to rebuild it in 2033 and we would move that project up to 2023. So, what we would have there is, we would not have to hire any new personnel to run that station. We just would rebuild it closer to Fairfax.

Commissioner Stites asked, are we going to move the train tracks? **Mr. Lindsey** said no, we're not moving the train tracks. They are about to go on strike though maybe. **Someone** was inaudible. **Mr. Lindsey** said oh, it did, okay. I did not hear the latest.

So, looking at this City General Fund statement, it is a forecast from 2022-2027 and we have rebuild the Quindaro Fire Station in there. We don't have any dollars associated with it because it would not be any additional impact on our financials at this point in time. The analysis here that we see is going into 2025 we do have a negative fund balance of \$10M—or a negative cash balance of \$10M and this is not a negative as far as we have more expenses coming in in revenues. This is an actual \$10M where we would be negative in our cash balance and if we have a negative cash balance in 2025, we would not be able to approve a budget.

Zoning in on 2023, which is the budget that we have been discussing in the budget that we want to vote on tonight, or you all will vote on as a elected body later on tonight, we see that we're \$4.2M—that change in fund balance that's negative and the reserve percent of expenditures is almost 18%. As we move into 2024 that negative net change in fund balance does turn into \$9M which drops our fund balance down to \$4M in our cash basis ending fund balance. You can kind of see the increases in our fund balance going down, start to go up each year going into 2027.

Re-Open Fire Station # 15 with 4 Member Pumper Funded by Grant Funding (If Awarded)

Analysis:

- Fund Balance not in compliance in 2023
- Negative cash balance in 2025

Assumptions:

- Re-Open Station in November 2022
- Station will operate in 2022 and 2023 with 4 Person Overtime Company
- Station will operate in 2024 as a 4 Person Permanent Company and into the future
- Partial grant funding is being proposed for 2024, 2025, & 2026. Grant award is not guaranteed

City General Fund	2022 Amended Budget	2023 Proposed Budget	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast
TOTAL REVENUES	\$160,969,102	\$155,221,370	\$160,633,958	\$165,765,064	\$171,016,489	\$176,351,469
TOTAL EXPENSES	\$174,280,446	\$161,216,311	\$171,797,699	\$180,410,904	\$194,003,608	\$210,620,120
Reopen Fairfax Fire Station w/ Grant Funds	\$282,535	\$1,763,017	\$1,462,713	\$573,431	\$1,516,477	\$2,414,363
Net Change in Fund Balance	\$(13,311,346)	\$(5,994,941)	\$(11,163,741)	\$(14,645,840)	\$(22,987,119)	\$(34,268,651)
Cash Basis Ending Fund Balance	\$17,068,254	\$11,673,313	\$509,572	\$(14,136,268)	\$(37,123,387)	\$(71,392,038)
ACFR Ending Fund Balance	\$32,557,189	\$26,562,248	\$15,398,507	\$752,667	\$(22,234,452)	\$(56,503,103)
Reserve % of Expenditures	18.68%	16.48%	8.96%	0.42%	-11.46%	-26.83%
Fund Balance 17% Target	\$29,627,676	\$27,406,773	\$29,205,609	\$30,669,854	\$32,980,613	\$35,805,420
Fairfax Fire Station Grant Contribution	-	-	\$2,111,553	\$1,660,292	\$805,795	-

2023 Unified Government PROPOSED Budget



Our next scenario involves reopening Fire Station 15 with a four-member pumper funded by grant funding and that's if this grant funding is awarded to us. Within these financials what we have is reopening Fairfax Fire Station in November with overtime worked by personnel. It would be a four pumper crew, so that amount would be \$282K in 2022 and then we would work that four-man pumper crew for a full year in 2023 and then about four months in 2024 where we would then look to bring on a permanent four-member pumper crew and we would have amounts of \$1.4M that we would be spending in 2024. We would also have some grant help where we would look to have personnel paid for and also equipment paid for.

You see in that next year in 2025 the cost dropped down and that's because we have grants worked in, but we also have the grants worked in 2024. It's just getting ramped up and we still have overtime going on and then in 2026 we have \$1.5M and this would be the last year of the grant funding that we would be getting. Then, in 2027 we would no longer have the grant funding.

One of the important things here is in 2025, again, we do have a negative cash fund balance. We're opposed to building the station—building Quindaro Station closer to Fairfax, we're \$10M in the hole and so in 2025 with having a four-pumper crew with grant funding, we would be \$14M in the hole. If we're concentrating on 2023 Budget, the elected body, that you all will vote on tonight, we're at like a 16% fund balance, so we would be a little bit under the 17% compliance that we like to stay above and that would be about \$850K that we would need to replace within the City General Fund to get us back up to their compliance.

I guess one of the key things here is, again, we do have like a positive fund balance and everything in 2023 and we almost are at the 17%, but when we get out into the outer years, our

fund balance really starts to decrease and we end up going into the negative on our cash fund balance.

Down at the bottom also you can see Fairfax Fire Station and grant contribution that we would receive would be \$2.1M in 2024 and in 2025 would be \$1.6M and in 2026 it would be \$800K.

Re-Open Fire Station # 15 with 4 Member Pumper

Analysis:

- Fund Balance not in compliance in 2023
- Negative cash balance in 2024

Assumptions:

- Re-Open Station in November 2022
- Station will operate in 2022 and 2023 with 4 Person Overtime Company
- Station will operate in 2024 as a 4 Person Permanent Company and into the future

City General Fund	2022 Amended Budget	2023 Proposed Budget	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast
TOTAL REVENUES	\$160,969,102	\$155,221,370	\$160,633,958	\$165,765,064	\$171,016,489	\$176,351,469
TOTAL EXPENSES	\$174,280,448	\$161,316,436	\$173,630,259	\$182,171,321	\$194,909,528	\$210,720,245
Reopen Fairfax Fire Station	\$282,535	\$1,863,142	\$3,295,273	\$2,333,848	\$2,422,397	\$2,514,488
Net Change in Fund Balance	\$(13,311,346)	\$(6,095,066)	\$(12,996,301)	\$(16,406,257)	\$(23,893,039)	\$(34,368,775)
Cash Basis Ending Fund Balance	\$17,668,254	\$11,573,188	\$(1,423,113)	\$(17,829,370)	\$(41,722,409)	\$(76,091,185)
ACFR Ending Fund Balance	\$32,557,189	\$26,462,123	\$13,465,822	\$(2,940,435)	\$(26,833,474)	\$(61,202,250)
Reserve % of Expenditures	18.68%	16.40%	7.76%	-1.61%	-13.77%	-29.04%
Fund Balance 17% Target	\$29,627,676	\$27,423,794	\$29,517,144	\$30,969,125	\$33,134,620	\$35,822,442



2023 Unified Government PROPOSED Budget



This option right here is reopening Fire Station 15 with a four-member pumper without getting any type of grants and this would be us paying cash for bringing on the overtime crew, which would be a four-member pumper crew. Then, having that overtime crew work until April of 2024 and we can see the main thing that's different here from the other two scenarios that we've gone through is in 2024, we actually go into a negative cash balance or our fund balance in cash ends up being negative where it's proposed for the other years. It was 2025 where we went into the negative. We would definitely have to do some work if we were to go with this option on fixing our structural imbalance and getting where we could approve a budget in 2024 on to 2027.

Also, some things we can see, numbers don't change a whole lot in 2023 because that is an overtime crew that will be running so we really didn't get any grant funding with running an overtime crew, so we're still at around 16% of the fund balance, but we would need about \$950K to get us up to the 17% fund balance.

Also, this is a view of if we did not receive any grant support to reopen the fire station, so this is how things would look from 2024 to 2027 if we did not get any grant support.

Commission One on One Recommendations



2023 Unified Government Budget

Meeting | September 2022

The next recommendations I have or recommendations we got from going on through Commission one-on-ones that we went through starting last week and ended this week. There's two different scenarios here.

Re-Open Fire Station # 15 with 3 Member Pumper Funded by **Grant Funding (If Awarded)**

Analysis:

- Fund Balance in compliance in 2023
- Negative cash balance in 2025

Assumptions:

- Re-Open Station in November 2022
- Shift personnel from another station that has 4 personnel to a truck
- Station will operate in 2022 and 2023 with 3 Person Overtime Company.
- Station will operate in 2024 as a 3 Person Permanent Company and into the future
- Partial grant funding is being proposed for 2024, 2025, & 2026. Grant award is not guaranteed



2023 Unified Government PROPOSED Budget

City General Fund	2022 Amended Budget	2023 Proposed Budget	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast
TOTAL REVENUES	\$160,969,102	\$155,221,370	\$160,633,958	\$165,765,064	\$171,016,489	\$176,351,469
TOTAL EXPENSES	\$174,147,216	\$160,384,948	\$171,266,506	\$180,157,897	\$193,319,478	\$209,525,512
Reopen Fairfax Fire Station w/ Grant Funds	\$149,303	\$931,653	\$931,520	\$320,424	\$832,347	\$1,319,756
Net Change in Fund Balance	\$(13,178,114)	\$(5,163,578)	\$(10,632,548)	\$(14,392,833)	\$(22,302,989)	\$(33,174,043)
Cash Basis Ending Fund Balance	\$17,801,486	\$12,637,908	\$2,005,360	\$(12,387,473)	\$(34,690,462)	\$(67,864,506)
ACFR Ending Fund Balance	\$32,690,421	\$27,526,843	\$16,894,295	\$2,501,462	\$(19,801,527)	\$(52,975,571)
Reserve % of Expenditures	18.77%	17.16%	9.86%	1.39%	-10.24%	-25.28%
Fund Balance 17% Target	\$29,605,027	\$27,265,447	\$29,115,306	\$30,626,843	\$32,864,311	\$35,619,337
Fairfax Fire Station Grant Contribution	-	-	\$1,962,596	\$420,600	\$437,450	-



The first one is reopening Fire Station 15 with a three-member pumper and funding it by grant funding and that is, again, if we are allocated the grant funding or awarded it from the feds. One of the things we have going on here is, we also would move a person from one of our stations that's on a pumper that has four men to a pumper. We would reallocate that person to Station 15 and that way we would only be paying overtime for two people. What that does is reduce the amount of overtime that we have so we amounted \$149K starting out in 2022 for overtime as opposed to—it was \$282K. Then, in 2023 we also would work the three-member pumper crew with a person reallocated where we would only be paying two people overtime because we would already be paying for that person on the pumper.

In 2024, in 2025 and 2026, we would also have grant funding. One of the things that we can see here is that in 2023 is that the fund balance is 17% if we're opening this fire station with grant funding from the federal government. One of the things that I would like to point out is still

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in 2025 we do have a \$12M negative cash fund balance. Again, this is if we are awarded the grant money.

Re-Open Fire Station # 15 with 3 Member Pumper

Analysis:

- Fund Balance in compliance in 2023
- Negative cash balance in 2025

Assumptions:

- Re-Open Station in November 2022
- Shift personnel from another station that has 4 personnel to a truck
- Station will operate in 2022 and 2023 with 3 Person Overtime Company
- Station will operate in 2024 as a 3 Person Permanent Company and into the future

City General Fund	2022 Amended Budget	2023 Proposed Budget	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast
TOTAL REVENUES	\$160,969,102	\$155,221,370	\$160,633,958	\$165,765,064	\$171,016,489	\$176,351,489
TOTAL EXPENSES	\$174,147,216	\$160,485,073	\$172,337,239	\$181,159,295	\$193,857,022	\$209,625,637
Reopen Fairfax Fire Station	\$149,303	\$1,031,778	\$2,002,253	\$1,321,822	\$1,369,890	\$1,419,881
Net Change in Fund Balance	\$(13,178,114)	\$(5,263,703)	\$(11,703,281)	\$(15,394,231)	\$(22,840,533)	\$(33,274,188)
Cash Basis Ending Fund Balance	\$17,801,486	\$12,537,783	\$834,502	\$(14,559,729)	\$(37,400,262)	\$(70,674,430)
ACFR Ending Fund Balance	\$32,690,421	\$27,426,718	\$15,723,437	\$329,206	\$(22,511,327)	\$(55,785,495)
Reserve % of Expenditures	18.77%	17.09%	9.12%	0.18%	-11.61%	-26.61%
Fund Balance 17% Target	\$29,605,027	\$27,282,462	\$29,297,331	\$30,797,080	\$32,955,694	\$35,636,358



2023 Unified Government PROPOSED Budget



Here is reopening the fire station and we pay cash with a three-member pumper and, again, what we would do is reallocate a person from another station that has four people to a pumper and this would allow us to be able to pay overtime for getting the station ramped back up from 2022, 2023 up until April of 2024 paying overtime with two people and then starting a permanent crew. We see, again, here we are at a 17% fund balance and in 2025 we do end up going into negative of \$14M. I would like to add that I have had conversation with Chief Callahan and his command staff about this and this is something that they are not in favor of having a three-man—a three-member pumper and they would also prefer not to move a person from a station that already has four people to a pumper dropping it down to three people to a pumper. They don't feel it would be safe working conditions for their fire companies.

That is the information I have to present. Any questions from anyone?

Commissioner Kane asked, was there a particular one that you thought would work best? **Mr. Lindsey** said me, personally, the one that has the less impact on the budget and would get a station closer to Fairfax would be the rebuild. **Commissioner Kane** said we don't have that kind of money. **Mr. Lindsey** said we do have in our—when you say we don't have that kind of money, what is it that—**Commissioner Kane** said what I'm really saying, let me back up a second. Everyone knows that they ran down there with three forever, forever. The reason they're putting four up there is so it will make it too expensive for us to do it at this time. That's exactly what they're doing, when you give these guys time to fabricate the numbers and that's what they did.

The goal here is to get it open as soon as possible, as cheap as possible, and then figure out what we can do long term. That's all anybody's ever asked this whole process. Get this open as soon as possible with the least amount of disruption. They took the guy from 8 in my district and put him down there in 5, so when they're moving from there, from 5 down to 15, that's a wash. You're only paying for two guys every day and then when you promote people, then you won't have to pay that much overtime and in the meantime we can get the grants and some of this money can be funded by the jobs that are open that we're not paying right now.

I don't know why we would say okay, they want four because that's just a crock and for the people watching tv I'm the one that greeted those people that were at the plant and never showed up with four, they always showed up with three, then the ambulance showed up.

The quick question is, which gets us where we want to be right now, get it open, get the people moved in a proper place, promote the people who need promoted and then use the people that the jobs are funded, but they're not filled, to pay for this until we can figure out another way.

Commissioner Townsend said I want to thank staff, union, command staff, Mr. Lindsey and his staff for putting this all together, but I'm looking at the numbers and I recall several years ago being here and kind of at one of these eleventh hour deals voting to support the opening of the fire station out west because those people needed coverage too. However, to me these kind of late minute, let's look at this and figure it out later don't work for me. I'm looking at the red ink, not just for this year and all of these scenarios and moving forward. If we can't afford it now, it's not going to get any better. Right now, because 60% of our budget is between Fire and Police, the same budget funds that we would use to have to do this. I don't believe that relying on grants, should we get them, is the way to fund personnel or equipment, particularly personnel from the time they come onboard to the time that they are supported, rightfully so, through retirement. So, it's not just what's going on today, but long term.

As I look at these numbers and investment, I think after we get past whatever we're going to do tonight with regard to the budget, give us a couple of weeks and start long term on planning what could happen. I told Fairfax before that I support the opening of the Fairfax reopening if we can do it. These numbers don't indicate that we can, so I cannot support that.

The crazy thing I thought about though and this goes back to our need for so many other things, infrastructure, just the roads. I used to work in New Orleans and there was a problem

repeatedly getting to work sometimes because we would have to cross France Road railroad tracks and what was done is an overpass was built. I'm wondering if these numbers would be better off or at least worth exploring to get some kind of ramp or overpass that would take us over the trains, so that five could support and other motor traffic would not be delayed either. Just a thought. Thank you again, but that's where I am.

Commissioner Bynum said I don't have a strong feeling about one of these scenarios versus another. I will say that the fire station build wouldn't be at the top of my list. Isn't the Fairfax station one of our newest stations, so I wouldn't—I'm not looking for that. I want the fire station open. I want it open sooner rather than later. I am looking at '22 and '23 mostly as far as the costs and what they do to our budget and I'm going to support reopening Fairfax now and I'm going to support reopening Fairfax later tonight as we adopt our budget. The numbers as far as '22 Amended and '23 Proposed, don't seem to change that much from one scenario to another.

When we had our one-on-one sessions regarding the budget number, my comment to our finance professionals regarding all of the choices being placed in front of us tonight were that once we pass the budget, and I hope we pass it with this fire station operating, that we have to immediately, and I think Commissioner Townsend just said that and I think I've heard multiple commissioners say that as a result of the budget one-on-one that we had with staff and I said it to the Mayor just yesterday, we have to immediately commence the Commission and our Finance team with intensive strategic planning around our finances because you've shown us what the long-term forecasts look like. We don't like them, we don't want to believe them, but we have to look at them and live in reality and I'm just asking that if we get this fire station open, which I support, that we immediately commence as a Commission and staff performing intensive strategic planning around our financials.

Commissioner Burroughs said if I remember correctly, there was discussion, I think the Commission gave direction to both the administration as well as the union to come back with a plan and if I remember from our meetings earlier with both parties, the offer was to do a three-man crew with a piece of equipment we already had and get 15 open. I thought that was a pretty large concession made by the union ranks and the staff because that is something that they have been dealing with in contract negotiations. But it was the charge from this Commission to come back

and find an agreement and that to me spoke volumes about how they want to support our community to the extent to provide the services in Fairfax that Fairfax deserves.

So, one, I just want to say thank you for that. I know that was not reached easily and I do believe we have a piece of equipment that we take out of reserve and utilize on a temporary basis until, as one of the other commissioners commented, we can get our budget straightened out. But I believe there is a fix here and I believe it was offered in all sincerity to the Commission and I am just supportive of that position because I believe it was reached with much thought and consideration for the members of the Fire Department.

Commissioner Davis said thank you for the presentation. Thank you to the Chief and your staff and union leadership for being here. Commissioner Kane mentioned the vacant positions and this has been something I've been talking about just throughout all of the UG for a while now. How many vacant positions are in the Fire Department right now? **Mr. Lindsey** said I think currently they could have about 14. **Commissioner Davis** said so these are positions that are already budgeted right now that we've put in the 2022 Budget and are those vacant positions also in the 2023 Budget as well? **Mr. Lindsey** said yes.

Commissioner Davis said my recommendation would be so that we could at least save some money to remove some of that funding for those vacant positions and lower them if need be to cover be it overtime cost or be it the three-member pumper. If we can put that on the screen just to give kind of my recommendation

Re-Open Fire Station # 15 with 3 Member Pumper Funded by Grant Funding (If Awarded)

City General Fund	2022 Amended Budget	2023 Proposed Budget	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast
TOTAL REVENUES	\$160,969,102	\$155,221,370	\$160,833,958	\$165,765,064	\$171,016,489	\$176,361,489
TOTAL EXPENSES	\$174,147,216	\$160,384,948	\$171,266,506	\$180,157,897	\$193,319,478	\$209,525,512
Reopen Fairfax Fire Station w/ Grant Funds	\$149,303	\$931,653	\$931,520	\$320,424	\$832,347	\$1,319,756
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Cash Basis Ending Fund Balance	\$17,801,486	\$12,637,908	\$2,005,360	\$(12,387,473)	\$(34,690,462)	\$(67,864,506)
ACFR Ending Fund Balance	\$32,690,421	\$27,526,843	\$16,894,295	\$2,501,462	\$(19,801,527)	\$(52,975,571)
Reserve % of Expenditures	18.77%	17.16%	9.86%	1.39%	-10.24%	-25.28%
Fund Balance 17% Target	\$29,605,027	\$27,265,441	\$29,115,306	\$30,626,843	\$32,864,311	\$35,619,337
Fairfax Fire Station Grant Contribution	-	-	\$1,962,596	\$420,600	\$437,450	-

Analysis:

- Fund Balance in compliance in 2023
- Negative cash balance in 2025

Assumptions:

- Re-Open Station in November 2022
- Shift personnel from another station that has 4 personnel to a truck
- Station will operate in 2022 and 2023 with 3 Person Overtime Company.
- Station will operate in 2024 as a 3 Person Permanent Company and into the future
- Partial grant funding is being proposed for 2024, 2025, & 2026. Grant award is not guaranteed

2023 Unified Government PROPOSED Budget

UG

I completely agree with Commissioner Bynum that we need to have a huddle after—multiple huddles after tonight to get our finances in order. My worry with opening Fairfax was we already

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spend a lot of money with our Fire Department in proportion to the rest of our budget. Personally, and I told this to staff, I would like to see the Fire Department work within what they are already allocated with the grant.

This would be my pick if we're going to vote and we're going to open it, this seems like the most fiscally responsible to get this open which is where a majority of the governing body is at right now. I will say, Mr. Lindsey, within your estimates the bridge is not on here is it? **Mr. Lindsey** said yes. **Commissioner Davis** said the bridge is also included, okay, so this also assumes that the Kansas Avenue Bridge opens and we open Fairfax under these particular conditions, correct? **Mr. Lindsey** said that is correct. Okay, then yes, this would be what I would prefer if we're going to open it for a compromise to be physically responsible.

Mr. Lindsey said I would also just add if the Fire Department does open the station back up, right now they're where they need 101 people a day, so this would make them need like 105 people a day, so there's not a lot of room to cut down on overtime or people because if they open this station, they're pretty much raising their count.

Commissioner Kane asked, J.J., do you guys have a presentation? Can we see it please?

Mayor Garner said, Mr. President, there's a concern with the viruses that may be, so we're not going to be able to upload that for the public to see, so you're just going to have to walk the Commission through a presentation. They have all the information in front of them.

J.J. Simma, President of the IAFF Local 64 Firefighters here in Kansas City, Kansas, said thank you again for the opportunity to speak with you this evening regarding reopening of Fire Station 15. I've got a brief presentation. I apologize I was given direction to just bring it. It was put together just this week. I could have probably sent a link, but it's probably too late for that obviously. I've got a brief presentation on an alternative plan and it is looking at specifically the short term at the least cost. I'll walk through the PowerPoint. I wish that we were able to put that up because I think it's pretty clear and pretty plain and simple what we've come up with and it's been discussed here already tonight.

LOCAL 64 ALTERNATE PROPOSAL TO RE-OPEN STATION # 15

- Pumper 15 re-commissioned utilizing reserve apparatus from existing fleet
- 3 Firefighter Daily Minimum Staffing
 - Minimum Pumper Staffing of 3 Firefighters is consistent with the agreed upon MOA between the UG and Local 64

We recommissioned Pumper 15 utilizing a reserve apparatus from our existing fleet. That apparatus has already been identified and would be available for use if authorized by this Commission. Three firefighter daily minimum staffing. Minimum pumper staffing of three firefighters is consistent with the agreed upon Memorandum of Agreement between the UG and Local 64.

Staffing of Pumper 15

- 3 Firefighters per day across 3 Shifts requires a total of 9 firefighters to staff on a day-to-day basis
- Utilize the 4th Firefighter position from Pumper 5 (9th & Quindaro) as the 3rd Firefighter on Pumper 15
- Reduces the daily need to staff Pumper 15 to 2 Firefighters per day for a total of 6 Firefighters across 3 shifts
- Currently there are 25 vacant budgeted positions within the Fire Department
- Additionally, there are 13 Firefighter Recruits in the KCKFD Fire Academy set to graduate late September

Regarding staff of Pumper 15 on a daily basis; three firefighters per day across three shifts requires nine firefighters on a day-to-day basis. We suggest utilizing the fourth firefighter position from Pumper 5 at 9th & Quindaro as the third firefighter on Pumper 15. If we do this, we reduce that daily need to two firefighters per day. That's a total of six. It has been identified, I believe, in some budget discussions and I heard some discrepancies tonight, but I do recall hearing it myself that there are 25 vacant budgeted positions within the Fire Department. Additionally, there are 13 recruits in the KCKFD Fire Academy set to graduate in late September. They'll have a full release to the streets sometime in October.

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Cost

- Short term (approx. 18 months)
 - Reserve apparatus - No Cost
 - 13 Recruits and 25 vacant budgeted positions - Already Funded
 - We believe the Fire Department currently has what is needed to re-open Fire Station 15

With regard to the cost looking at the short term, we put an approximation of 18 months on it due to the fact that a pumper build is 18 months from order date. That will put us into early 2024. Reserve apparatus, no cost. Thirteen recruits and 25 vacant budgeted positions, as we understand are already funded. We believe the Fire Department currently has what is needed to reopen Fire Station 15.

LongTerm

- Apply for the Assistance to Firefighters Grant (AFG) for a new pumper apparatus to replace the reserve being utilized temporarily
- Apply for the Staffing for Adequate Fire and Emergency Response (SAFER) grant to fill vacant positions and establish necessary positions long term
- Conduct Organizational and Budget analysis for potential savings to assist in the long-term funding of an additional fire company

Long-term, we apply for the AFG grant, the Assistance to Firefighters, for a new pumper to replace the reserve being utilized temporarily. We apply for the SAFER grant to fill vacant positions and establish necessary positions long term. We suggest conducting an organizational and a budget analysis for potential savings to assist in the long-term funding of an additional fire company.

In conclusion, we've brought forth some of these ideas during our discussions over the last several months and there was no interest in going this direction. This last presentation this evening we were not a party to. That's the first we've seen it this evening. We've had some of these thoughts on our minds for several months. We were requested in the last few days to put it together in a formal presentation for this evening. We believe this will work. We will restore the

service to Fairfax as we believe is necessary. It may not be ideal in the short term, but we can work on a long-term plan going forward.

QUESTIONS

I would thank you for the opportunity and stand for any questions.

Commissioner Townsend said on the page that says staffing of Pumper 15, second item down, it says utilize the fourth firefighter position from Pumper 5, 9th & Quindaro, as the third firefighter on Pumper 15. Why would taking somebody from 5 be part of the recommendation or maybe I'm misunderstanding the recommendation. **Mr. Simma** said that fourth firefighter at 9th & Quindaro came from the old Piper Fire Station upon the closure of the Fairfax Fire Station. That position was relocated to 9th & Quindaro. They had four in Piper for nearly 30 years. On July 23rd of 2020, I believe it was, when Fairfax closed and the new Piper station opened, the initial first three weeks that firefighter was removed altogether and when the union brought the department—brought attention to it with the department, the Fire Department began staffing Quindaro with a fourth firefighter. If you take that fourth firefighter position, it will still be a three firefighter pumper on Quindaro and you put it in Fairfax, you only need two more each day. That's the least cost option. That's why we proposed it.

Commissioner Townsend said just so I'm clear, so before Fairfax was closed was there only a three-person staff at Pumper 5? **Mr. Simma** said correct, as a minimum. That was the requirement, three.

Mr. Simma said I would comment too, to comments earlier, we've staffed every pumper company in this city on a daily basis with three firefighters with the exception of one. We do it every day.

It's not ideal, it doesn't meet safety standards. We will always advocate for those, but we do it every day and we make it work as of right now and nobody is stating that it's not safe for us to do that and we shouldn't be doing it so we got to put a fourth person on there or we go out of service.

Commissioner Stites said I guess it's kind of troublesome to hear that what we had requested was for you guys and the department and the union to come back with a proposal that you guys worked together to accomplish and that hasn't happened. I appreciate the efforts that you guys have made with how do we get this thing open with minimal cost. The utilization of a reserve apparatus, that's great because this is probably not one of those units that runs—I don't know how many calls it will run, I'm just saying it's not one that's probably going to get a whole lot of calls every day. So, a reserve apparatus would probably fit the need really well there. Three-man, it's already been stated that we can run with three, three fire personnel, a three-man, three fire personnel, I think that's great. Is this currently in any of the proposals that we've seen up there? **Mr. Simma** said I think it is very similar to a commissioner—I think one of those proposals come from commissioner discussions—**Someone** was inaudible due to not being at the mic. **Mr. Simma** said okay. **Commissioner Stites** asked, what was that said? **Mr. Simma** said it is similar to one of the commissioners proposals, scenario. I don't remember what number. **Someone** was inaudible. **Commissioner Stites** said number five. **Mr. Simma** said well, we're recommending apply for grants. We always recommend applying for every grant we can. **Someone** was inaudible.

Commissioner Stites said I do agree that we need to get it open. We need to get it open short term at the most cost effective way that we can so that we're protecting the folks down in Fairfax and then we need to look at staffing model throughout the Fire Department and I'm talking about from top to bottom. How many chiefs we have, how many captains, how many—I don't know if you have sergeants or what have you, but when I hear there are three chiefs in training, I mean I don't know how many is needed, but it seems like a lot to me. **Mr. Simma** said historically we had one. There are three now. **Commissioner Stites** said I'm not going to get into the why that is tonight, but I think there is a deeper dive into what the staffing level looks like in the Fire Department that helps eliminate some of the overtime costs. We just mentioned it and it wasn't mentioned in the discussion earlier presentation that we have 13 firefighters that are going to get ready to graduate. **Mr. Simma** said correct. **Commissioner Stites** said that's all I have to say and I'm in favor of Scenario No. 5.

Mr. Simma said just to reiterate, we believe that with those 13 firefighters coming out on the streets and the funded positions within the department, the vacant positions, that we currently have what's needed within the current budget. That's our belief from our perspective.

Mayor Garner asked, I've got a question for the Fire Chief. Looking at all the proposals including the one given by the union, and I would like to really get on the one given by the Union President, because I think the call to action was, and I kind of follow in line with Commissioner Stites, was that the union and the fire command come back and work collaboratively on these proposals to this Commission so they can make an informed decision with the reassurance that union and management work together to do something as far as a proposal that, hopefully, could get you to where the Commission would like to be. That's to open Fire Station 15 in a way that's cost effective and could provide the enhanced level of service that I know for a fact, because I just talked to the President of the Fairfax Industrial Association this morning, that they have desperately been begging this body to proceed forward with getting that station open. Your thoughts on the proposal from IAFF Local 64?

Mike Callahan, Fire Chief, said well, a couple. One point of clarification. We did present a collaborative proposal on August 25th. The proposal that was presented on August 25th was agreed to by Local 64 and the fire administration. There was subsequent talk at the—after the presentation was made about moving people and dropping to three people, but if you'll go back and look at what was said that night, that proposal was indicative of a four-person firefighter—I'm sorry, fire apparatus. There were four firefighters on that apparatus, we spoke with Local 64, we worked with Local 64. When we came in to present, that was an agreed to presentation.

My thoughts on this are that we can go to three people. They're right. I mean the contract says we can drop to three—it says we can drop to three on our aerial apparatus too, but we never have. We've kept four on aerial apparatus, all seven of them, at least since I got here. The reason we're doing that is for safety. That's a safety concern to drop below four people. Can we open it with three people, absolutely. Is that my recommendation, no. Our consistent position has always been we're open to more firefighters and more apparatus and we're still open to that, so I'm not rejecting anything out of hand here.

Currently we're at 36.4% of our apparatuses are staffed in compliance with the NFPA, 1710 Standard. This proposal decreases, not increases, that compliancy to 30.4% of the standard. That regressive approach, I'm not in favor of that. I'm going to do what I'm directed to do and given direction to do, but I would not advocate for that proposal.

Mayor Garner said what was presented right here, is this something that this Commission and this Administrator gave you clear direction to implement, is this something that you can do responsibly? **Chief Callahan** said, Mayor, I haven't seen that until just now. **Mayor Garner** said what you have seen and what you've heard now. **Chief Callahan** said yeah, it can be done, sure, there's no question about that. It can be done.

Commissioner Kane said, Mayor, I would like to make a motion that we move forward with slide five to vote on tonight in our budget. **Mayor Garner** said we will have to wait. This is just an informational session, so that's going to come up for action later.

Mayor Garner said thank you all for the presentations. We're going to take a slight five-minute break in between the full commission meeting, but before we get there, I would like to have a motion to adjourn.

Commissioner Markley made a motion, seconded by Commissioner Davis, to adjourn the meeting. Roll call was taken and there were eight "Ayes," Kane, Markley, Stites, Davis, Bynum, Burroughs, Townsend, Johnson.

MAYOR GARNER ADJOURNED

THE MEETING AT 7:00 p.m.

Monica L. Sparks
Acting Unified Government Clerk

dt

September 15, 2022



Unified Government Clerk's Office

Monica L. Sparks
Acting Unified Government Clerk

701 N. 7th Street Trafficway, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913.573.5260
Fax: 913.573.5299
<http://www.wycokck.org>

Memorandum

To: Cheryl Harrison-Lee
Interim County Administrator

From: Monica L. Sparks
Acting UG Clerk

Date: September 15, 2022

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

BM

1. PUBLIC NOTICE:

- Alandon Tow Service, 6224 Kansas Avenue, KCK 66111, held a public auto auction on September 6, 2022, at Alandon Tow Service.

Action: Received and filed.

2. COMMUNICATION:

- Monica Sparks, Acting UG Clerk, listing bids received on September 7, 2022, for project #0522 – Turner diagonal sanitary sewer relocation.

Action: Received and filed. Copy previously forwarded to County Administrator, Public Works, and Legislative Auditor.

3. CLAIMS FOR DAMAGES:

- Illyana Cunliffe, claiming damage from an accident involving a police vehicle occurring Aug 10, 2022.
- Darrell Gilmore, 1229 N 10th street, Kansas City, KS 66102, claim for damage for injuries he received as a result of the Housing Authority of KCK's negligence on July 7, 2022.
- Dominic Padelli, 6213 Ann Avenue, Kansas City, KS 66102, claim for damage to his vehicle, due to restriping at 61st and Ann Avenue on August 24, 2022.
- Lucious Townsend, 7152 Riverview Ave, Kansas City, KS 66112, claim for damage to her vehicle from repainting strips on street located between 50th and 47th Parallel Parkway, on September 13, 2022.

Action: Received and filed. Copy previously forwarded to Legal.

4. TRAVEL REQUESTS:

- Robert Allen, KCKFD, travel to Colorado Springs, CO, September 13 – September 19, 2022, to attend Fire Fighter Memorial, Employee Training & Travel Fund.
- Deasiray Bush, Area Agency on Aging, travel to Wichita, KS, September 28 – September 30, to attend the annual K4ad Director's Retreat, Aging Mill Levy Fund.
- Timothy Carney, KCKPD, travel to Hayes, KS, August 29 – September 2, 2022, to attend Basic Narcotic Investigation Training through KNOA, Employee Training & Travel Fund.
- Wendy Green, Legal (Appraiser's office), travel to Austin, TX, November 30 – December 2, 2022, to attend, IAEO, the Annual Legal Appraisal Conference, Employee Training & Travel Fund.

- Taylor Hines, Wyandotte County District Attorney office, travel to Chandler, AZ, October 17 – October 19, 2022, to attend the Fighting Fire with Fire Conference, Employee Training & Travel Fund.
- Willie Jenkins, WYCO District Attorney's office, travel to Lexington, KY, September 24 – September 29, 2022, to attend the 43rd Annual North American Consumer Protection Investigators Conference, Employee Training & Travel Fund.
- Matthew C. Miller, KCKFD I.T., travel to Springfield, MO, October 3 – October 5, 2022, to attend the Tyler KAMOUG User Group Meeting, Employee Training & Travel Fund.
- Robert Whisman, District Attorney's office, travel to Gulf Shores, AL, November 13 – November 18, 2022, to attend the 2022 SEHIA Conference, Employee Training & Travel Fund.
- Mattilyn Wiesing, KCKPD, travel to Hayes, KS, August 29 – September 2, 2022, to attend Basic Narcotics Investigators Course (BNIC), Employee Training & Travel Fund.

Action: Approved by County Administrator's Office and received and filed.

5. CERTIFICATE OF INSURANCE/LIABILITY INSURANCE:

- Dothan Security dba DSI Security Services

Action: Referred to License.

6. BUSINESS BONDS:

- Electrical Bonds:
 - Elite 1 Electric LLC
 - PS Property Services LLC
 - Coolsys Light Commercial Solutions LLC
 - Nicholas Pasternak dba Nick's Electric
- Mechanical/HVAC Bonds:
 - PS Property Services LLC
- Plumber's Bonds:
 - PS Property Services LLC

Action: Referred to License.

7. APPLICATIONS FOR CMB LICENSE (LIQ. TEMP. LIC):

- Pulse Boxing and Entertainment, Jose Solis, A Night of Championship Boxing, Memorial Hall, 600 N 7th street, Kansas City, KS 66101, temp permit is for 9/16/2022 from 7:00 pm to 11:59 pm.

Action: Referred to License.



Unified Government Clerk's Office

Monica L. Sparks
Acting Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Cheryl Harrison-Lee
Interim County Administrator

From: Monica L Sparks
Acting UG Clerk

Date: September 22, 2022

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

tp

Weekly Business Material for September 22, 2022

1. PUBLIC NOTICE:

All City Tow Service, 1015 S. Bethany, held a public auto auction on August 11, 2022, at 10:00 a.m.

Action: Received and filed.

2. COMMUNICATION:

Pam Kahao, Accounting Manager, regarding a warrant cancellation:

Warrant #	Reissue?	Date Issued	AMOUNT	FUND/ACD	Vendor Name/Number	Reason for void
908009	No	7/1/2022	\$ 50.00	ACC222307	Zimmerman & Zimmerman, P.A. #PA132	Garnishment Canceled

Action: Received and filed.

3. NOTICE OF CLAIM:

Izaiah Freeman, 2318 N. 87th St., KCK, by and through attorney John G. O'Connor, 827 Armstrong Ave., Ste. 300, KCK, alleging injuries due to an automobile accident with a BPU truck on April 29, 2022.

Action: Received and filed. Copy previously forwarded to Legal.

4. MOTION TO SET ASIDE:

Wyandotte County vs. Dyana Olivas-Casillas, Case No. 2022-CV-000046, COA 229.

Action: Received and filed. Copy previously forwarded to Legal.

5. SUMMONS:

Reginald Lindsey vs. Unified Government of Wyandotte County and Kansas, Case No. 2022-CV-000494.

Action: Received and filed. Copy previously forwarded to Legal.

6. TRAVEL REQUESTS:

Jeff Fisher, Public Works, travel to Mulvane, KS, September 21 – 22, 2022, to attend the 2022 Solid Waste Management Conference, Employee Training & Travel.

Kevin W. Fithian, KCKPD, travel to Hoover, AL, December 5 – 9, 2022, to attend the Digital Investigations Supervisors Course, NCFI.

Quinten Johnson, John Landis, Stephen Owen and Carlos Ulloa, KCKPD, travel to Macomb, IL, September 20 – 21, 2022, to attend the Law Enforcement Career Fair, Employee Training & Travel.

Cameron Morgan, KCKPD, travel to Hoover, AL, December 4 – 9, 2022, to attend the NCFI Drone Operator Training, USSS.

Joseph Yarsulik, KCKPD, travel to Hoover, AL, October 9 – 14, 2022, to attend the Digital Evidence Investigations, N/A.

Action: Approved by Administrator's Office and received and filed.

7. CERTIFICATE OF INSURANCE:

Simmons Security & Protection Services, Inc.

Action: Referred to License.

8. BUSINESS BOND:

Electrical Bond:

Jeremy Moore DBA Arrowhead Solar LLC, DBA Arrowpoint Solar

Action: Referred to License.

9. CANCELLATION NOTICES:

Electrical Contractor's Bond:

Dwight DePriest DBA Dadon

HVAC Contractor's Bond:

Maven Mechanical Services, Inc.

Action: Referred to License.

10. CONTINUATION CERTIFICATE:

Plumber's Bond:

Beemer Plumbing, LLC

Action: Referred to License.

11. VERIFICATION CERTIFICATE:

Nabholz Construction Corporation

Action: Referred to License.

12. APPLICATION FOR CMB LICENSE (OP):

EJR LLC/Lizzette Ortega DBA El Jibarito Restaurante, 402 N. 5th St.

Action: Referred to License.

13. APPLICATION FOR DRINKING ESTABLISHMENT/PUBLIC VENUE:

Jeffrey Joe Nick/William W. Hutton DBA Johnnie's West Bar & Grill, 8016 Leavenworth Rd.

Action: Referred to License.

14. APPLICATION FOR CATERER:

Highlands Sips & Events, LLC/Amber Masters DBA Highlands Sips & Events, 3741 N. 124th St.

Action: Referred to License.

15. APPLICATION FOR LIQUOR TEMPORARY LICENSE:

Melissa Clark DBA Fairfax Industrial Association, Fairfax Festival at Kaw Point Park, 1403 Fairfax Tfwy., for 10/6/22 or 10/13/22, 3:30 – 7:30 p.m.

Action: Referred to License.

16. APPLICATIONS FOR PRIVATE SECURITY BUSINESS:

Allied Universal Security Services/Curtis Haney, Universal Protection Service, LLC, DBA Allied Universal, 920 Main St., Ste. 850, KCMO.

Simmons Security & Protection Services, Inc. DBA Simmons Security & Protection Services, Inc., 428 N. 5th St., #1, KCK.

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 212015

Full Commission Meeting Date: 10/13/2022

Committee: Full Commission

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

Publication Required: No

<u>Date:</u> 10/06/2022	<u>Contact Name:</u> Jeff Fisher	<u>Contact Phone:</u> x5415	<u>Contact Email:</u> jfisher@wycokck.org	<u>Department/Division:</u> Public Works
<u>Item Description:</u> The Unified Government has determined that it is necessary to make improvements to the Fairfax Trafficway and issue its general obligation bonds and/or temporary notes for the same. A resolution authorizing certain street, sidewalk, and intersection improvements, submitted by Jeff Fisher, Executive Director of Public Works.				
<u>Action Requested:</u> To adopt the resolution.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Project Authorization Resolution (Fairfax Trafficway)				

RESOLUTION NO. R-__-22

**A RESOLUTION AUTHORIZING CERTAIN STREET, SIDEWALK, AND
INTERSECTION IMPROVEMENTS AND PROVIDING FOR THE
MANNER OF PAYING FOR THE SAME.**

WHEREAS, Article 12, Section 5 of the Constitution of the State of Kansas and Charter Ordinance No. CO-03-09 of the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”) authorizes the governing body of the Unified Government to make a variety of improvements as further described in CO-03-09 and to issue its general obligation bonds and/or temporary notes for the same; and

WHEREAS, the Unified Government has determined that it is necessary to make improvements to certain streets, sidewalks, and intersections, as more fully described herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS
FOLLOWS:**

Section 1. Pursuant to the authority described above, the Unified Government hereby finds and determines that it is necessary to make the following improvements (the “Improvements”):

2023 FAIRFAX TRAFFICWAY IMPROVEMENTS (CMIP 1059). Milling, concrete pouring, resurfacing, utility cover adjustments, pavement marking, traffic control modifications, Americans with Disabilities Act compliant street to sidewalk access, removal and replacement of curb, and other traffic control and roadway improvements on Fairfax Trafficway.

Section 2. For the purpose of providing funds for the Improvements, all as approved by the governing body, the Unified Government hereby authorizes the issuance of its general obligation bonds pursuant to Article 12, Section 5(a) of the Constitution of the State of Kansas and Charter Ordinance No. CO-03-09 in an amount not in excess of **\$800,000** plus interest on any temporary financing and costs of issuance. Temporary notes of the Unified Government are hereby authorized to be issued from time to time by resolution in an amount not to exceed the amount of general obligation bonds herein authorized.

Section 3. The Unified Government expects to make capital expenditures in connection with the Improvements and intends to reimburse itself for such expenditures with the proceeds of general obligation bonds and/or temporary notes in an amount not to exceed **\$800,000** plus capitalized interest and costs of issuance. Any general obligation bonds and/or temporary notes issued under the authority of this Resolution may be used to reimburse expenditures made on or after the date that is 60 days before the date of adoption of the Reimbursement Resolution pursuant to U.S. Treasury Regulation §1.150-2.

Section 4. This Resolution shall take effect and be in full force from and after its adoption by the governing body of the Unified Government.

PASSED by the Governing Body on ____ day of _____, **2022**
and **APPROVED** by the Mayor.

(SEAL)

Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to form:

Office of Chief Counsel



Staff Request for Commission Action

Tracking No. 212016

Full Commission Meeting Date: 10/13/2022

Committee: Full Commission

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

Publication Required: No

<u>Date:</u> 10/06/2022	<u>Contact Name:</u> Jeff Fisher	<u>Contact Phone:</u> x5415	<u>Contact Email:</u> jfisher@wycokck.org	<u>Department/Division:</u> Public Works
<u>Item Description:</u> An ordinance amending the Storm and Surface Water Utility fee. A presentation from Public Works and consultants will provide a brief presentation on the stormwater rate transition and a brief discussion of a community-based partnership.				
<u>Action Requested:</u> Approval				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Individually Calculated Chapter 30 Revisions redline for Commission_BV_10.10, Stormwater Full Commission 10.13.22, Individually Calculated Rate Ordinance.final_BV 10.7.2022				

(Summary Ordinance Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to a Storm and Surface Water Utility fee; amending Section 30-324, 30-229, and 30-330 of Article VIII of Chapter 30 of the 1988 Code of Ordinances City of Kansas City, Kansas.

BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That Section 30-324 of Article VIII of Chapter 30 of the Code of the Unified Government of Wyandotte County/ Kansas City, Kansas be and is hereby amended to read as follows:

Section 30-324. Definitions.

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

“Base Charge” means the charge established by an ordinance setting or amending the Storm and Surface Water Utility fee that will be charged to every property.

"Bonds" means revenue or general obligation bonds or notes heretofore or hereafter issued to finance the costs of improvements.

“BPU” means the Board of Public Utilities, an administrative agency of the Unified Government.

"Certificate of occupancy" means a certificate issued by the office of central inspection that permits a newly constructed or a new addition to a residential developed property or nonresidential developed property to be occupied.

“City” means all of the territory of Wyandotte County, except the territory of the cities of Bonner Springs, Edwardsville, and Lake Quivira and the unincorporated area of Wyandotte County.

"Costs of capital improvement" means costs incurred in providing capital improvements to the storm and surface water management system or any portion thereof including professional services and studies connected thereto; payment of principal and interest on bonds heretofore or hereafter issued, including payment of delinquencies of principal and interest due on bonds that are otherwise payable from special assessments or any other source of revenue; studies related to the operation of the

system; and the costs of the rate study performed in relation to establishing rates for the storm and surface water utility and other start-up costs of the storm and surface water utility; costs related to the National Pollution Discharge Elimination System permit and any studies associated therewith as mandated by federal laws and regulations; and costs associated with purchasing equipment, computers, furniture, etc., that are necessary for the operation of the utility.

"Debt service" means an amount equal to the sum of (i) all interest payable on bonds during a fiscal year, plus (ii) any principal installments payable on such bonds during such Fiscal Year.

"Director" means the person appointed by the county administrator to be the director of the storm and surface water utility.

"Dwelling unit" means a singular unit providing independent living facilities for one or more persons in a single-family, duplex, multifamily or condominium residential property.

"Exempt property" means public rights-of-way, public streets, public alleys and public sidewalks.

"Extension and replacement" means costs of extensions, additions and capital improvements to, or the renewal and replacement of capital units of, or purchasing and installing of equipment for, the storm and surface water management system, or land acquisition and relocation costs for the storm and surface water management system and any related costs thereto, or paying extraordinary maintenance and repairs, including the costs of capital improvements or any other expense that is not costs of operation and maintenance or debt service.

"Fiscal year" means a twelve-month period commencing on the first day of January of any year.

"Impervious area" or "hard surface area" means the number of square feet of surface areas over which the open pore structure of the soil is covered, compacted or chemically sealed by human activity in a manner which either prevents or retards the entry of water into soil mantle, as it entered the unmodified soil with vegetative cover, and/or causes water to run off the surface in greater quantities or at an increased rate of flow than from the unmodified soil with vegetative cover. Impervious area will include, but is not limited to, roofs, roof extensions, patios, porches, driveways, sidewalks, pavement, athletic courts, and compacted dirt or graveled areas. For the purpose of calculating Storm Water Utility fees, natural rock outcrops, permanent pools of water, gravel landscape mulch, gravel railroad track ballast, playground sand and riparian sand flats will not be included in the calculation of impervious area.

"Impervious Area Charge" means the monthly impervious area charge, calculated per the impervious area rate established by an ordinance setting or amending the Storm and Surface Water Utility fee.

"In lieu of franchise fee" means a fee of not to exceed five percent of gross revenues of the utility that is imposed by the Unified Government Commission and that is paid to the city for use of public streets, alleys, sidewalks, and other public rights-of-way from revenues as if the utility was a person, firm or corporation using public rights of way pursuant to K.S.A. 12-2001 et seq.

"Non-Residential Property" means any Property other than Single-Family Residential Property.

“Non-residential storm water customer” means a customer whose electric utility account with BPU is classified as non-residential. ~~Minimum Charge” means the charge established by an ordinance setting or amending the Storm and Surface Water Utility fee.~~

"Operating budget" means the annual storm and surface water utility operating budget adopted by the Unified Government for the succeeding fiscal year.

"Operations and maintenance" means without limitation the current expenses, paid or accrued, of operation, maintenance and current repair of the system, as calculated in accordance with sound accounting practice, and includes, without limiting the generality of the foregoing, insurance premiums, administrative expenses, equipment costs, in lieu of franchise fee payments, labor costs, and the cost of materials and supplies used for current operations.

“Property” means land, buildings, and other improvements together considered as a parcel as identified by the tax parcel established by the County Appraiser.

"Revenues" means all rates, fees, assessments, rentals, fines, penalties, interest, or other charges or other income received by the storm and surface water utility in connection with the ownership, management and operation of the storm and surface water management system, including amounts received from the investment or deposit of monies in any fund or account, as calculated in accordance with sound accounting practice.

“Residential storm water customer” means a customer whose electric utility account with BPU is classified as residential.

“Service Area” means all of the area which is contained within the boundaries of the municipal limits of the city of Kansas City, Kansas except for the area contained within the boundaries of the Fairfax Drainage District.

“Single-Family Residential Property” means a property with up to four dwelling units.

"Storm and surface water management system," "sewer system" or "system" means storm sewers that exist at the time the ordinance codified in this chapter is adopted or that are hereafter established and all appurtenances necessary in the maintaining and operating of the same, including, but not limited to, pumping stations, main sewers, intercepting sewers, lateral sewers, outfall sewers, surface drains, street, curb and alley improvements associated with storm or surface water improvements, natural and manmade wetlands, channels, ditches, rivers, streams, detention and retention ponds and basins and other flood control facilities and works for the collection, transportation, pumping, treatment, and disposing of storm or surface water and pollutants born or carried in such waters.

"Storm and surface water utility" or "utility" means the utility created by this chapter to operate, regulate, maintain and improve the storm and surface water management system and for such other purposes as are set forth in this chapter.

“Storm Water Utility fee” or “storm water user fees” means a service fee authorized by Charter Ordinance CO-04-08, this chapter and as set forth in an ordinance adopted or amended by the Unified Government Commission that is established to pay operation and maintenance, extension and replacement and debt service associated with the storm and surface water management system.

“Storm Water Customer” means the person, partnership, corporation, public agency, or other entity who occupies, controls, possesses, and/or owns, benefits from property and to whom Storm Water Utility fees are billed as provided herein. ~~Storm Water Customers shall be divided into two classes: residential and non-residential.~~

“Unified Government” means the Unified Government of Wyandotte County/Kansas City, Kansas.

“Unified Government Commission” means the governing body of the Unified Government.

(Ord. No. 0-56-08, § 1(30-324), 7-31-2008)

Section 2. That Section 30-329 of Article VIII of Chapter 30 of the Code of the Unified Government of Wyandotte County/ Kansas City, Kansas be and is hereby amended to read as follows:

Section 30-329. Storm Water Utility fee.

- (a) Fee Established. Subject to the provisions of this chapter, there is imposed on each and every single-family residential property and non-residential Storm Water Customer property in the City Service Area, a service fee to be known as a storm water utility fee. (Ord. No. O-56-08, § 1(30-329), 7-31-2008; Ord. No. O-57-08, § 1, 7-31-2008; Ord. No. O-59-09, § 1, 7-30-2009; Ord. No. O-45-10, § 1, 7-29-2010)
- (b) Each and every Property’s Impervious Area shall be measured in square feet. Each Property shall pay a Stormwater Utility Fee calculated as the sum of a Monthly Base Charge and a Monthly Impervious Area Charge. The Monthly Impervious Area Charge shall be determined by multiplying every five hundred square feet of Impervious Area by the impervious area rate.
- (c) Based upon the projected annual budget adopted by the unified government board of commissioners, the county administrator shall each year recommend to the unified government board of commissioners the monthly base charge and monthly impervious area rate. The unified government board of commissioners shall establish by ordinance the monthly base charge and monthly impervious area rate to ensure that the sewer system generates adequate annual revenues to pay the annual costs of operation and maintenance including replacement of the unified government's sewer system, to satisfy costs associated with any obligations and to provide for costs associated with the unified government capital improvement plan and the expenses of the annual operation. Changes to the rate ordinance shall be published in the official unified government newspaper.
- (d) Storm Water Utility fee credit. The Administrator may adopt regulations and procedures that establish credits and/or incentives that reduce the Storm Water Utility fee that would otherwise be assessed against properties. If adopted, all procedures pertaining to credits shall be per the Unified Governments Stormwater Utility Fee Credits and Appeals Manual. In no event shall a Storm Water Utility fee credit exceed 75% of the property’s Impervious Area Charge, for either an individual type of credit that is approved for a property and/or as an aggregate of all types of credits that are approved for a property. Storm Water Utility fee credits are applicable to only the Impervious Area Charge and Non-residential property.

Section 3. That Section 30-330 of Article VIII of Chapter 30 of the Code of the Unified Government of Wyandotte County/ Kansas City, Kansas be and is hereby amended to read as follows:

Section 30-330. Appeal procedure.

(a) Any persons disagreeing with their monthly Storm Water Utility fee, and/or disagreeing with whether their property is served by the Storm Water Utility may appeal to the director. Any owner of a property for which a Storm Water Utility fee has been assessed may appeal the Storm Water Utility fee for that property for the following reason: (i) identification of customer classification reasons: (i) designation of property classification and/or ownership, (ii) calculations of the Storm Water Utility fee, (iii) designation of impervious area square feet, and (iv) determination of Storm Water Utility fee credit.

(b) Appeals must be in writing to the director. The director or their designee shall thereafter hold an informal hearing. The director or their designee will coordinate with BPU to address the appeal. The director or designee, prior to such hearing, may request that the appealing party provide information concerning the basis of the appeal, including a land survey prepared by a registered surveyor showing dwelling units, total property area, and impervious area as appropriate, if such information is deemed to be material by the director or designee. The director or designee may consider any relevant evidence. Based on information provided, the director or designee shall make a determination as to whether the Storm Water Utility fee should be adjusted for such property. The director or designee shall notify parties in writing of the decision.

(c) Right to appeal; appeal board; appeal hearing.

(1) A person shall have the right to appeal the decision of the director to the storm and surface water utility appeals board. Such appeal shall be made within twenty days of the date the director notifies the person of the director's decision in the informal proceedings. Such appeal shall be in writing and shall be filed with the director.

(2) The storm and surface water utility appeals board shall consist of the following members: County Administrator or his designee, County Engineer or his designee, Director of Public Works or his designee.

(3) A hearing on such appeal shall be held within thirty days from the date the notice of appeal is received, and the applicant shall be given seven days' advance notice of the time and date the appeal hearing is to be held. At such hearing, the appellant shall present evidence concerning the ~~drainage~~ Stormwater Utility fee for the property in question and the director and/or his/her designee shall present evidence concerning their findings from the informal proceedings. The storm and surface water utility appeals board shall render a decision in writing that sets forth findings that support their decision within seven days of the hearing. The decision of the storm and surface water utility appeals board shall be final, and any further appeal of such decision shall be to the Judicial District Court of the State of Kansas by way of the provisions of K.S.A. 60-2101(d). (Ord. No. O-56-08, § 1(30-330), 7-31-2008) (Ord. No. O-56-08, § 1(30-330), 7-31-2008)

Section 4. This ordinance shall take effect and be in fully force after its passage, approval and publication of the Summary Ordinance in the official Unified Government Newspaper.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS ____ DAY OF _____, 2022.

APPROVED:

Tyrone Garner, Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to form:

Misty S. Brown, Chief Counsel

The Future of Stormwater for the Unified Government

Speakers:

Jeff Fisher, Director of Public Works

Debbie Jonscher, Deputy CFO

Troy Shaw, County/City Engineer

Prabha Kumar, Black & Veatch Project Director



DEPARTMENT OF
PUBLIC WORKS



BLACK & VEATCH

Our Discussions Today

PART 1

OUR SYSTEM & NEEDS



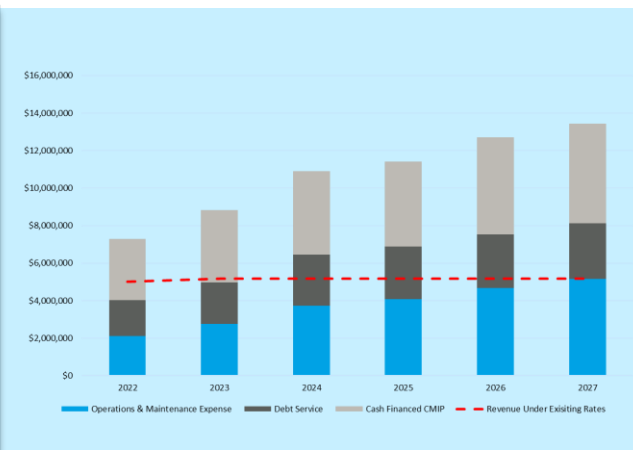
*Our System and
Regulations*



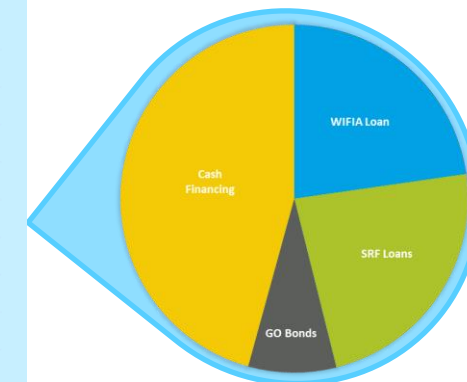
Stormwater Program

PART 2

FUNDING STRATEGIES & IMPLICATIONS



Stormwater Financial Plan



*Stormwater Capital Program
Funding Strategies*



Stormwater Financing & Rate Structure Implications

Part I: Our System and Needs

The Current State

Key Cost Drivers

- Consent decree mandates and compliance requirements
- Significant capital improvement investments to fulfill consent decree
- Higher than CPI O&M cost increases

UG Wastewater System



Primary Source of Wastewater Utility Revenues

- Volume based **Sanitary Sewer Charges**
- Consent decree requirements agreed upon with the EPA
- Aligned with consent decree, funding capacity projected and capped with rates defined for 26 years

Key Cost Drivers

- O&M cost increases needed to address backlog of deferred maintenance
- Capital investments for infrastructure rehabilitation for water quality
- Significant drainage improvements to mitigate flooding (quantity)

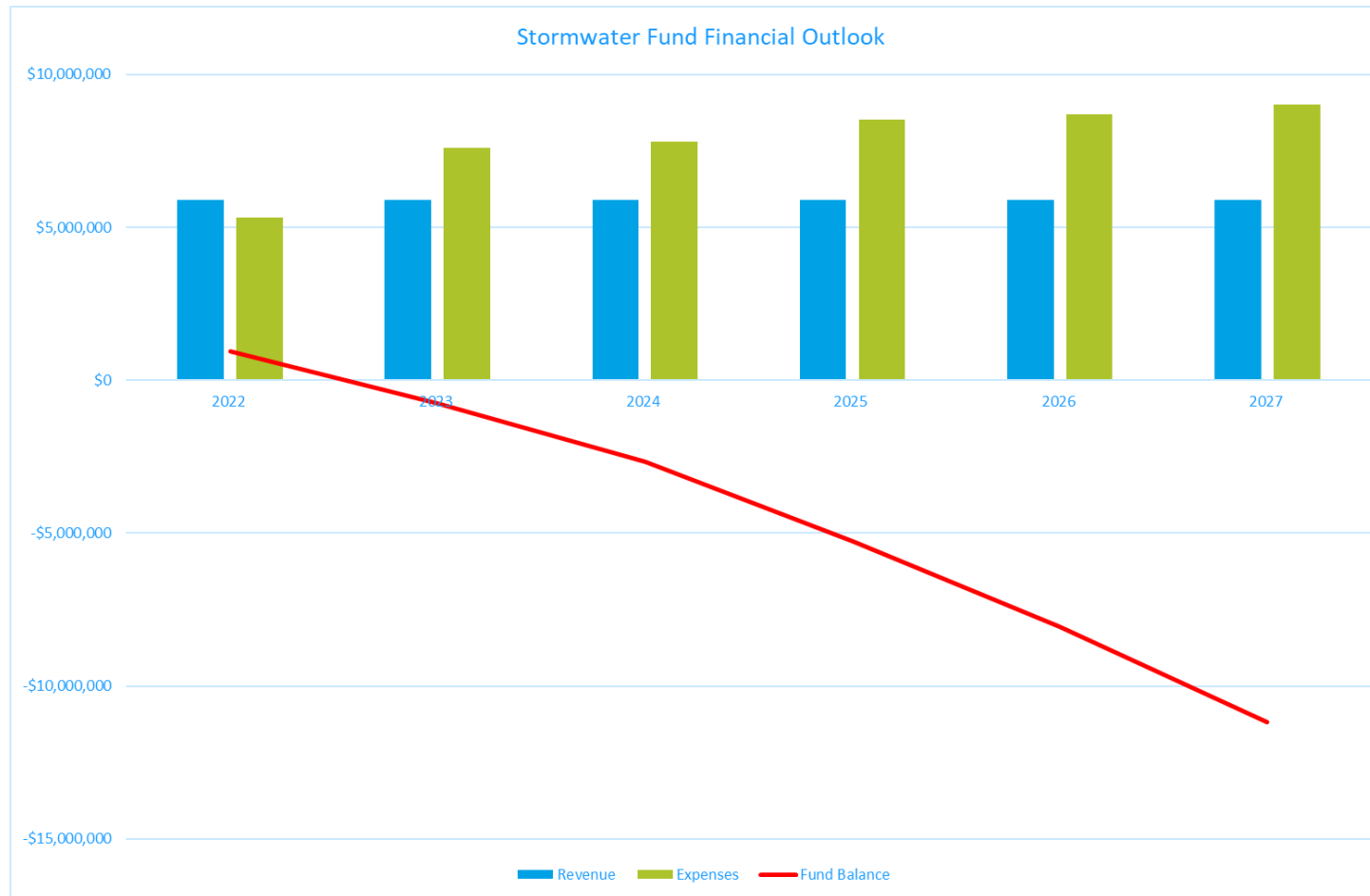
UG Stormwater System



Primary Source of Stormwater Utility Revenues

- Flat Stormwater Charge **per Electric or Water Account**
- Flat monthly stormwater charge (**Residential = \$6.00**)
- Flat monthly stormwater charge (**Non-residential = \$14.00**)
- Cost recovery approach impacts equity and funding capacity

Projected Fund Balance at Existing Revenue and Existing Service Levels



- Deficit enterprise fund situation
- Existing revenue will not support even existing services:
 - basic operational costs
 - emergency capital maintenance needs, and
 - current debt service payment obligations

With additional revenue, tax revenue will be needed to fund the stormwater program

Stormwater Program and Needs

O&M Level of Service

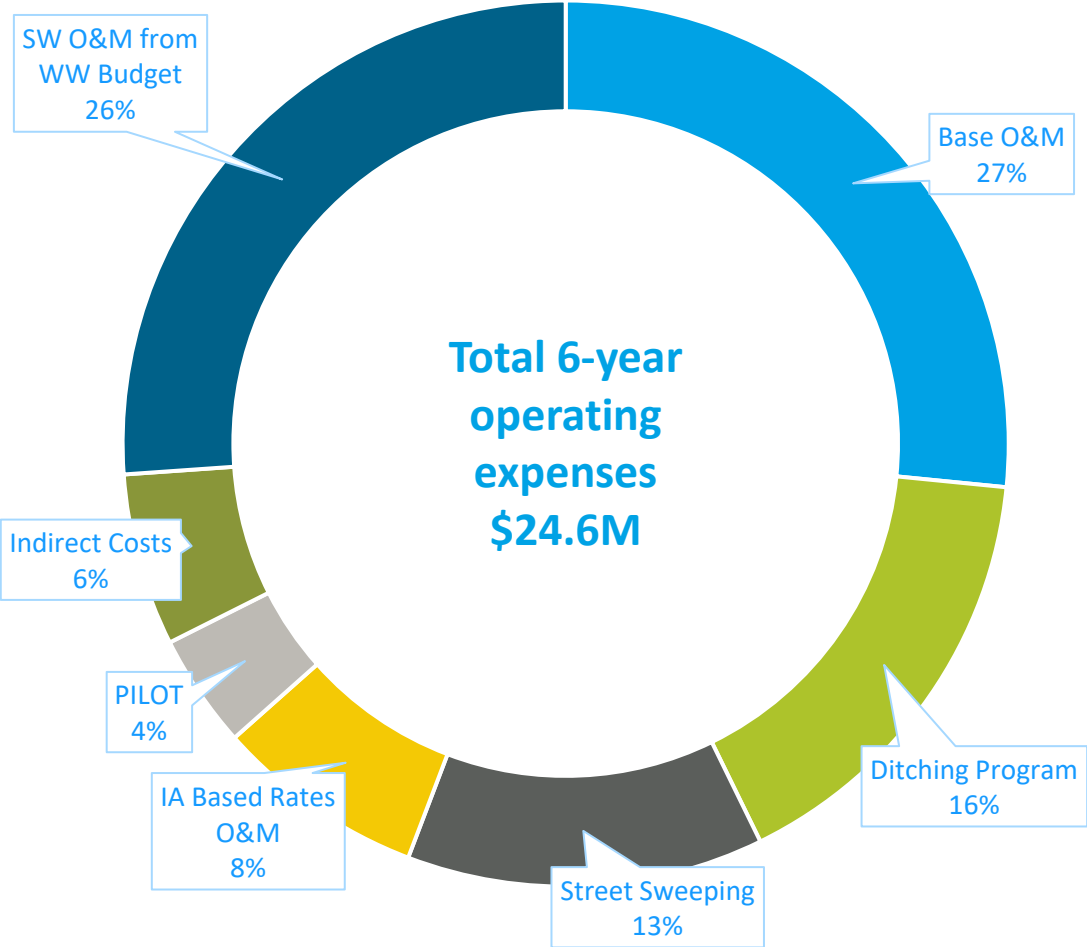


Enhanced Level of Services

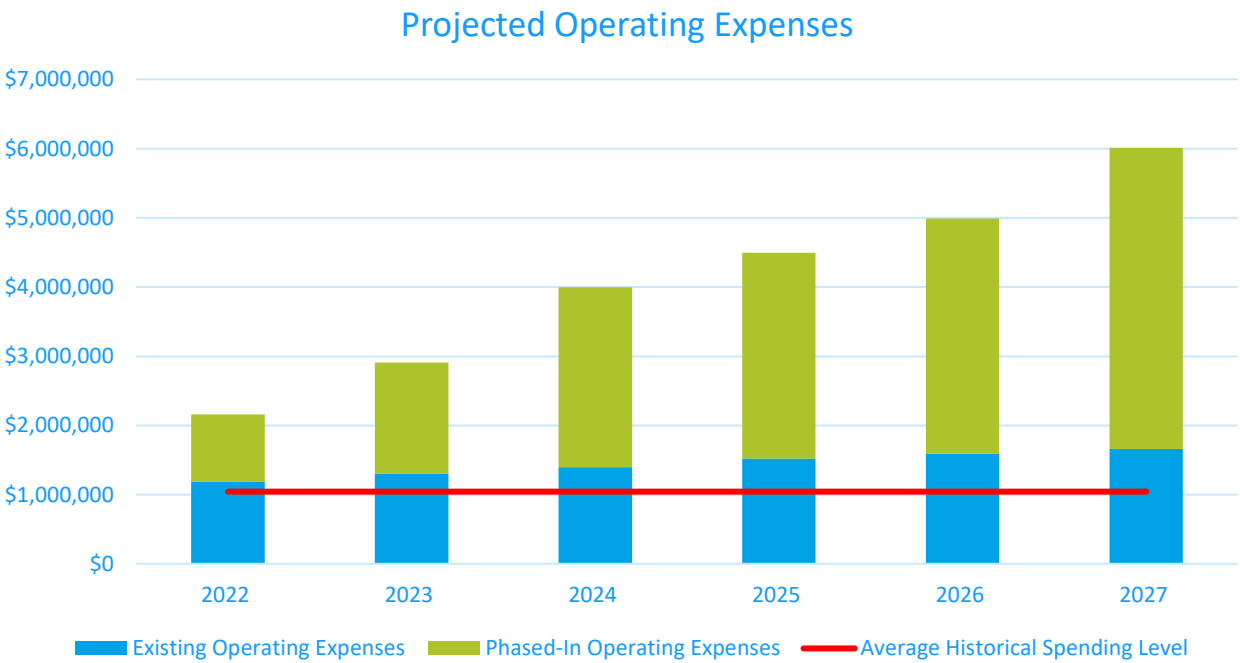
- Street Sweeping – \$600,000 transition to Stormwater over 3 years provides relief for General Fund
- Ditching Program - \$750,000 phased in over 3 years
- Transition stormwater rates O&M from wastewater – \$2.5M/year phased in over 5 years will provide relief for Wastewater and promote equitably cost recovery



Operation & Maintenance Needs

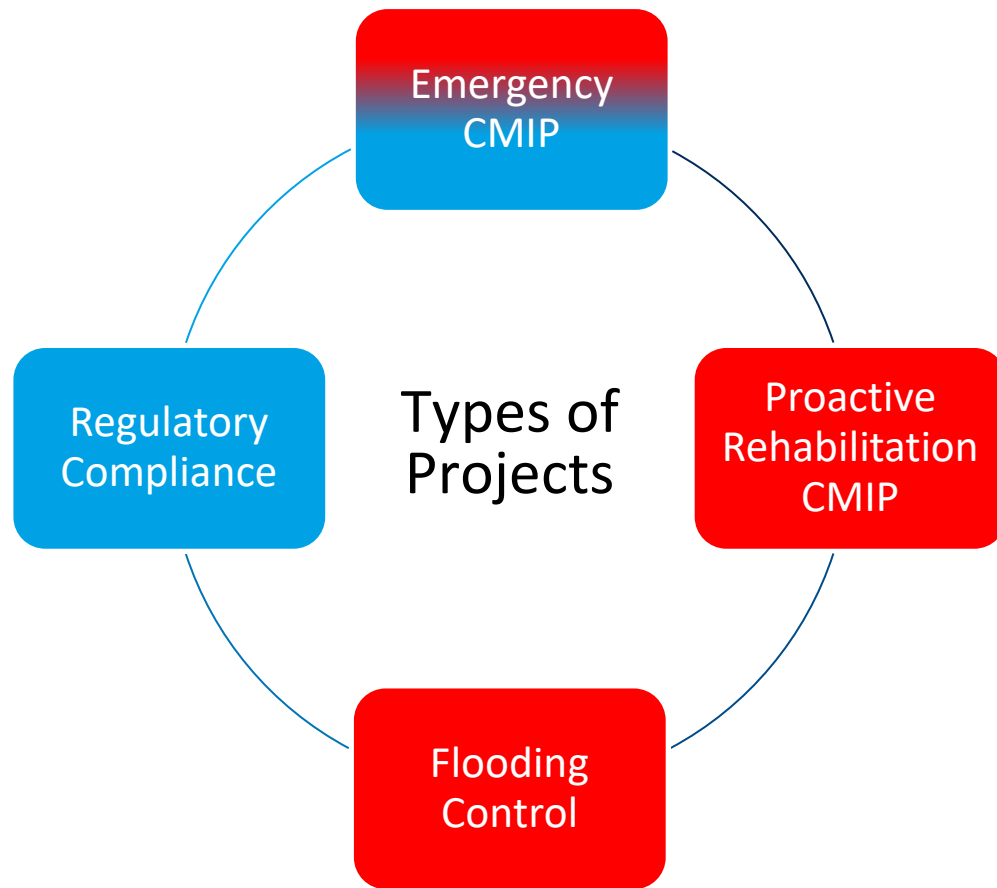


9-year historical O&M expense averaged just \$1M/year



Operation & Maintenance expenses increase an average of 23% per year through 2027

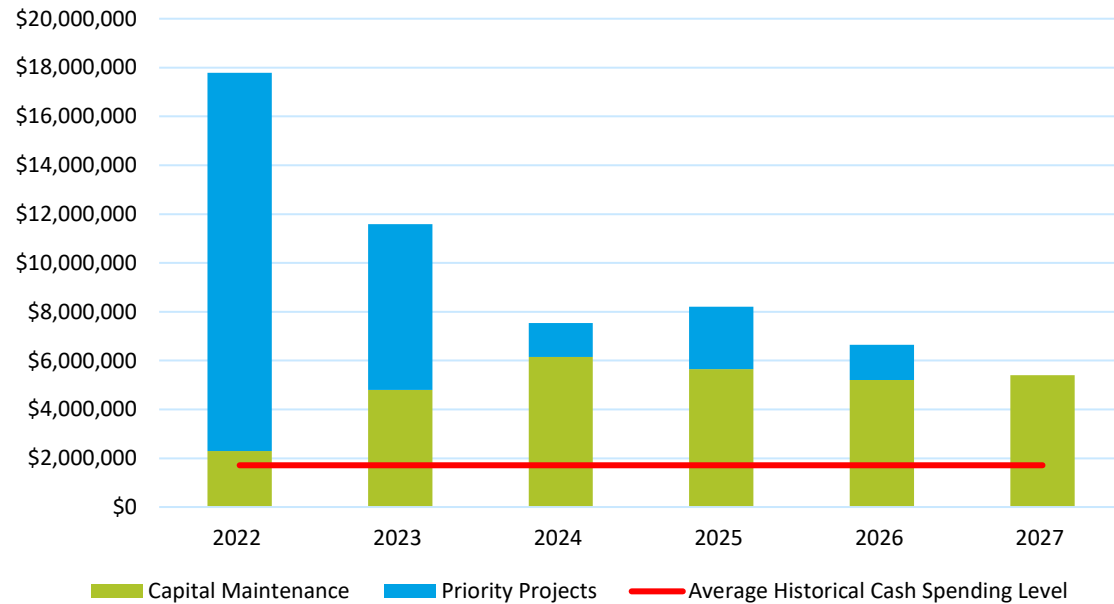
Capital Maintenance Improvement Program



- Average annual cash spend from 2013 - 2021 was \$1.7M
- Current revenue does not provide enough funds to address flooding issues, proactive maintenance, and emergency repairs

Projected CMIP Needs (2022 – 2027)

Projected Capital Needs



Total CMIP Needs: \$57M

- Capital Maintenance Projects expenditure level will increase
- Seven Priority Capital Projects will be debt funded



Watershed-Based Stormwater Masterplan

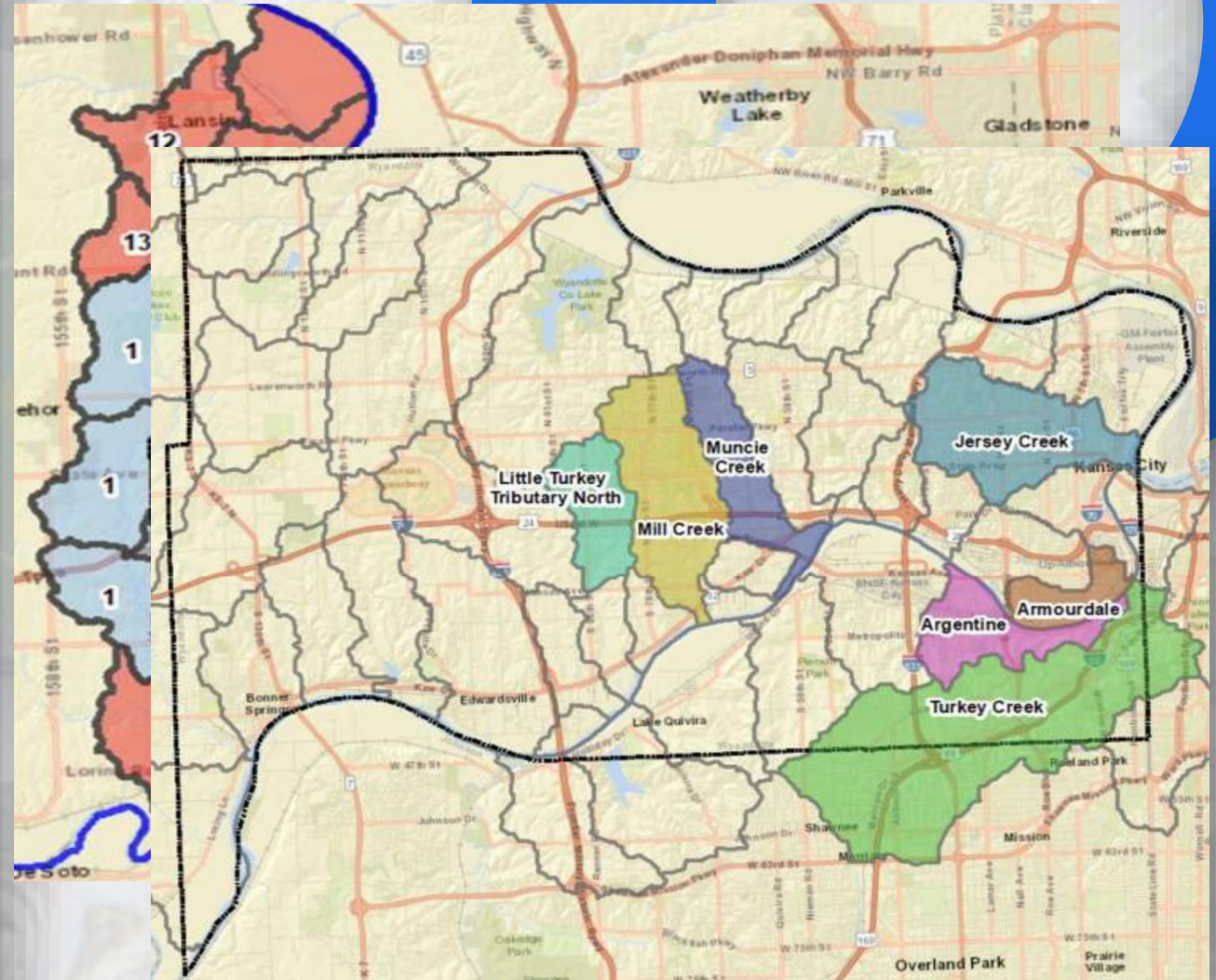
Phase I - Watershed Deficiency

Overall

- 50+ basins within MS4 Permit
- 87 individual areas of impairment

Focused

- 40 areas investigated within 7 watersheds
- 12 priority capital projects identified
- **\$140 Million**



Priority Capital Projects Included in the Proposed Financial Plan

\$27.8M could fund only the significantly deficient, priority projects

Project Types

Key Benefits

Deficiency Study
Capital Projects
\$13.7 M

- 1 Jersey Creek – East Jersey Creek Outfall \$2.7M
- 2 Argentine – 12th & Ruby Improvements \$6.7M
- 3 Muncie – Speaker/Royal/59th Ln Improvements \$4.3M

Improve structural integrity and conveyance; mitigate flooding

Improvement
Capital Projects
\$4.9 M

- 4 Stormwater Renewal and Replacement \$4.9M

Improve structural integrity and mitigate flooding

Consent Decree
Green Infrastructure
Capital Projects
\$9.2 M

- 5 Eighth Street Park Stormwater Concept \$6.1M
- 6 Census Track 422 – Clifton Park Stormwater Concept \$1.1M
- 7 Wyandotte High/Lombardy Drive Stormwater Concept \$2.0M

Supports regulatory compliance; conveyance; flooding mitigation; aesthetics



Part 2: Funding and Rate Structure Strategies and Implications

CMIP Funding

Current Approach to Funding

Current Capital Funding Sources:

- Limited GO Bonds issued on annual basis
- Limited annual Cash Financing

Severely constrained capital program
funding capability

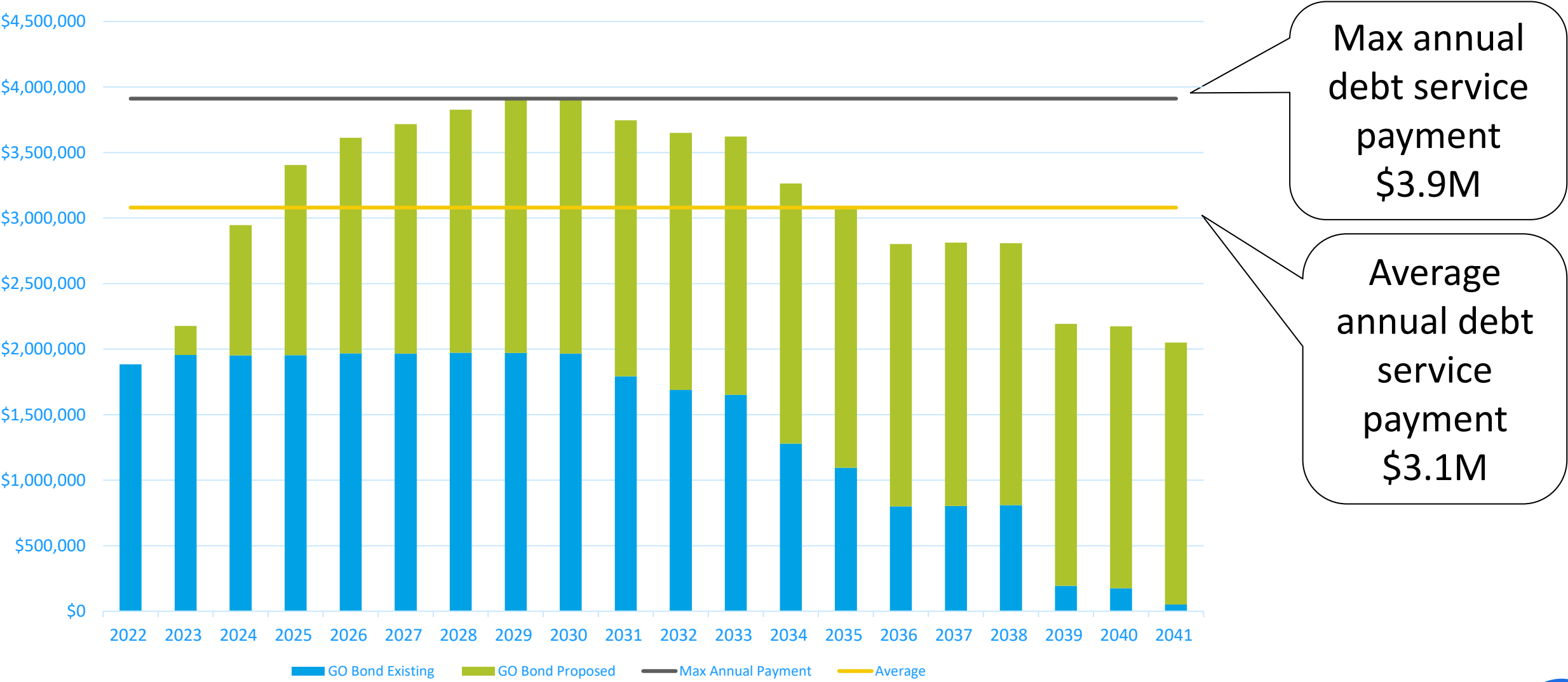
Proposed Approach to Funding

Proposed Capital Funding Sources (2022 – 2027):

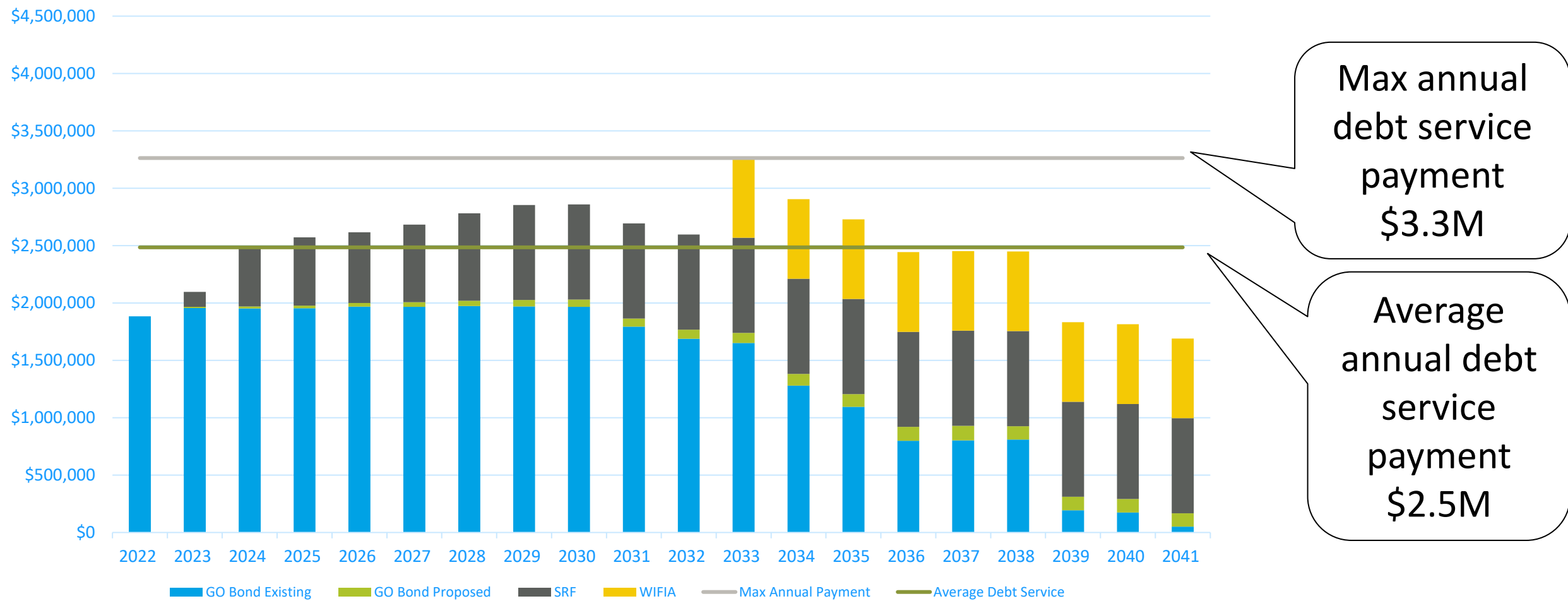
- Multi-layer funding
 - Low Interest WIFIA/SRF Loans: \$27.6 M
 - GO Bonds: \$ 3.4 M
 - Cash Financing \$26.0 M
- Total Capital Program Funding **\$57.0 M**

WIFIA and SRF opportunities provide low-interest loans and WIFIA provides deferred payment schedule

Projected Annual Debt Service Current Approach

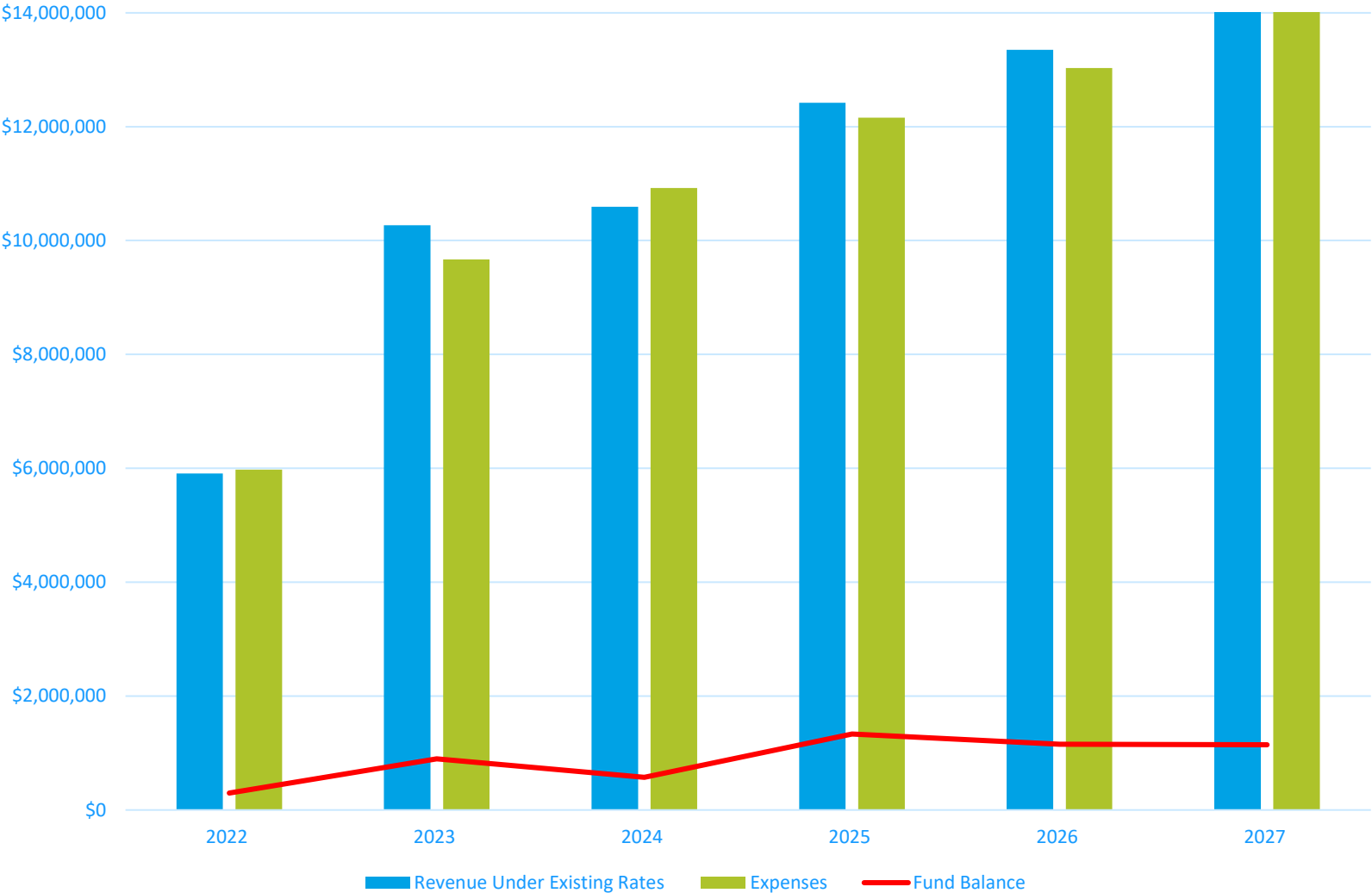


Projected Annual Debt Service Multilayering Approach



Projected Fund Balance With Proposed Revenue Level

Stormwater Fund Financial Outlook



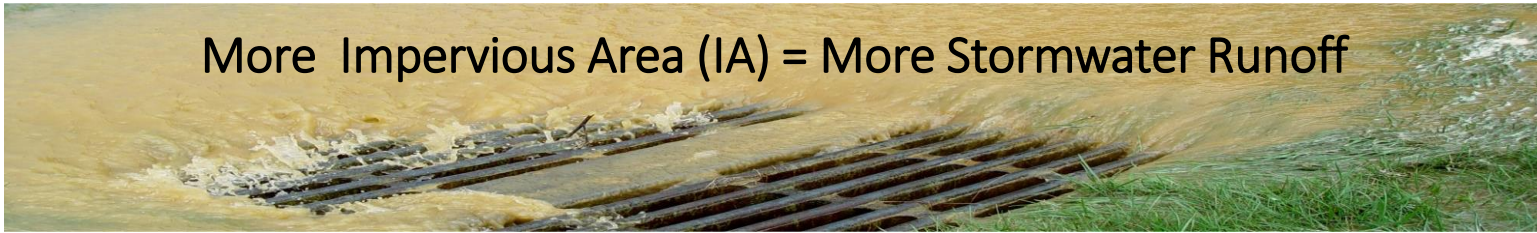
With additional revenue Stormwater Enterprise Fund’s fee revenues will:

- Move the enterprise fund out of deficit and wean from GF support
- Support enhanced operational services
- \$56 M of most critical capital projects

The projected fund balance achieves the target of 90 days of cash on hand

Rate Structure Strategies

What is Rate Structure Transition?



More Impervious Area (IA) = More Stormwater Runoff

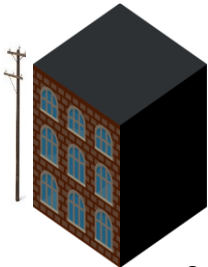
Existing Cost Recovery Approach

- Charge assessed per Electric or Water Account
- No consideration of the stormwater runoff a property contributes

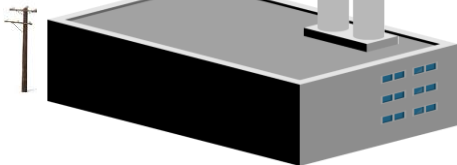


3,000 sf

Residential Accounts: \$6.00 / Month



3,000 sf

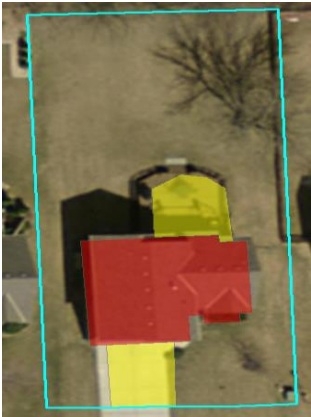


20,000 sf

Non-residential Accounts: \$14.00 / Month

Change Cost Recovery Approach

- Charge based on Property's Impervious Area (IA)
- Recognize the demand a property places on the System



Residence



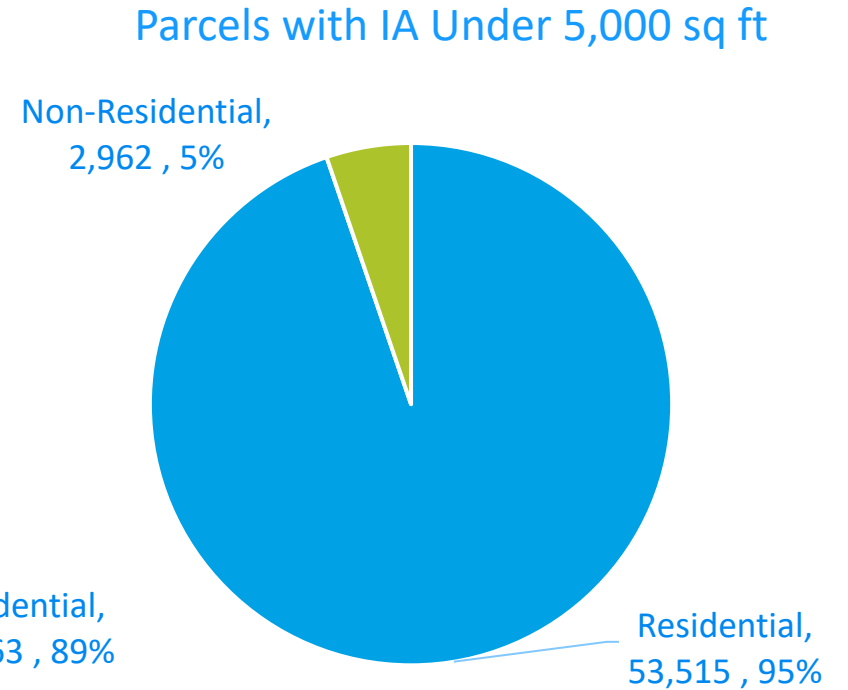
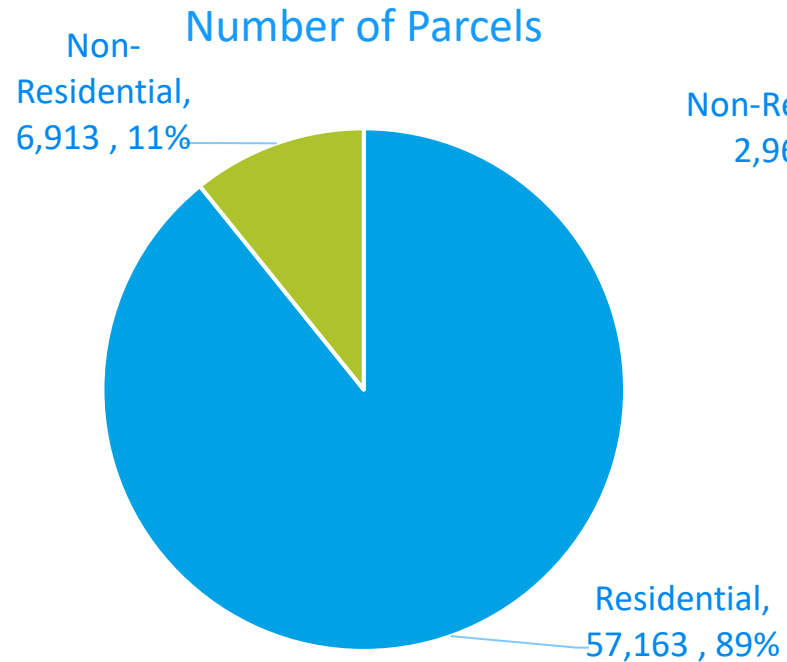
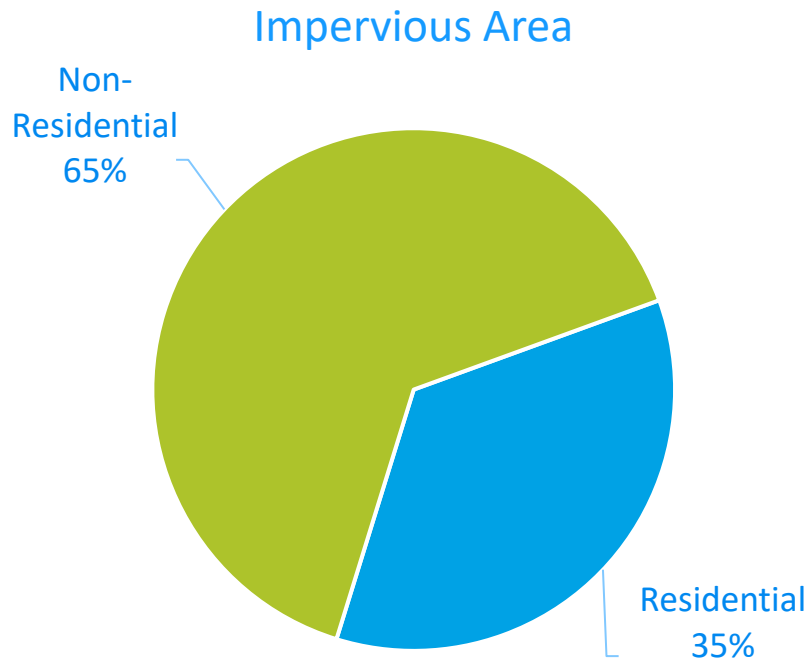
Big Box Store



Medical Center

What's the Challenge?

- Residential class consists of 89% of the total parcels, but has only 35% of the total system impervious area
 - Residential customers disproportionately pay 78% of the total revenue under the current rates
- 88% of the total UG parcels have less than 5,000 square feet of impervious area
 - Of the 88%, 95% are Residential (53,500 parcels) and 5% are Non-residential (2,900 parcels)
- These properties pay more relative to the demand they place on the stormwater system



Bill Impact under Proposed Individually Calculated

Proposed Monthly Rates - Individually Calculated					
		2024		2025	2026
Monthly Base Charge	\$	4.15	\$	4.67	\$ 5.38
Monthly Rate per 500 sq feet of Impervious Area	\$	0.70	\$	0.81	\$ 0.85

Residential Monthly Bill Examples				
	Hard Surface Area	2024	2025	2026
Small	1,200 square feet	\$5.83	\$6.61	\$7.42
Medium	2,500 square feet	\$7.65	\$8.72	\$9.63
Large	4,000 square feet	\$9.75	\$11.15	\$12.18

Non-Residential Monthly Bill Examples				
	Hard Surface Area	2024	2025	2026
Small	5,500 square feet	\$11.85	\$13.58	\$14.73
Medium	12,000 square feet	\$20.95	\$24.11	\$25.78
Large	75,000 square feet	\$109.15	\$126.17	\$132.88

Key Outcomes

- Under this structure monthly charges will be based on parcel Impervious Area
- All properties will be assessed a stormwater charge that aligns with their Impervious Area
- Will provide “high level of equity” in cost recovery across parcels with varying levels of impervious area

If Rate Structure Transition or Increase in Existing Flat Charges Do not Occur . . .

Capital Program

WIFIA/SRF Funding Not Possible Impacting Priority SW Projects

Alternative Funding Not Possible Impacting Future Watershed Impairment Projects

Stormwater CMIP Program Projects Deferred & Compromised

O&M Program

Ditching Program Unfunded

Street Sweeping Unfunded

Stormwater O&M Cannot be Moved from Wastewater

Wastewater Implications

Stormwater O&M Must Remain in Wastewater Adding Funding Pressure

Wastewater CMIP and Partial Consent Decree Funding Compromised

Multi-Layering Funding Source Opportunities

- Programming Opportunities
 - FEMA
 - USACE
 - KDHE
- Grant Opportunities
 - Infrastructure Investment and Jobs Act (IIJA)
- Earmarks
 - Omnibus Bill

Rate Structure Transition provides opportunity for UG to participate in other fund programs

***Strong Program**

***Known Projects**

***Identified CIP Schedule**

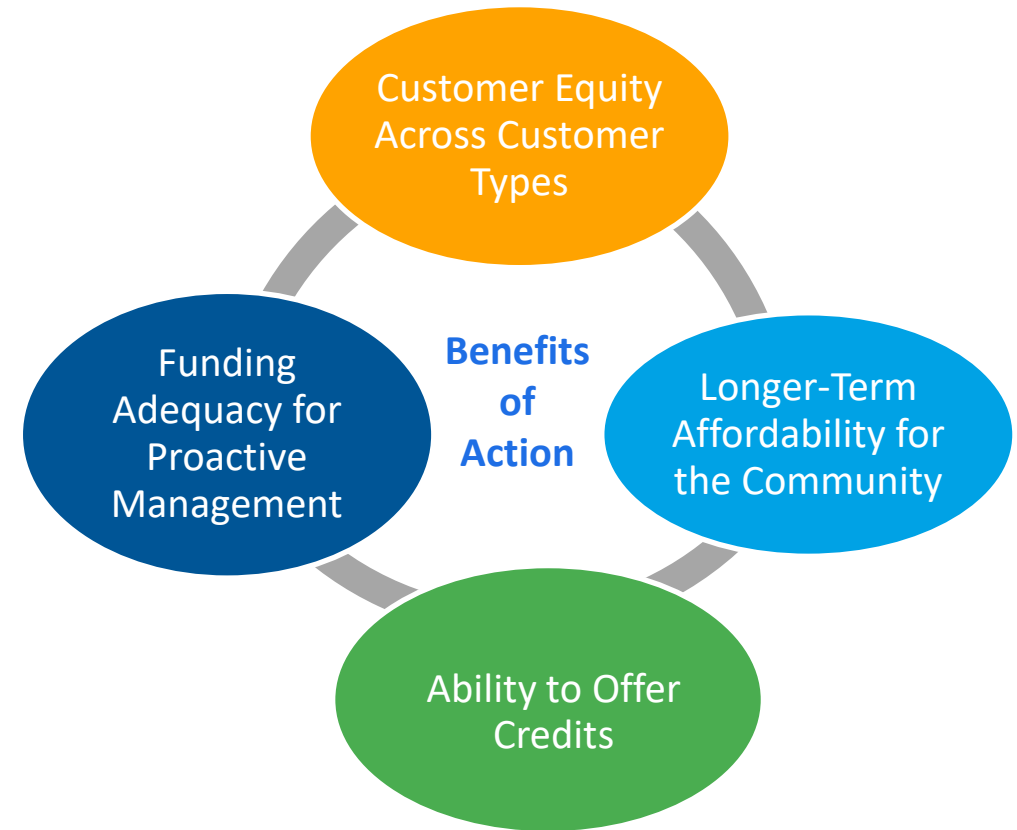
**NOAA, NASA, BASE, EDA, MARC
submittals that included
Stormwater/Stormwater
Support Projects**

*Supplemental funding sources cannot
replace a dedicated funding source, but
they can extend its reach*

*All supplemental funding sources
are competitive*

Why Now?

- 1 The cost of inaction results in a disproportionate charge increase for residential class **and** non-residential class with very low impervious area
- 2 The stormwater enterprise fund is in “deficit” and is subsidized by the wastewater utility and the General Fund
- 3 Current revenue levels severely limits our ability to pursue available capital funding opportunities





BLACK & VEATCH

We Can and We Must

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE amending the Storm and Surface Water Utility fee and providing an effective date.

WHEREAS, the Board of Commissioners for the Unified Government of Wyandotte County/Kansas City has under consideration an amendment to the Storm and Surface Water Utility fee ordinance which requires the Board of Commissioners to amend the Storm and Surface Water Utility fee; and

WHEREAS, the County Administrator has recommended rates as set forth herein based upon input by City staff; and

WHEREAS, the Board of Commissioners have evaluated the recommendations and have determined that the fees set forth herein below are reasonable and necessary and are in accordance with the provisions of Ordinance No.CO-04-08; and

WHEREAS, the Board of Commissioners have determined it to be appropriate to implement the stormwater utility fee set forth herein as of the effective date of this resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. Stormwater Utility Fee Established. Each and every Property in the City Service Area shall be assessed a monthly Storm Water Utility Fee as per the provisions of this ordinance.

Section 2. This Ordinance shall become effective upon its adoption and after January 1, 2024. Each and every Property within the City Service Area shall begin paying the established monthly stormwater utility fee on January 1, 2024 according to the below schedule.

Section 3. Each and every Property's Impervious Area shall be measured in square feet. Each Property shall pay a Stormwater Utility Fee calculated as the sum of a Monthly Base Charge and a Monthly Impervious Area Charge. The Monthly Impervious Area Charge shall be determined by multiplying every five hundred square feet of Impervious Area by the rate per five hundred square feet of Impervious Area.

	2024	2025	2026
Monthly Base Charge	\$4.15	\$4.67	\$5.38
Monthly Impervious Area Rate per 500 square feet	\$0.70	\$0.81	\$0.85

Section 4. The rates for 2025 should be effective January 1, 2025 and the rates for 2026 should be effective January 1, 2026.

Section 5. The Unified Government, the Mayor, the County Administrator and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

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

Tyrone Garner, Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to form:

Misty S. Brown, Chief Counsel



Staff Request for Commission Action

Tracking No. 212019

Full Commission Meeting Date:

Committee: Full Commission

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

Publication Required: No

<u>Date:</u> 10/06/2022	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u> Administrator's Office
<u>Item Description:</u> Update on the UG Forward process, submitted by Cheryl Harrison-Lee, Interim County Administrator.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				