

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

SPECIAL MEETING, TUESDAY, NOVEMBER 22, 2022

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Meeting, Tuesday, November 22, 2022, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO, presiding. Townsend, Commissioner First District; was absent. The following officials were also in attendance: Alan Howze, Acting County Administrator; Misty Brown, Chief Legal Counsel; Brett Deichler, Unified Government Clerk; Monica Sparks, Deputy Unified Government Clerk; Debbie Jonscher, Acting Chief Financial Officer; Mark Dupree, District Attorney; Reginald Lindsey, Budget Director; John Kelly, Director of Buildings & Logistics; and Allie 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: Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Garner.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be conducted in a hybrid format on Tuesday, November 22, 2022, at 4:00 p.m.

regarding funding options to address the digitization of files by the District Attorney's Office and an update on cold weather warming shelters.

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 there are two items under the Administrator's Agenda for this meeting. The first item is the approval of a resolution authorizing funding for the digitization of files for the Wyandotte County District Attorney's Office. I'll ask Assistant County Administrator Alan Howze to make opening remarks and introduce staff.

Alan Howze, Acting County Administrator, said we return to you this evening or afternoon with information regarding the funding mechanisms for the District Attorney digitization project that the Commission voted unanimously to support last Thursday. We're joined this evening by Budget Director Reginald Lindsey. Online we've got Acting CFO Debbie Jonscher and Chief Counsel Misty Brown.

District Attorney

Digitization

Commission On 3s
November 2022



At last Thursday's meeting there was overwhelming support for this project and the Commission asked for staff to come back with options for how to fund it. Through discussions with the DA's Office and, then with the Commission, we believe we have enough funding approach that satisfies the need for the DA to get started expeditiously as well as provides funding in '22 and in '23 through the course of the project.

November 22, 2022

Cost Breakdown

- **One Time Costs:**
 - Records Storage and Digitization = \$1.4M
- **Recurring Costs:**
 - Personnel (Attorney and Victims Advocate) = \$200k annually
 - Software Maintenance = \$30k annually

There's really two kind of parts to this. There is the records storage cost, which is really a one-time cost of \$1.4M. This is really the heart of it and it's the software as well as the process of moving files out of the old jail and scanning them into the new software system, so a set of recurring costs that were requested. This includes two personnel, an attorney and victims advocate specifically focused on this body of work as well as software maintenance costs that will be incurred on an ongoing basis.

Procurement

- As a Constitutional Officer, the District Attorney has unrestricted authority to spend appropriated funds
- Constitutional Officers are not required to follow the UG procurement rules
- For a project of this magnitude, UG departments would be required to conduct a formal acquisition process using a Request for Proposals (RFP) or piggyback off a contract that was established through a full RFP
- Procurement rules are in place to protect public funds and to promote competitive bidding
- The District Attorney is not bound to follow these UG procurement rules

Just a note on procurement. As a Constitutional Officer, the DA has unrestricted authority to spend appropriated funds and the DA as well as Constitutional officers are not required to follow UG procurement rules. I know that just for a project of this magnitude UG departments would conduct a formal RFP or piggyback off a contract that was established through a full RFP process. Those procurement rules are in place to protect public funds and to promote competitive bidding. Again, just to note the District Attorney is not bound by those same sets of UG procurement rules.

Three Funding Sources

1. ARPA Funding
2. Cash Funding
3. Debt Funding

There were three funding sources contemplated as we looked at options. One is ARPA funding, much of which has been allocated by the Commission through a previous session cash funding and as the Commission is aware as we're through the budget cycle, we know that there's challenges around cash funding, and then debt funding as well as the third option.

Proposed Funding Approach

- Project Expenses
 - \$1.4M Total Project Cost
 - \$378,000 City -side ARPA funds remaining
 - \$1,022,000 Debt funding
- Recurring Expenses
 - Cash - \$300,000 annually

The proposed funding approach for this project, again, based on discussion with staff and with Commission to break that into those two pieces at \$1.4M total project costs to use \$378K in unallocated city side ARPA funds that remain and to use just over \$1M in debt funding. That funding would be part of the spring 2023 debt offering on the county side, much of which will be used to support radio replacement projects so there is already a debt offering in motion. This will be added to that and then the recurring expenses around the \$300K would be in cash costs on a going forward basis.

With that, I'm going to turn it over to Budget Director Reginald Lindsey.

Digitizing Option Hybrid

County General Fund	2022 Amended Budget	2023 Forecast	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast
TOTAL REVENUES	\$ 76,691,702	\$ 77,827,782	\$ 80,835,292	\$ 84,776,332	\$ 88,763,131	\$ 92,836,109
TOTAL EXPENSES	\$ 78,204,310	\$ 81,708,850	\$ 84,895,047	\$ 87,994,975	\$ 91,359,783	\$ 94,918,564
Digitizing & Software(ARPA Funded)	\$ 378,000					
Digitizing & Software(Debt Funded)	\$ 1,022,000					
Personnel(Cash Funded)		\$ 132,900	\$ 198,640	\$ 206,388	\$ 214,849	\$ 223,443
Software Maintenance(Cash Funded)			\$ 30,000	\$ 30,750	\$ 31,519	\$ 32,307
Storage(Cash Funded)			\$ 12,000			
Current Digitizing(Remove Funding)				\$ (152,250)	\$ (156,050)	\$ (159,959)
Net Change in Fund Balance	\$ (1,512,608)	\$ (3,881,068)	\$ (4,059,755)	\$ (3,138,643)	\$ (2,596,651)	\$ (1,882,453)
Cash Basis Ending Fund Balance	\$ 12,359,230	\$8,318,163	\$4,438,408	\$1,319,765	(\$1,276,889)	(\$3,259,342)
ACFR Ending Fund Balance	\$ 15,440,254	\$11,559,187	\$7,499,432	\$4,360,789	\$1,764,138	(\$218,318)
Reserve % of Expenditures	19.14%	14.15%	8.83%	4.96%	1.93%	-0.23%
Fund Balance 17% Target	\$13,294,733	\$13,890,364	\$14,432,198	\$14,945,548	\$15,531,103	\$16,116,156

Reginald Lindsey, Budget Director, said on the screen we have a view of the County General Fund with the costs for the District Attorney's digitizing initiative broken out. You can see everything highlighted in yellow is kind of where everything is itemized out. Alan talked about ARPA funding and debt funded options. So, what we have here in the 2022 Amended column are those options of \$378K and \$1,022,000M for 2022 Amended Budget year. One thing I added, this does include some commitments we have made for the Sheriff's Department, so that is included within these numbers.

One of the things we can see in the 2022 Amended Budget, we're anticipating on ending the year with a 20% fund balance. That is what we planned on ending the year with when we approved the budget back on September 15th. As we move over into the 2023 forecast, we plan on ending the year with a 14% fund balance at the end of 2023. We did anticipate having that 16% fund balance, so it did fall slightly and that is with the additional cost for the personnel that the District Attorney hires to help out with the project. Then, as we move to 2024 and out to 2027 we have ongoing costs that includes District Attorney's personnel and also software maintenance and also some storage that will be paid. One of the key things with personnel is we have included in cost of living expenses for the personnel going out to 2027 and then in 2025 we do have the software maintenance, but we do have price increases built in going out to 2027 also.

Also, the District Attorney has current digitizing expenses within their budget and the last line in the yellow highlighted are those and we are proposing to remove those—or we'll remove those in 2025 out to 2027. That amount is deducting the amounts out of the District Attorney's budget and so one of the key things we'll touch on is that view of the 2026 budget and we are going to be having a \$1.2M cash basis ending fund balance that is negative in 2026. That's just one important thing to point out about this option.

That is what I wanted to speak about. Any questions about the fund statement that is up on the screen?

Commissioner Bynum said, Reggie, thank you for the work you've done to bring this for us tonight. My question is for a later time, maybe when we reconvene in December for our second session of budget strategic planning. If you could, at that time, what I can't remember is all of the budget assumptions that were put into the forecasts and I think we're going to need to revisit those. So, it's just a request for when we continue our budget strategic planning things.

Mr. Howze said next I will turn it over to Chief Counsel Misty Brown who's been working on the documentation, resolutions on this.

Misty Brown, Chief Counsel, said so, Commission, as we went through the options today, you know the staff recommendation that was just presented, it was followed by a resolution before you and essentially this resolution sets out that the District Attorney is requesting approximately \$1.7M to fund a digitization project and two new positions and the District Attorney's Office to continue investigations in the pursuit of justice. This resolution goes on to specify that the Commission would authorize the use of \$378K in City ARPA Funds for a one-time record storage and digitization project cost that is estimated to cost \$1.4M. That the Commission authorizes the use of \$1,022,000 in County Debt Funds for a one-time payment of the project cost and then it goes on to specify that the Commission authorized the use of county cash reserves and/or personnel vacancy savings in the County General Fund to fund recurring costs and then, like always, it directs the Mayor, County Administrator, and other Unified Government officers and agents to undertake any such research analysis and further action as may be necessary or desirable to carry out the intent of this resolution.

If the Commission would like to go with this route and we use debt funding for this, the first step would be to pass this resolution which directs staff on how to proceed. The next item would be a home rule resolution before you that begins the process of going out to seek debt funding for this project along with their—you know this will be done in conjecture with the radio project. I would open for any questions if there are any at this time.

Commissioner Burroughs said we've been given four resolutions, I believe, for the review. What's the difference in these resolutions? Will it be the point of discussion and the agreement that we as a body determine which will line up with these resolutions?

Commissioner McKiernan said, Mayor, if I could just jump in here real quick. Commissioner Burroughs, two of the paper resolutions that we just got have the identical information on them and none of the paper resolutions we just got contain what Mr. Howze just described. We have the resolution that Mr. Howze just described is attached to an email that's in our email box with the combination of ARPA and debt and cash reserves in our personnel vacancy, but none of these four articulate that particular approach.

Commissioner Burroughs said I appreciate my colleague pointing that out. There are two of them that are identical in reviewing those. I was just curious as to these two items—these two resolutions were brought forward without much discussion prior to the discussion here, so I anticipated somehow or another that there must have been a projection as to what action we were going to take. I just wanted to ensure that the resolutions have an opportunity to be revised and/or approved by the Commission before we move forward.

Ms. Brown said if I may, Commissioner Burroughs, I apologize for the confusion on this. We were working very fast to have all the documents before you today. I think 10 minutes before this meeting we were still photocopying and trying to get the newest reiterations down here. So, the Commission can vote on the approach they like. We attempted to cover all of the options that we thought would be available on the resolutions, so one of the resolutions is purely debt funded resolution. Another one has mechanisms for paying for this project—shows options of paying it for cash out of the reserves in 2022 and 2023. There was another reiteration that was not brought forward to fund this 100% out of ARPA funds, but the one that I just discussed shows a combination of partially ARPA funded and unallocated ARPA funds along with the remainder being debt financed.

Action: **Commissioner McKiernan** made a motion, seconded by Commissioner Johnson, that we approve the resolution that calls for the use of remaining ARPA Funds and then the

balance in debt financing and that would be the one that articulates \$378K in City ARPA Funds and that articulates a little over \$1M in County Debt Funds and the one that articulates the use of County Cash Reserves and or personnel vacancy savings in the County General Fund to fund recurring costs.

Commissioner Burroughs said well thank you and it's not that I'm opposed to the motion at all. It's quite obvious that we're going to do whatever we can to fund this. I just think there's other options available. If this is the option that a large group of the commissioners will choose to do, I'm opposed to—I'm very concerned about taking on additional debt, but this is a very worthy cause. The community has cried out for this. I do know that there was discussion coming forward in reference to the opioid settlement of almost \$3M. I was hoping that we would get some kind of update as to where we are on those monies coming from the state and also I do know that we commissioners—and I brought up the other night during the discussion budget, there was an approval within the budget of \$155K set aside for commissioners to host events in their community. I volunteered mine up. I would hope that the commissioners would give consensus to doing the same. It shows that we are committed to addressing those issues that permeate across our entire community and to that—that's just less debt that we have to take on by putting—I can't remember the exact amount, let's say it was a little over a hundred and some thousand dollars into that remaining ARPA funding along with that so we can lower the amount of money that we borrow, but that's up to the Commission. I appreciate the motion and I just wanted to ensure that we had given consideration to all other options that may be available besides debt.

Commissioner Kane said this is a lot of money. It needs to be spent. We need to work at it, but I would like a quarterly update of how the money is spent so we can see how it's going and then if there's ever a situation like this again, that the DA have on-three's with the commissioners so we have a better understanding of what's going on and we don't have to rush through this like we had to do this time.

Mayor Garner said, DA Dupree, before I proceed I want to afford you the opportunity to make any remarks. Standby, Clerk, do we have one more hand up? **Brett Deichler, UG Clerk**, said Commissioner Davis has his hand up.

Commissioner Davis said I'm trying to figure out, the resolution that was currently—there was made a motion and a second is for ARPA plus debt financing for this, which I think is where the majority of us are at. What I'm concerned with, I agree with Commissioner Burroughs on debt financing this and I wonder if within that resolution there's any room for us to find other alternatives. **Mayor Garner** said I'm going to let Chief Counsel speak to that.

Ms. Brown said I think that's an excellent question Commissioner Davis. So, yes, there is room for it. This resolution that there's a motion and a second on the floor directs staff on how to proceed with the allocation. The next resolution that—because we are utilizing a debt option that the Commission would consider is a home rule resolution that has a not to exceed amount on the debt, but we are not obligated to borrow that amount. So if between now and the time it comes to issue the debt, other funds become available that can be used for that, that is definitely a discussion the Commission could have to reduce the actual debt that is issued on this project. **Commissioner Davis** said awesome. I think we need to explore all options. This probably should go to the Economic Development & Finance Standing Committee so we can kind of avoid these last minute meetings and really investigate what's there.

The other thing I'll put out is during our on-three's it was made clear that there is some unspent money within the DA's budget. I understand there are plans—I'm particularly referring to personnel to hire folks which I completely understand; however, I do think we need to consider those options as well to see what can be done in the 2022 Budget to cover those particular expenditures and lower our debt finance. I'm not saying that has to be the answer, but I do not think within the past two days that particular conversation has been given its due diligence so that we are doing right by the taxpayer. If that resolution does allow for those explorations, I'm absolutely in support of that.

The last thing I will say, there's a continued conversation about the Community Event Fund. As Commissioner Burroughs would like to donate his, I think it's \$11K, he's more than welcome to and I'd encourage him to do so. I have no interest in doing that. We do have community needs in neighborhoods that do need that money so that they can build a neighborhood cohesion and get to know their neighbors and get access to doing events and so I want to do that. I want to hold on to that funding so we can support the folks that are in need. I do not believe we have to choose between either/or and so I just wanted to put those ideas out there.

Mark Dupree, District Attorney, said let me start by saying thank you to the Commission, but more importantly, thank you to the staff who I know worked diligently in finding these funds and figuring out where they're going to come from. They are, in fact, the ones who are behind the train making it work. Many of them are not here, but I want them to know I appreciate you all working diligently; Reggie, Alan, Misty, and you guys making it work.

Commissioner Kane, thank you for that comment. I appreciate the support moving forward. What's important also is to know, as I believe your Chief Counsel or Alan indicated, there are different rules with the District Attorney's Office and those rules are statutory and in those statutory rules there is literally a line that has to be drawn to make sure that the DA's Office is never considered a part of a specific County Commission. The reason for doing that is to make sure that if and when the District Attorney who represents the state of Kansas has to prosecute potentially anyone who was a part of the Commission of that county, there is no conflict of interest.

The other part that statutory requirement declares is that once the money is given to the District Attorney's Office for its budget, that it is fully within the control and authority of the District Attorney who was elected and representative of the state. It is not something that the Commission or that anyone else can have any say over how it's spent, when it's spent, or what it is spent for. When we we're looking at what funds have been committed to the District Attorney's Office, the only way those funds are controlled are by the elected District Attorney and I say that because that is going to be true after me and that indeed was true before me. So, in concern of conversation I absolutely do not have a problem letting the county know, as I have let the community know, concerning the digitization of these forms and files. We will continue to let the community know and as a part of that we will let the Commission know as a whole where this project is and how it is going. Beyond that, it is not within the statutory requirements or ability and it is because I need to make sure that we keep that line apart.

The District Attorney's Office is not supposed to answer to any authority besides the Constitution and besides the statutory requirement and beyond that it's the elected body, those who put me in office and so it is one of those situations that you find across the country and definitely across the state that the statute went ahead and made sure that line was drawn. I'll tell you, Commissioner Kane, as you so eloquently stated at the last hearing, you are my commissioner. I will take you up on that lunch and allow you to pay and I will give you an update on whatever you want.

Commissioner Kane said well, thank you. Staff did tell me that it is your call when we give you the money, but when you—then if there is a next time that you need more monies, we would like you to come to on-three's so we don't have to go through this because we know you need the money, but we want to be able to make sure we pay for it properly.

Mr. Dupree said okay and I don't have a problem with that and I think it's important that we know that this was, in fact, a situation that none of us including the DA's Office, but specifically the Commission, expected to happen in September when Detective Golubski was indicted. The fact is we had to move expeditiously to make this thing happen and it took a while. Yes, you're correct, I didn't go through the county's procurement process. Again, those statutory rules—however, we did go through our own procurement process which allowed us to speak and had to sit down with four different companies and it took time to go through this process to actually get numbers for the Commission. What I have indicated to the finance team as we sit the day after in my office for quite a long while, that anything that we can do to be preventative in making sure that I give the staff enough information on the front end when I have that information, I absolutely will. At the end of the day, being in government is about being transparent and I appreciate the public being able to hear and to see and to be able to hold everyone accountable, but whatever we can do to make everyone's job easier, I don't at all mind that process as long as it is something that I can, in fact, have the information for. **Commissioner Kane** said okay, thank you.

Commissioner Johnson said I do want to appreciate the staff for the work that you all have done in very short order. Under normal circumstances I wouldn't have any problem in reaching into the fund balance for this, but these are not normal circumstances. Mr. DA, maybe you could talk to us about what would happen if you were not afforded the opportunity to digitize these files in a timely manner in terms of what has transpired since the time that you found out that we were going to have to deal with this issue. Could you kind of—I mean would there be any penalties or I don't know. I don't want to—**Mr. Dupree** said thank you, Commissioner, for that and I think the short answer is justice can't be served. That's the short answer.

As a part of my duty, statutory duty, it is to bring about justice and pursue justice. I will tell you that I will not be able to do my statutory duty as the elected District Attorney without these files being digitized, bottom line. Any person in any case and any victim that is found within these files or that the accused, Detective Golubski, negatively affected or impacted, my office will not

be able to properly bring about justice in their cases because I am not able to do so as it sits right now. Since 2018 when I was denied by this Commission then, I've been doing what I could and it's important to note we were literally right on the heels of LaMonte McIntyre, Detective Golubski's case, which is then why I came to this Commission to assist in trying to get that digitized and we didn't, but we've been pushing. So with the years that we have gotten, we know we have not touched a quarter of the cases that he touched.

So, in short, in order for me to do my job and to bring about justice for this community, I need these funds to digitize. **Commissioner Johnson** said thank you, I'm ready to vote.

Commissioner Burroughs said, DA Dupree, the other night I think we asked that this doesn't just involve the Golubski issue. This is an opportunity to review all files and look at any issues that may come forward from the digitization and any information that may come up in reference to injustice within the community in the past in reference to cases that may have questions. Is that a correct statement? **Mr. Dupree** said that is absolutely correct and it in fact lays the foundation for building that entire project on. We will not be able to pursue justice in any of those potential wrongful cases if we do not have this digitized. You're correct, with 60 years plus files up there, there are a lot more cases up there that Golubski did not touch, but it also gives us the ability to be prepared for any other cases that may come.

It's also important to note that throughout this time we continue to have Court of Appeals cases and those Court of Appeals cases that go to the State Supreme Court into the—or excuse me, the State Appellate Court and the State Supreme Court, many of those cases likewise are older cases as well. What we have done is continue to have to go up there into this location and try to find out where those files are. This would really build that program and that ability up to make sure we won't have to deal with this again.

Commissioner Burroughs said this will also help in a cold case review, anything along those that has been an issue that has come forward to the community and the Commission also. **Mr. Dupree** said it will and we will work in conjunction with Chief Oakman who has established a Cold Case Unit to review certain cases and it continues to allow us to bring about justice. Just the last two years we had a 1988 double homicide that we were able to go upstairs, find, investigate what the Kansas City, Kansas Police Department and then receive a verdict of guilty for families who have been waiting for over 30 years. This will assist in all of that.

Commissioner Bynum said, Mr. DA, since we're proposing here to use American Rescue Plan funding, can you be on the record with us that the pandemic did, in fact, impact your ability to digitize your files? **Mr. Dupree** said on the record and for the record, it did in fact. We were not only out of the office, but the Supreme Court of Kansas shut the entire Courthouse down. We were completely out of there and thus all of our files that are in the Courthouse in our jail upstairs, we were not able to get to for some time until the court allowed us back in there. It then did delay the process. We talked about the individuals that we hired for the temporary positions upstairs to scan in these files. During the COVID situation we were down from four individuals to one at times because during COVID nobody wanted to be in an old moldy jail and trying to avoid COVID at the same time and so it greatly affected our ability.

Mayor Garner said I would just like to say that no one wanted these allegations that are before you all today. I think no one asked for them, but that's where we're at and I just want to remind everybody that the world is watching, not just people in Wyandotte County and those files just from my experience, they're not just files sitting in cabinets waiting to be digitized. These files are reports and they're considered evidence and you all had the opportunity to look at these pictures to show how that evidence could be deteriorated if you don't act. If that evidence is allowed to deteriorate, that could compromise any potential furthering of investigations that need to proceed forward. I'm glad that this Commission is willing to take up this issue and appearing to be willing to move this issue forward.

I am somewhat alarmed that we would question our District Attorney who is entrusted by the people of Wyandotte County to make a lot of hard decisions when you talk about auditing him and wanting to know how he's going to spend the money and things of that nature when part of his task is to oversee those types of things for the county here in Wyandotte and to make sure that they're done in accordance with the law. I've never heard that before and so that takes me to my question of equity and for all of us to be mindful to respect equity when it comes to how we interact with individuals.

The Sheriff came before us, the Police Department came before us, and the Fire Department came before us and all of those entities and I'm a member—past member, retired member of Public Safety. I support all our Public Safety officials including our District Attorney. Those individuals

basically wanted pay raises which I do believe we need to support making sure that our Public Safety officials are well compensated because of the type of work that they do.

What our District Attorney is asking for is an investment in investigations that hopefully can be truth, reconciliation, and justice, and individuals asking for this matter to be brought forward for years. The DA came before this body a few years back and he was told no, so here we are and I just am alarmed that this conversation has taken so long to get the DA what he's been asking for. I know some are concerned about money, which you should be, but if you're really that concerned, I agree with Commissioner Burroughs. There's \$105K that was applied for things to go to individual commissioners in the community and one may say I need money to help support things in the community. Well, we have NBRs. They get approximately about \$27K a year from the Unified Government to do just those things. If you're true with working with people in the community, you're going to collaborate with your NBRs and your neighborhood groups to make those things happen. I'm out in the community every day. I give to the community and I don't ask the community for a dime and so that is an opportunity that I agree with Commissioner Burroughs is a good gesture to show your true intent and your willingness to support people that are crying and have been crying for years that something be done; that you are not just talking about it, that you will be about it and that's part of it. Put your money where your mouth is and let's make this happen because people have been crying for far too long for something to be done and I say that with all respect to everybody in this community.

One thing I'm really concerned about with this Unified Government is equity and how we interact with people that come from different backgrounds. One thing that we need to look at, and I know our Health Department is working on, and you can look at that report, is the matter of equity when it comes to individuals within this Unified Government. My concern is if we don't have a level of respect and equity for people within the Unified Government that may sometimes be different and what are we doing to people outside this organization, are we really working with the people as opposed to just making decisions for other people. So, I challenge this Commission to really look deep and really make sure whatever we do as a body that it's done equitably and that everybody is treated with the same level of regard when we make these types of decisions because equity does matter. Again, the community is watching. I hear it from the community every day and if you don't believe I'm out there, come with me. I'm out there almost every day. There are concerns that this community have about equity and how some are treated and some aren't

particularly those in the African American community and so I'm glad that for once we have leadership that has taken this matter of allegations seriously. I pray that we continue to support and do everything we can as a body to make sure that these investigations move forward, that any support that is needed from anybody that's doing investigations be it state, local or federal that this Unified Government do everything it can to not find reasons not to do these things, but make every reason to bring healing, justice, reconciliation and truth to those types of matters when there are allegations of wrongdoing and criminal activity that may be occurring.

With that said, there was a motion and roll call.

Mr. Deichler said, Mayor, if I may have Counsel explain the voting here. There's going to be two votes I believe.

Ms. Brown said we'll need a separate motion for the home rule ordinance, so right now it's just a motion and second for the resolution for funding that includes use of City ARPA funds and debt financing for the remainder.

Commissioner Burroughs said just for clarity, could we have the motion restated again please?

Action: **Commissioner McKiernan** said I make the motion that the Commission adopt a resolution that articulates 1) \$378K in City ARPA Funds that articulates 2) \$1,022,000 in County Debt Funds, that articulates 3) authorizing the use of County Cash Reserves and/or personnel vacancy savings as needed to fund recurring costs and that 4) directs all of us to accomplish the first three, seconded by Commissioner Johnson.

Action: RESOLUTION NO. R-79-22, "A resolution of Support for funding a digitization project and two new positions in the District Attorney's Office." **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken on the motion and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Action: RESOLUTION NO. R-80-22, “A Home Rule Resolution of the Unified Government of Wyandotte County/Kansas City, Kansas authorizing the acquisition and implementation of a certain software system to serve the County and authorizing the issuance of General Obligation Bonds to finance the costs of the same.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Mayor Garner said that takes us to our second item, the final item under the Administrator’s Agenda an update from staff on the winter weather warming shelters. I asked that staff update you all and I believe they made some good progress and I’ll let them share that information with you.

Alan Howze, Acting County Administrator, said before we jump into that, I just want to again express thanks to staff who worked on the three-day turnaround of the holiday week to bring that information on the last item forward to you and we look forward to executing the Commission's wishes on that.

As we turn our attention to the cold weather warming shelter, I want to thank and recognize the Buildings & Logistics Director, John Kelly, who’s in the audience today as well as Yvette Miller from Community Development who have been leading the efforts on this. We have made progress, so we do now have a lease on a facility that is located at 550 State Avenue. Mr. Kelly has been working with the landlord in that case on the transition and getting utilities turned on and then all those things that go into standing up a space as well as working with Crosslines Community Partners who is the contracted operator for the cold weather warming shelter.

In terms of location, 550 State Avenue around the corner of 6th & State. Utilities, those will be water and electric and will be through BPU. They’re getting a reduced rate for this winter warming shelter and then the UG will pay the heat and the gas utility as the tenant there. In terms of operations, as you may recall from when Crosslines provided an update, the shelter operations will be from 6 p.m. to 7 a.m. The maximum capacity is expected to be 35 people and it will be on a first-come, first-serve basis. The shelter will operate when the temperature is 25 degrees Fahrenheit or below and as we have noted with the weather, it’s kind of gotten cold earlier this

year, so we've already had a number of days in which that threshold has been met, so the sooner the shelter can get open the sooner people can be served. Crosslines is in the process of hiring and training staff and anticipate that shelter being opened by the middle of December, if not earlier.

Staff continues to work closely with Crosslines and there are some steps remaining to get the shelter open and operational, but we are very close to that and, again, appreciate the work that has gone into that. I'm happy to stand for any questions.

Mayor Garner said I would just like to thank staff. When that call to action went out, they jumped right on it and they made this happen so thank you all so much. Thank you all for all the work you've done tonight, getting the Commission the information they needed to make these informed decisions. I know they're not easy decisions and thank you as well for the cold warming shelter. A lot of work went into that and it was a community collaborative. It wasn't just the Commission, Mayor, or staff, the community was really upfront and center and directly involved in this as well. I think it's a good gesture going out to our unhoused in the community to let them know that they have the support of both staff and Commission in that regard, so thank you.

There's no further business, so I'll take a motion to adjourn.

Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adjourn the meeting. Roll call was taken and there were eight "Ayes," Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Markley. (Commissioner Kane did not respond to roll call.)

**MAYOR GARNER ADJOURNED
THE MEETING AT 4:54 p.m.**

Brett Deichler
Unified Government Clerk

dt

November 22, 2022