

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

**REGULAR SESSION
NOVEMBER 17, 2022**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Regular Session Thursday, November 17, 2022, with ten members present on-site: 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 and Bridgette Cobbins, Assistant County Administrators; Misty Brown, Chief Counsel; Patrick Waters, Deputy Chief Counsel; Casey Meyer, Senior Assistant Counsel; Jeff Conway, Assistant Counsel; Mark Dupree, District Attorney; Stephanie Stauffer, Community Development Program Coordinator; Wesley McKain, Manager in Health Department; Debbie Jonscher, Acting Chief Financial Officer; Reginald Lindsey, Budget Director; Troy Shaw, County Engineer; LaVert Murray, Economic Development Advisor to the Mayor; Daniel Soptic, Sheriff; Brett Deichler, UG Clerk; Tiffani Portley, UG Clerk's Office.

Mayor Garner said before I call this meeting to order, I want to announce that some commissioners, staff, and the public are attending remotely via Zoom, by phone, or on-site. All participants joining by phone should mute their phones, please, when not speaking to avoid background noise.

During the meeting, please make sure that you announce yourself by name and title every time you're allowed to 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 this meeting to order. Clerk, would you, please, conduct the roll call.

Roll call: Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley, Garner.

Mayor Garner said tonight's invocation is going to be given by Commissioner Harold Johnson, of Faith Deliverance Church of God in Christ, immediately followed by the Pledge of Allegiance.

Mayor Garner asked, Clerk, are there are revisions to tonight's agenda.

Brett Deichler, UG Clerk, said, yes, Mayor, there were two. The first was an update to our ARPA Subcommittee's recommendation. It was originally listed on the Standing Committee Agenda but it was moved to the Mayor's Agenda as Item No. 2. Then we had a new item that came in; Item No. 1 on the Mayor's Agenda this evening for requests for funding to support digitizing case files. Those are all the changes to tonight.

MAYOR'S AGENDA

Item No. 1 – 212123...REQUEST: FUNDING TO SUPPORT DIGITIZING CASE FILES

Synopsis: Request by the District Attorney for allocation of funds to support digitizing case files, submitted by Mark Dupree, District Attorney.

Mayor Garner said I'll turn it over to District Attorney Mark Dupree for additional comments.

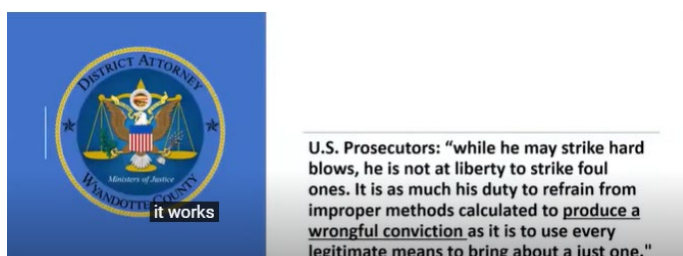
Mark Dupree, District Attorney, said I appreciate the opportunity to speak to you all today. I come, Commissioner Johnson and Reverend, with that scripture in mind of unity. It is my hope, it is in that spirit that not only do I come but that I leave unified with this body.

I'm presenting today concerning digitizing the files in the District Attorney's Office. I appreciate my staff who have stayed late with me, Ms. Brandi Wells and my Chief Deputy District Attorney Damon Mitchell, concerning this matter. I do have a PowerPoint presentation that I believe I can push the button, and I'm seeing no one shake their head no. So when I see it up, I'll push the button. In the meantime, I'll tell you that this presentation comes on the back and on the shoulders of something that sadly has gained Wyandotte County attention that we are not happy nor proud about.

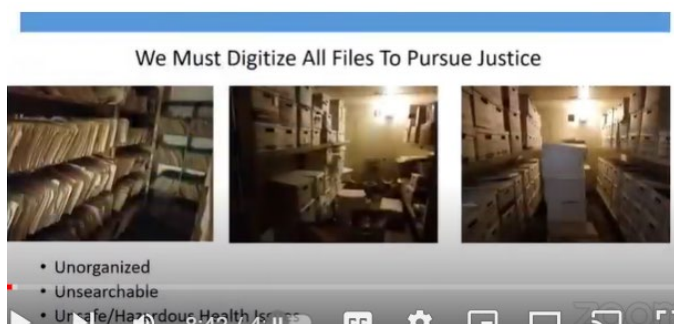
In September of 2022, a former Detective in the Kansas City, KS Police Department, Roger Golubski was indicted six counts by the federal government. Then, again, in November, he was indicted with an additional six counts. Since September and before, there have been calls for this office, meaning the District Attorney's Office, to review Detective Golubski's files.



That is the lead of why it is so urgent that I stand before you today and to try to give you a heads-up, if you will, on where we are. It's important to note that since 2018, the District Attorney's Office has been reviewing Detective Golubski's cases through our Conviction Integrity Unit; those cases that come through with his name on them. But now we are in the place where we cannot simply go and handle on a case-by-case situation, but we must deal with all of the cases. As such, it works.



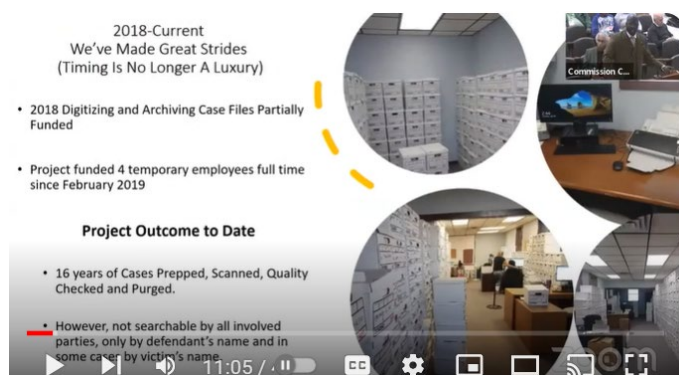
In 1935, *Berger v. U.S.*, the United States Supreme Court said that a U.S. Prosecutor, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one. Thus, meaning, that it is my job, as prosecutor, to make sure I don't try to get a wrongful conviction. But when I do, to do everything within my power to correct it, and that is where we are now.



In 2018, I came before this Commission and I asked this Commission for, I believe, about \$1.2M. We worked in collaborations with the UG Dotts project management team, as the lead, and they did a deep-dive analysis on the current state of the documents in the District Attorney's Office. The District Attorney's Office files are paper files and they have been paper files since, I would say, about 1950s, 1960s. These paper files have been stored in our old jail. In 2018, I came before this Commission asking for the funding to digitize all of the files in all of the boxes.

What's on the screen is a picture of the old jail cells, which is on the 5th floor of the Courthouse where we now house all of the last 60 to 70 years of files. Those files, as you see, are unorganized. They are unsearchable. It is unsafe and hazardous. I have pictures that Mr. Carter is going to go ahead and pass to the Commission. You all can take a closer look at those pictures of what it really looks like there. My staff has continued to go to the 5th floor to try to find those files and to try to find the information that we need to review those cases.

So, in 2018 we asked for the ability to digitize those so that we can properly serve Wyandotte Countians and to be able to find the cases and search and research those cases.



Upon asking for that in 2018, we were denied. We asked for, again, that \$1.2M and we were then partially funded for about \$155K. That \$155K was for four temporary employees to work full-time, of which began in February 2019. So from the time of February 2019 until now, we have reviewed hundreds and thousands of cases. So the project outcome to date, having spent \$145K per year from 2019, we were able to digitize 16 years' worth of cases, prepped, scanned, quality checked, and purged. That means that we pulled out staples. We disconnected molded files. We had to have some specialists review it with certain types of expert equipment because of the shape and the state that they were in. In those few years, we did accomplish 16 years of cases being scanned; however, they're not searchable. It's not able to put in a detective's name or an officer's

name. You can put in the defendant's name, and on some of these, you can put in a victim's name, but for all intent and purposes, they're not searchable.

In 2018, though we have made great strides, at that time, we had time on our side. Time is not such a luxury now.

Transparency Accountability Justice 

Goal: To acknowledge the mistakes of our past, CORRECT them and do all that we can to insure we NEVER repeat them.

The goal for us digitizing all of this is to bring more transparency, accountability, and justice. This is a quote that I have in my office. To acknowledge the mistakes of our past, correct them and to do all that we can to ensure we never repeat them. In order for us to do that, we must first be able to see every case that one, Detective Golubski was involved with and two, bring us from 1950 into 2022.

Digitizing
Project Scope

- 60 - 70 years of files
- 4000 boxes of files (approx.)
- Boxing, Moving, Prepping, Indexing, Scanning, Quality Checking, Sorting, Purging, Software
- Physical Storage
- Accessibility of Case Files During Project
- Confidentiality Security of Data
- Target Time Frame 6-18 Mo.
- Roger Golubski Years are Priority

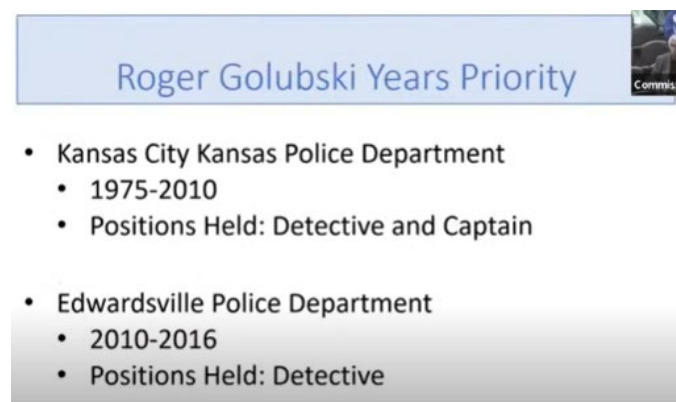
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For that to happen, there is an ask. We have 60 to 70 years' worth of files. Approximately about 4,000 boxes of files. The project that I'm requesting to be funded tonight, they would box; an outside company would come in, take all of the boxes. They would have to re-box them in their own because of the hazardous state that many of our boxes and files are in. They would then move them. They would prep them. Pull out staples. Remove hazardous things. They would then index. Quality check. They would sort, they would purge, and then they would scan everything

into a software that we also would be receiving with this purchase that would allow us to then search every case for detectives and officers' information, along with defendants' names and others. Then we would have to have physical storage of files; taking them out of the state that you're reviewing now in those pictures.

We would have access to those case files during the project, which is extremely important. It would be secured. The data would be secured. The target time that they're saying that they can have all 60 years of files done is 6 months to 18 months. That is amazing seeing that we have been scanning since 2019.

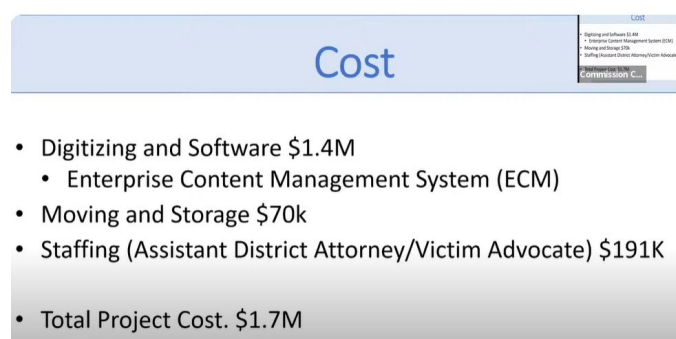
Lastly, the Roger Golubski years would be our priority.



Roger Golubski Years Priority

- Kansas City Kansas Police Department
 - 1975-2010
 - Positions Held: Detective and Captain
- Edwardsville Police Department
 - 2010-2016
 - Positions Held: Detective

Roger Golubski's years. He was with the Kansas City, KS Police Department from 1975 to 2010. He was a Detective for some time and then he was a Captain for some time. After he retired in 2010, he then was hired by Edwardsville Police Department and he was there from 2010 to 2016 as a Detective. All of these files need to be reviewed by my office. It is my intent to review every case that Detective Golubski touched and to review every conviction that he touched. Unfortunately, until we digitize, that is not possible.



Cost

- Digitizing and Software \$1.4M
 - Enterprise Content Management System (ECM)
- Moving and Storage \$70k
- Staffing (Assistant District Attorney/Victim Advocate) \$191K
- Total Project Cost. \$1.7M

As such, the software will be \$1.4M, which would give us an enterprise content management system that would allow us to research and to search by simple name. Likewise, not only could we put in the name, but as long as it is not handwritten, it would be able to format and find even on tabby notes, which I thought was quite fun.

This company, likewise, would have to install the system and on top of the software, we would then have to move those boxes and store those boxes which would cost an additional \$70K. Then to review these cases, along with talking with victims of these cases, its important to note that the statutory language for the District Attorney's Office concerning victims' Bill of Rights, Kansas Statute Annotated 74-733, which says that a victim in every ongoing case has the right, statutorily, to be talked to, to be heard, and to be aware of what is happening concerning their case.

Right now, our office has three Victims Advocates. In 2017, there were only two. We then went for a grant and was able to get an additional Sex Crime Victims Advocate. They are indeed overworked. There is no way that with the bandwidth that our office has at this point that we can speak to all of these victims in the statutorily mandated way.

Likewise, our Conviction Integrity Unit has one attorney. I'm requesting that we have an additional. I have been in contact with multiple states across the country who have found themselves in similar situations and talked about the feasibility of reviewing these cases. Many of them have done it with two to three attorneys. It is my belief with prioritizing Roger Golubski's cases, we too can do that with the two attorneys and this Victim's Advocate.

The total project cost is estimated at \$1.2M; excuse me, \$1.7M. I will tell you that I spoke with multiple other companies and I got bids as high as \$3M then \$2.5, and we were able to negotiate and get down to the \$1.7M estimated cost. That would be a one-time cost.

Annual On Going Cost

- 30k (Software)
- 12k (storage)
- 191k (ADA/Victim Advocate)

Total : \$233k

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The ongoing cost would be the software of \$30K, which my attorneys and staff would have to pay for their licensing. Then the storage would be \$12K. For the Victim's Advocate and the Assistant District Attorney is \$191K, for a total of \$233K annually. I will tell you that the storage we expect for it to fade out because as these files are digitized, they will likewise then go away. So as they are digitized and then shredded, we would not have to deal with as much storage. So as that fades, but until that does, that's an ongoing cost that will be there.



I tried to make this short and tried to make it sweet so that we can answer any questions, but it is my request that this body votes on this tonight. The company is able to begin as early as the first week of December. We have sat down, worked with, and planned around this process. This community has been asking for something to be done for years. It is indeed my intent, as a District Attorney, to do something and I believe that justice requires it. But in order for that to happen, I need to get the funding to be able to look at these files to make a determination of what cases he touched. Let me be clear. As this investigation is still going on federally, we do not know if and when there will be other names that may end up being called. As such, we need to prepare and put in place a process so that we would not have to be in this situation again.

In 2018, I asked for \$1.2M. Here I am five years later and now I'm asking for \$1.8. If we wait, not only will justice be delayed and thereby being denied, but inflation in the cost will go higher. I'll stand for questions.

Commissioner Stites said well, it concerned me there at the end. You went from \$1.7 to \$1.8 so I was glad we didn't talk any longer to raise it up another \$100K. Of course we know this is a large ask and the \$2.5 when you said that it started out at \$2.5 and you were able to negotiate it down to \$1.7. What did we lose in that amount, that \$800K?

DA Dupree said one, I went to a different company. **Commissioner Stites** said okay. **DA Dupree** said I told them what the other company was doing and I tried to use a little bit of my lawyering skills and then I told them this is something that we need done ASAP. Many of these projects they tend to wait. They are literally four and five-year projects when you're talking about 4,000 boxes of files, looking at anywhere from 15 to 25 files in each box. This is something that takes four to five years, but they were ecstatic. The \$1.7M with getting it done now and dedicating their entire attention to it. **Commissioner Stites** said okay and I appreciate it.

Commissioner Stites said you said that there was a timeframe of the detective's employment with the Police Department, which you gave the years. Would there be a possibility that we staggered this digitizing that it's not this \$1.7 upfront cost in year one; that we're able to maybe look at it to where we could fund half of that? Were those cases that you we're saying didn't touch Mr. Golubski, right, and that those could come later, right, maybe prior to his employment? I'm just looking at a creative way to not bite the whole apple at once.

DA Dupree said no, I understand that. Well, my thoughts of this—I thought about it because I tried to make that number as small as I could because as nice as many of you all are, I don't like coming before you asking you for anything so I tried to get it as low as I could. The issue is, none of these files are searchable. So when we're talking about 40 years, really 41 years of the 60 years that we have to review, Detective Golubski worked. So here's the problem. The problem is, it costs extra for them to go in and to differentiate because I can't because there's no searchable way. There's no index of what's in those pictures. So each file, they're going to have to intentionally go through each one. By the time it takes to go through each one then pass it to look for Golubski, is going to end up being more costly. That was a question that I asked, and that was the response I got and it cost the amount of time.

Commissioner Ramirez said I will say in the forefront, I do support the project and what you're trying to do and what you're trying to do for the community, but we have not received from our budget staff where we're going to get that money from. That's the issue. That's why I could not vote for it tonight because there is no line item saying exactly where we're getting it from the budget.

We just had a very long, arduous budget cycle, and we have a lot of issues that we need to get through with our structural deficit, trying to close that gap. Also, trying to provide relief for our people. If I knew exactly where we were getting the money, how and how it affected the budget, I would; but tonight since our Budget staff didn't bring anything forward to us, I cannot, in good conscience, prematurely vote for a budget item that we have no idea where it's coming from. So, I sympathize. I do agree. I do like the project, but I just don't know where that money is coming from.

And, I will say, I wouldn't support it coming from ARPA. I would not support it coming from the ARPA Fund, the remaining ARPA funds. So I will just put that out there.

DA Dupree said, Commissioner, I appreciate your candor and allow me to be just as candid. This indictment on Roger Golubski was not something that was planned. The fact that you have many victims of a potentially corrupt police officer, those victims did not plan to become victims. I don't believe that the community, quite frankly, is concerned about your procedure or your timeframe. I think the community is focused on justice, and let me be clear. My job, as a District Attorney, is not to be concerned with your process and your procedure. My job is to make sure that I'm bringing about justice to every, up to the point that I can, which is why I'm bringing it.

I, too, was a part of that budgetary process because I, too, had to make requests. This was not a part of that budgetary request because Golubski was not indicted. At that point, we were still in the same process as we were in 2018. The fact remains that in 2018, if we would have done what I asked then, we wouldn't be in the time crunch that we are now. I know many of you were not on this Commission at that time, but that is fact. Not only is that fact, fact is, this community and those victims do not simply need our sympathy, they need our empathy and they need us to do what is in the best interest of justice for this community, not what's in the best interest of our process, our procedure, or what's going to make us feel good on our process.

I'm asking tonight for this \$1.7M because we have made national news of an officer who worked in our community for nearly 40 years, and that is undeniable despite any process, despite where we're going to get it from. I have full faith in your staff. I have full faith in this Commission's ability to find these funds, and I believe they will. But what I don't believe is acceptable is for the people to have to wait until someone else who is not up close and in person with being a victim of these kinderous, heinous crimes to come to a conclusion that this amount is

appropriate. We should fund it and then you determine where it's going to come from because it is clear, in order for justice to happen, I'm telling you, as your elected DA, this is what I need to make it happen. So either you're going to delay it thus denying it, or you're going to go and get us out of 1950 and move us to where we need to be so we can move this down the road. But thank you for being candid.

Commissioner McKiernan said, Mr. Dupree, I was here in 2018 when we talked about the need to digitize all of the files that are up on those upper floors of the Court House. I supported it then; I support it now. My disappointment is that we have not revisited and chipped away at this in the intervening years. My disappointment is that it's four years later. We haven't talked about this again and now we're back asking to make one big jump all at once. That's my frustration. I think we could have, if we had been thoughtful about it, chipped away at it, and we would be at the place today where we had accomplished all the things that you now hope to accomplish without putting an extraordinary burden in one fiscal year. So that's my only comment there is that I just wish we had continued to keep it on the radar and chipped away at it. If you did turn those requests in and we either did not consider them or we did not see them as a Commission, then that's on us. That's the only thing I have to say. Thank you for your work.

DA Dupree said I definitely want to give kudos to the UG Dotts project management team who collaborated with us throughout the years of 2017 and 2018. They worked diligently to figure out how we can best do this. They were in collaboration and of the same agreement that that is what we should have done. I will tell you that the tone and tenure of that Commission in 2018 made it clear that we should be happy with what we had. So, I am wise in concern of the realities of the Commission. As not to waste my time nor the citizens who put me in this position to do my job, I, too, wished it was done. It is my hope that we make it happen tonight.

Commissioner Markley said we have a job too and that job is to make sure that we manage the city's budget. This item came onto our agenda 10 minutes after our meeting was supposed to start tonight, so at 7:10. We would be irresponsible to spend \$2M on an agenda item that came on our agenda 10 minutes after our meeting was supposed to start.

I do support this project. I think we will find the money, but we need to identify where that money comes from and it would be irresponsible for us not to do so. I suggest we either have staff make presentation at the next full Commission meeting identifying where those funds might come from, or that this be fast tracked onto a standing committee for a standing committee to find the money and bring it back for approval.

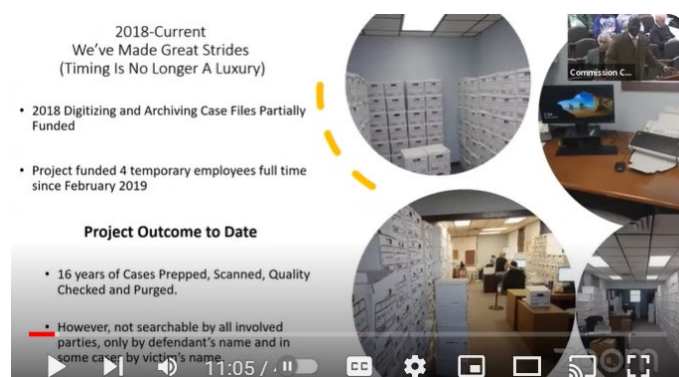
DA Dupree said if I may, Mr. Mayor, and thank you, Commissioner. I appreciate hearing your support but allow me to say this. I had conversations and requests to get on tonight's agenda nearly a month ago. My office was aware that this was happening and that I was coming on to this. It was to my surprise that I then learned this morning that I was removed and then graciously the Mayor then put me back onto the agenda.

Here's my point, right? I got enough politics in the criminal justice system to last a lifetime and I don't want to mess with yours. But with all due respect, the fact that there's miscommunication concerning who's in City Hall and who's talking and who's not talking, who's removing and who's putting should not stop what needs to be done for justice for the people in this community. What you just said says to me that something needs to be dealt with, with who's doing what and who's making these determinations. Let me say it should not hold up the funding that is necessary to move forward concerning justice.

So, it is a sad state of reality that you have to say what you said, but that should not stop what is necessary to bring about justice. Quite frankly, the people have waited a long time. If you want to be factual, they've been waiting at least openly since 2017 when Lamont McIntyre was free.

Commissioner Bynum said I just have a few questions if you don't mind. With the funding that trickled in over the last few years, what have you been doing? I'm just trying to make sure I understand. I have a series of questions to make sure I understand.

DA Dupree said if I could bring the slide back up, I'll show you what we've been doing.



So, we were able to get a space on the 5th floor where the jail is. With that, we were able to—so in 2018 after we got the funding, we hired four temporary employees full-time. Those individuals are not receiving any benefits. They're through a temp agency. But what they were able to do is pull boxes out of the old jail, which is what you see there, versus that other picture that shows that old jail, bring them into the new room and then they began to pull the staples out, scan them, purge them, review them, and get them digitized.

With that, we were able, with those four employees—and I'll tell you that we have maybe been fully employed, with all four of those positions being full, maybe six months out of the last three or four years. We've had two individuals at a time, sometimes three. Not only did COVID affect, but some folks don't like just doing this job, but we were able to do 16 years of that. Unfortunately, with those 16 years, the items are not searchable. **Commissioner Bynum** said right. **DA Dupree** said in the manner by which we need it.

Commissioner Bynum asked, so with the 16 years that are ready...**DA Dupree** said yes... **Commissioner Bynum** said so to speak, what are those years? Are any of them what you need? **DA Dupree** said yes. Those years, it's going to be a lot lighter process for them. Because it is digitized, the company will be able to download them into the software that we will be able to purchase and it would automatically make them searchable.

Commissioner Bynum asked, what years are they? Do you know? **DA Dupree** said no, I don't. They range from as early as 2007 and goes beyond.

Commissioner Bynum said so you need, I think I heard you say, 1975 to 2016, basically, of files scannable and searchable. **DA Dupree** said I need more than that. We have files going back to the '60s. **Commissioner Bynum** said for the immediate purpose that you're here for tonight...**DA Dupree** said from 1975 to 2016. **Commissioner Bynum** said okay and ideally, I understand, all

the way back to the beginning of files that you have available apparently. Is that right? **DA Dupree** said yes, ma'am.

Commissioner Bynum said so it's possible that, with the equipment, the 16 years that are what I'm calling ready, could be done quicker than some of the rest that aren't prepped and ready. **DA Dupree** said yes. **Commissioner Bynum** said and you'd have part of what you're searching for. **DA Dupree** said some of them, yes.

Commissioner Bynum said the time you think needed, based on the vendor you're speaking with, is 18 months. The vendor thinks they could do the rest of the work you require in about an 18-month time period. Did I hear that?

DA Dupree said yes, at most. What I didn't state, so thank you, Commissioner, for bringing that out. What is and one of the major reasons why we went with this company is their software gives us immediate access. So with every file that they scan in, other folks say listen, it's going to be this 12 months or this 2 years and then when it's done, you then get it on a thumb drive or something. With this, the moment that they scan it in, we immediately have access, which gives us access to immediately start reviewing these cases as the project goes on and doesn't slow us down.

Commissioner Bynum asked, once that's done, how long then do you anticipate needing to review all of that and find what you think you need? **DA Dupree** said well, I think that's going to be a process. Each case is different and then you're getting into the legality and then, quite frankly, what we find. Each case is going to be different depending on what type of information we find in there and depending on how good, right?

As you go back further, I want to be careful here, depending on how far you go back, it may look a little different so we have to be mindful of that. So, some of these cases, I think, reviewing them would be pretty quick. I think some of these cases, however, may take time especially depending on how long. Say that there was a conviction that was a jury trial and it may have been a two-week jury trial. There are transcripts, there are hearings, there are all kinds of things that we have to review. So, I want to be sure to state that this is not going to determine how long it's going to take for us to do our legal aspect of it, but it is indeed stopping us from doing it now.

Commissioner Bynum said my next question was, what will you do with the things that you find? I feel like those two questions kind of merge together now because if you start and immediately find something, I'm assuming that some action will be taken while this other digitizing work would continue.

DA Dupree said absolutely. **Commissioner Bynum** asked, is that fair? **DA Dupree** said absolutely. That is fair and that falls under, right, our statutory requirements concerning post-convictions and whether or not motions should be filed, so on and so forth. All of that is dependent upon what is found in the file.

Commissioner Bynum said and just for my need to understand, what is a potential outcome that could come from your office based on a finding in these files?

DA Dupree said I think an outcome could be that the conviction was good and that there was no wrongdoing in these cases. But I preface that with the outcome is solely focused on justice. Sometimes justice requires that a motion be filed, that this case be dismissed based off of manifest injustice. But, also, justice may require that that conviction is upheld because despite this detective or anyone else being on the scene, that doesn't negate the witness or the video footage or the fingerprint or the DNA. So it could be many ways. What we can't say right now is either of them because we haven't had the ability to review all of them.

Commissioner Bynum said so there could be a variety of outcomes...**DA Dupree** said yes, ma'am...**Commissioner Bynum** said based on the work ahead of you.

Commissioner Bynum asked, by Kansas Open Records laws, are these case files public record?

DA Dupree said no, ma'am. **Commissioner Bynum** said so you wouldn't have to go right now into the depths of hades to find something because it was requested because it's not an open record.

DA Dupree said that is correct. The only time that we go into hades is when we have motions on appeals, and we do have them, and so my staff has continuously gone up there. What I didn't take pictures of, you may have seen in some of those, are the step ladders that my staff climbs on to get up there. The flashlights that's in the corner to hold to try to find because the Court of Appeals is saying we have to file a motion. So, they do go up there now to search out and find.

Commissioner Bynum said the project specs that you've given us, with the technology and the work, does any of that allow for you to, from here on out, fully digitize everything including basically having your office go paperless with filings and whatnot? Does it build out the whole structure of what I think you'd like to see in your office in general?

DA Dupree said yes, ma'am, it does. I will tell you that since 2017 when I took office, we have been trying to move into that direction so we will not have to digitize, if you will, cases from the last five years since this administration. That is a good thing. But moving forward, dealing with all of those, it's still a necessity. **Commissioner Bynum** said okay.

Commissioner Bynum said the annual fee, that you showed us, would encompass the ongoing ability to be digital and paperless in your office. **DA Dupree** said yes, ma'am.

Commissioner Bynum said the last question is not for you. It's for, hopefully, someone in this room that can answer it. This would be a county side expenditure. I'm curious, what is the current fund balance for our County Fund and I don't know.

Reginald Lindsey, Budget Director, said it would be a County Fund expense. You're wanting to know what the fund balance is in the County General? **Commissioner Bynum** said well, let me ask it this way. We have an amended—this would be an amendment for 2022 county side budget.

Mr. Lindsey said well, it kind of depends on exactly when DA Dupree would start spending the money. **Commissioner Bynum** said it sounds like he wants to start tomorrow. **Mr. Lindsey** said so it would probably be kind of hard to start it tomorrow. I'm thinking it would probably happen in '23, so we would have to do a 2023 amended budget.

Commissioner Bynum said okay. Let's say if we do that, what do you then project '23 County Fund balance to be at the moment? **Mr. Lindsey** said \$13M. It has an \$80M budget.

Commissioner Bynum said so the county side budget wasn't quite as devastating, if you will. All that budget work we spent all summer on the county side wasn't as painful. **Mr. Lindsey** said at the time we approved it, it was not, but we have started to make some other commitments where it is looking a little bit painful. **Commissioner Bynum** said I know it's all painful.

Fund balance county side right now, \$13M. **Mr. Lindsey** said yes. **Commissioner Bynum** said basically. **Mr. Lindsey** said yes, but we have some other commitments that are open

also from when we approved it, so it would take it down with those other commitments. But when we approved it, it was at \$13M.

Commissioner Bynum asked, do you happen to know off hand the \$13M, what kind of a percentage of fund balance does it represent? **Mr. Lindsey** said 16%. **Commissioner Bynum** said right now. **Mr. Lindsey** said yes.

Also, I will add—I'm just kind of getting some of the information myself, but I have been able to look into the County General Fund. Right now, DA Dupree, he does have \$145K for digitizing. It looks like he's going to have some occurring expenses that are like \$233K. There's options, but we could just take it straight from fund balance, but there's also possibly an option where we could debt finance the portion that is not recurring. So, the \$145K that he has...**Commissioner Bynum** said so the technology pieces could possibly be debt financed? **Mr. Lindsey** said yes, possibly.

Commissioner Bynum asked, and then the ongoing? **Mr. Lindsey** said from the details we have right now, we're thinking there's a possibility, but I mean after we get into it, we could find out that it's not. Right now, we're thinking it is. Also, Debbie Jonscher, our CFO, she's here with me also. She can answer some questions more than I can about debt financing/lease financing, but that is an option.

There's two different things we can do. We can definitely take it from fund balance. We could lease finance it. But out of all the ways, with some of the commitments that we have made outside of the budget, when we get into the 2023 amended budget, we'll have to re-look at some of the commitments we've made in this last budget cycle. **Commissioner Bynum** said we'll have to be very diligent with the other commitments that have been made.

Commissioner Bynum said so, Mr. DA, that kind of brings another question to mind. With your vendor, he mentioned a lease finance. Now with your vendor, is there any opportunity for leasing any of this? Now I know what you're saying is different, but we do have some major heavy equipment here within the Unified Government that we have found that it's more affordable to be in a lease rather than a purchase. So, I don't know if that applies.

DA Dupree said no, ma'am. Leasing is not an option. We did take a look at that concerning our upstairs project back in 2018, so that is something we considered and tried to do for a while before we end up having all of our own scanning machine.

Mr. Lindsey is correct that those individuals who are temporary will, again, fade away. As this is done, then those individuals then go away and so that \$145K, likewise, can be used once those files are digitized.

Commissioner Bynum asked, we can't include your \$145K that's budgeted now in your \$233K? Did I understand that right? Those are going to come together for a total of \$380K, correct? **DA Dupree** said ongoing. **Commissioner Bynum** said \$145K...**DA Dupree** said yes, correct. **Commissioner Bynum** said you need \$233K and the \$145K isn't counted in any of the \$230K.

DA Dupree said the \$145K is not counted. The \$145K is not on the screen at all, but I just wanted to clarify since you brought it up. That would end up going away. So, that budgetary ask that's in the budget will go away once these files are all digitized because the project would be done so there's no need. **Commissioner Bynum** said the project will never be done. **DA Dupree** said well, the project will be done once we digitize everything that's there. Our process since 2017 is digitizing already. We're not moving backwards; we're just trying to deal with those backlogs. Once the backlog is done, then the project is done, and everyone in the office since 2017 has been digitizing. **Commissioner Bynum** said okay. Thank you so much. I really appreciate it. **DA Dupree** said thank you for the question.

Commissioner Johnson said thank you, District Attorney, for your presentation. First, as I stated when we talked about a month ago, I'll state that tonight, I support your request. I don't know how we cannot support the request for justice to be done. But as I ranted in our prior conversation, I'll share at least a portion of that for the record and I'll try to stay top level with my commentary. I don't have a whole lot of questions. I think it's disheartening. I think it's frustrating and yet it is our reality and it's our duty that we deal with an issue that took place decades ago before any of us were even on this Commission, but that's what we've been called to do.

I think when I did the tour of your department and with that filing system, walking in a jail cell, a former jail cell, seeing boxes of files piled on top of each other, that's what you inherited.

That's not what you've done. That's what you walked in on the first day in the office and that's what you inherited.

I see the Sheriff here and just this week, we met with him and he asked, and I support it then, the need for more money to make sure that our deputies are paid on par with our KCK Police Department officers. That's something that's an addition to our budget and now this is added on top of that request. This is to us, as commissioners. This is the kind of thing that we have to consider when we approve a structurally unbalanced budget. Back in my day, we called them, in my banking industry days, they called them contingencies. There would always be contingencies that come about.

We approved in open, in front of the community, a budget with a \$13M deficit. I said the same way before we voted a few months ago. A \$13M deficit. That's what we approved. I did not support it but these are the kind of things that are bound to happen in any budget cycle when we come into it. Here we are.

As I stated to you before, I support you. Something will have to be adjusted, modified, but I don't know. I think that this is something that's before us. We'll have to get with Reggie. Reggie, I told you I don't know how you pulled rabbits out of your hat a few days ago, but here we go again. We'll have to try to figure out what's not going to be funded. I want to make sure we support this though.

Commissioner Stites said I know this kind of popped up on you, like you said, rapidly, and it was not anything that we could plan for, right, and I get that. Is there any opportunity that we could seek out some, and I'm not saying outside of tonight, is there a way that we could maybe look at some outside funding or help from federal, from anybody else? Is there, I don't know, is there grant money? Is there something that we could seek to maybe get reimbursed for this with the upgrade in technology and moving forward and digitizing? Is there some way that we could potentially get some of our dollars back?

DA Dupree said I'm not sure. I think it's important that I note that once I was turned down in 2018, my office has continued to file for grants for both victims advocates as well as for digitizing. Right before I got up here, I just got word that we were denied one of those grants. I will tell you that for the last five plus years, this administration has constantly looked for grants,

received grants, and we will continue to do that, post this passing and still looking to see if there's a way we can get some of those funds back as we have been for the last five and a half years.

But do I think they're out there? Yes. But I will tell you that we have applied for multiple grants throughout this year where funding was lacking, we applied for grants. Some we were successful. We were able to get full-time sex crimes prosecutor and, as I stated, a domestic violence and sex crime victims advocate, as well as paid interns. These are all because I respect your hard jobs and I try not to make it harder. I try to stay across the street even if that means I'm getting denied constantly with grants. So, you do have my word that I will continue to search out those grants to assist as we move forward and potentially reimburse.

Commissioner Stites said yeah, and I know that is not a fix for today. That's not an immediate fix. It was just me thinking of a way we could be creative and maybe try to get some of the dollars back. I appreciate your answer.

DA Dupree said absolutely. I'll tell you, I'm not connected, but I don't know. Roc Nation has been in our county. Hopefully or maybe he could give us some funds, but he hasn't reached out; I'll try though indeed.

Commissioner Markley said similarly, our Clerk's Office has an annual contract with a vendor that provides this kind of service and has the metadata searching capability and all that. I'm curious if you had any discussion with the Clerk's Office as to whether we could piggyback on that to maybe get a deal for the initial project. Obviously, you have a lot of upfront scanning to do or for that annual maintenance down the line to piggyback on the existing agreement that the Clerk's Office has.

DA Dupree said no, I haven't had any contact with your Clerk's Office concerning that. What I did is I had to do a deep dive and I spoke with many prosecutors across the state of Kansas and the country who have dealt with this and received referrals from those district attorney's offices because there are certain laws and federal guidance that has to come with the type of security and data walls around that. The folks that we specifically spoke with were from that list of folks so, no.

Commissioner Burroughs said, DA Dupree, I just can't tell you how much I respect and appreciate your passion for the community and ensuring that those that have been wrong seek and find justice through you and your work.

I have a few questions listening to your testimony that I found quite compelling, and it was brought up about grants and federal partnerships. Help us understand. Will you be prosecuting these crimes through your office or will they be prosecuted through the federal government?

DA Dupree said any crime that is shown to show up in our files, they would be prosecuted through our office. The only way that a crime would be prosecuted through a federal indictment is if the US Attorney's Office or the FBI, through a different and, if you will, an independent investigation, finds that there has been a federal violation of laws. As such, all of the research and information that we find and if there's crimes that are there, they would be prosecuted to the extent that they can be in our office.

One of the things that's important to note is that state law differs from federal law because federal law has a longer reach back than we do. So there are certain cases that those statute of limitations are cut off. On state law, the only thing that really can be reached back on is murder. I'm just giving a synopsis here, but everything else, there are different number of years that we can't go back on. So, no. No federal agency would be prosecuting those unless they did their own investigation.

Commissioner Burroughs said the purpose for asking that is trying to determine, as it was stated earlier, the stair-step funding to get you to the \$1.7M rather it take one year, two years, whatever, but at least get started on the program.

Commissioner Burroughs asked, will the \$1.7M that you brought forward, will it include the ongoing maintenance contract and additional digitization as this should come forward and support, etc., for the personnel that will monitor the system, or will it become an in-house system specifically to your organization?

DA Dupree said it would be an on-going cost concerning the system for licensing purposes. For instance, we have in our office what's called LexisNexis. It's a legal software that we're able to look up law. I'm sure you're keenly aware of. But having said that, it cost our office, per individual, to be able to sign on to that software and review it. It would be that type of a

process. Now having said that, we would quote/unquote own the system, but it would cost us yearly to be able to access it just like LexisNexis.

Commissioner Burroughs said thank you for those answers. Will the records that will be digitized, be utilized for additional crimes, not just the Golubski case, but additional usage for any other issues that may come forward between now and when the good Lord knows when?

DA Dupree said yes, sir. This will give us the foundation and the ability to research, to search up, and to review any future issues and we would be able to pull them right up digitally and not find ourselves in this situation. That's why it's so important to have all of the files because we don't know what's coming and we don't know who was in what year or when. I would hate to only have half of this, for lack of better terms, and then I'm back here having to look at your wonderful faces again.

Commissioner Burroughs said thank you for those answers. I would say to my colleagues, \$1.7M I think we heard during budget testimony, that that's a mill, equivalent to a full mill. I don't think it's all the county mill. I don't believe it's all city mill, but this is going to come out of the county's ending balance or through the county's budget process. I would just state that as a mill, I believe we're going to make—the fact that we didn't cut the mills to the extent we have and could have, I believe the money is there.

DA Dupree, I just want you to know that, again, I sincerely appreciate your passion and your commitment to justice in the community. I'll do my part to assist in finding whatever money is necessary to address this situation our community deserves. The victims deserve it.

Commissioner Kane said obviously you haven't heard anybody say no. I did walk up and saw all the stuff that you guys showed me. We need to get you the money. There's no doubt about it, but I don't know why we couldn't give you half now and then let us make the adjustments as we can in the next year's budget. It would be easier to swallow for all of us. We need to make the commitment that we're going to fully fund what you're asking for. I think if you went to those guys and say hey, I can only give you \$850K now and I'll give you the other as soon as they identify the budget.

You say you're not worried about the issues that we have to go through, well, I am. I'm going to have to explain yes, I agree with what I—and it's a mess out there. We're strapped right now and I think \$850K is a pretty good start. I wish you wouldn't buck at it because we all said we want to get you the money. Just let us get it ironed out amongst ourselves. Sit down and talk to Reggie and everyone else and say okay. How do we do this? If we can get the money as fast as we can, but I'm struggling here knowing that you need the money. I'm also struggling how do we pay for it. I want to talk to them. Are we going to get a loan on this? Are we going to do this? Are we going to do that?

We were notified 10 minutes prior to, but these guys were notified long before that, the gamers. So somebody knew something was up. None of us knew anything until we sat down. If you were sitting here, and you live in my district, if you were sitting here and I'm there and you're saying Kane, I want this and you'd be looking back at me. So I want to give it to you but I can only give half to you right now. You have to put yourself in our shoes too.

DA Dupree said, Commissioner, you drive a very hard bargain. You're right; I live in your district so I want to be careful with what I say to the one who represents me on this Commission. What I will say is this. I think what has to happen tonight is that the funds are made available. I am not saying, Commissioner, that I am opposed to having conversation with Mr. Lindsey as well as with the company that we're utilizing to try to work out some type of arrangement. What I cannot go back to them is saying this is all I can find is half and I need you to have faith that the Commission is going to give us the other half next year.

Commissioner Kane said I think you heard that the Commission wants to give you the money. You can tell them, watch the video. I really like to see those guys tell us—we want to give you the money but, man, just don't take this big chunk all at once.

DA Dupree said I understand your words and it is my hope, it is my hope that you do not take this personally, but I can't leave here tonight without a vote assuring that this injustice is going to be paid for. What and how you all make that vote, that's totally up to you, but as long as there is an agreement by this Commission to fund the \$1.7K, I think the citizens of this community can deal with that. What I don't think is acceptable is a let's go and talk more about it and then come back with a process.

Commissioner Kane said no, sir. What I'm saying is start with \$850K and we'll give you the other \$850K as soon as we figure out how we're going to finance it and stuff like that. It won't even have to wait until the budget. We just want to know how this is going to come out.

DA Dupree asked, how long would we have to wait, Mr. Commissioner? **Commissioner Kane** asked, Reggie, how long before you could sit down on 3s? **DA Dupree** said so here's what I'm willing to do. I'm willing to, if the Commission votes to agree to half now and then I'll sit down with Reggie. Quite frankly, Reggie will probably sit down with me and tell me what it's going to be to find that other half, but getting assurance tonight that that \$1.7K is going to be offered and that half was going to be guaranteed ASAP. And if we're saying the same thing, Mr. Commissioner, I'm sure you said it better.

Commissioner Kane said you're killing me. If we could, I guess we can make that part of the motion. Give them half now and then when Finance sits down and talks to us, then we'll give them the other half as soon as we get clarity on how we're going to pay for it. Does anybody have a problem with that?

Commissioner Stites said I don't see this unlike what we just did for the Sheriff's Department when we passed a resolution for future funding on some of it now; passing the resolution tonight that guarantees the \$1.7M with future disbursement when it becomes available, when we find the dollars. It's the same thing.

DA Dupree asked, can someone give me clarification on what that means? **Misty Brown, Chief Counsel**, said I'm just going to go back in time a little bit to revisit what we did with the Sheriff's Department. When the request came in from the Sheriff, Commission, what you did is you passed a resolution of support to fund the project. It was understood, and this is where it gets a little bit tricky because budget laws says you cannot expend funds that have not been budgeted for, and that's why you did a resolution of support because then you were going to come back with the budget adjustments to fund the project.

So what's an option that you could do today, and I don't know, DA, that this is—I'm not sure what your contractual obligations are with your vendor. That's something for you to talk about and worry about since that's your contract. But, Commission, you could have a resolution of support to fund it, and then you work with Finance staff to come up with the funding and then the allocation would have to be made per a budget amendment or how the line items would shift.

This all, again, that's what we did with the Sheriff's Department; but then, again, it depends on if this is feasible of what type of fiscal obligations that you need to commit to and when.

Commissioner Davis said I want to first say, although I was not on the 2018 Commission, the way that your office was treated by prior executive administration was completely unacceptable, and I will go on record saying that because that created a very, very difficult time that we were in. You should have been brought back. There should have been some compromises. At the very least, take that apology from me because Roger Golubski or not, this is worthy of our investment, and us waiting, and waiting and playing political games now is costing us and so that was completely not acceptable.

I absolutely support this, absolutely. What we have seen transpired with Officer Golubski and what has been alleged and now indicted is deplorable in every way and there absolutely needs to be justice and I want to play my role in that. At the same time, the same constituents that want justice also are very much concerned with the financial health of the Unified Government and there is no distinction, right? It's are we going bankrupt or not and then it's whether or not we're going to spend this money and how this money is spent.

So where I am on supporting this is absolutely to the resolution. I will even entertain half now and half later just to put some skin in the game. But I do want to, at the very least, show you where our efforts of faith have been.

Your colleague, who's also a representative within the state for Wyandotte County, Sheriff Soptic, had made a request to bring pay parity for the Sheriff's Department and for KCKPD. Those efforts have led to this, right, an actual breakdown so that we can be transparent with the community how those expenses are made.

This is not on you, DA Dupree. It isn't on staff. We have to take full responsibility for the games that are being played, for the politics that have been played with the agenda and everything else which has resulted in this, but it's not on you. You're doing your job. You're doing your job. It's up here that is the issue.

So, I will make a motion, in a sense, \$850K, we have a deal, right, and you said December was when you needed it. I'm okay with a special session before December 1st, Mayor, if you're amenable to putting it on the agenda. So, staff, you have maybe 10 days to put this together and we vote and we give you the rest of that \$850K before December 1st. That is my plan. You still

get what you want. We still get the information that we want, and then we can go ahead and get justice for these victims.

So I'm going to make a motion, it may be sloppy, to approve \$850K for the item requested from DA Dupree.

Action: Commissioner Davis made a motion to approve \$850K for the item requested by DA Dupree.

Commissioner Markley said I was going to make the motion. My question is so we go as to whether that works for the legalities of our budget situation if we don't know what line item that \$850K is coming out of or whether it should just be a resolution of support for the full amount and then we figure out how to get them the \$850K? I don't know if I'm making sense.

Ms. Brown said, Commissioner, my recommendation, to make sure we're following budget laws, would be to do a motion resolving that the Commission is in support of funding the project and directing staff to come forward at the December 1st meeting with a budget adjustment that the Commission could approve.

DA Dupree said I want to be clear. I'll compromise and be okay with your motion. That gives me the ability, and pardon the finger, Commissioner Davis, it gives me the ability to deal with my contractual obligations with these companies to begin this work and then figuring out where the remainder is going to come. But to not have those funds available immediately, and I will say that I have been in negotiations with them for the last month, will put us in a very bad situation that would cause us further harm. So I want to be clear, Council, not to put you on the carpet but everyone else is doing it, is it your position that it is illegal for you to allow them to approve that motion or is it your opinion that you would feel more comfortable with the resolution, because if it is legal, then my hope is that we can make that happen.

Ms. Brown said I appreciate the acknowledgement of putting me on the spot, but that is my job. It gets tricky, DA. They can make the motion, but when staff goes and expends that money out of a fund where it hasn't been budgeted for and no budget has been approved, then that is an illegal—that is contrary to budget law.

So one suggestion, as I'm curious if the contract that you have has cash basis language provisions in there which allows you to proceed with the understanding that the government—you know most contractors understand that the Commission can always give and take it away, so you have the cash basis language in there which allows you to proceed and then they understand there's always that eventuality that it wouldn't be there in the next budget cycle.

I think that's probably going deeper into the weeds than we want to go right here, but I feel if we are going to expend these funds and actually write a check that's available for you tomorrow or transfer it over, I would recommend that someone from Finance identify some area where the funds are going to come from so that there's no one saying that by processing that payment, they're doing so contrary to budget law.

Commissioner Bynum said I was going to try to make a motion that was similar to Item 11 under our Commissioners' Agenda, but I think there's a motion on the floor so I don't want to stand in the way of that. What would be the procedure for that at the moment, Chief Counsel, if there's a motion that has no second? What's the next action?

Ms. Brown said if there's no second to it, I guess you could make a substitute motion at this point.

Action: **Commissioner Bynum made a substitute motion to allocate, per the direction of our Commission at a special session or full Commission meeting, a resolution of support to be held on Thursday, December 1, if I have my dates correct; that we provide a resolution of support to fund the requested dollar amount of \$1.7M for the District Attorney's needs and digitizing files.**

Commissioner Bynum said I don't know if I need to include this legally at a future budget workshop we would discuss operationalizing and identifying exactly where funding would be. Is that an appropriate motion?

Action: **Commissioner Markley seconded Commissioner Bynum's motion.**

Commissioner Bynum asked, your annual budget is what dollar amount? **DA Dupree** said that's a great question. I'm sure Reggie can find that out and let you know. I don't know. **Commissioner Bynum** said I'm sorry. **DA Dupree** asked, you're talking about my full yearly budget or whatever I was just approved? **Commissioner Bynum** said yeah. **DA Dupree** said it's about \$6.1M, I believe.

Commissioner Bynum said I was trying to identify, based on your annual budget, do you have the funding to proceed with what you need from your own funds while we identify? Does that make sense? **DA Dupree** said yes, ma'am. It does make sense. And no, we do not. We did look. We don't have that funding available which kind of goes to my question to you on your motion.

Is it possible, because my contractual obligation begins where you all are trying to meet on December 1st, can we move that special meeting up to next week so that by the time my contractual obligations occur on the 1st of December, then we'll be good to go? That gives your folks seven days...

Commissioner Bynum said I'm not opposed to coming in on Monday, Tuesday, or Wednesday next week, but on Thursday, I'm going to have Thanksgiving with...**DA Dupree** said that is a great point, and I think my wife would say I'm supposed to be there as well; meaning with my wife and family, of course. But if you're not opposed then to Monday or Tuesday or, I want to give the staff as much time as possible. **Commissioner Bynum** said I'm open to any of that. **DA Dupree** said yes. **Commissioner Bynum** said that would be the Mayor's decision. **DA Dupree** said well, I know that you made the motion so you would have to make that friendly amendment to it.

Commissioner Bynum said I would say at the next scheduled session. That is out of my purview. I thought I heard a second, but I'd like to make sure the motion's actually legitimate and appropriate. Someone seconded. **Mayor Garner** said Markley.

Commissioner Burroughs said before I'm able to vote on that motion, I want to make sure we have an understanding of just exactly is in that motion. If it's up to the amount requested, up to \$1.7 and not in excess.

But my comment is, during the last budget cycle, there was some money set aside for commissioners to hold events in their districts. Mr. Dupree, I will be the first to surrender those dollars that were put into my district. They were not my requests. I know it's a small amount but it's money, just the same, to address some of the concerns and maybe that'll start the budget process as to where those dollars can come from.

DA Dupree said thank you, Commissioner. I appreciate it. The victims of this community appreciate it.

Commissioner McKiernan said I'm gonna just reference back to a couple of comments that my colleagues have already made tonight. Commissioner Kane pointed out that somebody knew about this before we showed up tonight. Anybody who has known me for any time at all in my role as a commissioner, knows that I do not like to be surprised. I do not like to get information at the last minute, and I do not like to be put in a position where I have to make a decision without that information. Somebody knew about this but I, who am charged with making the decision on behalf of the Unified Government and the citizens of Wyandotte County, did not see it on the agenda nor did I get any information prior to sitting down tonight.

I'm disappointed because I am once again put in a situation where I am put on the spot and I'm not allowed to be thoughtful and make what I consider a considered decision. So I will just say I'm disappointed. However it happened, don't care. I'm just disappointed.

Commissioner McKiernan said you did identify a third-party vendor to complete this work. Is that correct? **DA Dupree** said yes. **Commissioner McKiernan** asked, are there other third-party vendors, other than the one you chose, who can complete the same work? **DA Dupree** said yes, and I met with four altogether. **Commissioner McKiernan** said so we got competitive bids for a common standard of deliverables and this was the best bid. **DA Dupree** said yes, and could get it done fastest and with the software that would give us immediate access rather than waiting until the project is done.

Commissioner McKiernan said then finally, I would just make the observation that we continually hear from the public that the residents of Wyandotte County want taxes to be lower and fees to be lower. I would simply point out that it is impossible to lower taxes and fees while

at the same time adding expenses without cutting somewhere else in the services that we deliver to the citizens. If anybody knows how to do that, my goodness, I've been looking for you for the last 10 years because I have not figured out how to lower revenue but increase expenses and make the budget balance. I'm all ears for figuring out how to do that.

Commissioner Ramirez said I was going to support Commissioner Davis's motion but legally, I don't think we can do that unless we were able to find a specific line item tonight where it was going to come from. I would have supported that. But I do support. I want to get you that money because the community needs it. As you said, community wants justice. I will support it and I've supported it from the beginning. I was just worried about where it was coming from. So if we can get that done by next week, early, preferably as you said, so that you can get all your contracts done, I'm all on board. You have my full support.

DA Dupree said thank you, Commissioner. I truly appreciate it.

Commissioner Davis said I first wanted to echo what Commissioner McKiernan said. Just so you all know, right, you all probably had more information than we did where the cameras at, okay. You all had more information than we did, okay. So I know there are some folks that want to put stuff out in social media. They want to create these narratives and create division, but if we are serious about justice, we're not going to play those games with the agenda. You need to ask who controls that and what is the process by which things are being put on the agenda so that we could vote on them. So I wanted to say that.

Commissioner Davis said the other thing I will say is within that special session, I would also like to explore, because I'm getting some information that the Clerk's Office and who they contract with may have some other capabilities. That's not to say that your contractor or everything, DA Dupree, is not adequate for the job, but I think it would be prudent upon us to get, especially if it's more cost efficient for the taxpayers, amen. We want to lower taxes and keep them low so that we can look at a variety of options, right? I am fully committed to supporting you.

What happened tonight was a travesty to you all. This is not the way that things should be done in the Unified Government and it is a shame.

DA Dupree said thank you, Commissioner Davis, and let me be clear. I do not mind speaking with the Clerks and concern of what they do and how they do it, but statutorily speaking, once the Commission approves the \$1.7M, then it is within my purview to decide what I do with it. But because we are elected by the same people, they too will ask me the same hard questions that you are, so I don't mind having that conversation so I will as long as Commissioner Markley gets me that information.

Commissioner Kane asked, DA, why would you make a decision to go forward with someone you haven't had the approval? You made a decision with these guys to start December 1, correct?

DA Dupree said no, no. I told them that I want to start December 1 and so they are prepared to move forward with December 1 with the caveat being I go before this Board tonight to get the funds.

Commissioner Kane said I think it's important. You've been extremely pushy. We are all supporting what you're saying, but if you'd agree to this when Commissioner Stites said this, we would be gone by now. **DA Dupree** asked, if I would have agreed to what? I'm sorry. **Commissioner Kane** said we talked about doing the half right out of the gate, Commissioner Stites did. **DA Dupree** said, Commissioner, with all due respect, it wasn't right out of the gate; moreover, once the attorney spoke up and said that that's not something...**Commissioner Kane** said that's not—something very first got started.

Anyway, I support what you're doing, but next time, I would rather you, once you—next time you're going to do something, call me. We'll go to lunch and we'll talk about it because I'm going to support you no matter what, but I did not like the way this went down tonight. I think it's important that you know that.

DA Dupree said, Commissioner, I appreciate your candor and normally I don't say this but I, again, I don't know the politics of how you all got to wherever you are at this point, but let me be clear. A month ago, I spoke with every commissioner up here, including you, and I let you know that this is going to happen but I don't know the number and I knew that it was going to be more than the \$1.2 that I asked for back in 2018. So despite your feelings, what I've done tonight, I believe, has simply tried to lay out the smoothest process, which is why I spoke to you a month ago and not surprise you despite whatever is happening with y'all's agenda. I gave you a month's notice that I was coming to talk about this because you serve the same people that I serve. I respect

your opinion. I respectfully disagree with your labeling of how pushy I've been because, quite frankly, you're getting the reverend side. You're not getting the lawyer side.

Commissioner Kane said and trust me, brother. You're not getting the union side of any way, shape, or form. **DA Dupree** said I believe it. **Commissioner Kane** said call for the question.

Commissioner Stites said I want to be clear what you had mentioned at the very end when you said if you do have a conversation with our Clerk's Office, and let's just—I don't know that you do know or you don't know if who we use right now offers that same service, right? I don't know that because I don't know that they've been contacted, right? **DA Dupree** said correct. **Commissioner Stites** said but you said it would be your decision, right, once those funds are allocated. What if it does turn out that this group, our group that is currently being used, offers that same service? Are you saying that you will explore using them? **DA Dupree** said absolutely. **Commissioner Stites** said if they make sense. **DA Dupree** said if it makes sense not only for the budgetary reasons but for getting it done in an expeditious way as well as making sure that they meet all of the legal and federal requirements that my office needs, I would absolutely consider them.

Commissioner Stites asked, who would—and I guess you're going to make that commitment to us tonight that you'll reach out to the Clerk's Office and that will happen. I won't be here on the December 1st Commission meeting. I'm going on vacation, but I just want to ask that before I go. Is that—you'll reach out and you'll commit to that?

DA Dupree said no, no, no. I won't reach out. Commissioner Markley is going to give me the information and then we can go from there. But, yes, I just want to be clear since we're on the record. Once I get that information, my office will set that up and have a conversation. It is my hope that we will be meeting before the 1st meeting next week on preferably Monday or Tuesday to get this done with so you will have the opportunity of seeing me before your holiday, sir. **Commissioner Stites** said I look forward to it. **DA Dupree** said likewise.

Mayor Garner asked, any more questions from our Commission?

Commissioner Burroughs asked, Mayor, could you have the motion restated, please, for clarification?

Commissioner Bynum said I'll do my best. The motion that I made was a resolution of support for the \$1.7M allocation for the DA's request to digitize records, and that we would take steps to identify our funding budget years and sources out of the county side budget at a future meeting, whatever the next full Commission meeting says set by the Mayor.

Mayor Garner asked, does the second reflect that? **Commissioner Markley** said I sure do.

Mayor Garner said I don't know how much time staff will need to crunch those numbers, our financial team, so really I'm going to follow your lead on that. I'm committed to having a special session to address this matter for our Commission. Hopefully, you all could do that expeditiously in a manner that doesn't prolong the request of our District Attorney or our Commission. Is there a ballpark you can give this Commission?

Debbie Jonscher, Acting CFO, asked, are you looking to see if we could put together numbers by next week sometime? I think we can do that. I do just want to state that if we're talking about using funds in 2022, we will need to stay within the budget law, as Chief Legal Counsel noted. If we want to stay within the budget law, we will need to identify budget authority within 2022 and the fact that we're in the middle of November, we would have to identify something that has not already been committed or spent this year. So I just wanted to note that that is a concern we'll need to look for that.

Mayor Garner said I just ask that you all bring those options and the appropriate revenue streams, and then also revenue streams that may not be as readily apparent. I think it was brought up some options as far as taxation, so I want this Commission to be able to make an informed decision on where exactly they can garner these funds. **Ms. Jonscher** said okay.

Commissioner Bynum said just thinking about next week. Is Friday a Unified Government holiday? I'm just asking because the meeting will have to be properly noticed. Chief Counsel, is that a 24-hour notice? I think so. It couldn't be before Tuesday, the way my calendar works, unless we can actually properly notice something on a day that we're off. I don't know the details of that. Just thinking out loud.

Mayor Garner said I believe staff is committed to getting that to us expeditiously, so I'm really going to be laying on you all to get it in a manner...

Commissioner Bynum said I got way ahead of myself on my dates. That's why you're looking at me funny. **DA Dupree** said I promise I wasn't looking at you. I think I was just studying your process. It is indeed—I'm glad I don't have hair already because I think you guys would have taken it tonight.

DA Dupree said I do want to say that for this community and for all of you, I've had the conversation with you all and I've had the conversation with the Mayor and the County Administrator, and not one time, I want to be very clear, not one time has my office concerning this and finding justice concerning this matter been pushed back or turned away or talked down to or condescended by anyone on this Commission. You all have been stellar. You have been open-minded. You have been understanding. I want to make sure that the record is clear even for you, Commissioner Kane, that you did indeed take the time to have the conversation, and in no way have I felt that this Commission desired to ignore this office's request to pursue justice.

I will say and I know that some of you were here in 2018 and in 2017, but it is indeed a completely different posture than what I have experienced. I just want that to be known not simply because it's right before your vote, but it's important that you did hear it from me.

Commissioner Stites said I believe this is going to be my last time pushing that button, Mayor. I personally believe that it would be hard to believe that your vendor could not wait until 2023, which doesn't put us in this 2022 problem of finding that money. If we commit to half of it right now, like we've said, the \$850K, could that vendor be told hey, payment number two comes after we identify the funding source as soon as January? We got the holidays. We're trying to make this work. I know that '22; amending the 2022 budget in the middle of November is obviously creating an issue. So, would it be possible to reach out to that vendor to see if payment number two could happen in 2023?

DA Dupree said I will tell you that that conversation has not been had. I'm definitely willing to have a conversation, but I also want to be mindful that this is not simply about budgetary issues. I respect what you do but, again, from my perspective, this is about justice.

Look, I know what you're trying to do. I'm listening. I'm okay with the resolution. Let's try to work this out, but we need to get some money. I'm okay with trying to figure that out.

I also want you to know that there has been cause in this community for years for something to be done. Though it just may be another month or another two months, from our listen positions, you talk to the victims of these crimes and to the families, quite frankly, because we're all looking over the victims of this detective who was accused. But we're also looking at every victim of real crimes that happened that that detective touched and all of them are wondering what is about to happen with the potential person who went to jail for causing harm to their families. So, for us, our focus is to nip this in the bud right now.

So that conversation has not been had. The focus is about getting the funds so that we can move forward. Likewise, my understanding is that wouldn't even be a possibility at this point because it's outside of your budgetary ability unless I'm wrong.

Commissioner Stites said I appreciate your response there, but I don't believe that this company is going to spend \$1.7M in 45 days. I think we, as a Commission, have clearly demonstrated the willingness to fund what is needed. It is a matter of how we get there. The 45 days is what we're talking about.

Staff, is it possible what I've asked and what Mr. Dupree was alluding to that it's not even possible that we can fund this \$850K now and then in 2023 not have to make an amendment to our 2022 budget for the remainder.

Ms. Brown said so, Commissioner, you're asking me if it's possible to do the resolution of support tonight and also commit to funding the \$850K tonight in 2022. Is that correct? **Commissioner Stites** said in 2023.

Ms. Brown said this Commission can pass a resolution of support to fund the project and you can direct staff to come back with the numbers. Where it's not possible is like if you pass that resolution, that's wonderful and gives some comfort to the District Attorney, but when it comes time to make this payment, we need another budgetary action and we have to identify the funds so that they are spent according to budget law under that line item. So if Reggie and Debbie were able to produce right now a line item for \$850K to take it, it would all be done tonight, otherwise, what it would be is a resolution of support committing to come back and find the funds to fund this project.

Commissioner Stites said okay. Last question. Is revenue replacement dollars available? Could they—not available, could they be used to fund this?

Ms. Jonscher said there were revenue replacement dollars within the County General Fund that were placed both in 2021 and 2022. We did not identify any—in the City Fund, we had previous discussions that we set aside some of the money for grant matching. We did not do that on the county side. The revenue replacement went to fund operations within the County General Fund.

So if you want to identify \$850K for 2022, we are going to need to find savings somewhere that's left or has not been spent or encumbered in the County General Fund in 2022. So that's what we would be looking at is what funds are still available that have not been spent. If it's capital, then we would have to stop that capital in order to fund the \$850K because the budget expenditure has been set for the county when we approved the budget, so you can't exceed that number. In order to add an additional \$850K in, you would have to find a reduction somewhere else within the County Fund.

Commissioner Johnson said we have a motion and we have a second, and we have a full agenda after this. May we call for the question?

Commissioner Bynum said I just wanted to say that because I feel like I understood what CFO and Chief Counsel said. That's why I phrased my motion the way I did to encompass the explanations that they've given us. So I agree with taking our vote now, Mayor.

Mayor Garner said I appreciate, unlike 2018, the willingness of this Commission to see the value and the cries not just from our DA, but from our community, that we invest in the recommendations from this District Attorney who has taken a historic and monumental approach to make sure that the cries of this community were met and that is seeking truth and justice based on allegations that have been received.

As many of you know, I worked 32 years in the Police Department. Worked with a lot of good police officers. I don't want that to go unnoticed that we do have good police officers on our Police Department. But working in Internal Affairs and as a Police Commander, when allegations of wrongdoings came from anyone within that organization, we were obligated to pursue truth,

justice, and accountability and that's no different than where we are at now when we're talking about allegations.

I know that we all support these investigations, which I'm picking up on tonight. We were quick to support funding the Sheriff, which we totally support and the work that they do, as well as the Police Department. Not as long as of debate when it came to that question.

I understand monetary concerns that we have. I know some talk about putting ourselves or putting/thinking about our shoes that we have but for once, I'm glad that our commissioners are looking at putting themselves in the shoes of the people of Wyandotte County that for too long have been, for decades have been saying something needs to be done when there's allegations.

I know just from my experience what the DA has outlined to you with these documents and what he wants to do. These are evidence. These documents represent evidence and the longer we wait could potentially degrade which could hinder or hamper justice being revealed through any type of investigation.

I'm glad that we're not kicking the can down the road as has been done in the past. So I applaud you all.

DA, I support you. I've always supported you from day one ever since you brought up the Conviction Integrity Unit, and there was an establishment that fought you on that. The people have stood behind you along with myself.

I ask that this Commission not just seek to support, but we make a commitment not just to this DA but to the people of Wyandotte County because I can't state it enough. I was out there today and I heard a lot of testimonials from concerned individuals far and wide. What I can say is that we've gotten to the point where Wyandotte County is not only watching; the world is watching Wyandotte County. This DA, this community needs more than support. We need a commitment to make sure that we don't renege and we don't roll back.

I hear about money. We're talking about people's lives and this is an investment in people's lives. How much more are we going to have to spend before we get it right in accusations and allegations and lawsuits?

Mayor Garner said there's a motion and a second. Any further discussion? Clerk, roll call.

Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 2 – 212026...APPROVAL: ARPA SUBCOMMITTEE RECOMMENDATION

Synopsis: Request approval of project recommendations from the ARPA Subcommittee, submitted by Commissioner Markley. On October 24, 2022, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Mayor Garner said I will turn this item over. If I could have Mayor Caiharr and Mayor Harrington come to the podium. I’m just going to ask and turn it over to you all. You all made a request and it was supported by both Commissioner Burroughs and Commissioner Stites. I honored that request. If you all could lead off the conversation on the particulars of that request and why that request was made and why it was approved.



Carolyn Caiharr, Mayor of Edwardsville, KS, said thank you for asking us in tonight. I was informed very recently that the ARPA discussion was going to come before the Council and I hurried and tried to get my thoughts together to bring those to you. I’ve been following ARPA Subcommittee for a while, as a lot of you know; got my emails and probably have seen my name pop up on the screen during the subcommittee meetings.

I know hours upon hours have gone into the allocations and I don’t take that lightly. I’m sure that the subcommittee’s recommendation even being questioned would be very frustrating to those who have invested their time. If you are feeling this way, please just take a moment and consider the feelings of the Wyandotte County residents who have felt unheard and invisible for

the last two decades. It sounds like a little bit of a repeat of what we've heard, just in a different scenario, and people just feeling maybe that they haven't been represented or haven't been heard.

The Unified Government of Wyandotte County received \$37M in CARES Act funding. I'm just going back to a little bit of history not too long ago. \$25M was set aside for direct aid to local municipalities. We heard of park improvements and trail expansions in other parts of the county, and over \$6M of that was for public safety reimbursements, but not \$1 of that came to the public safety in Edwardsville; not \$1 came to our Police Department or our Fire Department.

Of the \$25M set aside for local municipalities, less than \$450K came to the city of Edwardsville. Out of \$37M, less than \$450K to our entire city to run City Hall, Public Works, Parks & Rec, Municipal Court, Police and Fire combined. Our DA's Office said earlier that his budget was about \$6.1M. Our budget's not much above that to run our entire city. When COVID hit and we had to make all of those adjustments quickly, we're really working in just a very small amount of margin. So when the \$25M was sent to the county to aid in local municipalities, we really felt overlooked during that time.

The CARES Act process revealed that we were less than in the eyes of our county commissioners. Not only were we thought less than Kansas City, KS, but less than UG departments, less than the community college, less than private organizations, and 501(c)(3)s. That was made loud and clear in dollars and cents.

Regardless of our request during the CARES Act funding, to include Edwardsville and Bonner as a voice at the table when county-wide decisions are being made, not one person representing our governments was asked to be included on the ARPA Subcommittee. Not even one of our commissioners is on the ARPA Board. Only commissioners with KCK districts were included in the ARPA Subcommittee, so I'm sure you can understand why we would feel that once again our voice wasn't at the table.

The Unified Government of Wyandotte County was given \$87.5M in ARPA funds; \$55.4M directed to Kansas City, KS, and \$32.1M to Wyandotte County. Yes, Edwardsville did receive \$678K for our city in ARPA funding, as Kansas City, KS, received \$55M. I'm not asking that any of the \$55M be spent outside of Kansas City, KS, but I am asking that the county funds be dispersed equitably in all parts of Wyandotte County.

Please consider the entire county when making the final decisions for county-wide ARPA funds ensuring that the money meant to benefit the entire county is not allocated only to

organizations that are accessible to only KCK residents. Funds allocated to 501(c)(3)s or programs primarily benefiting KCK residents, such as housing or health programs located in KCK, should come from the \$55.4M.

We have Wyandotte County residents that were impacted negatively by COVID in all parts of the county. The programs that serve those in need in KCK are not accessible to those in need in Edwardsville.

Edwardsville and Bonner Springs have submitted great applications for projects that would benefit those most in need in the south and western areas of Wyandotte County. Some ARPA funds are being used in Turner which have nearly identical census demographics as Edwardsville and Bonner. If this Commission has the desire to serve all the people in all areas of Wyandotte County, you can. These projects benefit Wyandotte County residents who are often unseen, unheard, and forgotten in the meetings held downtown in Kansas City, KS.

Once again, as last time, I'm not going to come before you with only complaints, but I'll bring some solutions. There should be a handout in front of you as one of the ARPA slides that'll probably be brought up again with the presentation.

AMERICAN RESCUE PLAN

ARPA Local Recovery Funds

JURISDICTION	ARPA Funds
City of Bonner Springs KS*	\$1.2M
City of Edwardsville KS*	\$0.68M
City of Kansas City KS	\$55.4M
City of Lake Quivira KS	\$0.14M
Donnelly College	\$1.1M
Kansas City KS Community College	\$11.8M
Wyandotte County	\$32.1M

SCHOOL JURISDICTION	ESSER III Funds
Bonner Springs- USD #204	\$3.88M
KCK Public Schools- USD #500	\$82.44M
Piper- USD #203	\$0.94M
Turner- USD #202	\$9.46M

JURISDICTION	ARPA Funds
Johnson County KS	\$117.01M
Jackson County MO	\$136.55M
Lawrence	\$19.30M
Leavenworth	\$8.55M
Lenexa	\$5.13M
Manhattan	\$12.76M
Olathe	\$14.92M
Overland Park	\$18.58M
Shawnee	\$7.56M
Topeka	\$45.68M
Wichita	\$72.42M

*Until LEAFES Act, when the University of Kansas had funds transferred from Bonner and Edwardsville ARPA funds have been allocated directly to each city by the State of Kansas.

wyandotte.org/ARPA

You'll see at the bottom there's \$2.6M left in county ARPA funds. Again, that's not the KCK funds, but the county funds. Above that you'll see \$1.850M allocated for housing from county ARPA funds.

AMERICAN RESCUE PLAN

Vision FOR OUR PANDEMIC RECOVERY

Wyandotte County and Kansas City KS is a community that enjoys a high quality of life. Our diverse residents are healthy, safe, and share the benefits of our growth as a community.

We fully understand our infrastructure needs and quickly address problems. We support more diverse quality housing, our neighborhoods small business growth, and equitable economic development.

The Unified Government and its partners work together to build on the success of our past while preparing for an uncertain future. Together we develop bold, systemic solutions with multiple benefits, leveraging our investment efficiently and effectively.

PROPOSED VISION STATEMENT

Through our recovery from the pandemic, Wyandotte County/KCK will be ready for the future as we grow our community and address critical neighborhood needs.

 wyockck.org/ARPA

AMERICAN RESCUE PLAN

Our Focus

VALUES FOR OUR RECOVERY
Equitable, Collaborative, Innovative & Resilient



COMMUNITY HEALTH AND WELL-BEING



INFRASTRUCTURE AND BUILT ENVIRONMENT



ORGANIZATIONAL AND COMMUNITY RESILIENCE

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AMERICAN RESCUE PLAN

Goals

COMMUNITY HEALTH AND WELL-BEING

- Address the needs of our community, particularly the most vulnerable, in response to the ongoing pandemic and its anticipated second wave, by working with our community partners and neighborhood immediately direct aid and coordinated support where it is needed most.
- Establish comprehensive response to address the needs of the residents with local and regional partners, building our respective strength through collaboration.
- Fully implement the Community Health Improvement Plan (CHIP) to strengthen our overall health and well-being as a community.

INFRASTRUCTURE AND BUILT ENVIRONMENT

- Understand current and future infrastructure needs to guide equitable prioritization of investments, maintenance, and planning.
- Develop a comprehensive plan to mitigate the impact of the aging infrastructure and driving cost for our community through 2025.
- Enhance availability and access to neighborhood amenities and infrastructure that support vibrant communities through rapid, intentional, and inclusive investment.
- Adopt a comprehensive strategy to develop sustainable, affordable, and diverse housing options to catalyze neighborhood regeneration and additional private investment, eliminating friction barriers to development as applicable.
- Balance new development by uplifting existing community and identify equitable approaches to improving quality of life for disadvantaged communities.

ORGANIZATIONAL AND COMMUNITY RESILIENCE

- Prepare our organization, workforce, and community for future disaster and disruptions.
- Foster and enhance our capacity for response at the neighborhood level to maximize impact on social, economic, and environmental outcomes.
- Build robust accountability with our inclusive investment.
- Establish fiscal sustainability and operational excellence as a organization.

KEY: Yellow indicates the strategic goal based on straw poll during special session 2/6/2021.

wyockck.org/ARPA

I would suggest taking the \$1.850M and fund that from the KCK's \$55M. Take the remaining \$2.6M that's left over, that frees up \$4.4M, split these county funds between Edwardsville and Bonner projects. This will invest in all parts of the county and it'll still keep all of the allocated projects covered.

If eligibility is a concern, the same amount could come from the \$11M in county revenue replacement as these funds do not have the same eligibility requirements and that would remove any obstacles that might come up. If this is not a reasonable solution to all, please consider sending this recommendation, along with the ARPA Subcommittee recommendations, to a Finance Subcommittee. Please at least include county commissioners that represent Bonner and Edwardsville to ensure that our needs are heard and our residents are represented.

When speaking with Wyandotte County residents who live in Edwardsville, they ask where are our tax dollars going? How are we served by the Unified Government? I've told them in years past we haven't seen much but give them a bit of time. They have a great opportunity to invest in our part of the county with ARPA funds and great things could be coming really soon.

After decades of not being heard, after being forgotten during CARES allocation, after bringing our needs before this Commission, going to meetings, having conversations, sending multiple emails, to have a recommendation of zero dollars of the \$32M in county ARPA funds leaving KCK, any sliver of hope that was left is fading. If this passes as recommended, the Unified Government seems to have failed us again.

When allocating funds, you are our County Board; not KCK commissioners, respectively. Specifically regarding the county portion, I'm asking for equity and accountability. I'm asking you to represent all of Wyandotte County and not only Kansas City, KS.

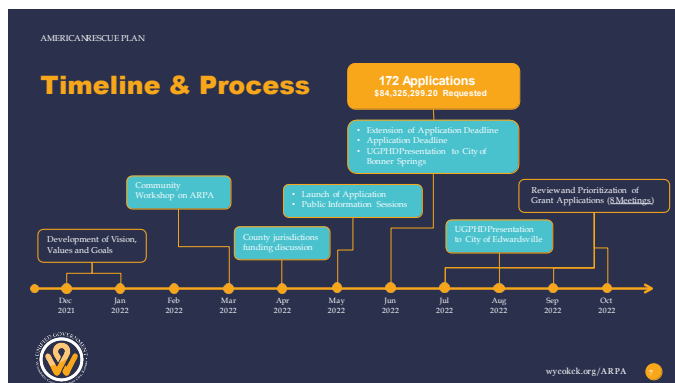
Thank you so much for your time and your consideration. I'll stand for any questions.

AMERICAN RESCUE PLAN

ARPA ALLOCATIONS TO DATE

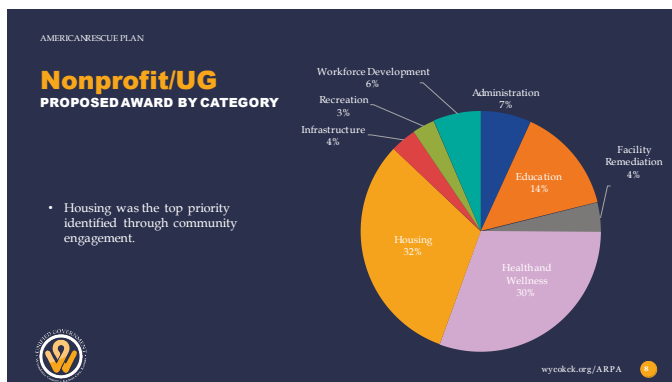
Board of Commission Actions Date	KCK	WYCO	TOTAL
US Treasury ARPAA Allocation	\$ 55,383,872	\$ 32,132,644	\$ 87,516,516
Immediate Needs 08.26.2021	(1,516,634)	(8,298,342)	(9,814,976)
Housing Assistance 08.26.2021	--	(1,850,000)	(1,850,000)
Revenue Replacement 08.26.2021	(31,085,244)	(11,020,975)	(42,106,219)
Employee Vaccine Incentive 09.30.2021	(660,000)	(340,000)	(1,000,000)
Additional Public Health Needs 02.10.2022	--	(3,435,934)	(3,435,934)
ARP/Capital Needs 05.26.2022	(17,474,528)	(6,378,308)	(23,852,836)
Municipal Court Fees shift 05.26.2022	(150,000)	150,000	0
Revenue Replacement Calculation Adjustment 06.02.2022	9,295,348	1,654,473	10,949,821
Kansas Avenue Bridge Emergency Repairs (from Revenue Replacement)	(3,500,000)		
Subtotal - ARPAA Allocation Remaining	\$ 17,292,814	\$ 2,613,558	\$ 19,906,372
Revenue Replacement Left in City General Fund Dedicated for Grant Matching	3,500,000	--	3,500,000
TOTAL ARPAA AVAILABLE	\$ 20,792,814	\$ 2,613,558	\$ 23,406,372

wyco.kck.org/ARPA



Jeff Harrington, Mayor of Bonner Springs, KS, said I echo what Mayor Caiharr said and what our commissioners, Commissioner Stites and Commissioner Burroughs, have stepped forward

when we brought these to Mayor Garner's concern. These same—the exact same things practically happened in Bonner Springs.



AMERICAN RESCUE PLAN

**Nonprofit/UG
PROPOSED AWARDS**

• Proposing 29 awards for a total of \$13.9M.
• ~\$3.1M in ARP funds remain for future allocation.

Organization	Program	Category	Amount Requested	Proposed Award
Argentine Belvedere Corporation	Affordable Community Housing	Housing	\$403,800.00	\$110,000.00
Avenue of Life	Recovery Response - Impact KCK Capacity-Building	Housing	\$2,501,752.88	\$1,225,436.22
The Village Initiative	The Village Initiative Inc. Houses of Hope	Housing	\$350,000.00	\$325,000.00
United Government of WyCo	AMP-Guidance	Administration	\$240,773.14	\$240,586.39
The Salvation Army Kansas City Kansas	Harbor Of Hope	Housing	\$372,342.00	\$336,671.00
United Government of WyCo	AMP-CasaMatters	Administration	\$1,047,000.00	\$725,000.00
Catholic Charities of Northeast Kansas Inc.	Shalom House Homeless Transition Program	Housing	\$41,000.00	\$41,000.00
Local Workforce Development Area III, Inc.	WFLW WFLW - Career Team Skills Training and Support Project	Workforce Development	\$2,565,136.00	\$1,180,000.00
II Center Inc.	Economic Empowerment	Housing	\$750,567.00	\$501,000.00
Moore, Caroline	Community Care	Education	\$9,331.14	\$16,000.00
Park and Recreation	Partnered Pool Improvements	Recreation	\$100,000.00	\$100,000.00
Friends of Yates	Yates G&P Joyce H. Williams Center	Housing	\$435,898.00	\$384,443.32
Our Spot, Kc	Youth House	Housing	\$1,176,014.00	\$1,000,000.00
United Government of WyCo/KCK Transit	Bus Shelter Improvements	Facility Remediation	\$100,000.00	\$100,000.00
Park and Recreation	Klamath Park & Quadland Tennis Courts	Recreation	\$160,000.00	\$160,000.00
Mt. Carmel Redevelopment Corporation	Critical Housing, Health, and Human Services in Northeast Wyandotte County, Kansas	Housing	\$1,276,000.00	\$1,000,000.00
Kansas City Metropolitan Lutheran Ministry	Emergency Needs for Homeless and At-Risk Households	Health and Wellness	\$400,000.00	\$200,000.00
KUMC- Project Eagle	Project Eagle - Early Childhood Education	Education	\$1,671,224.85	\$1,260,000.00
Young Women on the Move	ELC/REH/ WYCOM Resource Center for Housing, Youth, and Families	Recreation	\$787,800.00	\$618,000.00
				\$14,635,691.47

wyockck.org/ARPA

We had half a dozen different applications made and none of which were even addressed.

AMERICAN RESCUE PLAN

PROPOSED AWARDS (requested funds)

Housing

Argentine Belvedere Corporation	Avenue of Life	The Village Initiative	The Salvation Army Kansas City Kansas	Mt. Carmel Redevelopment Corporation
\$132,307.50	\$1,362,719.11	\$419,107.00	\$372,342.00	\$986,700.00
Affordable Community Housing	Recovery Response - Impact KCK Capacity-Building	The Village Initiative Inc. Houses of Hope	Harbor Of Hope	Critical Housing, Health, and Human Services in Northeast Wyandotte County, Kansas
Acquiring and rehabilitating properties, rehabilitating those who are exiting, purchase, and selling them at affordable rates, then re-occupying them in the neighborhood.	Avenue of Life Navigation provides intensive case management services, support, and advocacy to families in the workforce and economic self-sufficiency. Navigation takes a person-centered approach to address the needs of the community, including by-side with their families until they are able to move into their own homes. The program also provides secondary vocational education.	Construction and development of transitional housing (transitional house 10 units) and a women's center, assist with community integration, job and entrepreneurship support (this is an expansion from the earlier ARP program and from the LFC).	The Harbor of Hope will provide and direct transitional housing for those exiting prison and treatment centers.	MCR works to meet a wide range of housing, health and human services needs in northeast KCK. It requests funding to assist in the following areas: housing (rent, mortgage, and utility assistance), health (mental, physical, and substance).
II Center Inc.	Friends of Yates	OurSpot KCK	Catholic Charities of Northeast Kansas Inc.	Cross-Line Community Outreach
Economic Empowerment	Della Giff Joyce H. Williams Center	Youth House	Shalom House Homeless Transition Program	Housing Stabilization
\$546,070.88	\$395,224.75	\$1,129,014.00	\$41,000.00	\$387,500.00
We want to prevent evictions and stabilize households in addition to preventing, and safely resolve one of Wyandotte County's most vulnerable populations by providing emergency rental housing assistance and life-saving support services to assist evictions in gang-related, self-sufficiency, and property and stable housing.	Under this proposed project, KCK will continue to serve to meet the immediate health and safety needs of one of Wyandotte County's most vulnerable populations by providing emergency rental housing assistance and life-saving support services to assist evictions in gang-related, self-sufficiency, and property and stable housing.	Lean House is Christ's KCK's will continue to serve to meet the immediate health and safety needs of one of Wyandotte County's most vulnerable populations by providing emergency rental housing assistance and life-saving support services to assist evictions in gang-related, self-sufficiency, and property and stable housing.	In December, the Shalom House Transitional Program served seven experiencing homelessness who resided at the Sanctuary Hope facility. The program will be expanded to provide more support to those who are experiencing homelessness. The new facility will feature a space of 50 residential participants, up from 22 at our former site, offer two fully compliant ADA-compliant quarters that provide for more dignity, classroom space for the workforce, financial education support group, and community engagement to be developed and the provision of a board of directors.	The Housing Stabilization program at Cross-Line Community Outreach helps prevent and stabilize homelessness during the COVID-19 pandemic. Beyond providing immediate relief to the households, the program also provides financial aid, case management, and other support services. The program also provides financial aid, case management, and other support services. The program also provides financial aid, case management, and other support services.
Community Housing WyCo				
Allowable Apartments at Boulder, Latta and Carlson				
\$400,000				
CHW requests \$500,000 to offset increased construction costs for Boulder, Latta and Carlson, a ground-breaking recovery project in residential area located at 800 Washington St. Kansas City, Kansas.				

[illegible]

AMERICAN RESCUE PLAN	
PROPOSED ASSETS (requested funds)	
Workforce Development	
Local Workforce Investment Area III, Inc. \$1,182,569.00	KCK Construction Incubator \$22,360.00
SkillUp WyCo - Ashbort - Term Skills Training and Support Project Providing additional development and retraining support to individuals with 11 disabilities, including individuals with intellectual, physical, and traumatic brain injuries, and learning, cognitive, and other related topics.	The WyCo Term Business Resource Center The KCK Construction Incubator and accelerator program is set up to be an incubator resource for KCK and WyCo entrepreneurs to help them grow their businesses by development during the construction building the capacity to deliver larger projects. During the development, program participants will engage their skilled facilities, strategic partners, who are committed to sustainably developing the MWU trade sector for community for greater success.
Education	
Mission Adelante \$35,476.29 Citizenship Class	KUMC - Project Eagle \$2,674,127.96 Project Eagle - Early Childhood Education
Our goals for this citizenship program are to serve, not to all immigrants - it offers program offering, and adequate program to students from the community.	Project Eagle proposes to serve preschool aged, children in Wyandotte County, Kansas that are not yet in any programming. Project Eagle has 14 classrooms, but due to increased enrollment, children are waiting one to two preschool classrooms, has been closed during March, and will be unable to accept more children in the county in order to most effectively address the comprehensive needs of these vulnerable families. Project Eagle plans to serve an additional 1200 children in center-based services with programming targeted to Educare model.

November 17, 2022

AMERICAN RESCUE PLAN

PROPOSED AWARDS
(requested funds)

Health & Wellness				
Kansas City Metropolitan Lutheran Ministry	Cross-Lines Community Outreach	The Family Conservancy	WyCo Sheriff	Hillcrest Ministries of MidAmerica, Inc.
\$100,000.00	\$250,000.00	\$2,000,000.00	\$40,500.00	\$645,000.00
Emergent Needs for Homeless and At-Risk Households	Cross-Lines Community Market	Start Young Program	Air Quality Filtration Equipment	Mitigation of Homelessness
The Emergent Need for Homeless and At-Risk Households project is comprised of three primary program components: address housing instability, food insecurity, and personal well-being. Client Services Case Management, and Financial Opportunity Center (AFOP) branches allow MLMin to continue to meet the growing needs of those in poverty. Wyandotte County, providing mental services and assistance to homeless and at-risk households.	Cross-Lines requests \$250,000 in ARP funding to support the expansion of the Community Market program to serve residents of Wyandotte County's health food stores. Funds will be used to expand capacity and increase the amount of healthy food distributed to the community to meet the current increased demands for food access during the pandemic that is now compounded by increasing inflation.	The overall goal of The Family Conservancy (TFC) is to create a system approach for early childhood education that improves the access and quality of childcare in Wyandotte County and beyond. TFC provides educational and family support services to ensure that all children have the opportunity to succeed in a quality early education setting that increases the child's chances of entering kindergarten prepared to succeed.	We are requesting funding to support the purchase of commercial air filtration units for the detention center and other social workspaces. Total cost will be \$40,500.00.	Hillcrest respectfully requests funding to support an intervention effort to improve the physical and mental health of homeless households in Wyandotte County through increased access to transitional housing programs and services.

www.kck.org/ARPA

Now I do not have anything but the most respect for all of you making these tough decisions, but this is a decision that can make equity across the whole community by re-evaluating these.

Mayor Garner said before questions, I'll let Commissioner Burroughs and Commissioner Stites make comments.

Commissioner Burroughs said, Mayor Garner, first I want to thank you for allowing us the opportunity to advocate for our communities that have been denied application process and not considered in the funding mechanism that was put in place for the ARPA funding.

This goes back prior to your administration, Mayor, that it had been requested by myself initially to have an elected body from either Bonner Springs or Edwardsville to be included in the ARPA funding. That request was not only ignored; it was denied. I had to appear before the commissions and the city councils in Bonner and Edwardsville and it was not a pleasant thing to do, colleagues, when you are being held accountable for decisions made by others without being consulted as to how the money was going to be spent. In light of that, I committed to doing what I could to come back and request when the initial issue vanished and the new issue was coming forward.

I, again, approached and asked to be part of that process, either myself or the newly elected commissioner, to have a voice for a part of the community that was denied that opportunity at the first allocation process. Again, it was denied. I believe, and I will state this clearly, that had it happened to any of you in your particular districts, if there was not one organization that had been funded in any of your districts, you would be wanting to have advocacy time for your constituents.

We are a unified government. I think Mayor Caiharr said it explicitly when she said we work in unison, a city and a county. Just because they are a city in and of themselves doesn't mean

that we should deny the fact that they don't have county responsibilities and that we don't have county responsibilities to them.

I'm advocating and doing my best to champion those issues in Bonner Springs and Edwardsville as commissioner at-large. They were not represented at the table by either elected body, myself, or Commissioner Stites and I think that we can remedy that. With that all, I've made my statement.

I do appreciate the work of the ARPA Committee. I know it hasn't been easy, but if we're not going to be heard and among ourselves, then I think we need to be out in public and advocating to let the people back home know that their mayors are here asking for assistance and your elected members are here to offer that assistance.

Commissioner Stites said the first thing I want to say is thank you guys both for showing up and waiting for several hours to get to speak. I think it goes to show how important this is to you, as mayors of your cities, to make sure that we get to—

Back in about mid-October, Mayor Garner reached out to Mayor Harrington, Mayor Caiharr, myself, and Tom Burroughs and said we'd like to have a meeting. There was not any agenda, but we got it on the books and it was set up for November 1st. November 1st came and Mayor showed up, Mayor Garner, myself, Tom Burroughs and we spent the entire time talking about ARPA. That was the main agenda. That was it. That's what they brought to us to talk about. That was their biggest concern right now in Bonner and Edwardsville. We told them that day that we'd get them some answers back. As a matter of fact, November 2nd, Mayor Caiharr sends an email to the Mayor, to myself, Mayor Harrington, and to Mr. Burroughs; here's a solution. Here's a possible solution so that we don't upset the work that has been done on the ARPA Committee. There's other dollars that are available to fix this. Guess what? They never got an answer. No one ever responded to them.

Again, they had this meeting. They were told they were going to be reached out to. They were going to be contacted and they didn't. No one contacted. Nobody spoke to him. Nobody. They were out of sight, out of mind. Gone again until another day. Well, that day's here. That day's here right now.

I was on the Edwardsville City Council when CARES Act came around. We asked, and asked, and asked could someone from either our elected District 7 commissioner at the time or our

at-large be on that committee. We were told no. Why? Why? If we're truly representing all of Wyandotte County, why would we not want somebody that can represent Bonner Springs or Edwardsville on that committee? Don't know. We didn't get it.

Fast forward. Now we're at ARPA dollars. Guess what happened? It happened again. I wasn't asked to be on that committee to represent District 7, newly-elected commissioner for that district. Commissioner Burroughs wasn't asked to be on it. Again, Bonner Springs, Edwardsville left out of the mix. \$55M to the city of Kansas City, KS. Tell me if I'm right again, Ms. Caiharr, \$600K and some to Edwardsville. \$600K. Not one penny to Bonner Springs or Edwardsville out of county. Not one penny.

Mayor Harrington, I'm not sure if you know right off the top of your head what the dollars were for...**Mayor Harrington** said \$800K. **Commissioner Stites** said so \$800K. So between two cities that are left to run police, fire, ambulance, water pollution, street maintenance, they were given, two cities, \$1.4M to run two cities out of the city. That's what they were allowed out of the city's ARPA dollars.

Mayor Harrington said I believe those are actually out of CARES funds, CARES Act funds. These are ARPA funds; quite different bucket those are coming out of. So \$55M; \$37M are ARPA funds.

Mayor Caiharr said right. So CARES Act, it doesn't get better. CARES Act, there was \$25M that went to local municipalities. Of that, we only got \$450K, not \$678K. The \$678K came directly from the federal government, ARPA. That didn't come from the UG.

Mayor Harrington said and not to labor, we did make applications to the ARPA task force and those applications went unanswered. We had applications for our senior center for a van for transportation, youth activities, small business programs in our economic development for retail after COVID. We had requests for small business assistance programs. The expansion of the small business assistance program in KCK into Bonner Springs. Drinking water plant funding assistance as well as the expansion of the UG fiber system into Bonner Springs for public service safety activity. That's something that we're trying to investigate through federal or state funds.

We submitted those applications and there were basically two options that those applications fell under; non-profit or UG departments. We didn't receive any notification or communication concerning our applications. We also don't recall or our professional staff doesn't

recall reviewing or being discussed in the ARPA Subcommittee. We did offer to provide presentations, but we never heard from them.

So, this is a way to correct some of those injustices, be fair and transparent and appropriate.

Commissioner Stites said thank you. So, I'm not finished. I'm going to go back to—I don't want to diminish the other 501(c)(3)s that have, or take away from them at all that are potentially getting funded out of this. They all serve a great function. They need their money. I get it. I want them to have their money. I don't want to take away one penny from them, but there are also good 501(c)(3)s out in Bonner Springs and Edwardsville that need those dollars. A lot of them that didn't even know they could apply for it.

Our outreach to—I'm just—Ms. Alia Jared, Pantry of Hope. She had no idea. She had no idea that she could apply for a grant. That was the Hollywood Casino grant. She had no idea. Our outreach to them is terrible. We were told here not too long ago in a meeting that we were going to reach out to—and I'm going to say what department does reach—we're going to reach out to our neighbors, our neighbors. Really? Bonner Springs and Edwardsville, they are now our neighbors? No. We're a unified government and we should be treated as such.

So, right now, this can be fixed and we don't have to upset the work that you guys have already done; the allocations that are already committed to those people that need them and that are, quite honestly, they're counting on those dollars, those 501(c)(3)s.

There's \$1.85M in housing. I totally agree that ought to come out of KCK's ARPA dollars, not the county because it's not going anywhere near Bonner Springs or Edwardsville. The \$2.6M left in the unallocated ARPA dollars, which is a total of about \$4.4M, we can fix this tonight and allocate that \$4.4M to the other two cities and right this as we go forward.

Commissioner Burroughs said thank you for helping us get this message across. I do want to echo the work of the ARPA Committee. I know it couldn't have been easy. It was quite burdensome having heard from some of the directors of the 501(c)(3)s. They are advocating for their constituency. Commissioner Stites and I, and you two mayors are here advocating for yours. It's a fairness and equity issue, and this could have easily been resolved if there would have been consideration of engaging the two electives, either one of us, to serve on that ARPA Committee.

The optics of it are not fair to either one of us when it comes to ARPA funding that was to be shared countywide. That is the concern that I've had all along.

I want to be a good team player. I respect the work that other commissioners do, but when you disrespect commissioners and not allow them to advocate for their communities and be part of the team, there's something broken in the system. We need to identify why we are considering Wyandotte County residents as neighbors and not as partners.

So, I would hope that we can come to a resolution. I think, Mayor Caiharr, you offered a very equitable resolution. I don't know, it's never been; I know I requested that the ARPA funding be held up until we have an opportunity to address it. I don't know what process was put in place, not being included on the committee, but I trust good judgement was utilized for the other 501(c)(3)s. However, I would like to have an opportunity for Commissioner Stites and myself to understand why you were excluded.

Mayor Garner said thank you for those presentations. We're now going to take questions.

Commissioner Markley said well, I didn't decide who was appointed to this committee. That may come as a shock to some of you. I didn't pick. Mayor Alvey picked and then Mayor Garner made the appointment of Commissioner Davis when he was elected to fill the empty spot. Not my choice. I mean, my choice and that I was glad to have him, but I didn't choose my appointees.

I also didn't choose how the state allocated city funds to the cities. It's allocated based on population. Bonner Springs and Edwardsville have a much smaller population than Kansas City, KS, so they got a lot less funds. In fact, their population combined is about half of one of our commission districts. It's a much smaller area. But, again, I didn't make that decision.

What I did do was chair the ARPA Committee based on their marching orders given forth by this Commission. The health and wellness items and housing items that Mayor Caiharr indicated we're spending most of our funds on are the exact items this full Commission asked us to spend the majority of those funds on. They gave us three buckets, made a ranking system based on those three buckets, and we allocated the funds based on who ranked highest up against those three buckets.

Those priorities this Commission gave, along with federal requirements, led us to propose using these funds in ways that, for the most part, support our most vulnerable people and our most vulnerable neighborhoods.

The allocations that were supposed to move forward tonight have already been supported by a super majority of this Commission. The five ARPA Committee members and three additional Commission members who sit on the Administration and Human Services Standing Committee, but did not sit on the ARPA Committee. So, it's eight commissioners who have already supported this set of allocations.

Delaying the will of the majority of the Commission is also delaying services and support to those in our community who need it most. Those people who need the housing, who need the support, and who need the services. I think that's disrespectful to the majority of this Commission, to our applicants who weathered a long process with us, and to the community members who need those services the applicants provide.

There are \$3M of ARPA funds still available, a little less than that, give or take. I'm fine with having the ED&F Standing Committee haggle over those funds. Our committee had been moving forward with plans to allocate that additional money, but I think these items should move forward tonight as they were intended, as we advertised to the community because, by the way, I didn't get a single phone call from the Mayor's Office about the fact that this wasn't going to be on the agenda this evening. So I found out, again, like with DA Dupree's item, when I sat down tonight that was blue sheeted off. It was advertised in our E-News today that we were going to be adopting this list of applicants, but apparently we're not.

I'm frustrated because this committee is one of the hardest working committees I have ever served on. I gave them more homework than your average fifth grade teacher. Seriously. Hours and hours and hours of homework because they read 170 applications and they ranked individually the top half of them one by one. They did a ton of work. It wasn't easy work because every application was good. We didn't get any applications that were terrible. We got some that were determined to be ineligible. We got some that didn't meet the Commission's priorities. We got some that met the Commission's priorities, but weren't as high a priority as others.

These five people, four plus myself, had to haggle through figuring out how to allocate those monies. I'm proud of them. I'm proud of the work they did. I think they did what this Commission asked based on the goals we were given. I'm frustrated that we're not moving

forward tonight with the slate of applicants that were proposed, especially since it came through standing committee unanimously and has the support of eight commissioners.

Mayor Caiharr said if I could follow up just really quickly. I, also, watched the standing committee meeting. I would also like to mention that not one person on the standing committee represents Bonner or Edwardsville. It, again, was a committee made entirely of Kansas City, KS, districts. So we feel like we were not represented there either. It's no surprise. I understand, Commissioner Markley didn't assign her committee. That was inherited from a prior administration. I'm not here to point fingers.

Again, I'm hoping to bring solutions. I am not advocating for taking \$1 away from any of the 501(c)(3)s. I've given you a solution that keeps all of that funding exactly where it is, only moving housing because that's not going to help people in the entire county. You had money left over of the \$55M that could come from. It was only \$1.85M. That can come from KCK still. There's still money in the KCK ARPA funds to fund the housing, but I can guarantee you, none of it's coming to the southwestern part of Wyandotte County.

My suggestion is fully respecting the decisions and the work that's been put forth by that subcommittee. I know. I've watched it. I've seen how much work they put into it and I can appreciate that. It's just that we didn't have a voice there. So this is me trying to bring a solution and say all of those are funded. It doesn't take any of that funding away. It's not taking away from that work. There's money that's available that can bring some equity and accountability to that situation and show that the UG Commission is interested in the quality of life of those in Edwardsville and Bonner Springs as well. While we might be different cities, we're still Wyandotte County residents; and there are still people who are hurting in our parts of the county that cannot access the projects that are funded in downtown KCK.

I don't know if you've been to the gas pumps lately. I don't know if you've been to the grocery store lately. Everybody's hurting, but those especially most in need don't have the extra money to drive 20 minutes downtown and take off of work to access those programs.

Commissioner Bynum said just a couple of questions and comments. I will start by saying that I am an at-large commissioner and I am elected county-wide, as is Commissioner Burroughs, so I do represent all of Wyandotte County just like Commissioner Burroughs does. I served on the

ARPA Subcommittee and I serve on Administration and Human Services. I don't live in Edwardsville or Bonner, but I do represent all of Wyandotte County and I'm elected to do that.

Commissioner Bynum said I want to go back to CARES. Mayor Caiharr, I heard you say you were ignored during the CARES process. The CARES process indicated funding priorities for those dollars back in 2020. Item one, reimburse the Unified Government, Bonner Springs, and Edwardsville for allowable expenses. Are you saying that did not occur?

Mayor Caiharr said I'm saying that we received less than \$450K from the CARES Act Committee while over \$6M went to help emergency response/first responders. So Kansas City, KS, got an allocation. Those were based, if I remember it and it's been a while, I wasn't even there, based on population. So when it comes to the hands of our county, so it was based on population, but when it came to extra funds being dispersed for first responders, for example, millions more were sent to Kansas City, KS Fire Department, while not \$1 more was sent to the Edwardsville Fire Department or the Bonner Fire Department.

Commissioner Bynum said but it wouldn't be fair to say you didn't get funded. That wouldn't be fair. **Mayor Caiharr** said well, I said we got \$450K. **Commissioner Bynum** said okay. Just wanted to clarify for the record. **Mayor Caiharr** said of the \$25M. **Commissioner Bynum** said I think it was, and I can't remember the exact amount, maybe \$37M total, it was all allocated to Wyandotte County. And you're right. And then we had to sit, as the body that identified where those, and again, we took those non-profit applications in that process as well.

Commissioner Bynum said in the current ARPA allocation round, the dollars that went to the state were then allocated by population size to cities like both of yours, under 50K, and Bonner got \$1.2M and Edwardsville got \$689K. **Mayor Caiharr** said \$670K. **Commissioner Bynum** said \$670K. So I want to start there. **Mayor Caiharr** said and KCK got \$55M. **Commissioner Bynum** said KCK got \$55M. I think we were in a different category than you because KCK is not an under 50K population city. So your funding mechanism was different than KCK. **Mayor Caiharr** said right, and that's why I was really focused in on the \$32M that was supposed to be allocated for our county, not Kansas City, KS, entirely.

Commissioner Bynum said I think part of the difficulty that the KCK commissioners who sat on this committee faced was, and you probably know it as well as we do because you've tracked

this process, all of the restrictions if you will, all of the things that were required in order to qualify. So looking at the spreadsheet of the 172 applications, I have—and, Mayor Harrington, correct me if I'm wrong because I've gone through these. The Edwardsville application for facility remediation, a \$1M request, an infrastructure request for \$556K. Our ARPA consultant deemed those not allowable under the ARPA guidelines.

City of Bonner for a transit van for \$52K—I'm sorry. I have to go back. I'll go back real quick and look. That one may have been allowable. I can't remember off the top of my head. Not allowable. I'm reading from what our ARPA consultant identified. **Mayor Harrington** said we don't have any access and haven't received any of that information back, which our best information, it is for the county. **Commissioner Bynum** said which I do think is a problem and I agree with you on that.

Edwardsville Police, \$99K for crime reduction; partially allowable. Bonner Springs' water for \$603K; not allowable. Edwardsville Community Fund, I do not know if that's the city of Edwardsville or some separate non-profit. Do you? **Mayor Caiharr** said technically, it's a non-profit. **Commissioner Bynum** said okay. Actually that was \$677K for a spray park. Not allowable.

There were several economic development applications that were actually made through the Unified Government departments, Economic Development Department, that included what you referenced earlier, Mayor, the expansion of economic development support into Bonner. I believe that one was allowable.

There was also your fiber project which was also an application that was made by a Unified Government department, our Knowledge Department. That was fiber into Bonner Springs. That one may have also been allowable. The reason I bring it up is...**Mayor Harrington** said it was not funded. **Commissioner Bynum** said that's correct. None of what I've just listed here was funded in what we called our top half. **Mayor Harrington** said the fiber project was funded across other parts of the county with the beginning CARES Act. **Commissioner Bynum** said right. Very well. The reason why I'm walking through it is because—and I have some other questions because I want to make sure I'm understanding, so I'll hold that for a minute.

You are referencing the spending of city dollars on these things and county dollars on these things. I don't see that. Where is that? **Mayor Harrington** said no. We don't want anything...**Commissioner Bynum** said no, no, no, no. Mayor Caiharr has identified, through

something you've looked at that's got to be on my website that I just can't find, that you know that we have spent city dollars on this and county dollars on that. Where did you find that? **Mayor Caiharr** asked, housing? **Commissioner Bynum** said you stated multiple times here tonight that you have identified city dollars, KCK dollars were spent on item A and county dollars were spent on item B, and that if we would just fix that and move those things we spent county dollars on over to the city, all would be well. Where did you find the list?

Mayor Caiharr said this was presented—you've probably seen it twice now because it was presented at the ARPA Subcommittee meeting. **Commissioner Bynum** said okay. Gotcha. **Mayor Caiharr** it was also accessible on the agenda on the website for tonight's meeting so that's where... **Commissioner Bynum** said I see. So you're, for example, this little highlighted one, you are saying that under WyCo housing and then WyCo \$1.85M that that's where you're drawing that from? **Mayor Caiharr** said absolutely. **Commissioner Bynum** said gotcha. **Mayor Caiharr** said yes because the housing—and if it brings any peace to anybody here, I've talked to state representatives, people at the Kansas level, and Commissioner Burroughs would probably have some insight into this as well. There are millions and millions of dollars at the state level for housing. So ARPA is not our one shot at housing. There are millions ready for that. But what I can do, I'll assure you, is that \$1.5M, just like all of the other things, none of it would be coming to the western or southern part of Wyandotte County.

So what Mayor Harrington and I are asking is that we would at least care about those in need in the southwestern part of Wyandotte County. It's a little—I can't find the right word. I would say maybe disparaging is that commissioners in our county aren't aware outside when you're on the county board. I know that there's a lot of things for KCK but we have needs in Edwardsville. We have people in need in our community. There are people in need in Bonner Springs. So when you're saying yeah, we need the projects for those in need in our county, yeah, there's a lot of meetings in KCK, but our people can't get there.

Commissioner Bynum said, Mayor, I have an appreciation for what you are saying. The applications that were made by the city of Edwardsville were facility remediation, crime reduction, a spray park. I'm struggling with if we go back to this and we drill down to where what applications we funded make up the \$1.85M, we may very well find that the non-profits providing

housing assistance may not touch an Edwardsville resident, and I would concede that. I don't know it to be true yet because I can't see what applications we funded total \$1.85M.

Mayor Harrington said these were the only applications that we were even able to make application for. There weren't even any areas other than UG departments or non-profits for us to make applications. So I'm sure there is more than this much need in the southwest portion of Wyandotte County.

Commissioner Bynum said but I'm trying to...**Mayor Harrington** said that would meet all of your requests. **Commissioner Bynum** said I'm trying to get there with you just by understanding. Here's where I am, and I've been sort of all over the board. You're standing in front of us making a request for a couple of things that I think I can hear, reallocate monies across from a city to a county line item. I'm more than willing to take the pencil to the paper and try to figure out how to make that happen; but there is no applicant out of the 172 received, not even within the UG departments, who have been given the podium as you have tonight to be able to come forward, as elected officials, and say fairness, equity, etc. You've both been allocated ARPA monies directly from Topeka. You made application through the same portal everyone else did, UG departments and non-profits. We have many, many UG departments not funded.

Mayor Harrington said I think we really consider ourselves a separate entity than a UG department. **Commissioner Bynum** said I agree. **Mayor Harrington** said and a non-profit. **Commissioner Bynum** said I think that's true as well. **Mayor Harrington** said we also had no representation on that subject. Although none of them are out here standing here right now, they all had representation.

Commissioner Bynum asked, can you give me an example, again, I'm looking for finding a way to the middle as well. Is there an example of a non-profit in either or both cities that would deal with housing? **Mayor Harrington** said yes. **Commissioner Bynum** asked, they didn't apply because they didn't know to apply? **Mayor Harrington** said yes. **Commissioner Bynum** said okay. Fair enough. It's difficult...**Mayor Harrington** said there's several. **Commissioner Bynum** said I'm glad because if it's true what you say, then definitely the non-profits are very much a big part of the solution.

It's very difficult for me to have asked all of these agencies, UG departments, cities, our County Parks Department, all of the non-profits to follow a set of guidelines and then someone

who's been working on this for a year and then go back, but you guys can do something different. **Mayor Harrington** said I appreciate that. One of the applicants or one of the departments was the Kansas City, KS Fire Department...**Commissioner Bynum** said Police Department...**Mayor Harrington** said Police Department. Both of us...**Commissioner Bynum** said right. **Mayor Harrington** said we're not asking from the city funds. We're asking for it to be addressed from the county funds. That's where I guess those funds went to the KCK Police Department. I'm sure our application would have worthy needs just the same.

Mayor Caiharr said I wanted to also mention that some of the spreadsheets that you're referencing, we've never had access to those. **Commissioner Bynum** said okay. **Commissioner Caiharr** said we haven't and the fact that we were thought of at the bottom of the list. We weren't at the conversations to begin with. We weren't at the table to begin with. We were told, oh yeah, you're there. You can apply with the 501(c)(3)s. We're representing, while it may be small to some of the commissioners, we're representing huge portions of the county that has needs.

We were asked to fill out an application...**Commissioner Bynum** said right...**Mayor Caiharr** said...instead of being at the table to begin with. While the UG has grant writers to make sure the words are all right on their applications, we don't have that luxury. Our county dollars may be paying for it, but (inaudible) applications...**Commissioner Bynum** said so I'm going to say...**Mayor Caiharr** said...they're saying it's not eligible. I don't know how—I'm pretty familiar with ARPA. I don't know how a water plant is not eligible. But we don't have the resources, the words in the way that you can write them.

Commissioner Bynum said I'm going to say that I've said this many times, communication is a two-way street. It requires a sender and a receiver. You did email and you and I did correspond. I would say that's the extent of any communication throughout this process from anyone affiliated with representing Bonner and Edwardsville period. **Mayor Harrington** said (inaudible). **Commissioner Bynum** said I don't know. I never heard from (inaudible). **Mayor Caiharr** said (inaudible). **Commissioner Bynum** said I'm sorry. I can't hear. **Mayor Caiharr** said if either Commissioner Stites or Burroughs were included or at the table at the subcommittees, then you would have heard from us more. It's frustrating watching those subcommittee meetings and then

the list gets narrower and narrower and narrower and we don't ever know where we are on the list; why we're not eligible.

Commissioner Bynum said I'm so sorry. I appreciate the conversation. At the same time, I feel bad for taking up so much time but I have one more question. **Commissioner Stites** said that on November 2nd, you emailed, you, Mayor Caiharr, emailed, you said Stites, Burroughs, Mayor Garner, and Mayor Harrington. Who were you hoping she would get an answer from those folks that she emailed?

Commissioner Stites said she got a call back. We were told on that November 1st, the day prior to, that somebody would be getting back; somebody. **Commissioner Bynum** said yeah. I'm just lost because I don't know who you're referencing. In the November 1 meeting, somebody's going to get back to you. **Commissioner Stites** (inaudible) everybody. **Commissioner Bynum** said I just don't know what you're talking about.

Commissioner Stites said staff. There were staff that were there... **Commissioner Bynum** said okay. That's all I was looking for. **Commissioner Stites** said...that was told because then the second item that was brought up was the PILOT. The PILOT was brought up and it was said after we got through with—after we got through with the CARES or the ARPA, right, we wrapped that conversation up and then it was—well, we got two or three, five, ten more minutes, what else is on you guys' plate? What else you guys want to talk about and it was the PILOT. Then it was well, we are not prepared to talk about PILOT. Somebody will be getting back with you on both fronts. That was November 1st and no one ever did.

Commissioner Bynum said and no staff was in that meeting. **Commissioner Stites** said yes, they were. **Commissioner Bynum** said so there was staff at the November 1 meeting. **Commissioner Stites** said yes, there were. **Commissioner Bynum** said I wasn't in the November 1 meeting. I wasn't included in the November 2nd email, so you had me lost throughout that whole thing.

Commissioner Bynum said I question now you're asking to use county side ARPA monies for a city Police Department request, but yet you don't think we should do that. I want to be very clear about what you're asking for. **Mayor Caiharr** said no. That's not what I'm saying at all. In fact, the ARPA funds have already allocated some to the Kansas City, KS Police Department.

Commissioner Bynum said correct. **Mayor Caiharr** said we would like the same treatment. We would like to be considered at this table.

Again, it was a little disheartening that we weren't included in the county-wide discussions to begin with when ARPA was released, when ARPA came. So it felt like an afterthought. Oh, yeah, you can fill out an application. Then we didn't have anyone on the committee that would champion our cause to put us in the top 45 because, I mean, you all are there to represent your area and I appreciate that and understand that, but when you're hearing a part, for instance, isn't eligible in Edwardsville but we're funding \$700K in Pierson Park...**Commissioner Bynum** said correct...**Mayor Caiharr** said that doesn't make sense.

Commissioner Bynum said so I'm going to give up the floor that I have right now because I feel like some of my fellow commissioners may want to continue this discussion. But the point I'm trying to make is the applications that were made by the cities of Bonner and Edwardsville, and this is, Commissioner Markley, where we need our ARPA consultant. I hope she's online because we have serious questions to answer. Within the parameters of how the funding is allowed to be used, that is how the applications from Bonner and Edwardsville were deemed. For example, one of them is partially allowable and most all of them are not allowable, and that is within the ARPA regulations that we did not write.

Mayor Harrington said that wasn't our understanding. **Commissioner Bynum** said no, no and I just think that's the meat and potatoes. **Mayor Harrington** said I'm certainly—I'm not saying that the Kansas City, KS Police Department is not worthy of the county funds, I'm just saying the Bonner Springs and Edwardsville Police Departments are just as worthy. **Commissioner Bynum** said and all the police departments are worthy. **Mayor Harrington** said aren't recognized. **Commissioner Bynum** said the question is, are they allowable? And I apologize.

Mayor Caiharr said I think part of the concern too is while some of them were not considered allowable, we were never given those guidelines or that communicated with us for the applicants so that the communication, again, like you said. Our understanding, our administrative staff didn't make one application that they felt didn't line up exactly with ARPA guidelines. They were pretty careful before they submitted those to make sure they fell within ARPA guidelines. But then it

was never communicated back. We weren't given the same information. Our commissioners weren't given the same information. Even the ones that were eligible, not \$1 is slated to come to either part.

Commissioner Bynum said I will stop after I say this. I swear to God I will. If we can vote tonight to approve the allocations that have already, again, been approved at one standing committee and our folks are desperately waiting for those monies, and I hope that we can—I'm so sorry—I wouldn't stand in the way of looking at the county side dollars remaining, especially to be inclusive of something in Bonner and something in Edwardsville.

I will apologize for lack of communication. I think a lot of this was spelled out within the process, but I won't say that I 100% know that.

Again, communication, I think throughout the process could have been really helpful on both sides. I'm going to have a difficult time supporting something that is primarily for the city of Bonner or the city of Edwardsville only out of county ARPA dollars. We tried very hard not to do that. **Mayor Caiharr** said I can see that. **Commissioner Bynum** said okay. **Mayor Caiharr** said all of this funded to KCK. **Commissioner Bynum** said I'm gonna stop talking and allow the Mayor to move to the next commissioner.

Mayor Caiharr said one thing I wanted to mention, and I didn't want to get lost in that and I know we get into the weeds a little bit here in eligibility, because we have \$11M in revenue replacement funds that you do not have to jump through the hoops of eligibility that the rest of the ARPA funds do, and so you could absolutely fund Bonner and Edwardsville projects out of our replacement and not have to worry about any of those.

Commissioner Ramirez said thank you, Mayor Caiharr and Mayor Harrington, for coming before us. I will also say along with our standing committee structure, that's set by the Mayor, I did not realize until you did mention it that there is no Bonner and Edwardsville representation on AHS and our other Public Works and Safety. So maybe a suggestion to Mayor, maybe provide that representation for those two committees for Commissioner Stites to sit on those two standing committees to make it fair. So, thank you. I did not realize that. So that was something that you opened my eyes to.

Commissioner Ramirez said I've said before, I believe the last time you were before us, we don't, we, as a Unified Government, staff wise, what have you, it's all jumbled between county and city of what we do. It's kind of hard for me, even I've been in for three years now, I still have trouble figuring out what's a county function, what's a city function. So that's a process that we, ourselves, have to get through and figure out.

Commissioner Ramirez said I would say that—I don't know what my fellow commissioners will agree with—I would prefer we move forward with the allocations already made tonight. They went through the process. What's remaining and what can be found within county funds that you and your cities work with ED&F, that standing committee, and the ARPA to make sure all of the eligibility requirements are met for the remaining funds. I would hate for us to go backwards and the allocations that are already made. Both of you already said these are—all of the 501(c)(3)s are well deserving as well, but there's also other ones as well. I'm trying my best to find a middle.

Mayor Caiharr said I would just want to encourage you all that while people might be in a hurry, the timeline's still quite a ways a way. There's no rush to get it done. The second time you mentioned that you're concerned as well with the disparity and representative on those committees. This is a one-time shot. This isn't something that if we have someone on that committee in a month can be undone. So with \$32M, I mean, take a second, pump the brakes just a little bit and make sure that we're spending that money as (inaudible) as possible and (inaudible).

Commissioner Ramirez said I agree.

Commissioner Ramirez said, again, as Commissioner Markley said, the makeup of that committee was set by Mayor Alvey. Of course, Mayor Garner didn't get a chance to remake that. He appointed Commissioner Davis to fill that remaining spot.

Commissioner Ramirez said I don't want the organizations that worked hard, and I'm saying your organizations and your governments didn't work as hard, but I would like the allocations that were set, move forward and then look into what's remaining and find, not even find, but look at the remaining funds and see what is for Bonner and Edwardsville.

Mayor Caiharr said excuse me. If I understand right, of the \$32M that was for the county, you're saying you want everything to go out other than \$2.6M and then maybe we might get some funding of the remainder. I just wanted (inaudible). **Commissioner Ramirez** said yes, that's why I said that's where I'm trying to find middle for even within myself, not even just the condition as a general, to give a suggestion. But with it even to myself because it's—these organizations, they've already been notified of their award. I don't want us to go back on those awards. I understand your frustration with what I said. I understand that.

Mayor Caiharr said so we missed the opportunity to come before money was awarded. That's a concern to me as well to hear that this has already been awarded. You guys are a day late and a dollar short. It just, again, brings that feeling of hey, fight for the scraps. Our priorities are set. I don't want to be the negative person. I try to bring solutions and that's what I felt like I did. I know the housing assistance is very important and it's a huge priority in Kansas City, KS. I don't want to take away from that, but there's \$17,292,814 left over in KCK. If we were able to move the \$1.85M over to KCK and relieve that in the county side, that doesn't even fund all of our projects, but it funds some of them.

Commissioner McKiernan said thank you for being here. I will say that, like everybody else on the committee, I was asked to be on it. I didn't raise my hand and say please pick me for all this stuff. If anybody had come to me and said oh, Brian, I would just love to take your place on that committee, I'd have accepted so fast that they would have broken their neck going what did he just do. Trust me on that.

Commissioner McKiernan said now I have, unfortunately—and we'll go back to Commissioner Bynum's comment about communication—I have heard from more than one source, more than one applicant, that our collective communication to applicants regarding the process, the requirements, the status, questions, it's not timely and complete. That is on us. That's on our consultant. That needs to be fixed. There is absolutely no doubt about that.

Commissioner McKiernan said I'm going to say a couple of things out loud here. If I find out that I am accurate in what I say out loud, it's going to be a motion to move forward. So, I would like to move forward all of the applications that have already been voted on, funded, and scored,

and follow up on Mayor Caiharr's suggestion. Take the \$2.6M that is remaining, divide it between Bonner Springs and Edwardsville, however, it is deemed to be divided; and as long as all federal requirements for disbursing that money are followed, that the cities of Bonner and Edwardsville direct the disposition of those funds. So all funded projects from the committee move forward. Bonner and Edwardsville get the, which I believe is what you said, the \$2.6M; and that you can direct the disposition of that as long as requirements are followed.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Stites, that all funded projects from the committee move forward, and that Bonner Springs and Edwardsville get the remaining \$2.6M and direct the disposition of those funds as long as requirements are followed.

Mayor Garner said there's no action on this item tonight. It's information only, but your motions and requests will be taken into consideration by Commissioner Tom Burrough's committee at that time.

Action: Commissioner Davis said I make the same motion. Commissioner Stites said I make the same second.

Commissioner Davis said I will just read it for the record. If you've all watched the meetings, I was for you all's representation on the subcommittee from the very beginning. Why that never happened is outside of my purview. That's just a fact.

I was for some sort of direct allocation. Go and check the record, okay. I'm not making stuff up here. There was some kind of political will behind it. Now we find ourselves in a conundrum where we are having to stop everybody. I think I know you all are here advocating for it, but we have—you all can raise your hands or identify yourself by other prospect, ARPA Subcommittee awardees in the room as well.

I agree with Commissioner Bynum, their applications and ideas and what they want to propose is just as worthy. I did not think it was a good idea that we had both UG departments and cities and non-profits all competing. I advocated that we separate them. That's here nor there. We are here now at an information only item.

I would invite one of you or somebody from your staff to come and attend the next meeting. I'm perfectly fine with looking at some of these numbers and working on getting some other applications through and seeing if it's amenable to the rest of the commissioners and the governing body. However, I do want to make it very clear that we are in very different situations right now given the population over different cities. When I am in my county function, I'm not necessarily representing Bonner and Edwardsville as District 8 still stays within the boundaries of District 8, right? So I have county responsibilities to District 8. I have city responsibilities too.

Mayor Harrington said (inaudible). **Commissioner Davis** said no, no, no...**Mayor Harrington** said you're elected to be on this Commission. **Commissioner Davis** said no, no, no. Who elect's me, sir? **Mayor Harrington** said your district. **Commissioner Davis** said yeah. So if my district elects me, that's who I'm representing. Please let me finish, Mayor.

So I'm thinking of county for District 8. I'm thinking of city District 8, right? That's not to say that the needs of Bonner and Edwardsville aren't legitimate, right? Absolutely. Absolutely. But I do think that some of these things have gotten kind of lost and, quite frankly, could have been preventable. So, I welcome you all to join the subcommittee. I'm perfectly okay with us giving you all applications to go ahead and score them and for us to redo this thing so that it's equitable, so that it's fair.

Commissioner Burroughs said it's important that we've had this discussion. I know the work ethic that you all have in your subcommittees. I commend you for having to deal with the burdensome process of the allocations. I've dealt with it on the state side so I know how burdensome it can be on the local level.

I would just state that there's not anyone in this not-for-profit business or on this Commission that doesn't advocate for their specific district. I happen to be an at-large commissioner that has two elected bodies in my commission district in addition to every one of your districts. It's very disheartening when those monies aren't spent equitably across the county. That has been our comment all along. It's not my intent to take away from those monies that are proposed to be allocated to these not-for-profits. But my comment would be this. We blew through multi-millions of dollars before a lengthy timeline without putting some back for a rainy day and wait, I still have two more years to go and here we are. We spent every money. We've talked about taking the additional, I'll call it change, that's left over now to try to find a remedy here.

I appreciate the consideration of a motion to move forward to those that are on the waiting list for allocations. I've heard from them. I wasn't surprised to hear from them directly because they are advocating for their constituency. I'm doing what I need to do and advocate for mine and ours and Commissioner Stites' district. The only way to be able to do this was bring it to the public to ensure that we, as commissioners, take the responsibility of representing all of Wyandotte County and not just pick and choose where we want to delegate our authority to by elected districts.

I have at-large friends who would like to wring my neck at times, but it still doesn't mean I'm not going to help him get to this park he keeps beating me over the head with. His community deserves it, but we will collectively get there. This isn't the first time that we have been denied through this process. This is the last shot out of the canon for these two communities. So I appreciate the motion.

Commissioner Burroughs said, Mayor, I do have a question and I would ask this of Legal. If we wanted to take action on this item tonight, what would have to be done to make this an actionable item?

Misty Brown, Chief Counsel, said, Commissioner, pursuant to, I believe it's, I guess in sum, you have a rule of procedure that says you have to conduct your meeting per a written agenda; however, we have Section 308 of the Rules of Procedure that allows any procedure to be temporarily emitted. So if you wish to take action tonight, you would need a motion to amend the Rules of Procedure regarding the agenda. After that passed, then it could be amended and you can take action.

Commissioner Burroughs said thank you. If I understood you correctly, I would ask that the body consider making this an actionable item this evening, and I'll bring the amendment forward once we determine if we want to make this an actionable item. So I make a motion we make this an actionable item this evening depending on the motion I make for it coming forward from this point forward.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to make this an actionable item this evening.**

Commissioner Bynum said two things. I don't understand your motion. You said I move that we make this...**Commissioner Burroughs** said this item an actionable item. **Commissioner Bynum** said okay. This item being what? **Commissioner Burroughs** said what we're having this discussion. It was for information only. This discussion is now going to move to be an actionable item. It's amendable. **Commissioner Bynum** said so then a motion outlining what that action would be. **Commissioner Burroughs** said I will be bringing that forward here just briefly and ask for your consideration through that motion. **Commissioner Bynum** said gotcha.

Commissioner Bynum said second question. I think that I believe we have Erica Hupka online, available, and I think that it's worth taking at least a couple of minutes for her to have remarks about the allowability of the current applications that are in the pool for Bonner and Edwardsville. **Mayor Garner** said she will. **Commissioner Bynum** asked, do you think it's germane to a potential motion that might be coming? **Mayor Garner** said I'm going to let her speak. **Commissioner Bynum** asked, before we vote? Okay. Thank you very much.

Commissioner Ramirez said a question for Misty. So we're not suspending the rule, we're amending, correct? **Ms. Brown** said no, Commissioner. Section 308 of the Rules of Procedure says any rule of procedure may be suspended temporarily for a particular purpose by the committee provided such suspension is not contrary to the provisions of Kansas law or local ordinance or resolution. Kansas Open Meeting Act does not require an agenda and, therefore, the agenda, if you do have one, it could be amended at any time during the Commission meeting. So that's what Kansas law says on the topic.

We have local rule in our Rules of Procedure Section 505 that says meetings are to be conducted in accordance with the written agenda. So if there was a motion to temporarily suspend Section 505 of the Rules of Procedure and to amend the agenda, that is something the Commission could act on.

Commissioner Ramirez said okay. Thank you. I understand. So, Commissioner Burroughs, what is your motion just to get? **Commissioner Burroughs** said make it an actionable item. **Commissioner Ramirez** said okay.

Mayor Garner said, Clerk, I believe we had somebody on que. **Mr. Deichler** said, Ms. Hupka, if you're available, you can speak.

Erica Hupka, iParametric, ARPA Consultant, said thank you all for this opportunity. We have gone through each application and evaluated it based on how it was presented using the ARPA framework so that we were creating a basis for all applications to be equitably evaluated. As it relates to communication, because this is an iterative process and because there are multiple avenues for funding, the communication with applicants has not been issued because of revenue replacement dollars or other funds were identified as being used for those. We didn't want to miscommunicate or otherwise tell applicants that they weren't eligible when they would be delivered funds later.

We have been trying to offer every applicant every opportunity to receive assistance throughout the entire process. We had a phone number and an email address available to any applicant who needed assistance with writing their application so that we, again, provided equitability and justice across the board to all applicants. Again, as the commissioners have stated, we have tremendous projects and tremendous opportunities going on here in our county. They all need to be heard and they need to be evaluated as they're presented so that we have a great way to not only evaluate for this ARPA process, but also looking forward with other grant vehicles figuring out what else we can fund looking forward.

So though this singular process is a once in a lifetime opportunity and several million dollars, this also gives us an opportunity to shine a light on some of the other opportunities that we have so that we can find vehicles to fund those that maybe weren't allowable as presented in their original applications.

Commissioner Burroughs asked, Commissioner Bynum, would you share with us who that was? I'm sorry, I don't know. **Commissioner Bynum** said (no sound). **Commissioner Burroughs** said okay. Thank you. I just wanted to make sure that we knew who was speaking.

Commissioner Burroughs said well, Mayor, I know this is a slippery slope but in all fairness to those members of this body who have given of their time and talents and energy to provide funding for those organizations that have requested ARPA funding, out of respect for them, I brought the

motion to bring this forward and make it an actionable item. I would hope that they would respect the motion that will be coming from commissioner and the two commissioners that represent Bonner Springs and Edwardsville. So with that, Mayor, I close on my motion and request a vote.

Mayor Garner said restate your motion, please. **Commissioner Burroughs** said my motion was to make this issue an actionable item so that we can make a motion moving forward. **Commissioner Stites** said second.

Mayor Garner said we have a motion and a second. Roll call.

Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Commissioner Burroughs said thank you, body. My motion will be to allocate the dollars that have been brought forward, as recommended by the subcommittee, utilizing the remainder of the ARPA funding to go to issues within Bonner Springs and Edwardsville only. That’s my motion for consideration.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to allocate the dollars that have been brought forward, as recommended by the subcommittee, utilizing the remainder of the ARPA funding to go to issues within Bonner Springs and Edwardsville only.**

Commissioner Bynum said I can only support if Bonner Springs and Edwardsville bring forward projects that qualify for funding under our rules not the rules that you were under when you got your 50K and under population funding. You can only support it if it’s actually stuff that qualifies. I mean it’s \$2.9M or \$2.6M. I apologize.

Out of the total \$18M available funding—can you help me with this math—\$2.6M is what percent of \$18M. **Commissioner McKiernan** said it’s 10:30. **Commissioner Bynum** asked, \$2.6M is what percent of \$18M? **Mayor Harrington** said well, it’s out of the \$32M for

Wyandotte. **Commissioner Bynum** said well, no it's not. It's out of the amount that's eligible through the application process.

I'll stand ready to be corrected. Debbie Jonscher is here. Because what we're talking about is the funding pool that we made grant allocations out of. Some of that \$32M is revenue replacement and public health expenditures that were made a year and a half ago, etc. So out of the pool of dollars that we made grants from is what total?

Debbie Jonscher, Acting CFO, asked, you're asking for the amount minus the revenue replacement? **Commissioner Bynum** said yes, the amount. I'm showing on that...**Ms. Jonscher** said for the \$32M for Wyandotte County, we had revenue replacement of about \$9.4M, so \$23M. **Commissioner Bynum** said but some of the—we're getting ready to vote to allocate the grant applications that have been approved by the ARPA Subcommittee and the Administration and Human Services Standing Committee that totals \$13 point some odd million which leaves \$2.6M or \$2.93M available. **Ms. Jonscher** said the amount that was being—and I'm sorry. I don't have that number in front of me. I thought that was in the presentation, but was that all city or was that city and county? **Commissioner Bynum** said I guess that's part of why I'm stopping this process.

Commissioner Bynum said, Commissioner Burroughs, your motion was to allocate the remainder to Bonner and Edwardsville only. You didn't specify remainder of what? **Commissioner Burroughs** said thank you for that clarification. I'm willing to clarify that. The \$2.613M is represented in the Wyandotte County portion of the ARPA funding. **Commissioner Bynum** said \$2.6M, approximately. **Commissioner Burroughs** said yeah, \$2.613M as of the numbers here presented on this chart. **Commissioner Bynum** said okay. Thank you. I appreciate that.

Commissioner Burroughs said I'm just following the discussion. I know we've been all around this, but I'm just trying to—and I appreciate the motions that were made earlier. I think Commissioner McKiernan made a motion pretty clear. The reason why I stated to Bonner Springs and Edwardsville only, I don't want to see us come forward in a week and say okay, we're going to grab this \$2.6M and put it for infrastructure and then all this debate, all this discussion, and all this consideration has been for naught. It's not fair to the two mayors. It's not fair to these two commissioners. It's not fair to those that have already been allocated money to play these kind of games by going around the back way to get this done. We can do this in a fair and transparent

manner and just move to have the \$2.6M... **Commissioner Bynum** said okay. Got it. I'm good. I'm good especially if the \$2.6M is remaining county funds and it does represent roughly the same proportion as the two populations of Bonner and Edwardsville compared to the total. Does that make sense? So those two are kind of in ratio and, again, the only caveat I'm making is that the expenditure has to be allowable.

Commissioner Burroughs said we have a timeline until 2024, December 2024, in which to have this allocation occur. I'm just asking this body to be mindful that this \$2.6M that remains in this fund be allocated to Bonner Springs and Edwardsville, provided they meet the guidelines that's set forth, but they can't be swept for anything else. It goes to them. They'll meet the criteria, I'm sure. They have the need.

Commissioner Davis asked, is it possible, and this might be an Erica thing or a Debbie thing, to move all of the current applications to the city's allocation for ARPA, right, so we're not touching anything county related, and then move what's county related to ED&F so that you all have time to bring eligible projects to us so that we can vote that through. Is that possible? No? Well, the only reason why I'm saying this is because there has not been any description of how much of what we are about to allocate is county or city. That's the part that's confusing.

Erica, are you there? What I'm saying is the current, and we don't—none of this is before us because this was for information only, yada, yada, yada. The current list of recommendations, we do not know what is county funded and what is city funded. That is what I'm saying. I cannot tell you what percentage of the \$13.9M was county or city funded. Therefore, if we were to just fund these recommendations through the city funds, the county funds would go untouched. That would give Bonner and Edwardsville time to put together eligible applications so we know where the money is going and then we can work that out in ED&F and pass it back here. That's my idea.

Commissioner Burroughs said thank you, Commissioner Davis. I think I understand what it is you're attempting to do. My concern would be those monies that have been allocated through the process to other entities. It's not Commissioner Stites or my position to deny them their funding. It's our intent this evening, as I've clearly stated all night long, to have Edwardsville and Bonner Springs utilize some sort of funding. We have the \$2.6M remaining in the county portion. Those are dollars that can be used county-wide, provided they meet the criteria. They have two years.

They don't get it tonight. They'll come forward with their requests, just like everybody else had to, but the reason why I made it specific to Bonner Springs and Edwardsville only is so it won't get swept by something else that comes forward. They need to know, just like our not-for-profits and those organizations that are receiving funding, they need to know that this funding is there and they can go back and look at their not-for-profits and tell them this is how much money we're going to have to allocate. We need to make it work for all the organizations that are requesting funding and that's why I suggested the \$2.6M. If there's any additional language that if that's not clear enough, I'm sure my second might have input.

Commissioner Stites said after what you just said, who would they come back to? Would they come and ask if that application meets the guidelines? I don't want—I want to be done with it tonight. We divide the \$2.6M in half right now. Bonner Springs gets half, Edwardsville gets half. It's \$1,306,799 and they have to meet federal guidelines and make sure that they are ensuring that they're spending those dollars in accordance with federal guidelines.

Commissioner Markley said they will have to make report through us because...**Commissioner Stites** said because it's not a request. **Commissioner Markley** said right. So they'll have to report back through Debbie's team somehow, Erica and Debbie. **Mayor Harrington** said just like we would any otherwise...**Commissioner Markley** said right.

Mayor Harrington said with all due respect, all of our applications, we were under the impression were more than appropriate and met all the guidelines for all the ARPA funding, I grant you that. That's the best information that we have.

Going by this \$32M number at the top of the second column under WyCo, the \$2.6M represents about 8%. Wyandotte County has about 160K people in it. Between the two cities, we have 8K in Bonner Springs and another 4.5K. That's about 12.5K people. That's about 8%, right? The communities...**Commissioner Bynum** said and my only additional comment for you would be, because you thought these apps qualified and somehow they don't, you've got to work with Erica. **Mayor Harrington** said oh, we would love to. We would love to all along. **Commissioner Bynum** said thank you. Please do.

Mayor Garner said, Clerk, I believe we had a...**Mr. Deichler** said, Ms. Hupka, if you're available again.

Ms. Hupka asked, can you hear me? **Commissioner Davis** said just for clarity. The, and correct me if I'm wrong, it's \$13.9M in allocation that we're voting on tonight, correct? What is the number because I want to make sure we have it. **Ms. Hupka** said sure. I believe I saw it in the presentation if we'd like to show the room. **Commissioner Davis** asked, can we put the presentation back up? I just want to make sure before we get off we know what we're voting on. It's \$2.6M to go to the county, go to Bonner and Edwardsville. That would be split \$1.3M, \$1.3M. And then the rest, I believe it's \$13.9M. Okay. Thank you.

Mayor Garner asked, do we have a motion on the floor? And a second? Is there any further discussion? Seeing none, roll call, please.

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

Mayor Garner said I'd just like to comment that there's a great debate. We just, hopefully, moving forward we can just in any decisions we make, we've got to understand that we are a unified government. Every vote that you all make, as commissioners, does play into what occurs into the southwest portion of Wyandotte County, which is Bonner Springs and Edwardsville and a portion of Lake Quivira, sometimes we don't think about, and a little tiny portion called Loring. So, we always have to be mindful of that irrespective of what districts we run in, we do represent a unified Wyandotte County Commission.

These mayors here today, I applaud you and I hear you. I'm the one elected official here that has to run county-wide so I run along with my at-large commissioners and the sheriff and the DA, but on this Commission right here, I run county-wide. I cannot ignore any requests from you or any fellow commissioners. I do believe that you all, we expect taxation and from your residents to go on to our coffer here in our shared unified government and you do deserve and the people there deserve equitable representation from this Unified Government. So thank you so much.

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

Synopsis: Update regarding County Administrator's Search Process by Tyrone Garner, Mayor/CEO.

Mayor Garner said as you know, we are in the middle of a search for a County Administrator. Mayor Harrington is the chair of a task force that was appointed by this Commission and Bill Johnson is the co-chair of the task force. There's also a third member as part of this team, Mr. Daryl Winn, who was a bridge and a facilitator as part of this as well. I'll let you all give this Commission an update on that process.

Bill Johnson, BPU General Manager, serving as the Task Force Co-Chair, said just a quick update for this week. On Monday afternoon I met with the new search firm, Gov HR, for about an hour and a half, two hours, and just kind of went over the process, the tactics, strategies, and stuff that we're going to use going forward. On Tuesday, we had a meeting with the full task force and met with the search firm earlier. Came in, met with the full task force. Collected a lot of input. The entire task force had an agenda in front of them that also provided them an opportunity to provide a lot of feedback into the process and fully understand the entire process that we're undertaking now.

There's a lot that went back to the search firm. They're modifying and tightening up the schedule. I know that this week, they're going to meet with every task force member. I couldn't meet with them today so I'm in the process of rescheduling that again. I've already met with them individually. I've got another follow-up meeting with them.

I think we have a clearly laid out schedule. It looks like it's going to go into probably the first quarter, maybe in the first quarter. Hopefully by that time, we'll have candidates reduced to a point where we'll turn it over to the elected officials and you guys will start your interviewing process after we've screened it down to three candidates, I believe, what we agreed to.

Jeff Harrington, Mayor of Bonner Springs, KS, serving as the Task Force Chair, said I was out of town for the Monday and Tuesday portion of that meeting. It's just wonderful to be back and spending so much time with you. It's about the same amount of time it takes to fly from Portugal to Kansas City. We did meet with the Vice President of Gov HR, Ryan Cotton, and we

all had individual stakeholders had an opportunity to meet with him. They are sending out online comprehensive surveys today. They'll be working on that to make an advertisement that can go out later this week. So, we'll be advertising for a county administrator this week.

This process takes longer than what any of us would like, but their due diligence and the information that they're bringing to the table, I think, is going to provide a good album.

The next item that will happen is there will be a status report to the task force at the end of this month. In mid-January, we'll review the candidates and their credentials to start dwindling that number down.

Advertisement goes out, the requirements, and then the review as they come in. So this is a process and over the holidays, its going to take some consideration, but like Mr. Johnson said, we hope to have candidates before the Commission and the Mayor by March and a selection made to hopefully start in April somewhere along.

Mr. Johnson said I would like to say that I'm certainly impressed with the search firm that we've selected. Both of them have roots back to Kansas; Jayhawk graduates, University of Kansas graduates. They seem to know this area. I didn't get to know the first one as well as I had hoped but at least we're off to a good start with the search firm that's been selected now. I do think and hope that the momentum picks up. I did ask on Tuesday if we can get all the calendars updated, make sure that there's nothing missing there, and that we can make a full commitment to meeting all the dates they have outlined here.

Mayor Harrington asked, any questions?

Mayor Garner said thank you, Mayor; thank you, Mr. Johnson. Thank you to all the task force members that this Commission appointed to get us through this process. Again, the goal is to be as transparent as possible. Hopefully we get the best qualified candidate that can administratively move this organization in the direction it needs to go. So, thank you so much.

Action: **For information only.**

Mayor Garner said we're going to take a 10-minute break. We've kind of gone a little longer than anticipated. We will convene at 11:35 p.m.

Mayor Garner reconvened the meeting at 11:42 p.m.

Item No. 4 – 212115...RESOLUTION: ADOPTING THE FIRST AMENDMENT TO REVISED MEMORANDUM OF UNDERSTANDING BETWEEN THE UNIFIED GOVERNMENT AND WESTERN UNIVERSITY

Synopsis: A Resolution Adopting the First Amendment to Revised Memorandum of Understanding between the Unified Government and Western University, submitted by Tyrone A. Garner, Mayor/CEO.

Commissioner Bynum said, Mayor, on Items 4 and 5, I had reached out to Commissioner Townsend to see if she'd had an opportunity to review these items since they involve her district. She's not here but had requested a table of Items 4 and 5 so that she could at least have time to review them. So I would request that on her behalf and to not lengthen it too terribly long. I think we're going to have a meeting this week so it's very possible that they could simply be moved to the meeting that we're going to apparently schedule for some date Monday, Tuesday, or Wednesday.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Davis, to table Item No. 4 to the December 1, 2022, full commission meeting.**

Mayor Garner said I've got a motion and a second. Is Mr. Waters or Mr. Murray here? **Patrick Waters, Deputy Chief Counsel**, said yes, Mayor. **Mayor Garner** asked, were there any type of objections to that request? **Mr. Waters** said I don't think it affects anything involving the amendments.

Mayor Garner asked, Mr. Murray, do you have any comments? **LaVert Murray, Economic Development Advisor to the Mayor**, said no. I agree. **Mayor Garner** said I think Mr. Murray also had some language considerations as well that you would like considered. **Mr.**

Murray said since it's being tabled, I will work with Mr. Waters to get that language changed and inserted, if that's okay. It's minor changes that we're suggesting.

Commissioner Bynum said I just think so long as Commissioner Townsend has the ability to review. Thank you very much.

Mayor Garner said there's a motion and a second. Clerk.

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

Item No. 5 – 212116...RESOLUTION: AMENDING THE APPOINTMENT PROCESS FOR THE UNIFIED GOVERNMENT'S SELECTIONS OF BOARD MEMBERS TO THE QUINDARO RUINS PROJECT FOUNDATION

Synopsis: A Resolution amending the Appointment Process for the Unified Government's Selections of Board Members to the Quindaro Ruins Project Foundation, submitted by Tyrone A. Garner, Mayor/CEO.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Davis, to table Item No. 5 to the December 1, 2022, full commission meeting.**

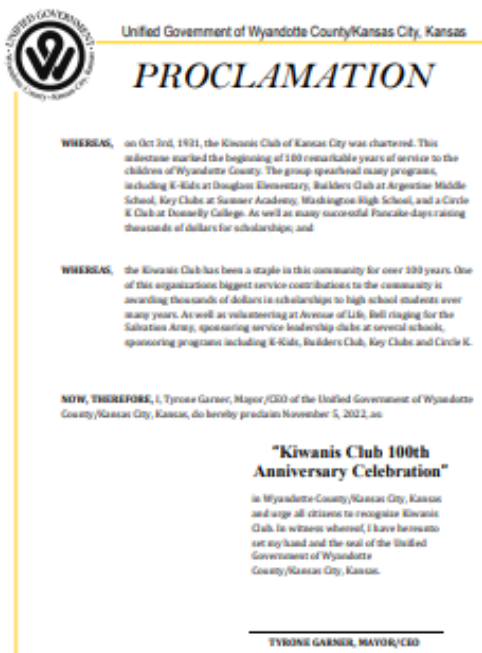
Mayor Garner said we have a motion and a second. Any discussion? Seeing none, Clerk, roll call.

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

Mayor Garner said Items 6 – 9 are proclamations. The Clerk will read abbreviated versions of those.

Item No. 6 – 212119...PROCLAMATION: KIWANIS CLUB 100TH ANNIVERSARY CELEBRATION

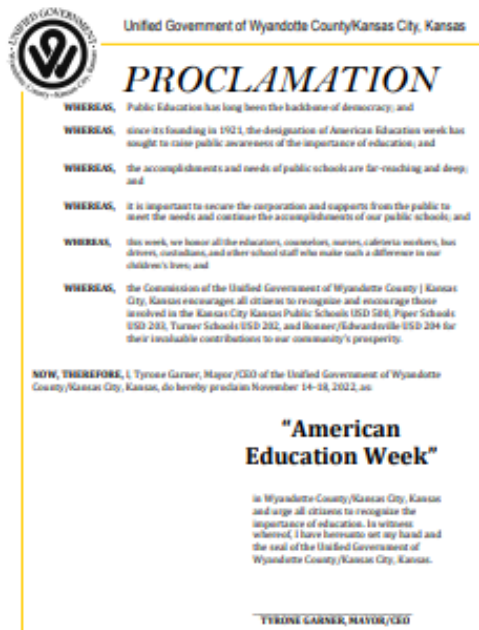
Synopsis: Proclamation proclaiming November 5, 2022, as Kiwanis Club 100th Anniversary Celebration, submitted by Tyrone A. Garner, Mayor/CEO.



Action: The proclamation was read.

Item No. 7 – 212122...PROCLAMATION: AMERICAN EDUCATION WEEK

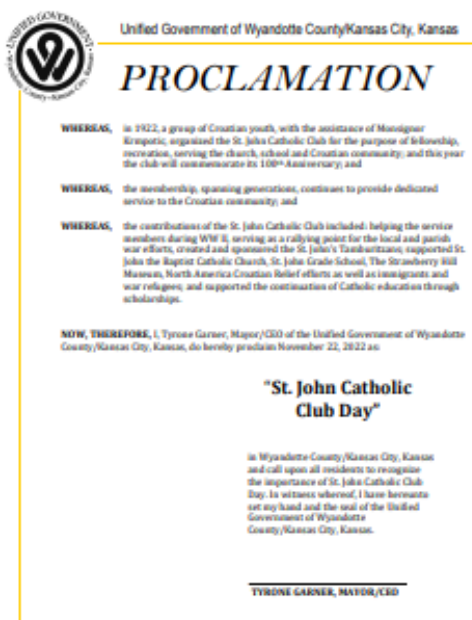
Synopsis: Proclamation proclaiming November 14-18, 2022, as American Education Week, submitted by Tyrone A. Garner, Mayor/CEO.



Action: The proclamation was read.

Item No. 8 – 212120...PROCLAMATION: ST. JOHN CATHOLIC CLUB DAY

Synopsis: Proclamation proclaiming November 22, 2022, as St. John Catholic Club Day, submitted by Tyrone A. Garner, Mayor/CEO.



Action: The proclamation was read.

November 17, 2022

Item No. 9 – 212121...PROCLAMATION: SMALL BUSINESS SATURDAY

Synopsis: Proclamation proclaiming November 26, 2022, as Small Business Saturday, submitted by Tyrone A. Garner, Mayor/CEO.



Action: The proclamation was read.

CONSENT AGENDA

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

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

Mayor Garner said I have a motion and a second. Is there any further discussion? Seeing none, roll call.

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

Item No. 1 – 212082...RESOLUTION: AMEND THE MERC MANAGEMENT AGREEMENT

Synopsis: A resolution authorizing the adoption of the First Amendment to the Merc Grocery Store Management Agreement with Community Mercantile, Inc., submitted by Patrick Waters, Legal Counsel, Stephanie Bell, Economic Development. On November 7, 2022, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-72-22**, “A resolution authorizing the adoption of the first amendment to grocery store management agreement with the Community Mercantile, Inc.” **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 2 – 212081...RESOLUTION: FLAHERTY COLLINS - THE YARDS 2-IRB APPLICATION

Synopsis: A resolution determining the intent of the Unified Government of Wyandotte County/Kansas City, Kansas to issue its Industrial Revenue Bonds in the amount of not to exceed \$51,803,111 to finance the costs of acquiring, constructing, improving, and equipping a commercial project for the benefit of KC THE YARDS 2, LLC, and its successors and assigns (sales exemption only), submitted by Patrick Waters, Deputy Chief Counsel, and Stephanie Bell, Economic Development Management Analyst. On November 7, 2022, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-73-22**, “A resolution determining the intent of the Unified Government of Wyandotte County/Kansas City, Kansas, to issue its industrial revenue bonds in the amount of not to exceed \$51,803,111 to finance the costs of acquiring, constructing, improving and equipping a commercial project for the benefit of KC the Yards 2, LLC, and its successors and assigns (sales exemption

only).” **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 3 – 212086...RESOLUTION: GRANTS MANAGEMENT MANUAL

Synopsis: A resolution approving the Unified Government's Grants Management Manual submitted by Debbie Jonscher, Acting Chief Financial Officer. On November 7, 2022, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-74-22**, “A resolution whereby the Unified Government Board of Commissioners hereby adopts the Grants Management Manual.” **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 4 – 212029...RESOLUTION: 2023-A BONDS AND 2023-I & II TEMPORARY NOTES

Synopsis: A resolution authorizing the offering for sale of municipal temporary notes and general obligation bonds of the Unified Government of Wyandotte County/Kansas City, Kansas, submitted by Debbie Jonscher, Acting Chief Financial Officer. On November 7, 2022, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted 4-0 to approve and forward to full commission.

Action: **RESOLUTION NO. R-75-22**, “A resolution authorizing the offering for sale of 2023 Municipal Temporary Notes and General Obligation Bonds of the Unified Government of Wyandotte County/Kansas City, Kansas, in the amount of \$120,526,000.” **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 5 – 212114...ORDINANCE: PUMP STATION 15 ABANDONMENT - CMIP 0520

Synopsis: An ordinance directing the Chief Counsel to commence legal proceeds to acquire property necessary for the project located at N. 106th Street and Georgia Ave., submitted by James Bain, Assistant Counsel. This item was previously approved by the commission on January 7, 2021.

Action: **ORDINANCE NO. O-162-22**, “A resolution condemning land for the construction, maintenance, operation, reconstruction, and improvements of the Pump Station 15 Abandonment – (CMIP 0520), all in Wyandotte County, Kansas; and directing the Chief Counsel to institute proceedings as provided by law to acquire said land in this ordinance described by condemnation proceedings.” **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 6 – 212107...PLAT: REPLAT OF SWAN LAKE ADDITION LOT 77

Synopsis: Plat of Replat of Swan Lake Addition Lot 77, located at 4431 N. 124th Terr., and being developed by Curt & Jennifer Vogel, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve and authorize the Mayor to sign said plat.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 7 – 212108...PLAT: REPLAT OF ADNEY ACRES LOT 2

Synopsis: Plat of Replat of Adney Acres Lot 2, located at 19428 Clubhouse Drive, and being developed by Curt & Jennifer Vogel, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to approve and authorize the Mayor to sign said plat. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 8 - MINUTES

Synopsis: Minutes from the Special Session meeting on October 27, 2022.

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

Item No. 9 - WEEKLY BUSINESS

Synopsis: Weekly business materials dated October 20, 2022.

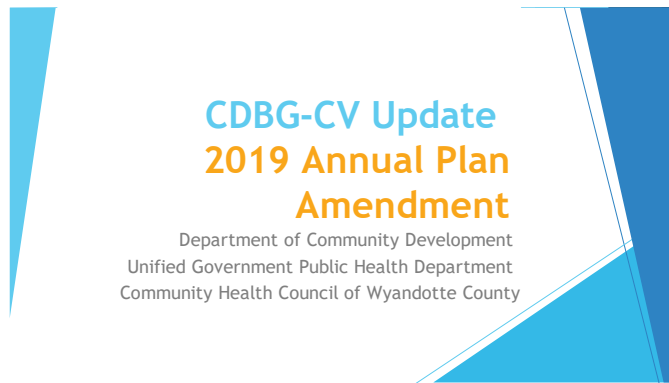
Action: Commissioner McKiernan made a motion, seconded by Commissioner Ramirez, to receive and file. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

PUBLIC HEARING AGENDA

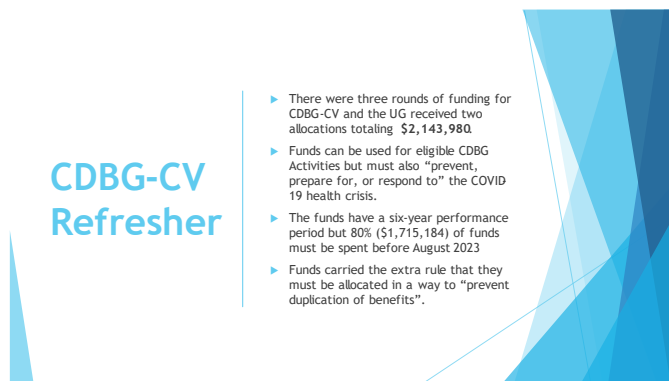
Item No. 1 – 212023...RESOLUTION: APPROVING 2019 ANNUAL ACTION PLAN AMENDMENT #3

Synopsis: An update of CDBG-CV funded activities and presentation of a 2019 Annual Action Plan Substantial Amendment, submitted by Stephanie Stauffer, Community Development. On October 24, 2022, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Mayor Garner said I’ll ask Stephanie Stauffer, from our Community Development Department, to make some opening remarks.



Stephanie Stauffer, Community Development Program Coordinator, said we're here tonight to present a substantial amendment to our 2019 Annual Action Plan which includes our allocation of CDBG from the CARES Act. I have a couple of folks here with me to present tonight. I'm going to let them introduce themselves. **Wesley McKain** said from the Public Health Department, and **Brian Matlock** said from Community Health Council.



Ms. Stauffer said I know it's been a minute since you were here talking about CDBG so I wanted to provide a really quick refresher on the funding source. There were three rounds of funding for CDBG-CV. The UG received two allocations in total of about \$2.1M. The funds could be used for any eligible CDBG activities, but they must be very specifically tied to the response to COVID-19. The funds had a six-year performance period, but 80% must be spent before next August. The funds carried an extra rule that they must be allocated in a way to prevent duplication of benefits. So, if there were programs kind of out there, and I know from the CARES Act and from ARPA, there's been a lot of funding sources. We had to look to make sure that whatever we funded wasn't being duplicated in another service.

Original CDBG-CV Budget

WyCo Connect	\$1,200,000
Rent/Mortgage Assistance*	\$750,000
Food/Meal Programs*	\$100,000
UG Admin	\$93,980

* = Funding for these programs is contingent upon the availability of funds from the Treasury, the CARES Act, and ARPA to the UG and to the state.

This was our original budget way back. We funded three activities, the WyCo Connect Program, which all of the Health Department and Community Health Council talked about. We also had rent and mortgage assistance we set aside for and the meal programs; however, because of the duplication of benefits requirement, we've not been able to spend that funding. There were a lot of funds that came from the Treasury, from the CARES Act, and ARPA to the UG and to the state. We also set aside a little bit for admin. That's staff time and administration.

So, what we're proposing for the substantial amendment is to take the \$850K that is unspent and reallocate that to the WyCo Connect Program to keep it going for another year. That would run through the end of next December.

I'm going to let the experts on that program talk about the impact of that program and why it's really important to continue that for a year.



Brian Matlock, Community Health Council, said I'm the Program Manager of the Community Health Worker Program, especially over the WyCo Connect. I'll be talking a bit about the WyCo Connect and our Community Health Worker Program, generally.

CHC was an early partner in the pandemic with the UG Public Health Department. In addressing the pandemic and WyCo Connect grew out of that partnership. To date, our

Community Health Worker Program has enrolled over 3,500 clients in case management services across Kansas City, KS, Bonner Springs, and Edwardsville. This has yielded almost 15,000 client interactions between our community health workers and those engaged in our services.



One of the things is WyCo Connect serves to expand the capacity of services available in our county, generally. Basically, recent studies have shown that community health workers improve access to services, improve health outcomes, and lower costs. As a result, community health workers have gained significant investment during the pandemic.

Community Health councils, Community Health Worker Program, of which WyCo Connect makes up about 42%, is the largest community health worker program in the region with the highest rate of employee retention. Our program has been recognized as a Regional Gold Standard and is used as a model for CHW Program and community initiatives across our county and state. We're considered a model training site in Kansas and Missouri to offer these community health worker training courses multiple times a year alongside various other health, mental health, and case management trainings.

We're helping to increase the number and quality of community health workers in agencies and clinics for the county and region. Additionally, through WyCo Connect, we've directly provided community health works to safety net clinics, non-profits, public agencies in 14 locations across the metro in Bonner Springs, Edwardsville, and then especially east of 635 in the areas of the county with the highest need and most affected by the pandemic, both health and monetarily.

At eight hours a week, this is estimated to be about 5,000 hours of work embedded in local institutions, touching every zip code in which there are residents in our county. These community health workers are an essential part of coordination of care in our county. When someone shows up for a free clinic, they might also need help applying for SNAP benefits. If they go to a food

pantry, they may need help with rent or utility assistance and that's where our community health workers come in to make sure and walk people through the coordination of care.

COVID response

Primary response for the county

- Food
- Coordination of support programs
- PPE Delivery
- Community outreach
- Testing
- Vaccination

COVID now

- Canvassing—5000+ doors knocked
- Increased WYCO Vaccine rate from 30% to 65%
- Place based community events
- CHW support at partner events
- Food and PPE support
- Hosting testing and vaccine events
- Coordinate TAP rides



The Community Health Council was an early and active part of the COVID response with the Public Health Department initially staffing vaccine sites, education, promotion, advertising of vaccines and testing, as well as connecting community members with resources. We're currently a host site and a community partner for neighborhood-based clinic locations, and have set up mobile vaccine sites at businesses, churches, organizations, and pop-up events in areas with the highest financial hardship and lowest vaccination rates in our county.

For many, financial hardship of COVID have been at the forefront of the pandemic, and we've delivered over 5,000 food boxes, provided over 6,000 hours of interpreting, have knocked over 50,000 doors, distributed over 700 tests, and coordinated over 4,000 free rides through the TAP Program to places like doctor appointments and vaccine sites.

Community outreach



- ▶ Place-based event outreach & Canvassing across KCKS, Bonner Springs & Edwardsville
- ▶ Over 7,000 WyCo doors knocked
- ▶ Diverse staff engages our diverse community in 11+ languages
- ▶ Distribute Health & Vaccine Info + connect to community resources

One of the strengths of this community-based approach is that we have extensive presence and trust in the community. We hire community health workers from diverse cultural and language groups, over 11 languages represented, who are peer educators and advocates. They also spend

most of their time out knocking on doors, at events and communities, at host site locations in the communities. They are able to build the trust and assist many of the community members who otherwise fall through the cracks. This makes WyCo Connect a useful and flexible program moving forward. An example would be a housing program as housing is a top priority. The community health workers help people of various languages and backgrounds connect to the resource in the first place, then community health workers are the best retention approach. If folks have trouble paying, property managers don't always know how to deal with that whereas community health workers can come and work with people and get them connected to resources to maintain their housing.

From here, I'll pass it to Wes from the Health Department.

Benefits to the Unified Government

- ▶ Connecting residents with highest health needs to services
 - ▶ Provide door to door connection through canvassing
 - ▶ Across the county, including Edwardsville and Bonner with people from multiple languages, races/ethnicities, cultures
- ▶ Neighborhood-based outreach for COVID testing and vaccinations
- ▶ Assist residents accessing housing
 - ▶ Integration with UG work can increase as more affordable housing developed

Wesley McKain, Manager, Health Department, said health workers are a wonderful addition to our community. The Health Council does a great job with the program. They were instrumental in helping us run our mass vaccine sites. The Health Department fully supports the allocation of CDBG dollars to continue the program.

2019 HOME Funds

This is a technical fix to reprogram the \$203,671 in unspent CHIP funds to support the rehabilitation or new construction of housing. This was adopted in the most recent UG budget.

Ms. Stauffer said this is actually unrelated to any of the CDBG-CV things. Just because I had the plan open, I was amending it, I'm resubmitting to HUD. I decided to make this technical fix. In the last budget cycle, we moved \$203K in unspent homeowner assistance funding to the development of housing, so I just formalized that.



So, tonight we just ask to hold a public hearing because that's a requirement that HUD has, and then approve a resolution to submit to HUD. That includes the updates that we're required.

Mayor Pro Tem Bynum said before I open the public hearing, I want to say that WyCo Connect is awesome. You need to familiarize yourself with that program if you're not familiar with it. I want to thank you for making sure that we all understand this is a county-wide program serving every single zip code. I really appreciate that.

Mayor Pro Tem Bynum said I will now open the public hearing and ask the Clerk if any notifications were received from the public who wanted to express comments. **Mr. Deichler** said, Mayor Pro Tem and Commissioner Bynum, yes, we did receive two comments in favor. One from Rinzin Wangmo that states:

I'm in favor of the item. First having lots of trainings and experience and being bilingual and multilingual is a feather in the cap for an organization to have it. Secondly, we work so hard to gain the trust of our community to serve them. Being bilingual and multilingual, CHW, we have helped a lot of people in which who could have landed up in the ER or in other organizations where they must use interpreters. We, at CHW, also work with some minorities who are non-English speakers and need lots of help like how to navigate the medical, school admission for kids, rental, utility payments, med review with pharmacy, and so on. The funds will help keep all of us

to continue to do our best to help our community with the resources they need and help minimize visits to our ER and calling EMT, which is more expensive. If funds get exhausted, we will not be able to continue what we are doing and also become more difficult to build trust again.

Mr. Deichler said we have a second one there. It says from Guadalupe Treadway, who is also in favor, says:

I would like the WyCo Connect Program to continue since the community health workers are bringing information to the people who are most vulnerable because they do not have access to community resources either because they do not have internet technology or because of the barrier in language, to give an example. Also, thanks to the training of the CHWs and the trust that the community has in them. They can get help navigating the health system, fill out applications, and advocate for them, among many other things. Thank you.

Mr. Deichler said that's all we received.

Mayor Pro Tem Bynum asked, is there anyone present who would like to speak on the item? **Mr. Deichler** said seeing none. **Mayor Pro Tem Bynum** asked, Clerk, anyone online? **Mr. Deichler** said seeing none as well.

Mayor Pro Tem Bynum said no further comments from the public, I'll close the public hearing and ask any members of the Commission if you have questions or comments.

Action: **RESOLUTION NO. R-76-22**, "A resolution authorizing a substantial amendment of the 2019 Annual Action Plan submitted to the U.S. Department of Housing and Urban Development." **Commissioner Davis made a motion, seconded by Commissioner Ramirez, to adopt the resolution.**

Mayor Pro Tem Bynum said we have a motion and a second. Roll call, please.

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

STANDING COMMITTEES' AGENDA

Item No. 1 – 12026...APPROVAL: ARPA SUBCOMMITTEE RECOMMENDATION

Synopsis: Request approval of project recommendations from the ARPA Subcommittee, submitted by Commissioner Markley. On October 24, 2022, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: Moved to Item No. 2 under the Mayor's Agenda.

Item No. 2 – 212074...RESOLUTION: FOURTH AMENDMENT TO LEGENDS WEST LAWN DEVELOPMENT AGREEMENT

Synopsis: A resolution authorizing the fourth amendment to the Legends West Lawn Development Agreement, submitted by Patrick Waters, Deputy Chief Counsel. On November 7, 2022, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to move the item forward to the standing committee agenda.

Mayor Pro Tem Bynum asked, Patrick Waters, do you have any comments?

Patrick Waters, Deputy Chief Council, said I have a brief PowerPoint.

4th Amendment to West Lawn

- The original West Lawn Development Agreement provided for the issuance of CID bonds to help pay for improvements to the West Lawn area of the Legends.
- It also included a provision which required the developer to pave the gravel lot at 1824 Village West Parkway by December 31, 2020.
- The paving did not occur as required, so the UG held back the last of the CID proceeds.
- On September 30, 2021, the UG Commission approved the 3rd Amendment to the West Lawn DA, which provided a compromise that allowed the developer to access the remaining CID funds so long as they either (1) paved the lot by November 30, 2022, (2) had a redevelopment plan approved by the Commission for the lot, or (3) paid a \$500,000 penalty.

The original development agreement provided for the issuance of CID bonds to help pay for improvements to the West Lawn area. You may be familiar with the giant video screen and the kind of seating area around there. That's what the main point of that issuance was, however, it also included a provision which required the developer to pave the gravel lot at 1824 Village West

Parkway, which is directly across the street and just to the north of the baseball stadium. That did not occur as required so we temporarily held back the last of the CID proceeds. We eventually reached a compromise whereby we release those proceeds; however, we required the developer to pave the lot by November 30, 2022, or have a redevelopment plan that was approved by the Commission for some use for that lot or they would pay a \$500K penalty.

4th Amendment to West Lawn

- Developer is requesting an additional extension for one year while they look into options for development at the site.
- Under the proposed terms of the 4th Amendment, the \$500,000 penalty would remain if the lot remains unpaved or the Commission has not approved a redevelopment plan for the lot by November 30, 2023.
- The developer can speak to the work they are performing to bring forward a redevelopment plan for the lot.

Tonight, the developer is requesting an additional extension for one year while they look into development options for the site. Under the terms of this proposed 4th Amendment, we would keep the \$500K if the lot either remains unpaved or there's been no redevelopment plan by November 30, 2023.

I believe that a representative from the Legends is here to speak. They can talk about what work they are doing to try and redevelop that site.

Dave Claflin, Legacy Development, said I think most of you, if not all of you, are aware of the exciting plans that we kind of currently have underway there with the Monarchs. Legends is fully aware of the Monarch's plans, and we're working together to bring them to fruition. I have a letter here from both the Legends and the Kansas City Monarchs outlining this plan and explaining that they had hoped to have the transaction completed by this date, but the circumstances unforeseen to both parties have delayed it a bit. The deal is still on and the plans are still moving forward.

Mayor Pro Tem Bynum asked, Mr. Waters, anything further from you? **Mr. Waters** said no. That's all we have. Thank you.

Mayor Pro Tem Bynum said, Commissioner Burroughs, you chaired this committee. Do you want to share anything?

Commissioner Burroughs said I do. Patrick, thank you for the clarification. Committee, help remind me. We had talked about a year extension, but I thought we had moved that to a six-month extension due to the fact that the excuse was the weather was too cold to pave right now. We didn't want to run into that next year so we talked about a six-month extension.

Please, Patrick, I read the contract tonight and it has a one-year criteria in it. If I'm wrong, please correct me.

Mr. Waters said yes, Mr. Chairman. You did speak to that at the meeting. You can make an oral amendment to the agreement tonight. It was too late to make that change, but you can make an oral amendment to change the timeframe.

Commissioner Burroughs said if I may. There is a lot of energy behind this development moving forward. I don't think a year is necessary. I would hate, as we discussed in committee, we looked at a six-month extension for the purpose of keeping this expedited. My concern is if we wait a year and they come back for another thing, we're going to be in another period where we're going to have to extend it even further. So, it makes no difference if it's six months or a year. I believe the project is going to move forward, but I just understand the committee's work. I thought we had agreed on six months. Evidently, that's not in the amendment.

Mr. Clafin said I agree with you, Commissioner. There is a lot of energy and I don't think anything will slow this down. My only question would be, say they close on the land February 2023, and I don't know what six months from now would be, is that enough time? I think the amendment reads that the redevelopment plan has to be approved. I just want to make sure there's enough time administratively for you all to approve a development plan.

Commissioner Davis said if I can add some more commentary to what Commissioner Burroughs was saying. As I remember, and colleagues correct me, the reason why it might have gotten slightly convoluted was because there was no one to kind of represent you all there, so we were all hypothesizing at that point on what would come and, therefore, we could not ascertain whether or not it would be a good idea. The recommendation for six months would have put you all for the month of May, just to give you some clarity on what that would look like. That's probably a little bit more, but would that be amendable to you all? Is that possible?

Mr. Claflin asked, in the amendment language, what does redevelopment plan approval mean? Maybe that's a question for Mr. Waters. Are you able to get through your process in time?

Mr. Waters said I think it would either be a final development plan through Planning and Zoning or some type of contractual development agreement with the Unified Government.

Commissioner Davis asked, is a six-month window enough time? I guess that's probably a Planning question more than anything. Mr. Waters, do you have any thoughts on that if six months or the month of May would be available? **Mr. Waters** said no. I defer to the Commission on how long they want to give.

Commissioner Davis said I would say I'm for either or. Is there anything more you—I've missed your name, sir. **Mr. Claflin** said Dave Claflin. **Commissioner Davis** asked, Mr. Claflin, is there anything more you can share as far as what this might be or just kind of some general things just to give us an idea because these are a lot of amendments that we've been making?

Mr. Claflin said absolutely, and I'll have to be vague. I don't want to use terms although we do have LOIs or the Monarchs have LOIs with most of these partners. I apologize we missed the standing committee meeting. It was a miscommunication.

The Monarchs' plans include a large entertainment, destination entertainment attraction there on the corner, then a hotel and retail promenade that leads along the right field line of the Legends leading out into the other parking lot. So, there's a lot of different pieces that go with it, but it's significant and exciting.

Commissioner Davis said okay. Gotcha. I'm fine with a year. Given our planning process does take a while and our Planning staff is fairly overwhelmed—but that's just me. I would go with whatever my colleagues (inaudible).

Commissioner McKiernan said I have seen bits and pieces of the potential plan. Given the complexity of it, I would suggest that it would not probably make it to final plan review or development agreement status within six months. I'm fine with a one-year extension, a 4th amendment that would extend it one year if that would please the committee. I would be willing to make that motion if necessary.

Commissioner Burroughs said thank you, committee members. I appreciate it. I just didn't want to disrespect the discussion that we had in reference to the contract. In all fairness to Mr. Waters, I want to ensure that he clearly heard the direction of the committee and reported it correctly. I know you're very bullish on the project. I don't think the extra six months is really going to be necessary, but if it helps with the situation moving forward and gives you a higher comfort level, I'm just excited to see something move forward. We did miss your discussion at the meeting and that's why the six-month decision came forward.

Action: **RESOLUTION NO. R-77-22**, "A resolution adopting the fourth amendment to Legends West Lawn development agreement." **Commissioner Burroughs made a motion to adopt the resolution. Commissioner McKiernan second the motion clarifying that it is a one-year extension.**

Mayor Pro Tem Bynum said one year, and we have a motion and a second. Any further discussion? Roll call, please.

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

ADMINISTRATOR'S AGENDA

Item No. 1 – 212106...ORDINANCE AUTHORIZING THE ISSUANCE OF INDUSTRIAL REVENUE BONDS AT 1700 KANSAS AVENUE (ECOVYST CATALYST TECHNOLOGIES, LLC)

Synopsis: An ordinance authorizing the issuance of Industrial Revenue Bonds in an amount not to exceed \$4,000,000 for the purpose of acquiring, constructing, improving, installing, and equipping an industrial facility at 1700 Kansas Avenue (Ecovyst Catalyst Technologies, LLC), authorized by R-68-19, submitted by Patrick Waters, Deputy Chief Counsel. The documents can be found at this link: <https://xfer.wycokck.org/public/folder/qATYSisILEaDwx3f6TXYA/FC%2011-17-22%20Links>

Administrator's Agenda Item No. 1 –

ORDINANCE AUTHORIZING THE ISSUANCE OF INDUSTRIAL REVENUE BONDS AT 1700 KANSAS AVENUE

(ECOVYST CATALYST TECHNOLOGIES, LLC).

Patrick Waters, Deputy Chief Counsel, said I'll take this as well.

Ordinance Issuing IRBs for Ecovyst Technologies

Ecovyst is a catalyst technology innovator, serving the chemical and energy sectors.

Resolution of Intent to issue IRBs with the UG approved in 2019 for \$100 million, so this work was preapproved and authorized.

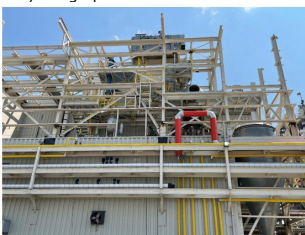
Each year since, Ecovyst has continued to build expansions to its plant.

Year	Item	Amount	Balance
	Resolution of Intent R-68-19	\$100,000,000	
2019	Series A (O-77-19)	\$19,498,511	\$80,501,489
2019	Series B (O-78-19)	\$211,894	\$80,289,595
2020	Series A (O-104-20)	\$14,963,549	\$65,326,046
2020	Series B (O-105-20)	\$1,144,877	\$64,181,169
2021	Series A (O-145-21)	\$2,768,504.00	\$61,412,665
2021	Series B (O-146-21)	\$5,329,544.00	\$56,083,121

The company, Ecovyst, they are known as a catalyst technology innovator. They serve both the chemical and energy sectors. Tonight's resolution of intent—I'm sorry. The original resolution of intent to issue IRBs was approved in 2019 and some of you may remember that it was a very large issuance for \$100M. Over the last few years, they have worked that down as they have expanded their plant. So each time they have an expansion to their plant, they do a new IRB issuance.

Ordinance Issuing IRBs for Ecovyst Technologies

This \$4 million expansion supported increased customer demand for the Microsphere hydrogel product.



Before with initial steel and some major equipment set.



After with building enclosed.

November 17, 2022

These are some pictures of the newest addition to their plant. It is to support the increased customer demand for this hydrogel product that they produce there.

Ordinance Issuing IRBs for Ecovyst Technologies

Tonight's request is to approve the Ordinance formally authorizing the issuance of IRBs for the \$4 million expansion.

Ecovyst team members are here if the Commission has additional questions about their operations.

Tonight's request is to approve the ordinance formally authorizing the issuance of the IRBs just for this one single \$4M expansion. I believe that we have Ecovyst team members here if the Commission has any questions about their operations, they could certainly answer that in more detail.

David Nadiya, Ecovyst, said I'm here to answer any questions you might have.

Action: **ORDINANCE NO. O-163-22**, "An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to issue taxable industrial revenue bonds (Ecovyst Catalyst Technologies LLC project) Series 2022B, in a principal amount not to exceed \$4,000,000, for the purpose of providing funds to pay the cost of acquiring, improving, constructing, installing and equipping of an industrial facility, including land, buildings, structures, improvements and fixtures; authorizing the Unified Government to enter into certain documents and the taking of other actions in connection with the issuance of said bonds." **Commissioner Kane made a motion, seconded by Commissioner Davis, to approve the ordinance.**

Mayor Pro Tem Bynum asked, Commissioner McKiernan, was that your...**Commissioner McKiernan** said that was going to be what I did. I want to say that Ecovyst has been a phenomenal part of the Second District. They've been a phenomenal part of Armourdale, and we appreciate the extraordinary investment that they have made in Kansas City, KS, and in Armourdale.

Mayor Pro Tem Bynum said thank you, sir, for hanging in with us. **Commissioner Burroughs** said very effective testimony.

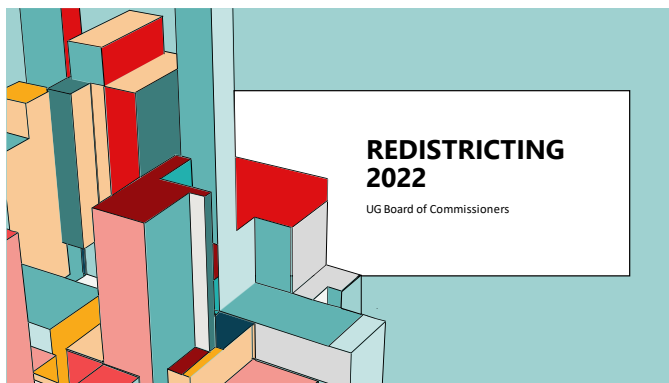
Mayor Pro Tem Bynum asked, any other discussion from the commissioners? If not, we have a motion and a second. Call for the vote, please.

Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

Item No. 2 – 212117...RESOLUTION/ORDINANCE: AMENDING SECTION 2-53 OF THE CODE TO SET NEW UG COMMISSIONER DISTRICT BOUNDARIES

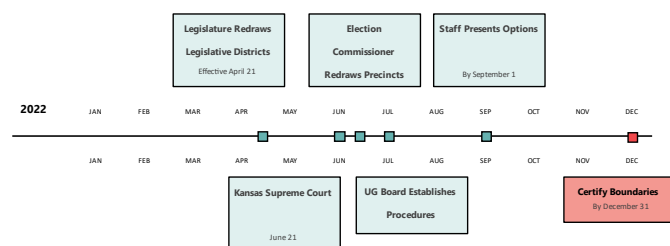
Synopsis: Adopt resolution and approve ordinance amending Section 2-53 of the UG Code to set new UG commissioner district boundaries, and to make other corrections to Section 2-53, submitted by Jeff Conway, Assistant Counsel.

Mayor Pro Tem Bynum said we have Jeff Conway here with Legal.



Jeff Conway, Assistant Counsel, said I promise I’ll be brief. Essentially what we have are three possible alternatives. There’s a map for each and a corresponding resolution.

TIMELINE



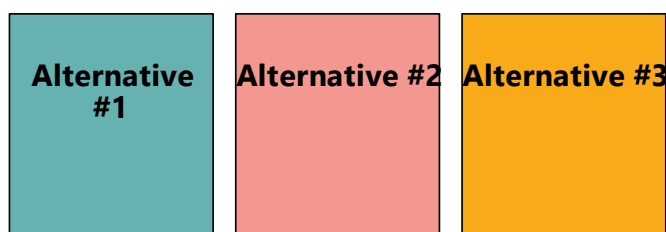
I do want to just take a couple of seconds and explain. We're doing slightly a little bit more than just a map. We always talk about maps with respect to the commissioners' districts, but in reality, in the code, it's a table of all of the wards and precincts. So, that's basically what we're adjusting.

The table here corresponds with the map. There's a couple of other things. As we looked at these, there was a conflict in the statutes, between the statutes and the code. The code provision originally said that the filing fee for commissioners was a percentage of the salary. The statutory provision that came later said that it's a \$20 filing fee. So, obviously there's a conflict and we're gonna have to clean up our code to correspond with the state statute. So that's what that piece is.

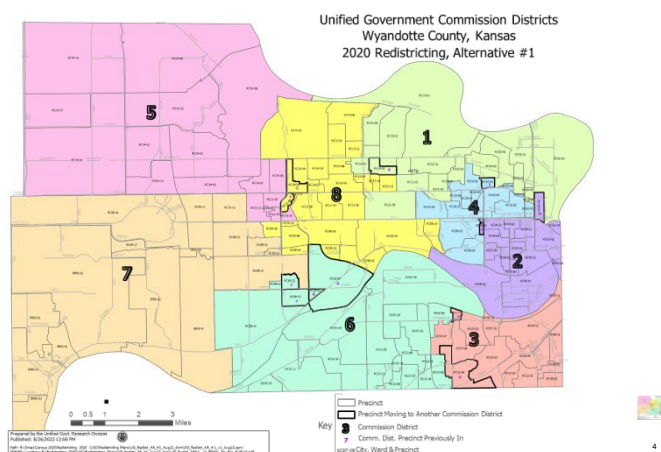
Next is the redistricting itself and the extra part on the end is where we had some odd surplus language so we had to clean that up and make sure that our code talks about the redistricting process that's done every 10 years that end in 2. I know that's really strange language, but that's what the legislature decided to use. If you think that's late, it really is. We're the 49th state to do our redistricting in the process every 10 years. So it is kind of late so that's why we have the timeline there.

As you see what happened over the course this last year, the legislature had to do the legislative lines. We had to wait and see about the litigation that came about. The Supreme Court issued the opinion on June 21st. At that point, we can redo our precinct lines because we couldn't have any precincts cut by legislative lines or congressional lines. At that point, the Election Commissioner could put together a precinct map. Once we have the precinct map nailed down, then we could start building your commissioner districts. So, that's how that unfolded. We have the deadline for December 31st to nail it down and certify your commission lines. So, that's where we're at.

ALTERNATIVES FOR BOARD OF COMMISSIONERS



We've got the three maps and we could roll through those. Each map has a corresponding table that shows the commissioner districts; three alternatives.



There's the first map.

Unified Government Commission Districts
Wyandotte County, Kansas
2020 Redistricting, Alternative #1

BEFORE REDISTRICTING		
Commission District	2020 Population*	Diff. from Optimal Population
1	21,122	-34
2	19,603	-1,553
3	18,637	-2,519
4	22,462	1,306
5	23,496	2,340
6	20,057	-1,099
7	22,463	1,307
8	21,405	249
Total Population	169,245	---

AFTER REDISTRICTING, ALT. #1		
Commission District	2020 Population*	Diff. from Optimal Population
1	21,563	407
2	20,916	-240
3	21,013	-143
4	21,500	344
5	21,216	60
6	21,104	-52
7	21,070	-86
8	20,863	-293
Total Population	169,245	---

*U.S. Census Bureau, 2020 Decennial Census

Note: Target/optimal population range after redistricting is between 20,733 and 21,579. Difference from target/optimal population is +/- 423.

R:\Snap\Census 2020\redistricting 2020\GIS\Working\Final\Precincts Comparison_PRECINCT (June 2020)\BRO-PRECINCT layer.vlx\ALTERNATIVE #1 v2 FINAL SUMMARY 8/25/2022

5

Then the table. I'm not going to do all three of them. I'm going to show you that before redistricting, you see how they're all laid out. Some districts gained population over the last 2 years or 10 years. Some districts lost population, so you see how it's broken out. The total county

population—this is an important number because I wanted to know. A lot of statutes talk about how big the county is and if you're in or out or whatever. 169,245 is the official number for Wyandotte County. So you divide by 8 and then the real unsung here and this whole thing is Mike Grimm, with Finance, had to take this data and work with it and try to come within 2 percentage points, plus or negative. So, he did that for map 1. He did that for map 2, and he did that for map 3.

As you can see on the right side, we have the districts laid out. As long as it's within 423 people, plus or minus, it works. Each one of these maps meet that criteria. There's other, let's see, it talks about compactness and obviously it has to be 1/8 of the population. You have to follow the precinct lines, etc., etc. It's all laid out in the code.

So each one of the three maps meets those criteria so at that point, we met the timeline by September 1st and presented those to the Commission. Since that time, a couple of the commissioners have asked that a third one be presented so Mike put that together, and that's Alternative 3. So, that's briefly where we're at. Any questions? I'd be happy to answer.

Commissioner McKiernan said, Mr. Conway, thank you for your work and especially, Mr. Grimm, thank you for your work. Commissioner Johnson and I were affected by each of these three differently. We have consulted with each other and we believe that Alternative 3 represents the best redistricting as it relates to Districts 2 and 4.

Action: **ORDINANCE NO. O-164-22/RESOLUTION NO. R-78-22**, “An ordinance/resolution relating to Chapter 2, Administration, amending Sections 2-51 and 2-53 of the Unified Government Code, and repealing original Sections 2-51 and 2- 53.”
Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the ordinance/adopt the resolution for Alternate 3.

Mayor Garner said I believe there's a motion. I believe there's a second. Any discussion? Clerk, roll call, please.

Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, McKiernan, Ramirez, Johnson, Kane, Markley.

COMMISSIONERS' AGENDA

Item No. 1 – 212109...PRESENTATION: RESOLUTION OF SUPPORT R-67-22 FOR INCREASING THE BASE SALARY OF SWORN SHERIFF'S OFFICE EMPLOYEES

Synopsis: Per the direction of the commission at the Special Session on Thursday, October 27, 2022, a presentation will detail the steps to operationalize Sheriff Deputies' wage increases for the Sheriff's 2023 budget. The effective date of the salary increase will be January 1, 2023. At a future budget workshop, there will be a discussion of operationalizing Sheriff Deputies' increases by amending the 2023 budget, submitted by Reginald Lindsey, Budget Manager. This item is being requested to be fast-tracked to the November 17, 2022, full commission meeting.

Mayor Garner said I'll turn it over to Mr. Reginald Lindsey for the presentation, in conjunction with our Sheriff.

Daniel Soptic, Sheriff, said I'll keep this really brief because we're standing between you and the door. Per your instructions and the standing committee, when you approved the resolution of support, you asked how this would be funded and then eventually forward to the full Commission. We did present to that committee for information. We're here again in front of the full committee to present, for information, on how this is going to move forward. I'll let Mr. Lindsey explain how we're gonna do it.

County General Fund Forecast
2022-2027

County General Fund	2022 Amended Budget	2023 Approved Budget	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast
TOTAL REVENUES	\$ 76,691,702	\$ 77,827,782	\$ 80,835,292	\$ 84,726,332	\$ 88,703,131	\$ 92,936,109
TOTAL EXPENSES	\$ 78,204,310	\$ 80,263,469	\$ 83,310,123	\$ 86,431,834	\$ 89,724,621	\$ 93,216,127
Net Change in Fund Balance	\$ (1,512,608)	\$ (2,435,687)	\$ (2,474,831)	\$ (1,655,502)	\$ (961,490)	\$ (290,018)
Cash Basis Ending Fund Balance	\$ 12,399,230	\$9,963,543	\$7,488,713	\$5,833,210	\$4,871,722	\$4,591,704
ACF Ending Fund Balance	\$ 15,440,254	\$13,004,567	\$10,529,707	\$8,874,234	\$7,912,744	\$7,632,728
Reserve % of Expenditures	19.74%	16.20%	12.64%	10.27%	8.82%	8.19%
Fund Balance 17% Target	\$13,294,733	\$13,644,790	\$14,162,721	\$14,693,412	\$15,253,185	\$15,846,742

Reginald Lindsey, Budget Director, said when the Sheriff initially presented, he planned to start the funding this month. Now the funding is going to start January 1, 2023, for Sheriff Soptic and his department. Some of the things that we have on the screen are basically the County General Fund when we approved it back on September 15th. This is to kind of give you a view of what the budget looked like when we approved it on September 15th. You see 2023 approved budget is an \$80M budget. Of that \$80M, our Sheriff's Office has a \$37M budget, which is 47% of that

approved 2023 budget. He has 295 FTEs, which is 45% of the FTEs in that fund, and that's like 675 FTEs in the County General Fund in total.

You can kind of see when we approved the budget in 2023, we had a 16% fund balance. As we get out into the five-year forecast, 2027, the fund balance of a little less than 9%, which we try to keep the fund balance at 17%, but it does drop below that. As we got out into 2027, you can see where the structural imbalance is \$280K.

**County General Fund Forecast
2022-2027
Including Sheriff's Office Compensation Realignment**

County General Fund	2022 Amended Budget	2023 Forecast	2024 Forecast	2025 Forecast	2026 Forecast	2027 Forecast
TOTAL REVENUES	\$ 76,691,702	\$ 77,827,782	\$ 80,835,282	\$ 84,776,532	\$ 88,763,131	\$ 92,996,189
TOTAL EXPENSES	\$ 78,204,310	\$ 81,266,080	\$ 84,654,007	\$ 87,829,389	\$ 91,269,471	\$ 94,922,772
\$1a Sheriff's Office Compensation Realignment	\$	\$ 1,292,350	\$ 1,344,284	\$ 1,395,050	\$ 1,544,810	\$ 1,606,641
Net Change in Fund Balance	\$ (1,512,608)	\$ (3,438,300)	\$ (3,818,725)	\$ (3,052,857)	\$ (2,506,340)	\$ (1,926,583)
Cash Basis Ending Fund Balance	\$ 12,399,233	\$ 8,960,933	\$ 5,142,208	\$ 2,089,351	\$ (578,489)	\$ (1,494,713)
ACFR Ending Fund Balance	\$ 15,440,233	\$ 11,711,607	\$ 7,902,872	\$ 4,836,494	\$ 2,329,072	\$ 445,314
Reserve of Expenditures	19.74%	14.36%	9.34%	5.51%	2.65%	0.47%
Fund Balance 17% Target	\$13,284,733	\$13,864,528	\$14,391,249	\$14,931,081	\$15,515,810	\$16,119,871

With the information, Sheriff Soptic's budget, giving him his increases, put a line in this model to kind of show how it impacts. The impact is 2023's forecast the fund balance does drop to 14% from the 16% that we had when we approved the budget. As you get out to the 2027, we are in the negative. Actually, when we get into 2026, go into the negative cash fund balance. You definitely have to straighten that budget out by then. Some of the key things here is Sheriff Soptic's deputies would go from like \$45K to \$56K a year, which brings them 100% parity with the Police Department.

Estimated Budget Impact of Matching FOP 40 Positions to FOP 4 Positions*

Note: Only filled positions analyzed

Position	Annual Pay Difference (100% of Police Dept. Pay)**	# Positions
DEPUTY	\$1,237,850	107
SHERIFF SERGEANT	\$206,898	13
SHERIFF CAPTAIN	\$152,131	6
SHERIFF	\$70,616	1
SHERIFF MAJOR	\$55,786	2
SHERIFF INVESTIGATOR	\$48,027	3
SHERIFF LT. COLONEL	\$29,390	1
SHERIFF WARDEN COMMANDER	\$25,272	1
CHIEF DEPUTY	\$19,906	1
TOTAL ESTIMATED PAY DIFFERENCE	\$1,845,876	135
Additional KPERS Payments (KPERS Sheriff Rate (22.86%) Paid by UG to KPERS)	\$421,967	
TOTAL ESTIMATED BUDGET IMPACT	\$2,267,843	

*FOP 40 (Sheriff) positions were matched to comparable FOP 4 (Police Dept.) positions. Annual pay difference based on 100% of Police Dept. pay.

**Annual pay difference derived by multiplying hourly base pay difference by 2080 hours.

R:\Personnel\sheriff_ranges\2022 Analysis\FOP 40 Position Pay Adjustment_June 2022 Payroll.xlsx\PVOT SUMMARY

This here is a breakout of just the different positions in Sheriff Soptic's organization. We have 107 deputies. This is 100% pay parity. One of the questions that was asked last time we presented this on October 27th, what was the difference of going from 95% parity to 100% parity. The number, I did just a quick math in that meeting, I did say a \$200K difference; but after I got with our HR Department and looked at some of these other positions that would need like raises, (inaudible), and KPERs rate, which I didn't take into consideration, you are looking at about a \$600K increase, not a \$200K increase.

Estimated Budget Impact of Matching FOP40 Positions to FOP4 Positions at 100% Pay
Note: Only filled positions analyzed

Position	# Positions	2023	2024	2025	2026	2027
DEPUTY	107	1,237,850	1,287,364	1,338,859	1,392,413	1,448,109
SHERIFF SERGEANT	13	206,898	215,174	223,781	232,732	242,041
SHERIFF CAPTAIN	6	152,131	158,216	164,545	171,127	177,972
SHERIFF	1	70,616	73,441	76,378	79,433	82,611
SHERIFF MAJOR	2	55,786	58,017	60,338	62,752	65,262
SHERIFF INVESTIGATOR	3	48,027	49,948	51,946	54,024	56,185
SHERIFF LT. COLONEL	1	29,390	30,566	31,788	33,060	34,382
SHERIFF WARDEN COMMANDER	1	25,272	26,283	27,334	28,428	29,565
CHIEF DEPUTY	1	19,906	20,702	21,530	22,392	23,287
TOTAL ESTIMATED PAY DIFFERENCE	135	\$ 1,845,876	\$ 1,919,711	\$ 1,996,499	\$ 2,076,359	\$ 2,159,414
Additional KPER Payments (KPERs						
Sheriff Rate (22.86%) Paid by UG to						
KPERs)						
		421,967	438,846	456,400	474,656	493,642
TOTAL ESTIMATED BUDGET IMPACT		2,267,843	2,358,557	2,452,899	2,551,015	2,653,056

Y:\Personnel\Department\0200 - Sheriff\2022\Match FOP 40 to FOP 4\Admin-Health Standing Committee\Sheriff FOP 40 Budget Impact

This is Sheriff Soptic's position, what it looks like overtime funding it out to 2027. (inaudible) 2027, \$2.6M; 2023, \$2.2M; (inaudible) impact growth.

Sheriff Full Time Equivalents (FTEs)

POSITION	Budgeted		
	Current FTE	FTE	Variance FTE
DEPUTY	107	141	-34
SHERIFF SERGEANT	13	13	0
SHERIFF CAPTAIN	6	8	-2
SHERIFF	1	1	0
SHERIFF MAJOR	2	4	-2
SHERIFF INVESTIGATOR	3	4	-1
SHERIFF LT. COLONEL	1	1	0
SHERIFF WARDEN COMMANDER	1	1	0
CHIEF DEPUTY	1	1	0
TOTAL FTE	135	174	-39

This is a view of full-time equivalence in Sheriff Soptic's budget. This kind of just breaks down current FTEs and budgeted FTEs for his department. We can see deputy is where he's really struggling. He has 107 FTEs right now. You have 141 budgeted for. It fluctuates through the year where it's 34 to 40 FTEs where he's lacking. That's usually about a 30% variance as far as vacancies. The other positions, they don't quite run vacancies that the deputies do.

SHERIFF'S DEPARTMENT OVERTIME PAY				
Year	Amended Budget	YTD Actual Expenditures	Budget Balance	% Bud Avail
2022	\$ 1,006,794.00	\$ 1,981,341.50	\$974,547.50-	96.8-
2021	\$ 1,006,794.00	\$ 1,891,317.40	\$884,523.40-	87.9-
2020	\$ 1,006,794.00	\$ 2,027,331.84	\$1,020,537.84-	101.4-
2019	\$ 1,006,794.00	\$ 2,046,903.59	\$1,040,109.59-	103.3-
2018	\$ 956,794.00	\$ 1,803,937.54	\$847,143.54-	88.5-

This right here is just kind of giving you a view of the Sheriff's Department overtime pay over the years or a five-year history. In 2021, we went almost \$900K over budget in overtime pay. This year, we are tracking almost \$1M over budget.

So one of the things that will happen is once we start to get these positions filled, overtime pay will greatly be improved. It definitely will not be over budget (inaudible). So, the vacancy issue has been a problem since 2017 for the Sheriff's Department.

So, one of the key things that I'd like to say is that this is going to start taking place on January 1st and it will be within the budget and then there's something (inaudible) that people have to take steps (inaudible). Sheriff Soptic's budget can carry us until the fourth quarter of 2023, but the amendment that we would have to make will take us through rest of the (inaudible) Any questions?

Sheriff Soptic said if I could say one thing. Thank you to the Commission, thank you to the Mayor and all the staff that helped make this happen. I know the men and women of the Sheriff's Office are very grateful.

Mayor Garner asked, are there any questions? I believe this was for information only. **Mr. Deichler** said correct, sir.

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

Mayor Garner said it was for information only. Sorry for that confusion. Thank you, Sheriff, and thank you, staff. Thank you, Commission. I appreciate the work of our Sheriff's Department, all the men and women that work to keep our community safe.

Action: For information only.

Myor Garner said I believe that was the last item.

(Inaudible) said resolution of support. **Misty Brown, Chief Counsel**, said I believe there's an error in just how the agenda read. You've already passed the resolution of support. This was a report that detailed the operational steps to make this happen. Currently, the Sheriff's going to handle this in 2022 through the line items in his current budget. Then in 2023, the actual budget adjustment will come to you as part of the budget revision process.

Mayor Garner said thank you, Counsel.

Mayor Garner said before we adjourn, I'd just like to remind everybody and the public that 4:30 tomorrow, post-COVID, this is the first in-person downtown holiday Christmas tree lighting. I know several of our employees are excited as well as they were involved in a gingerbread contest. So we want everybody to come see the great work and the artistic value and the effort that our employees put into that. Some of your commissioners are going to be helping with deciding who the winner is, so we're excited about that. Santa will be on site so bring your kids because I know they have a huge wish list of things. We'll have entertainment. We'll have crafts. We'll have vendors. Hopefully, we'll have a really good time. Just dress warm.

ADJOURN

Mayor Garner said I will now entertain a motion to adjourn.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Davis, to adjourn.**

Mayor Garner said before I adjourn, that does start at 4:30 p.m. tomorrow on Friday. So thank you all.

Mayor Garner said there's a motion and a second to adjourn. Roll call, please.

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

Mayor Garner said we're adjourned. Thank you.

**MAYOR GARNER
ADJOURNED THE MEETING AT 11:55 P.M.
November 17, 2022**

**Brett A. Deichler, PMP|CPM
Unified Government Clerk**

am/cg

November 17, 2022