

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS **SPECIAL SESSION, THURSDAY, APRIL 15, 2010**
CITY OF KANSAS CITY, KS)

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in special session, Thursday, April 15, 2010, with nine members present: Holland, Commissioner At-Large First District; Mendez, Commissioner At-Large Second District (arrived at 5:14 p.m.); Barnes, Commissioner First District; Murguia, Commissioner Third District; Mitchell, Commissioner Fourth District; Kane, Commissioner Fifth District; Pettey, Commissioner Sixth District; Ellison, Commissioner Eighth District (arrived at 5:14 p.m.); and Reardon, Mayor/CEO presiding. Miller, Commissioner Second District; and Cooley, Commissioner Seventh District; were absent. The following officials were also in attendance: Doug Bach, Deputy County Administrator; Jody Boeding, Interim Chief Counsel; Carol Godsil, Deputy UG Clerk; Gordon Criswell, Assistant County Administrator; John Jurcyk, Sr. Policy Advisor to Mayor; Alfonso Zarate, Assistant to Mayor; Mike Tobin, Deputy Director of Public Works; Lew Levin, Chief Financial Officer; Lisa Kearney, Budget Director; Wayne Moody; Deputy County Engineer; Emerick Cross, Interim Director of Transit and Parking Control; and Mike Taylor, Public Relations Director.

MAYOR REARDON called the meeting to order.

ROLL CALL: Pettey, Holland, Barnes, Murguia, Mitchell, Kane, Reardon.

Mayor Reardon amended the Call for the Special Session to include a legislative update.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, April 15, 2010, at 5:00 p.m. in the 9th floor conference room of the Municipal Office Building regarding Bus Rapid Transit System/State Avenue Corridor followed by a legislative update.

Gordon Criswell, Assistant County Administrator, said we are going to present an update on the State Avenue Corridor study which began in 2007 with a consultant group to assess whether or not there was potential down the road for a BRT, Bus Rapid Transit System. It would be a regional bus service that would get from downtown Kansas City, MO to Village West at a much faster rate than our current rate. Present this evening is Mark Huffer, General Manager of the KCATA; and Dick Jarrold, Senior Director of System Development and Engineering; who we have been working with will be the presenters along with Danny O'Connor, Planning Manager, Planning Special Services.

Dick Jarrold presented a PowerPoint presentation and stated it is primarily a good news message with the stimulus money and the Tiger Grant money will allow us to get some of the infrastructure built right away. BRT is a system of providing rapid transit service at a fraction of the cost of a rail system and it is designed to be easy for people that do not use the transit system. As a vehicle that you need easy to identify, station easy to find and instead of looking for bus #101, you look for a bus that has unique identity, something that will attract riders, comfortable places to wait and get them from point A to point B quickly. It is a system of elements that are put together and individual elements can stand alone and eventually form a bus rapid transit system.

BRT lines across the country have a different brand and identity than a local bus and that is a key component. In our case, we have branded our BRT line on Main Street in Kansas City, MO, "The Max Line" and we are right now building another line on Troost which will be "The Troost Max Line."

The elements of BRT, and we talked about 20 locations where we are going to have BRT stops on State Avenue, translates into a lot more stations being built because we have two at every location. There is a shelter for protection from the elements. There is the vertical element. The marker has information and lights. There is concrete for a platform for the station and concrete in the streets. One of the things we now have money to do with the Tiger Grant is to implement most of the station platforms in the State Avenue corridor. The piece we do not have money for at this point is the vertical element, the future marker. You want BRT stations to be attractive both day and night so that means bringing light to each stop and being able to read the information at night.

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The busses are specially designed for BRT service. This is not a local bus. The paint scheme is different, the look is different, and it is designed for bus rapid transit service to get people in and off the bus quickly.

The biggest bus we run today in Wyandotte County is a 30 foot bus. This MAX bus is a 42 foot long bus and is significantly more expensive. One of the keys to bus rapid transit is one route. There needs to be part of a system of routes throughout Wyandotte County. People need to be able to get throughout the county utilizing this and the other routes. Transit centers, when those routes come together, become very important.

The nice aspect about the BRT is some of the high tech features. There is a GPS in all vehicles, being able to help move through traffic signals quicker and avoid delays and real time information so you can stand at that BRT stop and know when your bus is coming. People need to be able to get to the stations so pedestrian connections are important. Part of the BRT is to put down concrete pads at all stops so the asphalt pavement won't be rutted by a big BRT bus.

State Avenue is part of the regional vision for BRT. It is one of the critical corridors that has been identified for BRT. It has been studied for two years plus. We have completed the alternative analysis which is the federally mandated study. You have to qualify for the BRT funding. Two years ago there was not a one seat ride from downtown to Village West. One of the first things towards BRT was to put a route in place which allows today not having to change busses to get to Village West. It is a very long trip. From one end of Village West to the other end, it can be as much as a one hour trip on the bus. It is important to make connections throughout the county. Village West on the western edge is on the western part of the county, but also potentially for attracting people from other places to come in and access this system. Mid-County, the Indian Springs area, are important connection points, downtown KCK with connections there as well as connections to the south on the 7th Avenue corridor. Over the months we have tried to come to a conclusion on the route and alignment. It is basically to run through downtown on Minnesota Ave. to Hoel Parkway and then shift over to State Ave. and stay on State Ave. to Village West Parkway and then to Plaza at the Speedway location.

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Transit centers need to be designed for local requirements. We need to know which routes are going to come into these transit centers. We don't want to design these unless we have a good sense of the long-term plan for the system in the county. That is important. The first one identified is downtown at the southeast corner of 7th & Minnesota. It will not intrude on the Huron Indian Cemetery. During the study, some conception plans were sketched out. We are not into engineering and designing yet. Indian Springs is the current meeting point for all the routes in the mid-county area and is one of the priorities we have for replacing with something better. We looked as far east as 38th Street, as far west as 50th, and hit upon the location on the northeast corner of 47th & State. The property is owned by the Unified Government and we believe that is a suitable location for a transit center. The Plaza at the Speedway has built, as part of the development by the Walmart, a platform, pad and locations for eventual shelter, some signage and multiple busses could come in at the western terminal. A number of intersections have stations throughout the corridors basically where there is high transit volume today. The basic footprint for the station starts in the street. At every one of the stations there would be a concrete pad in the street so the asphalt pavement is not rutted or marred. There would be a platform for the passengers to wait; there would be a shelter, markers, trash receptacles, benches, etc. behind the curb.

West of Indian Springs where there are higher speeds on State Avenue, to avoid a bus stopping where cars might be going 45 or 50 miles an hour, some pull-offs have been designed.

As we design these facilities, we want to keep in mind being environmentally friendly and look at options to keep these as green as possible.

We have estimated the cost to do all that, including buying the busses, at \$25 million. Before the stimulus funds were available, we assumed we could get 80% federal funding which means we would have to come up with a \$5 million local match to match that 80% federal funding.

The other side of the equation is the actual service itself. Today we operate a bus every 30 minutes on State Avenue. The federal definition of BRT is a vehicle every 10 minutes. This is a fairly significant cost of operations to raise the level of service up. There is significant time savings with this plan. There is an operating cost as well.

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Estimates to operate this as a Bus Rapid Transit would be about \$3 million a year which is about \$1 million more a year than what is spent today in the corridor. There are some major challenges. The stimulus funds and Tiger Program funds have provided us almost half, \$12 million, and 100% federal money to get this jump started. It will allow us to build key station infrastructure, two transit centers, and design with a future BRT in mind which provides immediate benefits today without necessarily upgrading the extra cost of going to 10 minute bus service, immediate benefits today to the local bus riders in the corridor with the monies we get from the stimulus program; the idea being that in the future when there is more money available to do the full build out. We have \$1.6 million available which is Transit Stimulus money that has been assigned to this corridor, \$10.5 million from the Tiger Program. We are working with the Mid-America Regional Council and the other partners in the Tiger Program are Kansas City, MO, and Johnson County. There is about \$15 million in future costs to convert this to a full BRT and at 80/20 federal, it will require a \$3 million local match. We are working towards submitting details to the federal government by May 17th. Eventually, ATA is going to be the actual grant recipient of all the Tiger infrastructure money except for Johnson County. We are entering into an agreement eventually with the Unified Government, and Kansas City MO, to talk about how that \$10.5 million in Tiger funds will actually be spent, how it will flow and how we comply with federal requirements.

It is important to take a look at all the routes in Wyandotte County. We don't want to be designing transit centers in the fall without really knowing what the entire system is going to look like long-term, how many routes might come into each of these transit centers, etc. We have money for some of the pavement; some of the concrete work in the corridor under the stimulus program and it is available now and could actually be spent as early as this summer.

Commissioner Barnes asked who will own the stations built and who is responsible for the maintenance. **Mr. Jarrold** said we assume that basically all the street right-of-way assets like the pavement, sidewalks, etc. will be owned by the Unified Government. Ownership of the shelters and markers would be worked out with the Unified Government. The issues are liability more than anything else. In terms of who would

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clean and maintain, that is another issue to work out between the ATA and the Unified Government. We have the maintenance responsibility for the Village West shelters today and we contract that work out. **Commissioner Barnes** asked who made the decision that we need a \$30,000 shelter and does the \$30,000 shelter fit every community. **Mr. Jarrold** said we have been working with an advisory committee, people from the county, and people from the citizenry, to talk about the process. There have been a number of public meetings. The shelters will be tailored to each of the sites. Some sites will not accommodate a 15 ft. x 5 ft. wide shelter and need to be 3 ft. wide x 10 ft. long. The site and location will dictate what the shelter will look like. The cost is an estimate at this point.

Mayor Reardon said the \$10 million allows us to start building infrastructure. This route would be more usable and friendly to riders and future riders and 100% federal dollars. The challenge for the Unified Government going forward is those benefits are going to be immediate, but when we want to step into BRT, the local operational costs that we are going to have to figure our way through to find out how we take that step. Because there is existing service on the lines right now, as soon as this infrastructure gets in, people riding the bus today are going to benefit from it.

Commissioner Murguia said when you talk about the major hub areas, the one area at Indian Springs, recently because I was interested, I have been riding the bus and the busses are great. They are clean and neat. You are looking at putting that major bus stop on the other side of Indian Springs. When you have children that are transporting with you, you are going to ask them to walk across the street, State Avenue, that is almost impossible and then if you are asking a single woman with children to walk to the corner and then come across the street, you are talking about a good city block out of their way just to get across the street. Hopefully, we can get it on the right side of the street wherever the development is. **Mr. Jarrold** said the preferred location would be to co-locate this with a redevelopment of the Indian Springs area.

Commissioner Ellison said I don't know why we would put it across the street. Put it where the development is going to be. It's not a block; it's a couple of blocks. **Mr.**

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Jarrold said the question is when would we build it and do we wait to build it for that development to occur and when the development occurs, would we have money available to build the transit center at that time. That is the trade-off.

Mr. Criswell said he asked Wayne Moody to be present to give an update because we are in the middle of construction now on State Avenue and part of the concern is that we don't want to pour concrete and then have to take it up.

Mr. Moody said the contractor on the State Avenue project which is McAnany Construction and the sub-contractor Miller, are working on the medians. As we move forward and get closer to the east end in the next couple of weeks, we are going to be at the 47th Street area. At that point in time they are going to switch and go back to start on the south side medians and at that time Dick and I will be out there looking at locations on the project between Lowe's and Indian Springs. We have three locations where he is going to need to have pull-offs or bus pads. I would like to get those pull-offs or bus pads incorporated into our ARRA project. He has ARRA funds so we have some work to jump through to see whether or not it is approvable from his end. The project was bid out of KDOT and they followed all the federal regulations so we think that is a favorable view of it. We are prepared to incorporate those pull-offs and/or pads as part of our construction now. Change Order the job to access his funds for that pavement. Take care of that, get it built so when you actually get into the Tiger Grant Funds and you start the design, the section between Indian Springs and Lowe's will be completed. Maybe even have some of the concrete padding for his bus terminals. As we move forward in the future, we have two projects that are going to bid, one in 2011 and one in 2012 and one is our funding and one is KDOT funded project. We will be able and have enough lead time to be able to coordinate with Dick and his crew.

Commissioner Barnes questioned on the Tiger Grant how the LBE/MBE policies affect contracting. **Mr. Jarrold** said with the federal government we deal with that issue. The feds require us to promote that and put goals in the contracts to have both minority and women business enterprises to participate.

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Mayor Reardon asked Mr. Jarrold to revisit the Indian Springs site to see if there are alternatives that can be looked at quickly to have the hub on the south side.

Mr. Criswell said Emerick Cross will be coming to you this summer in preparation of the budget for the cost of service analysis. When Mr. Jarrold said we need to look at our entire transportation routes in total, we have some routes that are underperforming so we want to get you that information in time for budget discussions.

Legislative Update

Mike Taylor said the legislature will meet for wrap-up sessions on April 28th and it looks like it will go at least 15 days as they try to deal with budgets. Several issues will be hanging out there and one of them is HB 2685. It is an expansion of the Conceal/Carry legislation that was passed a few years ago. It states that any city/county state building could not prohibit permit holders from taking their guns into those buildings unless that particular building has every entrance protected by metal detector and a security guard. I talked with Don Jones and the UG has over 80 buildings if you consider everything from park shelters, fleet maintenance and numerous entrances. A metal detector is roughly \$5,000 and a security guard would be roughly \$50,000 if you consider benefits. This is not financially doable. This would include Sandstone, Legend's Theatre, Memorial Hall, Parkwood Pool, and Wyandotte County Community shelters; anything we own. It would affect KU Med, KU Hospital and the KU Campus. It would say that the municipal employer could not tell their employees who has a permit that they can't carry that gun during work hours. This bill is being held up in the Senate. We didn't have a position so I provided information to our Wyandotte County delegation but didn't lobby the bill. The League of Kansas Municipalities, Association of Counties, Board of Regents, Community College, and Johnson County Community College are all against it and Dr. Burke is against it.

Commissioner Pettey said she was against the bill stating concerns about the community centers and employees.

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Mayor Reardon said his general recommendation would be that we be consistent with the League of Municipalities position.

Mr. Taylor said House Bill 2180 is the Gaming Bill. It came out of the Senate Committee and is sitting on general orders in the Senate and will be debated. Our position is that we oppose reopening the Gaming Bill. While we indicated we would look at some support on some very small changes that would help the Woodlands, this bill is very broad. This is largely supported by the Greyhound and horseracing industry. They have very cleverly named it the Kansas Agricultural Opportunity Act. It would help jobs in rural Kansas for dog breeders, horses, the industries that support this. It would change the percentages for slots at the track and percentages for the dog and horse industry. Their idea is that they would get all three tracks reopened and the way the way the revenues would work they would be able to start horse racing again. The Graves family is looking at selling the Woodlands to a company called Global Gaming Systems out of Oklahoma. They are a wholly owned non-soverned subsidiary of the Chickasaw Indian Tribe in Oklahoma. It would not be an Indian facility. It would be run as a regular facility but they want to put in the slots. They also own Lone Star Park in Dallas which is a horse track and in Remington Park, Oklahoma. Their idea is to get a circuit for horse racing going. They need the Wichita track to reopen and the one in Pittsburgh. The flow in that is that the bill right now as it stands, Wichita rejected slots at their Grand Park. They would have to have a new vote. It is a very hot issue in that city. It doesn't include that right now; there will be an amendment to allow Wichita to have a vote. Even if this bill would pass, for the Woodlands to reopen you would likely have to get county leaders to put the question back on the ballot for a second vote, which they oppose, and then it would have to pass and the track would have to reopen. Our position has been that we have opposed the bill. The governor has been supportive. Right now there are some designations for the state revenues, that they can spend it on infrastructure, to reduce bond debit or use it for Ad Valorem tax reduction. The League and a number of cities and counties have argued they should use the state share of that, or at least a portion, to restate the LABTR, the Demand Transfers they took away some years ago. This bill

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would also add KPERS as a place where some of the revenues could go. Right now in the bill cities get 1.5, counties get 1.5 and because we're consolidated we would get 3%. I'm fearful if this bill gets reopened, given the state budget crisis, someone would make an amendment that would say the 3% would be tweaked.

Mayor Reardon said the new entity that may or may not purchase the Woodlands would not have to enter into a development agreement with us. The state law is silent about local involvement, minority/women involvement, and prevailing wage. They would have to comply with nothing locally that we have asked our casino to comply with. They would just come and get their building permit. They could turn the lights on at the Woodlands and put slot machines inside.

Mr. Taylor said there are still some local government dollars that could be taken. The city liquor tax revenues are about \$1.5 million a year for us. They tried to take some of that last year to help with their budget shortfall and it was prevented. The Special City/County Highway Fund is about \$7 million a year for us. It is for motor fuel taxes distributed back to cities and counties. There has not been any real serious talk about taking that, but I'm concerned and watching it. We will also get some cuts, it's hard to predict, but Community Mental Health, Community Corrections, Aging are all taking cuts at the State level and that will trickle down to our local operations.

Mr. Taylor said there is no agreement on a budget right now. The economists that do the revenue projections will meet tomorrow and will make their forecast and that will really kind of drive what is going on. There is a House Bill that has been passed, a budget, that meets the shortfall with no tax increases so it is all through cuts, but one of the things they could do is cut public education by taking the Stimulus money out, but would give them latitude this one time to raise their local option budgets to make up for that shortfall and so what would likely happen, if that bill goes ahead, is you would see massive cuts at the local level in the state funding for the schools, but the school boards

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would have pretty much carte blanche to raise as high as 10% of the local property tax to make up for it. The consensus seems to be the problem will be resolved with a combination of cuts, some state sales tax increase, cigarette tax increase, liquor tax increase and there is some talk now about adding a couple of new income tax brackets.

**MAYOR REARDON ADJOURNED THE
MEETING AT 6:39 P.M.**

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Bridgette Cobbins
Interim Unified Government Clerk

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