Full Commission Meeting Agenda
Thursday, July 09, 2015
7:00 PM

Location:
Municipal Office Building
701 N 7th Street, Lobby
Kansas City, Kansas 66101
Commission Chambers

Absent
Mayor Mark Holland
Commissioner Melissa Bynum
Commissioner Hal Walker
Commissioner Gayle Townsend
Commissioner Brian McKiernan
Commissioner Ann Brandau-Murguia
Commissioner Harold Johnson Jr.
Commissioner Mike Kane
Commissioner Angela Markley
Commissioner James Walters
Commissioner Jane Philbrook

I. CALL TO ORDER
II. ROLL CALL
III. INVOCATION
IV. PLEDGE OF ALLEGIANCE
V. REVISIONS TO JULY 9, 2015 AGENDA
VI. MAYOR’S AGENDA
VII. CONSENT AGENDA
(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any “set-asides” on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)
VIII. PUBLIC HEARING AGENDA
IX. STANDING COMMITTEES’ AGENDA
X. ADMINISTRATOR’S AGENDA
XI. COMMISSIONERS' AGENDA
XII. LAND BANK BOARD OF TRUSTEES’ AGENDA
XIII. ADJOURN

SERGEANT-AT-ARMS: CAPTAIN VICTOR WEBB

VI 1 MAYOR'S AGENDA

VII 1 CONSENT AGENDA

Item No. 1 - RESOLUTION: 2600 N. 131ST ST. SHORT SPAN BRIDGE REPLACEMENT

Synopsis:
A resolution declaring the necessity and authorizing a survey of land to be acquired for the 2600 N. 131st St. Short Span Bridge Replacement Project (CMIP 5303), submitted by John Menkhus, Engineering.

On June 22, 2015, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission. Tracking #: 150161

Item No. 2 - ORDINANCE: PARADES AND MARATHONS

Synopsis:
An ordinance governing parades and marathons, submitted by Gordon Criswell, Assistant County Administrator.

On June 22, 2015, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission. Tracking #: 150162
Item No. 3 - ORDINANCE: PROHIBIT ELECTRONIC CIGARETTE USAGE

Synopsis:
An ordinance amending the UG's smoke free environment ordinance to ensure electronic cigarette usage remains prohibited in specific areas, submitted by Misty Brown, Legal. Additional changes were made to ensure compliance with state law.

On June 22, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.
Tracking #: 150140

Item No. 4 - APPOINTMENTS: BOARDS AND COMMISSIONS

Synopsis:
Appointments to Boards and Commissions:
Roderick Bettis to Self-Supported Municipal Improvement District (SSMID), 7/9/15 - 5/30/19, submitted by Commissioner Bynum
Emma Fonseca to Advisory Board on Disability Issues, 7/9/15 - 5/30/17, submitted by Commissioner Townsend
Tracking #: 970013

Item No. 5 - MINUTES

Synopsis:
Minutes from special sessions of June 8 and 25, 2015.
Tracking #: MINUTES
Item No. 6 - WEEKLY BUSINESS MATERIAL

Synopsis:
Tracking #: WEEKLY BUSINESS MATERIAL

VIII 1  PUBLIC HEARING AGENDA

IX 1  STANDING COMMITTEES' AGENDA

Item No. 1 - RESOLUTION: SET PUBLIC HEARING FOR 57TH & STATE REDEVELOP...

Synopsis:
Request approval of a resolution setting a public hearing date of August 13, 2015, to consider the 57th & State Redevelopment TIF District, submitted by Charles Brockman, Economic Development. The district is bounded by N. 57th St. and Meadowlark Lane on the east, approximately N. 59th Pl. on the west, State Ave. on the north, south of State Ave. on the south.

On July 6, 2015, this item was presented at the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan. It was requested, and approved by the Mayor, to fast track the scheduling of the public hearing item to the July 9, 2015 full commission meeting.

Tracking #: 150175
Item No. 2 - ORDINANCE: VACATION VILLAGE PROJECT AREA 4 BONDS

Synopsis:
An ordinance authorizing the issuance of Sales Tax Special Obligation Capital Appreciation Revenue Bonds (Vacation Village Project Area 4, major multi-sport athletic complex project), Series 2015 in an amount not to exceed $66M, submitted by Lew Levin, Chief Financial Officer.

On July 6, 2015, this item was presented at the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan. It was requested, and approved by the Mayor, to fast track this item to the July 9, 2015 full commission meeting for preparation of the necessary bond sale documents.
Tracking #: 150176

Item No. 3 - RESOLUTION: SET PUBLIC HEARING FOR SVV BONDS

Synopsis:
A resolution setting the public hearing date of August 13, 2015, to consider the First Amended STAR Bond District Plan and Project Area 2A Plan (Vacation Village), submitted by George Brajkovic, Economic Development Director.

On July 6, 2015, this item was presented at the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan. It was requested, and approved by the Mayor, to fast track the scheduling of the public hearing item to the July 9, 2015 full commission meeting.
Tracking #: 150181
COMMISSIONERS' AGENDA

Item No. 1 - ORDINANCE: MORATORIUM ON VENDING MACHINES

Synopsis:
An ordinance establishing an additional 90-day moratorium on the enforcement of Ordinances in Chapter 27 of the Code of Ordinances and Resolutions as the relate to existing vending machines located in Kansas City, Kansas, submitted by Jody Boeding, Chief Legal Counsel. The Commission previously granted a 120-day moratorium on such enforcement beginning March 5, 2015.
Tracking #: 150183

Item No. 2 - PRESENTATION: ONEARTSKC REGIONAL ARTS COUNCIL

Synopsis:
A presentation from OneArtsKC Regional Arts Council.

On June 22, 2015, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.
Tracking #: 150164

LAND BANK BOARD OF TRUSTEES' AGENDA

PUBLIC ANNOUNCEMENTS

ADJOURN
Item Description:

Project Name: 2600 N. 131st St. Span Bridge Replacement – CMIP #5303

This Resolution declares that this project is a necessary and valid improvement project. This Resolution directs the Chief Counsel to cause a survey and description of such parcels to be undertaken and prepared by a licensed land surveyor or a professional engineer to identify and describe the property to be acquired for this project, and to submit an Ordinance authorizing the exercise of eminent domain and to undertake all other necessary actions to complete the acquisition of such parcels.

Action Requested:
To adopt the Resolution.

Publication Required
Publication Date: 7/2/2015

Budget Impact: (if applicable)

Amount: $
Source:
  - [ ] Included In Budget
  - [ ] Other (explain)
RESOLUTION NO. __________________________

A RESOLUTION declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the construction, maintenance, operation, use and repair of the 2600 N. 131st St. Short Span Bridge Replacement (CMIP 5303), all in Wyandotte County, Kansas.

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

SECTION 1. It is hereby found and determined necessary that certain lands be condemned for public use providing for land necessary for construction, maintenance, operation, use and repair of the 2600 N. 131st St. Short Span Bridge Replacement (CMIP 5303). This project will replace an existing failed 5’ x 5’ x 25’ (estimated) short span structure no. 325 (2600 N 131st St) with a 66” circular concrete pipe 60’-80’ long. Structure is being widened to eliminate guardrail, accommodate a future wider roadway and for drainage reasons. This project is all in Wyandotte County, Kansas.

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

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

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

THIS _____ DAY OF ____________________, 2015.

_____________________________________
UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

____________________________________
KENNETH J. MOORE
Deputy Chief Counsel
Staff Request for Commission Action

Type: Standard
Committee: Public Works and Safety Committee

Date of Standing Committee Action: 6/22/2015
(If none, please explain):

Proposed for the following Full Commission Meeting Date: 7/9/2015
Confirmed Date: 7/9/2015

<table>
<thead>
<tr>
<th>Date</th>
<th>Contact Name</th>
<th>Contact Phone</th>
<th>Contact Email</th>
<th>Ref.</th>
<th>Department / Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/10/2015</td>
<td>Gordon Criswell</td>
<td>5030</td>
<td><a href="mailto:jleverich@wycokck.org">jleverich@wycokck.org</a></td>
<td></td>
<td>CAO</td>
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Item Description:
Wyandotte County has seen an increase in the applications for parades and marathons by various organizations across the metro area. Staffing such events has created a drain on the limited resources of many UG Departments that have to coordinate these events which vary in size and location. Staff was directed to bring back to the Standing Committee recommendations for addressing this issue. Attached is a copy of the report showing what other metro communities charge for supporting special events and proposed changes to the current Ordinance on Parades. The Police Department will present a power point presentation on several proposed race routes and their associated cost for staffing.

Action Requested:
Approve Ordinance Changes
Approve run routes proposed by the Police Department

Publication Required

Budget Impact: (if applicable)

Amount: $ Amount
Source:
- Included In Budget
- Other (explain)

File Attachment
File Attachment
ORDINANCE NO. ______________


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

Section 1. That Chapter 32 Streets and Sidewalks, Article VI, and sections 32-289, 32-292, 32-293, 32-294, 32-323, 32-324, 32-325, 32-327, 32-328, and 32-329 of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas, be amended to read as follows:

ARTICLE VI. – RUNS

DIVISION 1. - GENERALLY

Sec. 32-289. - Definitions.

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

Advertise means the act of publicly announcing or calling public attention to a person, thing, place or event and shall include, but not be limited to, the distribution of handbills, mass mailings, the use of outdoor advertising and announcements by radio, television or newspaper.

Chief of police means the chief of police or his designee.

Run means any race, marathon, bikeathon, walkathon, or jogging group proceeding along a public street, sidewalk, other public right-of-way, or any other public place owned by or under the supervision or control of the unified government as determined by the chief of police, and which is sponsored by a private organization.

Run permit or permit means a permit as required by this article.

Traffic engineer means the traffic engineer or his designee.
Sec. 32-292. - Security.

For the purpose of preserving and maintaining order, there shall be on the run route at all times during the hours of operation of such run such numbers of sworn law enforcement officers of the police department, the sheriff's department, or other monitors as required by the chief of police. Such law enforcement officers or monitors shall be selected and paid at an agreed upon hourly rate by the chief of police.

Sec. 32-293. - Public conduct during marathons.

(a) Interference. No person shall unreasonably hamper, obstruct, impede, or interfere with any duly licensed run or with any person participating or used in such run.

(b) Driving through runs. No driver of any vehicle, unless specifically permitted by an officer of the city police department, shall drive between the persons comprising a duly permitted run when such persons are in motion and are conspicuously designated as run participants.

Sec. 32-294. - Hours of conduct; removal of signs.

No run shall commence earlier than 5:00 a.m. or continue beyond the hour of 10:00 p.m. of the same day. All directional or informational signs posted or erected by the sponsoring group, its agents or designees in connection with such run shall be removed within 24 hours of the termination of the run.

DIVISION 2. PERMIT

Sec. 32-322. - Required.

No person shall advertise, engage in, participate in, aid, form, sponsor or start any run unless a permit to conduct the same shall first have been obtained from the chief of police.

Sec. 32-323. - Application.

(a) Any person seeking the issuance of a run permit shall file an application with the chief of police on forms provided by the chief of police not more than 180 days before and not less than 30 days before the date and time at which it is proposed to commence the run; provided, however, that for good cause shown the chief of police may waive the minimum 30-day filing period and may accept an application filed within a shorter period if, after due consideration of the date, time, place, and nature of the run, the anticipated number of participants, and the amount of unified government services which will be required in connection therewith, the chief of police determines that such waiver will not present a hazard to the public safety because of the reduced amount of time available to fully process the application. The application shall be signed by the applicant under oath.
The application for a permit shall contain the following information, and such other information as may reasonably be required:

1. The name, place of residence, mailing address and telephone number of the person seeking to conduct the run;
2. If the run is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization;
3. If the run is proposed to be conducted for or on behalf of an organization which is authorized under the laws of any other state or is headquartered in another state, or if the sponsor or chairperson of the run is not a resident of this state, the name, address and telephone number of a person designated as resident agent within the unified government to receive service of process and legal summons and notices to appear on behalf of the organization, sponsor or person;
4. The name, place of residence, mailing address, and telephone number of the individual who will be the run chairperson and who will be responsible for the conduct of the run;
5. The date the run is to be conducted;
6. Nature of the run including the type or types of activities that will occur during its conduct;
7. The hours such run will start and terminate;
8. A description of any and all recording equipment, sound amplification equipment, banners, signs, or other attention-getting devices that will be utilized in connection with the run;
9. The approximate number of participants, not including spectators, in the run;
10. The estimated number of spectators who will be present at or near the run;
11. If the run is designed to be held by, on behalf of, or for any person other than the applicant, the applicant for such permit shall file with the chief of police a communication in writing from the person proposing to hold the run authorizing the applicant to apply for the permit;
12. The purpose of the run, if there is an avowed purpose;
13. The exact location of the run, the time at which participants will begin to arrive at the marshaling area or areas, the time at which the run will begin and the route to be traveled, including the starting point and the termination point;
14. A designation of any public facilities or equipment proposed to be utilized; and
15. Such other information as the police chief may deem necessary in order to provide for traffic control, street and property maintenance.
16. A statement that the applicant agrees to reimburse the city for all expenses required to hire or to bring in an off-duty police officer or public works personnel to properly control the activity.
Sec. 32-324. - Standards for issuance or denial.

(a) After review of the application and other information as may otherwise be obtained, the chief of police shall have the power to issue or deny a permit.

(b) The chief of police shall issue a permit when it appears that:

1. The conduct of the run will not interrupt substantially the safe and orderly movement of other pedestrian or vehicular traffic in or contiguous to the route or location of the run;

2. The conduct of the run will not require the diversion of so great a number of police officers of the unified government to properly police the run area and the contiguous areas as to prevent normal police protection from being furnished to other parts of the city;

3. The concentration of persons at the run will not interfere unduly with proper fire and police protection of or ambulance service to areas contiguous to the run area or other areas of the city;

4. The conduct of the run is not reasonably likely to cause injury to persons or property or to provoke disorderly conduct as prohibited in section 22-115 or interfere with the preservation of the peace, health, safety or welfare of the public;

5. Adequate sanitation and other required health facilities as approved by the public health department are or will be made available by the applicant in or adjacent to the run area;

6. The conduct of the run will not result in noise at a level inappropriate for the areas surrounding the run;

7. The building, structure, equipment, or location of such run complies with and meets all of the health, zoning, fire, and safety requirements or standards of all of the ordinances of the unified government;

8. Proof of insurance required by this article as a prerequisite to the holding of a run has been filed with the unified government;

9. The conduct of the run will not be contrary to law;

10. The applicant has not had a similar run permit denied for good cause within one year prior to the application unless the applicant can show material change in circumstances since such denial;

11. The applicant agrees to abide by or comply with all conditions and regulations attendant upon such run permit;

12. Such run will not interfere or conflict with another run for which a permit has already been issued or will not interfere or conflict with another run for which no permit is required by this division;

13. The applicant has not materially misrepresented any facts or information set forth in the application; and

14. The applicant has furnished proof that permits or permission have been obtained from the appropriate authorities if the run or disbanding locations or the run route encroach upon, occupy or traverse any area within the jurisdiction of the federal, state or local government.
(c) If the chief of police shall find that the run is to be held for any unlawful purpose or will
not meet the standards described in subsection (b) of this section or will breach the peace
or unnecessarily interfere with the public use of the streets and sidewalks, the chief shall
deny such permit.

Sec. 32-327. - Alternate permit.

The chief of police in denying an application for a permit may authorize the conduct of the
run on a date, at a time, over a route or in a location different from that named by the applicant.
An applicant desiring to accept an alternate permit shall, within five days after notice of the
action of the chief of police, file a written notice of acceptance with the chief of police. An
alternate permit shall conform to the requirements of and shall have the effect of a permit.

Sec. 32-328. - Conditions contained in permit; closing of streets.

Any permit may contain conditions reasonably calculated to reduce or minimize dangers
and hazards to vehicular or pedestrian traffic and the public health, safety and welfare, including,
but not limited to, changes in time, location, duration or number of participants. For the purposes
of public safety and welfare, the traffic engineer may, if necessary, or order the temporary
closing of streets or temporarily prohibit parking during the run and shall with the advice of the
chief of police direct the posting of proper warning signs. It shall be unlawful for any person to
park or leave unattended any vehicle in violation of posted signs.

Sec. 32-329. - Duties of permittee.

(a) A permittee shall comply with all permit directions and conditions and with all
applicable laws and ordinances.

(b) The chairperson or other person heading or leading such run shall carry the permit
during the conduct of the run and shall display the permit upon request by proper
officers, agents or employees of the unified government.

(c) The chairperson or other person shall monitor the run and be available at all times
during the run for the chief of police.

(d) It shall be unlawful for any person in charge of or responsible for the conduct of a duly
licensed run knowingly to fail to comply with any condition of the permit.

Section 3. That said original Article VI, and Sections 32-289, 32-292, 32-293, 32-294, 32-323,
32-324, 32-325, 32-327, 32-328, and 32-329 of the Code of Ordinances for the Unified
Government of Wyandotte County/Kansas City, Kansas are hereby repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage,
approval, and publication in the official Unified Government newspaper.
PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS,

THIS _____ DAY OF ____________________, 2015.

_________________________________________
Mark Holland, Mayor/CEO

Attest:

_________________________________________
Unified Government Clerk

Approved As To Form:

_________________________________________
Unified Government Counsel
An Ordinance amending sections of the Unified Government's Smoke Free Environment ordinance to ensure electronic cigarette usage remains prohibited in enclosed places of employment and on public sidewalks abutting health care facility property lines. Definitions for "electronic or e-cigarettes" and "tobacco products" were added, and the definition of "smoking" and "specialty tobacco stores were amended to more clearly incorporate electronic cigarettes. Additional changes were made to the Ordinance to ensure compliance with State law in regard to signage, distance requirements, and designated smoking rooms in hotels.

Action Requested:
Adoption of the Ordinance

Entity: Legal

☑ Publication Required

Publication Date: [ ]

Budget Impact: (if applicable)

Amount: $ [ ]

Source:
☑ Included In Budget
☑ Other (explain) Policy action by Commission.
An ordinance relating to smoking regulations in the City of Kansas City, Kansas and on property owned, controlled or leased by the Unified Government of Wyandotte County/Kansas City, Kansas; amending Sections 17-133, 17-135(a), 17-136(b), and 17-137 and repealing original Section 17-141.

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

Section 1. That Section 17-133 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and is hereby amended to read as follows:

For purposes of this article, the following terms, phrases, words and their derivations shall have the following meaning:

Ancillary lottery gaming facility operations means that portion of a building where additional non-lottery facility game products and services not owned and operated by the State are included in the overall development associated with the lottery gaming facility. Such operations may include, but are not limited to, restaurants, hotels, motels, museums or entertainment facilities.

City shall mean the City of Kansas City, Kansas and the service territory of the Unified Government comprised of that territory within the borders of the City of Kansas City, Kansas.

Drinking establishment means a premise which may be open to the general public where alcoholic liquor by the individual drink is sold.

Electronic cigarette or e-cigarette means a device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to, any electronic cigarette, cigar, pipe, or hookah, including any component, part, or accessory of such a device, whether or not sold separately. Electronic cigarette or e-cigarette shall not include any product(s) approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.

Employee means any person, including but not limited to, independent contractors and volunteers, who performs services for an employer, with or without compensation.

Employer means a person, business, partnership, association, corporation, including a municipal corporation, trust or nonprofit entity, including the City or any agency thereof, which utilizes the services of one or more individual persons.

Enclosed means a space bound by walls (with or without windows) continuous from the floor to the ceiling and enclosed by doors, including, but not limited to, offices, rooms, all space
therein screened by partitions, which do not extend to the ceiling or are not solid, "office landscaping" or similar structures and halls.

*Health care facility* means any institution, place, building, or agency required to be licensed under State law, including, but not limited to, any hospital, nursing facility or nursing home, boarding home, assisted living facility, supervised living facility, or ambulatory medical and surgical center. A private residence being visited by a health care provider for the purposes of providing in-home health care shall not be deemed a health care facility.

*Lottery gaming facility* means that portion of a building used for the purposes of operating, managing and maintaining electronic gaming machines and any other games which are authorized to be conducted or operated within the boundaries of this state.

*Office landscaping* means indoor office areas without permanent walls, or walls that are not floor to ceiling; open space such as waiting areas and atriums; cubicles and/or open desk seating areas.

*Open burning* means the burning of any materials in which contaminants resulting from combustion are emitted directly into the ambient air without passing through an enclosed chamber that meets all applicable state and federal air pollution regulations, but shall not include "smoking" as that term is defined below.

*Parimutuel licensee location* means a racetrack facility, as defined in K.S.A. 74-8802, and amendments thereto, owned or managed by the parimutuel licensee and may include any existing structure at such racetrack facility or any structure that may be constructed on real estate where such racetrack facility is located.

*Permanently designated* means a hotel or motel room that has been identified as either a smoking or non smoking room. Hotels and motels may designate smoking rooms only once a year.

*Place of employment* means an area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. A private residence is not a "place of employment" unless it is used as a licensed child care, licensed adult day care, or licensed health care facility.

*Private club* means a class "A" club as defined by K.S.A. 41-2601(e) and/or a class "B" club as defined by K.S.A. 41-2601(f).

*Private residence* means enclosed personal living space, within any facility, not open to the general public without invitation.

*Proprietor* means any person who owns, leases, operates, manages, or otherwise has control of any establishment, building, or enclosed area. The term "proprietor" includes corporations, associations, nonprofit entities, or partnerships as well as individuals.
**Public transportation** means any air, land, or water vehicle used for the mass transportation of persons in intrastate travel for compensation, including, but not limited to, any airplane, train, bus, or boat that is not subject to federal smoking regulations.

**Public place** means any enclosed area to which the public is invited or in which the public is permitted, including but not limited to, banks, educational facilities, health care facilities, hotel and motel lobbies, laundromats, public transportation facilities, reception areas, production and marketing establishments, retail services establishments, retail stores, shopping malls, sports arenas, theaters, and waiting rooms. "Public place" shall include a private club when being used for a function to which the general public is invited; however, a private residence is not a "public place" unless being used as a licensed child care, licensed adult day care, or licensed health care facility.

**Racetrack gaming facility** means that portion of a parimutuel licensee location where electronic gaming machines are operated, managed and maintained.

**Recreational facility** means any enclosed indoor area used by the general public and used as a sports pavilion, health spa, boxing arena, bowling alley, swimming pool, stadium, arena, roller or ice skating rink, video game facility, senior citizen recreational facility or other similar place where members of the general public assemble either to engage in physical exercise, participate in athletic competition or witness a sporting event.

**Restaurant** means any building, structure, or area where food is available for eating on the premises, in consideration of payment.

**Service line** means any indoor line at which one or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.

**Smoke or smoking** means the lighting, inhaling, exhaling, burning, carrying or holding of any lighted, heated, or burning pipe, cigar, or cigarette of any kind, or use of an electronic cigarette, electronic or battery powered vaporizer, or other products derived from tobacco or other substances intended to be smoked, heated, absorbed, dissolved, inhaled, snorted, or sniffed, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

**Specialty tobacco store** means a retail store utilized primarily for the sale of tobacco products, electronic cigarettes or devices, and accessories, or any component thereof, and in which the sale of other product is merely incidental.

**Theater** means any indoor facility or auditorium, open to the public, which is primarily used or designed for the purpose of exhibiting any motion picture, stage production, musical recital, dance, lecture, or other similar performance.

**Tobacco products** means any product containing, made, or derived from tobacco or containing nicotine, whether synthetically produced or derived from other sources that is intended for human consumption (but not marketed for cessation). Tobacco products include, but are not limited to, any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah and any component, part, or accessory, whether or not sold separately (and not marketed for cessation).
*Unified Government* shall mean the consolidated government of the former Wyandotte County Board of Commissions and the former City Council of Kansas City, Kansas and shall include the Unified Government Board of Commissioners and all real property owned, controlled, leased or managed by the Board of Commissioners or any commission, agency or board subordinate to or controlled by said Unified Government under State or local law.

(Ord. No. O-91-08, § 3, 12-18-2008)

**Section 2.** That Section 17-135(a) of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and is hereby amended to read as follows:

**Sec. 17-135. - Prohibition of smoking in enclosed public places.**

(a) Smoking shall be prohibited in all enclosed public places within the City, including, but not limited to, the following places:

1. Any vehicle of public transportation, including, but not limited to, buses, limousines for hire and taxicabs;
2. All public areas and waiting rooms of public transportation facilities, including, but not limited to, buses, limousines for hire and airport facilities;
3. Libraries, educational facilities, child care and adult day care facilities, museums, auditoriums, aquariums, and art galleries;
4. Any health care facility, health clinic or ambulatory care facility, including, but not limited to, laboratories associated with rendition of health care treatment, hospitals, nursing homes, doctors' and dentists' offices;
5. Any indoor place of entertainment or any recreation facility, including, but not limited to, gymnasiums, theaters, concert halls, auditoriums, bingo halls, billiard or pool halls, bowling alleys, arenas and swimming pools;
6. Service lines;
7. Places licensed to be drinking establishments;
8. Restaurants;
9. Convention facilities;
10. Elevators;
11. Sports arenas, including, but not limited to, enclosed places in outdoor arenas;
12. Any other area used by the public or serving as a place of work, including open office landscaping;
13. Every room, chamber, place of meeting or public assembly, including school buildings under the control of any board, council, commission, committee, including but not limited to joint committees, or agencies of the City or any other political subdivision of the State during such time as a public meeting is in progress, to the extent such place is subject to the jurisdiction of the City;
14. All enclosed facilities owned by the Unified Government or any predecessor government and any subordinate agency, board or commission;
Rooms in which meetings or hearings open to the public are held, except where such rooms are in a private residence;

Licensed child day care facilities;

Common indoor areas in apartment buildings, condominiums, and other multiple-unit residential facilities including, but not limited to, exercise rooms, hallways, lobbies, meeting rooms, laundry rooms, and recreational facilities;

Common indoor areas and rooms permanently designated as a "non smoking" room that are offered for lease or rent to the public in hotels and motels. For the purposes of this article, common areas shall include, but not be limited to, exercise rooms, hallways, lobbies, meeting rooms, laundry rooms, and recreational facilities;

Educational facilities;

Grocery stores; other retail stores, convenience stores, and indoor shopping malls;

Public restrooms, lobbies, reception areas, hallways, and other common-use areas in any building;

Workplaces not exempted by this article.

Within 10 feet of any doorway, open window and air intake of establishments where smoking is prohibited; provided, however, that this prohibition shall not apply to the outdoor seating area of a restaurant or drinking establishment where smoking is allowed if reasonable efforts are made to minimize the chance of smoke affecting the inside occupants of the establishment.

Section 3. That Section 17-136(b) of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas be and is hereby amended to read as follows:

The person having control of a place, subject to this article, shall clearly and conspicuously post "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) at every entrance and every place where smoking is prohibited by this article. Such signage shall consist of letters not less than one inch in height and clearly state that smoking is prohibited by state law.

Section 4. That Section 17-137 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas be and is hereby amended to read as follows:

Sec. 17-137. - Exceptions; discretion of employers and proprietors.

Unless otherwise provided herein, this article shall not apply to:
(1) Private homes, private residences, and private automobiles not serving as enclosed places of employment or an enclosed public place; including residences under the control, ownership or lease by the Unified Government and the City Housing Authority; nothing herein shall prohibit the Unified Government or the City Housing Authority from limiting, regulating or prohibiting smoking in such residences;

(2) Private clubs which:
   a. Had a valid City and State private club license as of November 1, 2008; and
   b. Currently have a valid City and State private club license.

(3) Any hotel or motel room permanently designated as a "smoking" room so long as such rooms do not exceed 25 percent of the total accommodations within the establishment that are offered for lease or rent to the public;

(4) Existing specialty tobacco and electronic cigarette stores and new specialty tobacco and electronic cigarette stores which are enclosed and separated from other structures and which do not share a common system of ventilation;

(5) Outdoor, unenclosed areas of restaurants, drinking establishments, or private clubs including but not limited to decks and patios where smoking is allowed. With respect to said outdoor seating area, smoking may be allowed only if reasonable efforts are made to minimize the chance of smoke affecting the inside occupants of the establishment;

(6) Lottery gaming facilities and race track gaming facilities until all lottery gaming and racetrack gaming facilities located in the Missouri counties of Jackson, Platte and Clay, and the Kansas counties of Johnson and Wyandotte (the "relevant counties"), but not including Native American lottery gaming facilities, are obligated by ordinance, statute or law to prohibit smoking within the areas where lottery gaming and racetrack gaming is allowed. To determine when lottery gaming and racetrack gaming facilities areas are no longer exempt from this article as described above:
   a. The city clerk with the advice of the director of health will maintain a library of smoking ordinances from all cities located in the relevant counties.
   b. When smoking within casino gaming areas has been banned in those jurisdictions in which casinos are located in the relevant counties, the city clerk shall provide for public notice through the city's internet site, news releases and a communication to the city council.
   c. Such notice shall state that this article will apply to casino gaming areas after 60 days from the date of the notice.

(7) Open burning which means the burning of any materials in which contaminants resulting from combustion are emitted directly into the ambient air without passing through an enclosed chamber that meets all applicable State and federal air pollution regulations, but shall not include "smoking" as that term is defined in Section 17-133 herein.

(8) Any other place of business, not otherwise included in this section, which clearly posts and identifies itself at each entrance as a smoker friendly facility where smoking is permitted until December 31, 2011, provided:
   a. The business either:
      1. Can establish that it has no legal ability to exclude customers and patrons under the age of 18 years of age; or
2. Has the legal ability to continuously exclude, and does continuously exclude, all customers and patrons under 18 years of age; or
3. Restricts all smoking to a designated smoking room or area in which customers and patrons under the age of 18 are not allowed to enter and/or remain in; or
4. Prohibits all smoking in the business until after 9:00 p.m.; and
   b. The business has obtained, and annually renews, a license from the unified government to operate the place of business as a smoker friendly facility. No further licenses will be issued or extend beyond December 31, 2011.

(b) This article shall not prevent or be construed to limit the right of any employer or proprietor from adopting smoking prohibitions that are more stringent than the requirements of this article.


Section 5. That original Section 17-141 relating to licenses, fees, and end date of license be and the same is hereby repealed.

Section 6. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the Wyandotte Echo.

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

THIS _____ DAY OF ___________________, 2015.

Mark Holland, Mayor/CEO

Attest:

____________________________________
Unified Government Clerk

Approved As To Form:

____________________________________
Misty Brown, Assistant Counsel
SUMMARY

TO: Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas

FROM: Misty Brown
Senior Counsel

DATE: May 19, 2015

RE: Proposed Changes to Smoking Ordinance

Legislative Background:

On December 18, 2008, the Governing Body of the Unified Government passed Ordinance No. O-91-08 which prohibits smoking in enclosed places of employment and upon public sidewalks abutting health care facility property lines. The Smoking Ordinance was amended on February 19, 2009. On July 1, 2010, the State’s Indoor Clean Air Act was enacted thereby banning smoking statewide.

State law does not prohibit electronic cigarette use in enclosed places of employment, but the Unified Government’s smoking ordinance was drafted to include electronic cigarettes in the prohibition. However, there has been an evolution in the mechanics of electronic cigarettes, and an amendment to the ordinance was drafted to ensure that electronic cigarettes usage remains prohibited.

Summary of Proposed Changes:

- New definitions for “electronic cigarette or e-cigarette” and “tobacco products” were added, and the definition of “smoking” and “specialty tobacco store” were amended to incorporate electronic cigarettes.

- Additional edits were made to the distance and signage requirements and the permissible percentage of designated smoking rooms in hotels to better comply with the State’s Indoor Clean Air Act.

- Sections of the Smoking Ordinance that pertained to smoking licenses were repealed.
NOTICE OF PENDING APPOINTMENT

DATE: July 2, 2015

BOARD POSITION: Self-Supported Municipal Improvement District (SSMID)

INCUMBENT REPLACED: Steve Hale

TERM EXPIRATION DATE: May 30, 2015

APPOINTING COMMISSIONER: Commissioner Melissa Bynum

REVIEW DATE: July 8, 2015

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Roderick Bettis

ADDRESS: 827 Minnesota Avenue, KCK 66104

CELL NUMBER AND EMAIL ADDRESS: 913-281-3106

TERM OF OFFICE: July 9, 2014 TO 5/30/2019

[Signature]

SIGNATURE OF APPOINTING COMMISSION MEMBER

* NOTICE: IF THERE ARE NO CONCERNS RAISED IN THE INITIAL 7 BUSINESS DAYS REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.
NOTICE OF PENDING APPOINTMENT

DATE: June 24, 2015

BOARD POSITION: Advisory Board on Disability Issues

INCUMBENT REPLACED: Donald Turner

TERM EXPIRATION DATE: 10/1/2013

APPOINTING COMMISSIONER: Gayle E. Townsend

REVIEW DATE (7 business days): July 7, 2015

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Emma Fonseca

ADDRESS: 849 N. 47th St., Suite C, Kansas City, Kansas 66102

CELL NUMBER AND EMAIL ADDRESS: efonseca@wycokck.org

TERM OF OFFICE: July 9, 2015 TO May 30, 2017

SIGNATURE OF APPOINTING COMMISSION MEMBER

* NOTICE: IF THERE ARE NO CONCERNS RAISED IN THE INITIAL 7 BUSINESS DAYS REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.
The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in special session, Monday, June 8, 2015, with nine members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District (arrived at 4:26 p.m.); McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO; presiding. Johnson, Commissioner Fourth District; and Walters, Commissioner Seventh District; were absent. The following officials were also in attendance: Doug Bach, County Administrator; Jody Boeding, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell, Joe Connor, and Melissa Mundt, Assistant County Administrators; Bill Heatherman, County Engineer; Mike Tobin, Interim Public Works Director; Lew Levin, Chief Finance Director; Debbie Jonscher, Assistant Finance Director; Reginald Lindsey, Budget Director; Emerick Cross, Commission Liaison; Maureen Mahoney, Asst. to Mayor/Chief of Staff; Jason Banks, Asst. to the Mayor/Manager; and Patrolman John Turner, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Philbrook, Bynum, Walker, McKiernan, Murguia, Kane, Markley, Holland.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Monday, June 8, 2015, at 4:00 p.m. in the 5th floor conference room of the Municipal Office Building for a meeting of the Committee of the Whole to discuss the Capital Maintenance Improvement Plan (CMIP) and Community Development Block Grant (CDBG).

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

**Doug Bach, County Administrator,** said tonight really is just a follow-up from last week. I think we stepped through many of the things in the projects. Reggie has some copies if anybody did not bring back a copy from last week or their notes from what they had. If you need anything, waive your hand and he’ll give you that; otherwise, we’ll just sit with that.

Also, we have one document—there was a question that was asked. Mr. Heatherman has that. He has built that for a response to you. I’ll have him quickly address that after he gets back to his seat. The intention of this portion of that is to really get back if the commissioners have anything specific they want to talk to or ask questions about after having a chance to look at our proposed project list, or talk about any projects they want to get—I guess that aren’t addressed in the way they want to have them addressed. This would be the opportunity for that input to come in and fill in.

**Bill Heatherman, County Engineer,** said this was in response to Commissioner Murguia’s suggestion that we explain what some of the annual maintenance projects cover and we just tried to give a brief explanation. If anyone has some questions, we could talk about that as part of the budget.

**Mr. Bach** said I think it was a good question particularly for the new commissioners to kind of get a little explanation on some of those items that we don’t typically spend as much time on and how we divide them out. I don’t have any formal presentation from that. We were coming back for this portion to discuss where we were last week.

**Mayor Holland** said you already walked through this presentation last week. Is that right? You walked through item by item. Are there particular items of question or concern in here that people want to see? I would just ask, Mr. Bach, just for clarification, large numbers—last year, CMIP total project numbers and what you’re anticipating for this year if you have a ballpark that you’re working under. If you could give us those or point us to those numbers, I think those are helpful to state out-front and where you see the increase or decrease.

June 8, 2015
Mr. Bach said, Debbie, we have a slide for that didn’t we from last week where we kind of showed where our target numbers were. On the Debt Finance Projects, generally, if you look at page 3 under the Debt, you’ve got one that’s Cash by Fund; the other is Debt Finance projects. If you go under Debt Finance Projects, page 3, and you see the variation in numbers between 15 and 16. We’re working at that, around $13.5 to $14M range. You see this number is at $12.7M in 2015, $14.4M, we had a little modification between the two and previous years were shown in that $14M range. It’s not like we really dipped off; we just had to kind of balance it back out. That’s the range we’re trying to stay in on debt. I think we showed the one slide where we showed our debt rolling each year.

Our debt still calls for us to put another $.5M to the mill rate or to that fund so I’ll have to move that mill rate .5 mill. That means I’m transferring money from other areas in order to finance that in 2016 going forward because it requires additional in our current track. Even by lowering the amount of our debt each year, we still have so much coming on line that you can see it start to go upward.

Debbie pointed out last week that a lot of times there’s opportunity for us to refinance and we try to level that out. Also, hopefully you just see the mill become worth a little bit more each year as it goes in and pays into this program. But at our current rate and trying to keep it down, it still tends us to put more money into our debt financing every year.

Debbie Jonscher, Deputy Finance Director, said I would just say, that’s why we try to hold to that $13M to $15M level on new projects. The subtotal that Doug was referring to, a lot of times we look at the two years that we’re budgeting together because sometimes the way the projects work out, you can’t always get that exact amount in one year. Something may get delayed so we try to balance that $13M to $15M out over the two years. I think ‘15 and ‘16 average out to about $14M or a little under $14M per year.

Mr. Bach said a key point we’ll note and we talked a little bit about standing committee and the opportunity for that in the fall, as you see these out years, they’re too high. I know that’s something Mr. Heatherman and Mr. Tobin are working on. I think that’s coming back with the standing committee in Public Works and talking through ways we can reprioritize where we want to be. It kind of falls the same way with cash. If you look under City General Fund is a
good example of that. I’m hoping, and that’s on page 2 under the Cash—immediately we move into 2017 and out where we’re up there and we’ve doubled up on already what’s a little high right now in 2016. I’m probably going to have to get that down to get our cash flow in place where we want it to be. You see it goes from $933,000 to $1.7M. We get better fiscally as we get out, but we can’t just double up in every area as we go along.

We hit Cash Projects probably harder than anything else so it’s an area where I hope to see us rebound more in that area. It’s not like we’re going to—because we really did drop cash way down back—but that’s an area where we did see a big impact from previous years when we started to deplete the amount of cash funded there.

Reggie just pulled it up. You see it in blue. In 2007—is that CMIP—okay, that includes equipment, but you can see we were upwards of $20M and around $20M and then we got down to $10M—this is not a correlating number. I’ve got to see—where does that number correlate to on this cash sheet, Reggie?

Mayor Holland said pre-recession, we’re still half of what we were doing pre-recession. Mr. Bach said yes. You’re at $10M. We were up over $20M in 2007, 2008 and those are Cash Projects. Nowhere else did we slice our budget in half as we went along. It’s an area we’ll see—we will try to work to rebound it. Mayor, does that answer your question? Mayor Holland said it does.
Mayor Holland said I will ask for clarification again. On page 3 when we’re looking at Debt Finance subtotal City Debt Projects, in 2016 it shows $14.4M. That is about I’m thinking about $1.5M worth of cash to fund that level of debt. Is that right? We’re adding $1.5M of debt service payment to fund the $14M worth of projects. Lew Levin, Chief Financial Officer, said just a little over $1M. The 2016 projects that are shown here is debt (inaudible due to not speaking in a mic) and so they wouldn’t get bonded until the projects are completed, the earliest in 2017. Mr. Bach said it’s that cycle. I think some of you start to get used to it and you see it’s our debt response slower if we move to it, high or low, because a lot of times we will issue notes. We don’t turn it into a bond until we’ve completed that project. Something we say 2016, that’s what we budgeted for, we will start the project but we may not finish it until 2018 and then that means it falls into the 2019 bond cycle so if it’s there, 2016 Project, it goes into a bond in 2019. It’s very easy to get out several years so if we said well let’s drop all our debt stuff and we’re only going to do $1M this year, it has no impact on our immediate debt service. What’s out there on that other chart about debt service, that’s already in play, we know these things are coming on line each year as they come out because we’ve already created so much debt from previous activities. Just like these will have the impact three or four years from now.

Mayor Holland asked, can you go back to the Debt Service slide. What’s important I think for us to keep in mind is when we look at the total City Bond & Interest Fund expenditures, you have GO, TIF, Other Funds. You have your total line at the top. For 2015 it’s $27M, 2016
we’re projecting $27,697M for payment. I think it’s important for us to remember, and perhaps everyone knows this, but I think it’s important to remember that when we look down on here and see $14M worth of debt funded projects, we’re not adding $14M up there. We’re adding about $1M up there because it’s going to be paid out over time. Does that make sense? When you look at the $14M in 2016, you’re not adding $14M to $27M because it looks like we’re going half again. You’re only adding $1M of debt service to this but you’re adding $14M worth of liability over the life of those projects which are going to show up in another color on the bottom graph over time. Mr. Bach said I believe what Debbie has done on that top line in the purple is where she has tried to project new debt. Ms. Jonscher said right, I’ve estimated probably for 2017 through 2019 or 2016 through 2019 I’ve estimated future debt service into those totals.

Commissioner Murguia asked do you have a slide that shows what has happened with our debt over the last decade or two. I’m just curious. If no one else is interested, you could just send it to me. Mr. Bach said do you mean this slide coming back from 2011 and go back? Commissioner Murguia said I mean just the debt. Is this just the debt? Mr. Bach said this is just debt so we have previous iterations of this slide that would go back to whenever. I don’t know what you guys have on file. Commissioner Murguia asked we’re there years in the last decade that were significant. Ms. Jonscher said I’m not sure. I can’t remember when the first time we put this graph together. The $20M target, that top line there, is kind of what we’ve been targeting and I think we’ve pretty much stayed. Sometimes we’ve hit that line but we usually are staying right around that $20M or a little below. Commissioner Kane said this shows it’s going to be a lot. Commissioner Murguia said not a lot. Ms. Jonscher said right, based on my future projections we do see starting in 2017 it goes up but as I said there could be some opportunities such as refunding that would possibly lower that debt service in the future year. Mr. Bach said it’s probably projecting this out to show when we start to see some of this stuff that’s been refunded or just how it was originally issued to fall off. Commissioner Murguia said this is projections, this isn’t past. It goes backwards a little bit to 2011 but I was just curious if there has been—Doug, can you recall anything significant in the past that affected our debt. Mr. Bach said not really. Mayor Holland said I would say if we went back and took the chart from 2005 to present, you would see during the recession our debt level went up as we shifted a lot of cash payments during the recession to debt service. I think that would be accurate but in terms of the
bump, that $20M line we still work very hard to stay around and to get back down below. I know there was a spike during the recession but you can see we’ve worked hard to keep it—what we did is we just stopped issuing debt on new projects for a lot of stuff. Mr. Bach said what we really need to strive for is keeping this in this area and like I said putting more back into cash. If we added $10M a year in cash funded projects back where we were in 2007 or 2008, that’s a major impact and I think Mr. Heatherman would be very happy to hear something like that come back into play because then we’re able to make a difference in the community immediately and we’re not doing anything to increase our debt service. Commissioner Murguia asked why would Bill care if it’s cash or debt. Mr. Bach said I just meant if he got $10M more worth of projects to be able to do work with. Commissioner Murguia said okay. I just wanted to make sure I wasn’t missing something because we got to do more with cash for some reason.

Mr. Levin said I think the other issue is certain types of projects are more (inaudible, not at mic) and I think Bill discussed this last week, certain types of projects are more appropriate for cash as opposed to debt. When we do a major reconstruction of a street to me that’s more appropriate for debt but if we’re doing maintenance or more of an annual type of expenditure then that’s a project that we want to strive to do on a cash basis. Mayor Holland said I would say an example would be police cars. Police cars are virtually disposable. They run 100,000-120,000 miles a year, they run them for three years and there’s not much left at the end of that. During prerecession we were buying police cars with cash. We went to some debt purchasing during the recession because we had to get some new cars and we are trying to get that back on the cash cycle. I don’t think buying three year vehicles on debt is smart generally. Now, a fire truck on the other hand which might be a Quint is over $1M; it has a ten-year life expectancy. Debt financing a piece of fire equipment is more justifiable. It’s not dissimilar to our house budgets. If you’re buying a new house, that’s a good opportunity for debt financing. Depending on what kind of car you’re buying, you’re probably better off buying something you can pay with cash rather than long-term debt financing on that.

The other thing I want to point out on this slide is Other Funds. 2016 has $6.2M in Other Funds. I presume those are other funds like the Sewer Fund. Ms. Jonscher said that’s correct. Those are all the Enterprise Fund debt. Mayor Holland said so that Enterprise Fund debt which makes up a little less than a quarter of our overall debt, I’m not doing that percentage in my head very well. Six of the $27M is Enterprise Fund debt that is serviced with other
revenue streams outside of our General Fund Budget. **Ms. Jonscher** said that’s correct. **Mayor Holland** said but the overall—and that debt is not listed in our chart. Is that right? **Ms. Jonscher** said the chart at the bottom refers only to the highlighted line at the top. That’s GO debt specifically. The other funds are not included in the chart.

**Mayor Holland** said the TIF debt, the $1.9M of TIF debt in 2016, how much of that is performing TIF debt and how much of that is underwater TIF debt? Do you know what I’m saying? The vast majority of our TIFs are self-funded. Commercial TIFs have been very successful. There is only a couple of residential TIFs prerecession that did not perform but in terms of coverage on that debt, the $1.9, are our TIFs currently covering themselves? **Ms. Jonscher** said I believe on those TIFs, the only one that I can think that stands out is probably the Midtown TIF. **Mayor Holland** said right because it’s not moving. We’re still carrying the Midtown TIF but the rest of them are covering their own debt. **Mr. Bach** said some of the residential ones by comparison are pretty small. They may be under but we’re talking $50K differences versus the other ones are million dollar type. You can see the number up there.

**Mayor Holland** said in the past we have gone through these pretty carefully line by line. We did some of that last week. Is there an interest in the commissioners—did you highlight particular projects that you would like to see moved from year to year, that you would like to see accelerated or pushed back, are there particular projects—I mean I think this is our opportunity. We’re all aware of items going on in the city. This is the time when we prioritize those and so I just want to make sure that—there are two parts to this. One is our Administrator saying I think we have about this much of a bucket to dip into this year. That’s the big picture and the staff obviously knows between Tobin and Heatherman what’s breaking fastest and what’s the furthest behind. We’re probably behind in all our maintenance so what’s the most essential. The question is, do we know of things in our areas that are essential that aren’t moving fast enough or you have a question about. I think that’s the check and balance we provide during these sessions.

**Commissioner Markley** said I was just going to beat Mike Kane to the punch. We’ve talked a lot about the fire study and I’m curious when is that fire study going to be done and are we going to do our planning before we’re back here again next budget year or are we going to have to sit
around this table in July and try to figure out if there is something to be on this list or not? I’m hoping we’re not going to have to do that. **Mayor Holland** said I can share my view of that. **Mr. Bach** said the fire projects are unfunded at this point and really we know there is going to be a need to fund a certain level and I guess that’s one thing. This sheet doesn’t show us having any debt service that’s allocated to it to future of ones we have. The commitment could be—I mean we can prioritize them later; we wouldn’t want to prioritize them until we have all our stuff back from our study. **Commissioner Markley** said I guess that’s what I’m saying is that we sort of said we’re pushing this off, we don’t really want to talk about it and get into the weeds until we get that study back so when is that that we get the study back and when can we start to look at those weeds? **Mr. Bach** said it’s going to be late July, August probably before we have all that information. **Joe Connor, Asst. County Administrator**, said yes, the consultants have one more in town visit scheduled in July to finish up kind of their on the ground type of work. Just up until here recently they have asked us for additional data to include in their analysis so they are still doing their part of it. I would anticipate sometime in July. They haven’t given me a hard date yet and I haven’t asked for one quite frankly. I could certainly do that and try to get you an answer back on a hard date but they are asking for information and we’re going back and forth so I see that as a positive for the study. Again, they have one more visit to make so they can meet their other requirements.

**Mayor Holland** said the other piece, it’s not listed on here, this is not equipment; this is just projects. Each one of these stations needs a new truck. Almost all of our trucks are completely out of cycle so you can take the $32M and add another $20M to the side of it for fire trucks, not a full $20M because pumpers are only $600K each so they are a bargain. You’re still looking at probably at least $10M in immediate equipment needs on the fire side that you can add to that number. We would probably need another $42M just to look at the process.

**Commissioner Kane** said I think those guys have an opinion on what fire stations might want to be replaced. You know the pole barn at 123rd & Leavenworth Road and I think we should put the funding in there now because we know it’s a mess. I agree with the Mayor that our equipment, not just in the fire department, but also the police department. I was walking today and a police officer drove by and I had to look back to make sure, because of the lights, not
because of the color; because it was all faded. I know I laugh about it but it’s serious. The people want to see a police car in the colors instead of trying to guess if it’s one. I think we need to put something on there that says we have to have a fire station out west and not just fire equipment but police cars as well.

Mayor Holland said I’ve toured I think over half of the fire stations that I’ve been touring. I’m scheduling the other half and I have been to two or three that I thought didn’t need to be torn down. The rest of them are in pretty rough shape. I will say we have some buildings that are not in good shape housing some fire equipment and so the need is high and I will say we are on track, we’ve built one new police station. We’re on track to build a second one. Downtown is in pretty good shape and the remaining police station is not in bad shape but when we look at the fire places—my only concern about putting one in now is I want to make sure that when we get the study—I think we spend all year, Commissioner Markley, to your point I think we spend all year evaluating that, not just budget time really digging into it. If the study is worth anything, it’s going to take us that much time to digest it. I want to make sure—there may be some unpopular decisions to be made, there may be some stations that are recommended to close and to move elsewhere and I want all those recommendations to come from the study and not from us. I think that will be a stronger recommendation. I think the pole barn at 123rd is a strong candidate for a new station. Should there be deemed a need to have a station and certainly I don’t know how you don’t because it’s out there on an island all by itself so I think it’s a strong candidate.

Commissioner Walker said I’ve advanced the special needs park concept. I’ve spoken to most of the commissioners at one time or another. I need some funding to get started and I wish the Parks Director was here tonight because he could speak at length. Maybe Mr. Tobin can speak to the issue. We need to have money in that for the initial planning and it’s not a study per se because the need is there. The grants that are available and there are, I am informed, a multitude of grants that are available that can be applied for but not from ground zero. The Advisory Committee on Disabilities has been working on this. At some point the Park Board will be involved, I assume, although I think Mr. Rogers has identified what he thinks is the best location for that which is Wyandotte Park down from the Legend’s. It has the space and the preexisting parking and necessary improvements to diminish the cost. I’m pushing for that in this budget.

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look at the Parks & Recreation aspect of this and I really don’t see anything that has anything to do with healthy living in the parks program for capital investment, spillway repair, all these things I’m sure are needed. $225K for marina service docks and I know I have some very good friends that would like to see the docks larger than they are with more boats with slips, but I also think that the special needs children of our community and probably kids from other communities nearby, need the kind of park I’m talking about and not just a piece or two of equipment which is what we now have at a couple of parks. I’m asking that staff take a look at that and see how that could be advanced. I don’t pretend to know what that number would be. I suppose I would throw out the number of $100K to just kind of shake it up. Whether that’s a good number or bad number I’m going to defer to Mike I guess. Mike Tobin, Interim Public Works Director, said if I might and not to put words in Jeremy’s mouth, but in conversations that we’ve had he has indicated that $30-$40K would be a sufficient amount of money to get the study started for this project. He has put one of these in before. He did at his prior workplace in Independence. Commissioner Walker said I have been out there and I would invite all of you, if you are in Independence, to look at this park and then you would have a visual—we could get photographs of it. It’s joint, there is equipment for non-special needs children so if you have sisters, brothers, whatever it might be; they don’t have to use the handicap equipment I guess would be the way to put it. It draws people from all over because they are not plentiful in the metropolitan area and it’s probably a three year buildout I would guess depending on how the grants go and looking at what money we have but if we don’t get started, we’ll never do it.

Mr. Bach said, Mike, just to clarify because I know we talked about some of this. We would come into it and we would spend $30-$40K in engineering type studying planning for the park with an ultimate budget that’s about $450K to build the actual park or the playground equipment. Mr. Tobin said that’s correct. It would be in the neighborhood of $400K. One of the requirements for a park of this type is a lot of space. They need a lot of room to setup all the things to have the handicap assessable rides, etc. and we have space at different locations but I think part of the study also would help to determine what would be the best location and the most economical place to put it. Jeremy has indicated to me that these are destination parks. People will come from the whole metro area and outside the metro area to come in and use this park because there’s not many of them around. Commissioner Walker said certainly I thought that Wyandotte Park would be good because it makes the connection with the Legend’s and the
amenities, the restaurants and so forth to out-of-town people to the extent that if they come they might stop for lunch or dinner as part of their experience. I’m relying on staff to make sure that the Park Board—I don’t know if they have been able to hold a meeting the last couple of months. Do you Mike? Mr. Tobin said I understand they have not but I know Jeremy certainly would be more than capable of making that presentation. Commissioner Walker said well I would certainly want them to be informed before we got any further down the road. I know the Handicap Advisory Board or Disabilities Advisory Board is quite excited about this idea and has circled the wagon, so to speak, on getting this done. I would like staff to see if it’s possible for us to find $40K I guess, if that’s the number, whatever the number is that’s right.

Commissioner Murguia asked are you saying, Mike, you need $40K of Unified Government money or you need a dollar amount to leverage grants that are out there and available. Mr. Tobin said that would be our money to get this thing started. I don’t know that the whole $400K would be our cost. I think we would have a part of that as the leverage. He has told me he thought that was the cost of the whole park, not just our share. Commissioner Murguia said but I think what Hal is saying is the $30-$40K that goes towards the planning study. Mr. Tobin said yes. Commissioner Murguia said is that 100% funded by us? Mr. Tobin said yes, as I know it right now.Jeremy might know about that, but I would think that we would want to get that done so we would be able to apply for the grants and say here is our plan and we want you to help us fund it. Commissioner Murguia said just for clarity, there are a ton of recreational planning grants available that some do require a match, but that’s a big difference. There’s a big difference between $20K and $40K so there is money in planning. Mr. Tobin said certainly that would be pursued. Commissioner Murguia said okay.

Commissioner Walker said I guess the point tonight is that in looking at all these important projects that we have, some of them we’re not going to get to, I’m making an emphasized point that staff gets this project in here and figure out what it is to get this thing started and then let the Commission decide whether we’re going to do it or not. I’m very clear where I am on it this but I don’t see where $40K plus or minus is going to kill it. If we had more money to put into it, then we’ve got money to go to grants and say we’ve got money to leverage. I just don’t want it lost in the—I mean this is overwhelming and this doesn’t even include the police, the fire, the fire houses, equipment; it’s overwhelming.

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Commissioner Philbrook said so, Hal, I know where you’re coming from on this because if you don’t get it on the radar, it falls to the side and so to emphasize this now so we can get it done eventually, thank you. I appreciate that. I have friends on the Park Board and involved in parks for a long time and they have helped with some of that too with raising money for some of the ADA stuff that we have already. I want to applaud you for mentioning that.

I’m still going to keep pinging on everybody to remember that we need support in the Animal Control arena too because we can’t follow through on what our folks have asked for if we don’t put some money forth and/or I don’t know, whatever we have to do; song and dance. That’s a thought; we could put on a show. We could roast somebody. You guys can roast me. I don’t care if it would make money. Mr. Bach said I will note that on page 2 under Debt—Commissioner Philbrook said I see that $100K. Mr. Bach said I do have—that is a project that’s under the Police Department. I know the special committee is doing some stuff but Chief Zeigler is supposed to be working on what all that goes for as far as a priority and how we’re going to do it. It’s been expansion of the Animal Control facility. At this point I think that still denotes that we would come back to committee and note exactly how we would need planning to do that as we come into the future years. Commissioner Philbrook said and going along with that would it help when we get the new director onboard with figuring out what we need to do in Animal Control? Mr. Bach said yes. I believe them coming in with some expert advice in the area they are in they will be helping us in that area immensely. Commissioner Philbrook said I’m looking forward to that.

Commissioner Bynum said page 3, Debt Finance Projects, if I could just have a brief explanation under that first category of Benefit Districts. The column marked priority, is that the priority order as determined by the Commission? Mr. Bach said I believe that priority is one submitted by staff. Commissioner Bynum said and so when you see Westheight and you would have to just explain what all the Westheight project encompasses moved for $400K out of 2015 to 2017, does that change its priority? Mr. Bach said I will let Bill speak to this. I don’t think we rearrange the priority, they’re previous priorities. We went back and moved them based on which projects were ready to go versus ones that were not. Commissioner Bynum said so maybe an explanation of—it looks like number four is to be decided but if you could help me with numbers one, two and three are. Bill Heatherman, County Engineer, said the priority

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originally and the way it has been presented in the last couple of years was simply in order of request. When we reinstated funding for the Benefit District Program we went by order of petition and this year based on readiness to proceed we simply evaluated TA Edison/ Friendship Heights above because that particular neighborhood is a more straight forward project and there was more readiness to proceed. The Westheight you see there it’s listed estimated $2.2M, that’s a very out of date estimate. This is going to have to be broken into phases. It’s going to have to be taken in bits and pieces and in order to show progress on benefit districts as a whole we wanted to spend 2016 getting one out the door that was more straight forward. We probably should have simply reordered those priority numbers to reflect the reason for bringing that one forward. **Commissioner Bynum** asked so what is the TA Edison Project? **Mr. Heatherman** said TA Edison is the name of the school that’s located in that neighborhood at about 10th & Locust just north of County Line Road. In fact we also have a Safe Routes To School Project proposed in that general vicinity a couple years later so there is kind of a critical mass that we could achieve in that particular location if we do some early work with a benefit district. That was a pretty active petitioning process that was more recent so it’s fresher.

**Commissioner Bynum** asked what’s the Westheight Project and what’s the Westvale Project? **Mr. Heatherman** said the Westheight Project as indicated was generally described as curb and sidewalk in the Westheight area but that’s an awful big area so it requires more vetting to figure out exactly which blocks and what order to proceed in.

The Westvale was also a similar request for curb replacement and that’s also an older petition that we’ve had on file. The thing about benefit districts is you really have to go back and make sure that folks are in fact willing to sign the final petition and commit their own special assessment to be levied against them or at least reach the 51% majority level. You get a lot of hesitation once you come back around so that’s why we wanted to work in a neighborhood that had already freshly petitioned and understood that they would have to carry through and make the formal final. **Mayor Holland** said I think that’s a big piece about the benefit districts is that the neighborhood votes to self-tax to improve the infrastructure around their homes. We have tried at the Unified Government to look at that as a grant match because our highest priority for funding tends to be—if we have a match on a grant—if there is a federal road project and we need to match something, we don’t want to lose that federal money and a benefit district is the same way. If a neighborhood has committed half the money or 51% of the money, we want to

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make sure that we jump all over that and fund the other half so we have a priority—the Commission historically has stated as a priority that those benefit districts need to move up the ladder to make sure they get funded when the citizens are ready to fund them.

**Commissioner Walker** asked hasn’t this Westvale Project been around for a long time. It seems like it’s been around off and on since I became Chief Legal Counsel in 1986. **Mr. Tobin** said you’re correct commissioner. **Commissioner Walker** asked did the dynamics over there change. It’s like 51 to 49 and if somebody moves in they are hustling around to get the petitions. **Mr. Tobin** said they’ve been in at least four times that I can remember and all four times it’s failed at the last step. **Commissioner Philbrook** said on that latest one is that where they’ve redrawn the roads so you don’t take off and go at an angle through to Park, down Park Drive. **Commissioner Walker** said it was changes they made to prevent it from being a cut through for high school kids. **Mr. Tobin** said that was an early form of traffic calming that was implemented because they were driving through that neighborhood at a real high rate of speed and coming off the high school and bearing down and slamming onto Orville which is a busy street to get down to City Park and the highway. **Commissioner Philbrook** said the reason I’m asking is because occasionally I go to a meeting they have in that area, an area meeting, and it seems like there has been a revival of that recently within the last several months. That’s why I was asking, a newer thing. I’ll talk to you later.

**Commissioner Bynum** said so a project can make the list before they have hit their 51%. **Mayor Holland** said typically what happens is if a neighborhood expresses an interest we start tracking it on this five-year out, but if they don’t make it we push it, but what we want to do is get the money on line so when they do meet the threshold we don’t have to scramble to find the money. When they express interest, when Westheight expressed interest, we go ahead and put essentially a placeholder out in the out years. You know it will take them two years to get this together so we put a placeholder out two years and then if they progress on schedule, we’re ready to fund it. If it gets delayed for whatever reason, and there are 100 reasons why these get delayed, then we just push it and if they pull it off and say never mind we don’t want to do it but Westvale has never said we don’t want to do it, they just come back and try it again so we just keep pushing this money down the road. What we don’t want to happen is Westvale come forward with the 51% and are ready to pull the trigger and we are like oh well we didn’t have a

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placeholder for you so never mind. It’s our planning knowing that if a neighborhood can’t pull off their percentage, we push it and we always tend to have other projects to fund instead.

Commissioner Bynum said for the Westheight Project this is separate from their Traffic Calming Project they did many years ago and did get the required percentages or is this a separate project or maybe a continuation of that. Mr. Bach said it’s a different—I mean it’s probably a continuation in a form but it’s a different project from what they came in and funded. They did that one. It was a benefit district established and done and now we’ve moved onto this.

Mayor Holland asked anything else, line items that you are interested in. Commissioner Murguia said I just have a question. I don’t need anything to change. Again, I will say I think staff has done a great job. This is very readable, fantastic, and so much easier. This is a lot better than the way it has been so you guys did a good job.

Bill, I have a question for you. Safe Routes to School you have $500K booked for 2015. Just help me here. In 2015 are you saying that half million is going to be spent this year? Page 6 and it is the--Mr. Heatherman said on page 1 of Debt in the lower grouping Rehabilitation and Reconstruction Projects, the one with priority number 11 is called Safe Routes D which is Frank Rushton, Midland Trail, and Hazel Grove. That project which is federally funded so it’s being administered by KDOT and we’re working on the plans right now. It will be bid I think in the October KDOT bid letting which means we have to have the money booked this year so that we can pay KDOT this year upfront our share. In all reality the construction is most likely not to be until the spring of next year just by virtue of the timing of the bid. Commissioner Murguia said so help me here on page 6, just so I can read this a little bit better, it says $500K and it’s specifically earmarked to those three schools and then you go to your page and it has those three schools and it says $250K. Mayor Holland said it’s a $770K project. $500K is grant funded, page 6 is grant funded. Commissioner Murguia said oh it’s all of that together. Mr. Heatherman said yes, page 1 is the local funds necessary and page 6 is the federal grant and the two together comprise the budget for the Safe Routes D Program. Commissioner Murguia said so that’s a total of—Mayor Holland said $770K. Commissioner Murguia said and just for clarity again, this year KDOT is doing the planning and construction will take place in the spring. Mr. Heatherman said yes. Commissioner Murguia said and KDOT is doing that planning and you’re just paying the bill. Mr. Heatherman said the way all

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of the KDOT federal aid projects work is we’re responsible for having a set of plans prepared, getting the right-of-way purchased, and taking care of all the utility relocations. We have to meet KDOT standards but we hire the engineer and we’re in the lead on getting that through the approvals process and then they take that set of plans and they let the contract and they act as the construction contract holder which is good for us because that means all of the many, many federal rules and regulations around construction contracting they get to do the paperwork on. They are basically acting as our agent to do the construction and we never actually touch the federal aid money that’s shown. We write them a check for our share and they put it into the project accounting and they administer the construction with that combination of local and federal funds. **Commissioner Murguia** said okay and not for the purposes of this committee, but when you get finished with the drawings of what that project will entail, can you send that to me?  **Mr. Heatherman** said yes. I will point out one thing on the Safe Routes, this is our first time trying to do three schools at once and we did this because there are so many quirky things about Safe Routes that you don’t want to get tied into not being able to kind of get a blend. These particular three schools, once we went to those meetings, the need was so enormous and we can anticipate the same kind of reaction when we get to Safe Routes E that you will notice in an out year we added another $300K because in order to simply meet the barebones requirements of these six schools we would anticipate needing to go beyond what the federal grant could cover including some of the immediate needs that came out in this particular round of projects. We would anticipate a side project that would be locally let that would allow us to kind of finish the most critical blocks that would otherwise go undone with the federal aid grant and that was a proposal we’re making as part of this budget cycle.

**Commissioner Murguia** said, Mayor, to what you were saying and I’m completely on the same page as you about what we’ve talked about in the way of when we have a grant opportunity and we get that that it moves up on the list and becomes a priority for us. I get that thinking and I like that so my question is when you’re looking at, and I’ll just use this as an example, when you’re looking at doing Safe Routes and let’s say TA Edison, and TA Edison is on for benefit districts and has been on for several years and you’re looking at some match money for that. From an engineering perspective with that big of a project wouldn’t we want to try to do that at the same time or is that not necessary?  **Mr. Heatherman** said there are really two
considerations. One is yes it’s great if you can compile all of your construction together for some reasons, but when you’re dealing with federal funds they are so rigid in terms of authorities and how items can be handled that sometimes it’s better not to presume too much connection but to kind of find clean break points between the projects so that if a hiccup occurs on one project it doesn’t put the other one in peril. Some kinds of money are easy to mix and other kinds of money are very difficult to mix and KDOT federal aid grants are very difficult to combine with any other type of project delivery that has any uncertainty or risk whatsoever. What we do in those cases is we try to picture which one could come first and settle kind of half the issues and then have a clean pickup point for the second project to come in. In fact, even two federal aid grants themselves are hard to match and I’m looking at Commissioner Philbrook. You know we’re doing separate work on Leavenworth Road that is distinctly separated by time because you just can’t mix some of these projects together but the communities are still able to see step-by-step and in their minds it’s a phase one, phase two, phase three type approach. Commissioner Murguia said I’m talking about is it difficult to mix our money with the federal grant money because a benefit district in essence is our money. It’s property tax that’s collected. Mr. Heatherman said it would be. The legalities with the benefit district would create so many other complications that it wouldn’t be worth it to try to mix that with a federal aid project. The federal aid projects in all honesty, you’re paying a little extra compared to what we would pay if we just bid it ourselves, all of the federal reporting rules and stuff do cause the overheads on those projects to go up.

Commissioner Murguia said okay and I want to say something. I just had an epiphany on something, and sorry I’ve been here a long time and maybe you have already thought of this, but given that we don’t have a lot of money to spend on projects, it requires so much of our staff to manage smaller projects over time and to really be aware of other dollars that they can leverage with current projects. For example, in more affluent counties they are probably able to do bigger projects all at one time which doesn’t require as much manpower so, Bill, if no one else understood that; I think you did. I greatly appreciate even more so now our staff and their ability to manage so many projects with so little dollars. It really ends up in the end being a lot more work for our people than it would be in a different county.

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Commissioner Philbrook said I know with the involvement on State Avenue that dealing with the CID, the district with RED Development right there at 78th & State and doing the TIGER Grant work, it got a little interesting along there. What I would ask, would it behoove us to see about some CIDs kind of waiting in the wings on some different areas to fill in the gap after we get the federal grant money used? Mr. Heatherman said I will say I don’t know too much about the mechanics of some of those special vehicles like CIDs but if you find me the money, I’m more than happy to spend it. Mr. Bach said it would probably be on a case-by-case basis. If we come into an area and we determine there is a potential district that we could overlay that’s truly going to benefit, like you say on the sidewalks coming up and down, those business may be willing to do it. Of course you can do a CID from the basis of a sales tax or property tax. I don’t think in the areas we’re talking about you see a lot of sales tax potential. Commissioner Philbrook said I’m just asking a general question because there is a lot of work we’re doing all over the city and there are areas that do have businesses and may need some work done. Mr. Bach said that would be a potential to go out and get those businesses—if we wanted to take that initiative, you know then we need to get over half the businesses or property owners within the area to say we want you to go ahead and spend this money. In a sense you use a CID similar to a benefit district in that regard in how it would come out. Mr. Heatherman said, commissioner, I will say that right now it does generate—that interest does generate up from projects and I think we’ve been able to seize on those opportunities to help take the lead on carrying out construction. That makes a lot of sense. For example, the work we’re doing right now at 24th & Metropolitan was really our kind of agreeing to take on as our project some work that is being basically leveraging some of the development financing that was made available. The work on 98th Street is similar in that we’re able to execute public infrastructure based on a concept of how to support that through those types of means.

Commissioner Walker said looking at page 6 I see there has been added a $2.3M new line item for Cricket Wireless. Mr. Bach said let me speak to all these. These items are all listed as economic development projects. They require funding sources. They each have, I guess I’ll say we’ve listed them because they have been out as projects that will come before you, talk about how they want to do something. Wyandotte County Fair Improvements doesn’t have a funding source. The South Patrol actually that does. Debbie, we already issued the note for that didn’t

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Ms. Jonscher said yes, we issued that this year. Mr. Bach said so we should take that it requires funding—that’s a revenue source, probably a carryover. 98th Street Realignment near France Family Drive is funded by the STAR Bonds out in that area. Cricket Wireless is another one that is being proposed but it does not have a funding source so it would have to come back before you with the whole program to show how it could offset. Commissioner Walker said at some point I am requesting that you in consultation with the Mayor as part of a special session give us an overview of our relationship with Cricket Wireless and Memorial Hall. I am astounded that Memorial Hall sits there vacant constantly and I’m aware that there are probably issues with promoters and other venues but I can certainly remember the day when we had no trouble with our two staff employees and a guy in the business getting front line concerts and went on to be big names. What’s going on with Cricket and what’s on with Memorial Hall because I don’t know? They don’t seem to have the number of concerts they used to have and they certainly don’t have the quality of big names that they used to have. That’s not anything that deals with CMIP, but it begs the question if we’re going to spend $2M at some point, $2.3M, or be a part of that—I don’t like the deal we got right now and maybe it’s because I really don’t understand what the deal is so if you find time with the Mayor sometime during this next three or four months to let know what the story is. Mr. Bach said we will do that and there will be no money spent in this regard unless we have a full project plan that comes through and shows how it is.

Commissioner Townsend said while we’re on page 3, this is more of a question but I wanted to bring it up. It is something I had mentioned briefly during our strategic planning session. I’ve been approached, and I don’t know if Commissioner Bynum has yet and Commissioner Johnson, but I understand the intention is to also talk with them; by a developer who wants to do a Peregrine Tremont Master Plan to encourage economic development and growth in that corridor. I think at least one or both of those were TIFs at one time. They apparently talked at some time in the last year with some members of our Economic Development staff and as I look at page 3 in the Community Projects, would this be the right approach to getting funding for something like that project? I have no idea what the cost would be but I would like to put that on the table so that we could do something with regard to trying to develop that corridor that certainly needs revitalization. Mr. Bach said as far as a planning plan for an area, it probably wouldn’t go here

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under Debt would it Debbie? I know we put some of those in place where we have those ones for the Planning Department. They have a few updated project areas. **Ms. Jonscher** said just for a study? **Mr. Bach** said yes. **Ms. Jonscher** said we probably have some of that under—it might fall under the Operating. **Mr. Bach** said it falls more in that Operating area. I’m not familiar with what their ideas are or thoughts, timelines, where they’re coming from that. If that’s an initiative that you all want us to work toward—**Commissioner Philbrook** asked when you say Operating area, what do you mean? **Ms. Jonscher** said it would be the professional services line item. **Mr. Bach** said they’re not on these Capital Projects like this. If it’s one we need to know about, I mean if that’s something you want to push forward and work for. **Commissioner Townsend** said well yes but maybe it doesn’t belong with this grouping. **Mr. Bach** said I will say this, commissioner. I don’t expect—you may have an idea about something and it belongs in a different area, you don’t have to bring it up at that exact moment. If you throw it out there so we understand it, I mean I’ve worked these how many years and I don’t remember which exact category everything goes through. We do a pretty sizeable budget. **Commissioner Townsend** said I can come back with some detail but when I saw what was on page 3 that spurred that. I will come back with some more detail.

**Mayor Holland** said as we wrap-up the CMIP we can if there are more questions or comments or detail you want to work with this, we can do that. We want this in the hands of the commissioners. Historically we’ve done this—I mean this is a nice spacing before the budget because there are two components to it. One is the total amount that we’re going to dedicate towards it and the course of the final revenue numbers coming in June and we just have so much money we don’t know what to do with, there may be some add on these. That’s never happened yet. I’m just saying that optimistically one day we’re going to have a revenue projection so great that we’re going to add projects but this gives you an idea of where the staff is moving. I want to make sure the Commission has this in front us and really from a policy perspective we’re looking at the overall Debt Service, we’re looking at the Cash Expenditures and the Overall Debt, we’re looking at where we’ve been in the past on our infrastructure spending and making sure that if there is a particular project that we’re tracking, that it’s on track in the budgeting cycle. That’s kind of the check and balance that we’re providing to this process but this will—I know Doug and his staff are going to continue to work these. This is not a finished product but as things
move, and as you also know if a federal grant comes available for something, we will go after it. If a new street breaks, has a storm collapse because of too much rain, then we will shift things around and go after it. Surely that won’t happen, Mr. Heatherman, can we have a guarantee? Mr. Heatherman said well, Mayor, it did happen last week and we’re getting that covered right now. Mayor Holland said those obviously are moving targets but we have projects that are planned and moving forward, the departments have had an opportunity and the staff to say what they think are the biggest priorities, that priority list has been brought to us. With the conversation we’ve had to move some priorities in terms of things that we want to see happen, we get our input on this. As we move forward to the budget the CMIP Projects, Cash, Debt, and Equipment will all be brought as part of the larger budget package with this as the major structure for how it will be spent.

I think we can wrap this CMIP component up. If you do have projects that you want to discuss, be sure to let me know, let Doug know, we will get it back on the calendar and we will discuss it in terms of what your interests are.

Mayor Holland said we do have now a second section on CDBG and I will turn this over to Joe Connor to present that.

Commissioner Markley said including tonight this is our second meeting as a Committee of the Whole. We have met six times, however, as a CDBG committee and we have at least one more meeting scheduled. We started meeting in January and what makes this more complicated than previous years is that we are at the beginning of our Five-Year Plan so this year is the first year of a new Five-Year Plan for CDBG and we have struggled to find out details about what we are legally able to do with those dollars. We want to be innovative, we want to use our money for the greatest impact, and it seems like that would be easy to do but it hasn’t been. What I’m really reporting to you tonight is that we’re not done. We were hoping tonight we could present to you a draft budget. We are not to that point yet because we still have some legal questions that are being answered as to how those funds can be spent. Our next meeting is Tuesday, June 9th at 4:30 p.m. here on the 5th floor. You are all more than welcome to join us for this. We have to be done by the 15th. We have been meeting basically weekly for the past three or so weeks and if we don’t get done tomorrow night we will have to meet again before the 15th because we
have to have a draft done by the 15th for publication requirements. If you want to come, you’re welcome to come and hear more details about what we’re struggling with and if not, we hope to report back to you promptly before the 15th with a draft budget for you guys to take a look before publishing. That doesn’t mean once we publish it, it doesn’t mean we can’t make changes, but we just have to have something to present to the public via publication at that point. Mayor Holland asked can you give us a 30,000 ft. view of the discussion that you’re having because I know there was some interest of changing the pyridine a little bit about what we’re doing. Commissioner Markley said over the years, since I’ve been here, both the full commission and this committee have had discussions about how can we be more impactful with how our dollars are spent. What we have been trying to talk about is how can we use the money that we have and sort of set up a program that people can use. As an example, we’ve talked about this idea of the Land Bank Program. Can we put the money out there and say if you can identify a property you want in the right kind of neighborhood, the kind that meets the CDBG requirements and you have a house you want to rehab, we can take it through this Land Bank process, you could get the house and you can use the CDBG money to rehab the house. We thought that would be easier for staff to administer if they knew what the program set was, what are we looking at doing, and hopefully cut down on some administration cost and also to just allow us to have greater impact in a neighborhood hopefully doing more than one or two houses in a neighborhood as we have in the past. Not necessarily even that program but just the idea of having a pot of money that’s dedicated towards a specific purpose rather than just sort of letting it hang out there until we get applications in February and then saying maybe we will do this one, maybe we will do that one. We’re just looking to be more thoughtful in advance as to how we spend those funds. Again, that all sounds lovely, but then as we start to ask questions about what can you do and what can’t you do and how would this work and how would that work, it’s just become extremely complicated and so in a way it helps us realize why we’ve just been sort of throwing money here and there all these years because we could do that more easily. Being thoughtful is hard is what we’re finding. We’re still dedicated to the idea of being thoughtful I think although we are getting weary. We’re in the home stretch; we’re still trying to figure out how that thoughtfulness is going to work. I just told Commissioner McKiernan before this meeting, the more questions we ask the stupider I feel because we just keep running up against more and more issues in trying to find the best way to spend these dollars. Mayor Holland said
I think it comes to Bill Heatherman’s point, that federal money is the hardest money to spend. The strings attached are the most complicated, the most layered and blending it with other funding sources is very hard so isolating Public Work projects based on federal dollars and not intermingling them with others is what he has come to in Public Works and it’s not dissimilar to this. I know that our staff, just for example, because the majority of our staff—all of our staff in for CDBG is paid for by CDBG and there is an allowance percentage of CDBG money that can be used and that includes HOME dollars and the other monies that we administer. They have to fill out a timesheet on 15 minute increments in terms of how they’re using their pay that is really cumbersome. We get money from the federal government which is great, it’s difficult to use because it has so many layers of restrictions on it, and it’s even more difficult to use as an investment for further growth. I guess that’s where the challenge is and I guess the philosophical piece that we will need to wrestle with is what percentage of that money do we spend doing minor home repairs and other things and what percentage do we reserve for—what would be more termed economic development projects, is that right, and how we balance those. Are there other categories that you’re discussing in terms of the philosophical piece? I mean there’s kind of the social services piece versus the economic development piece, how to leverage those.

Commissioner Markley said I think our goal is to have fewer pieces rather than more because the more pieces we have the more paper staff has to fill out so in terms of trying to limit the administration we’re trying to make fewer categories rather than more categories.

Commissioner Bynum said you’ve been working on it quite some time and I can remember, I’m probably talking ten years ago or more, when the CDBG budget was probably more than double what it is now. Have you been able, did you start your work by saying what are we doing now so that you have a comparison to go by and when you bring the budget piece that you’ve been working on, will you start us with that? Commissioner Markley said yes. The budget you will see will look similar to what we’ve been seeing and we can do more than one prior year but we really just look at the prior year and then the column next to it is the current year or the revised budget and then 2016 so you can kind of see where the dollars went the year before. We did just get a packet that includes years going back a little further I think because we requested that as part of our meeting tomorrow. At the very least you will see one year prior and then you will see the updated proposal.
Commissioner Murguia said, Commissioner Bynum, I don’t want to belabor this but are you looking from more like where we’ve made the most substantial investment with this money over a decade or are you looking for just what we generally did last year to give you an idea? Commissioner Bynum said I think I would be interested in more than one year worth of comparison for starters but also if we’re going for impact, I would kind of like to know where we’ve been, what have we’ve done, and did we or did we not find it impactful. Mayor Holland said I think it would be easy for us to do a five year trend. Commissioner Bynum said I’m not trying to ask for more work from a group that has been working for quite some time but maybe that data is available. Mayor Holland said this information is readily available. Commissioner McKiernan said this committee is enormously illustrative and so we will have that. Mayor Holland said I think we can easily go back five even ten years. It’s just budget numbers we just have to pull out how we budgeted CDBG money for the last ten years. That would be an easy chart. Commissioner Murguia said easy chart but not necessarily easy to read. There is a difference. Mayor Holland said I don’t disagree with that. I think that’s part of the layers of CDBG but I think it would be easy to say we’ve put this much in demolition for this many years, we’ve put this much in home repairs for this many years, we put this much in staff salaries over this many years. There are some basic categories that could be cleaned up for simplicity. I think that’s an easy deliverable just in terms of how we spent our money. We put this much in bond financing for the hotel over this many years, I mean that’s information that I think can just be lined out and it totals up to the bottom of what our allocation is. How much we’ve allocated for Homeliness, how much we’ve allocated for HOME Funds; those numbers are—that should not be a hard spreadsheet to put together. Commissioner Murguia said okay, I’m believing in you. Mayor Holland said I used to be on the CDBG Committee. I’m glad you guys are doing it. I was on the CDBG Committee for four years.
MAYOR HOLLAND ADJOURNED
THE MEETING AT 5:22 P.M.

Bridgette D. Cobbins
Unified Government Clerk
The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in special session, Thursday, June 25, 2015, with eleven members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District (arrived at 5:08 p.m.); Townsend, Commissioner First District; McKiernan, Commissioner Second District (via telephone for the special session only); Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District (left the meeting at 6:01 p.m. and then was present for the executive session); Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO; presiding. The following officials were also in attendance: Doug Bach, County Administrator; Colin Welsh, Asst. Attorney; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell, Joe Connor, and Melissa Mundt, Assistant County Administrators; Wilba Miller, Director of Community Development; Emerick Cross, Commission Liaison; and Patrolman John Turner and Officer Steve Williams, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Philbrook, Bynum, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Holland.

NOTICE OF AMENDED SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, June 25, 2015, at 5:00 p.m. in the 5th floor conference room of the Municipal Office Building for a meeting of the Committee of the Whole to discuss Community Development Block Grant (CDBG). Immediately following will be an executive session in the 9th floor conference room regarding property acquisition.

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

COMMITTEE OF THE WHOLE
June 25, 2015

2015 COMMUNITY DEVELOPMENT BUDGET COMMITTEE

February 23, 2015  Budget Meeting
April 8, 2015  Budget Meeting
May 12, 2015  Meeting with HUD officials
Budget Meeting
May 27, 2015  Budget Meeting
June 2, 2015  Meeting with Mullin & Lonergan, Consultants
Budget Meeting
June 9, 2015  Budget Meeting

Commissioner Markley said you all have a summary in front of you and it starts off just giving you an idea, I think we spoke last meeting a little bit about how much we have meeting, we actually have one more meeting to add to this. We met last night again with the Department of Housing and Urban Development just to go over some additional questions that we had about HUD regulations as they apply to CDBG properties. We have just been spending a lot of quality time together.

DISCUSSION POINTS

Re-appropriations Review:
• Re-appropriations from 2014 for all fund sources were reviewed

Proposal Review:
• Suggest proposals for funding be limited to specific commission priority such as housing redevelopment in order to concentrate resources
• Suggest that all agencies apply during the proposal process, including agencies with annual funding (for all fund sources)

Transfer of Funding:
• Discussed moving demolition and related staff costs to General Fund (over time)
• Discussed moving HOME program staff costs (balance of which currently funded with CDBG funds) to General Fund (over time)
• Elimination/reduction of home repair program
• Creating Project/Program set-aside budget under Acquisition/Rehab/Reconstruction activity

HUD Officials Discussion/Questions (example):
• Land acquisition— through donations to land bank or tax sales
• HUD environmental review requirements— prior to acquisition
• Using CDBG funds for new construction
• Must benefit low and moderate-income buyer/renter
• Lease/purchase agreement or Contract for Deed
• Relocation payments requirements
• One-for-one replacement for demolished units

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We included a summary of just some discussion points that over the past six months or so that we’ve discussed during our committee meetings and we wanted you all to be aware of how we got to the point that we’re at today.

You have probably heard us say we are starting a five-year period. We have to do a Five-Year Plan for HUD so we’re starting a five-year period and it’s a good time for us to make changes if we want to make changes generally speaking and how we use our funds. We’ve had a lot of discussion around that.

We talked about obviously about our reappropriations. Proposals, we talked about concentrating our resources, as I said last time I call it the Program, on some sort of program where we’re pouring more resources into sort of a pre-established goal rather than just spending on whatever comes along so that was a focus of our discussions really the entire time.

We talked about over time we would like to move some of our demolition funding back into the General Fund and staff costs back into the General Fund because if they are paid for by the General Fund, they have less paperwork to do in terms of tracking our CDBG expenditures. We spend a whole lot of money on administration because of how we’re funding it through the CDBG Program so not that we’re recommending after this year, but over time we think it would be prudent for us to look at how we can move some of those costs out of the CDBG budget and into the General Fund budget so that we can use our CDBG dollars for their actual purpose rather than for administrative costs. Those of you who have been around for a while know that both Commissioner Maddox and Commissioner Barnes in the past have harped on the amount of money that we spend on our administrative budget. Mayor Holland said I would just like to add to that how important that is because the staff is required—I think the federal guidelines are to fill out I think in 15 minute increments on the timesheet. Wilba Miller, Director of Community Development, said down to 15 minutes. Mayor Holland said in terms of if they have a phone call for HOME, they have to document that as a HOME phone call. If they have a phone call for CDBG, it’s the same per person; they have to document that as CDBG. It is so tedious that we could free up a lot of staff resources if we could move those positions out of CDBG into the General Fund so I just want to emphasize how important that is. Commissioner Markley said yes and additionally with the demolition dollars when we use CDBG money for demolition there are additional requirements that go along with that so, again, we would like to move that into the General Fund over time if possible. So in talking about our Five-Year Plan it
would be great if at the end of five years we had made that transition, obviously though, depending how the budget looks in future years but that would be a long-term goal for us.

At the bottom we just included some examples. We’ve had several meetings where HUD officials joined us to talk about individual statutory questions about how the CDBG Program works and we just gave you a sampling of some of the questions and answers that we’ve received just to give you an idea of the complexity and the reason it has been so difficult for us to work through some of these issues. We just wanted to let you know some of the crazy stuff that we’ve been dealing with.

**Mayor Holland** said the discussion point doesn’t mention Social Services. Is that because it’s not a change at this time? **Commissioner Markley** said if you’re asking if there will be some Social Services in the budget, yes. We did discuss them obviously as part of our budgeting process and we didn’t spend as much money on Social Services as we have in the past. We can only spend a certain amount on Social Services. There is a cap. We can spend less than the cap, not more than the cap and this year we opted to spend less than the cap which is probably the first time we’ve done that in a very long time so you will see that as we walk through the budget piece of it.

One thing we did mention, and it goes back to Social Services, as we were first talking all of us sort of forgot that we had certain social service agencies that we had traditionally funded annually so we are suggesting that they apply during that February application process along with the other applicants just so we can make sure we have everything on the list. When we first started this process we just didn’t have them in the back of our mind. They weren’t on our list and then as we were going along staff and our committee went oh wait a minute, what about those Liveable Neighborhood dollars and what about the Willa Gill Center that we’ve traditionally funded. Our suggestion is that all those agencies apply annually just to make sure they are all in our minds so that we’re getting them in the budget if that is our preference moving forward.

**Commissioner Philbrook** asked is the time to start talking about this or do you want to continue going down through. **Commissioner Markley** said I think you would probably want to look at

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the budget so that you know what we’re actually budgeting versus what we just discussed and then after you look through the budget, we can kind of jump back into the details.

Wilba Miller, Director of Community Development, said as in the past we start the presentation with showing you the Reappropriations list. We have a full page of community development activities and the amount and the status as of our budget meetings. The ones that have nothing out to the side of them as far as status, those funds were used to make the budget and we’re not re-obligated to those activities. The ones that have status, for instance, Consolidated Plan; obviously we’re under contract with a consultant. The Fair Housing Program is underway. District 6 Project and District 3 Project ABC are in the process of being developed. The Northeast Economic Development Project, we’ve reviewed the contract and we’re waiting for final, final comment on it and the LISC grant, the project is underway and we hope to finish it up before this fall and that was just a pass through grant.

Mayor Holland said the Freedom School, what is the status on that? Ms. Miller said this money was left over from last year so we did not reallocate it to Freedom School. It already had a budget for this year. We had $100K set-aside in our budget this year for 2015 and we are funding two separate Freedom Schools, one in Rosedale and one in the northeast for this year.

Mayor Holland said remind us of the two projects, District 6 and District 3 Program budgets. Ms. Miller said District 6 is the Highland Crest Project where we talk about acquisition
of properties that we’re going to go through the tax sale and were in the Land Bank to get properties to rehab them and resale them or demolish and reconstruct them.

The ABC Project was the acquisition of a multifamily unit at 26th & Strong where we were originally going to rehab it, but we’re putting through a substantial amendment to change that to demolition.

**Mayor Holland** said this District 6 Project, we approved that last year. We approved all of these last year. **Commissioner Markley** said yes, that’s why they’re reappropriations. It’s so confusing to track the reappropriations versus the annual budget but yes, these are all things that were approved last year where the money is still waiting to be spent because the projects aren’t done yet. **Ms. Miller** said you don’t want to re-budget them every year because the funds aren’t there every year for that so you just keep reappropriating until they are spent or reallocate them.

**Ms. Miller** said the next page is all the other fund sources and their reappropriations. As you see we have HOME Program, Emergency Solutions Program, Supportive/Coc Grant, NSP1 (State), NSP3 (Federal), and NSP3 (State). All of those had monies left over last year and funds are being reappropriated to this year but those funds must remain within those funds so that’s why we didn’t get into great detail with those because you can’t take money out of HOME and put it into CDBG or some other area. **Mayor Holland** said I would like to see an update on NSP1, 2 and 3 to show not only the progress we made under the initial program but also—presumably the
reappropriations—is that money that’s coming back to us through the sale of properties? **Ms. Miller** said no, not all of it. Some of it is administrative dollars that the State has sent us we’ve gone along. The NSP1 money is basically what’s left of the administrative money and we are using those to help pay for our staff costs. On NSP3(Federal) we have sold all the houses I believe about one. That income does get to stay here and we can use it to offset our costs in Community Development, but if we sale the rest of the houses which I believe are seven, for NSP3(State) the State gets that money back. The first program in NSP1 we acquired 52 properties, we rehabbed 49 of them and put three of the properties in the Land Bank to be used by one of our agencies within I think it is eight or nine years. **Commissioner Philbrook** asked what year was that. **Commissioner Markley** said two years ago I believe.

**Ms. Miller** said on NSP3 we constructed 21 houses and rehabbed five and they finished up with the rehabs just earlier this spring so totally between the State and the Federal I think we have eight houses left that have not been sold. **Mayor Holland** said so of the 26 houses in NSP3—**Ms. Miller** said we have eight left and we’re marketing. **Mayor Holland** said so we’ve sold two-thirds of them. **Ms. Miller** said yes. Would you like a written report? **Mayor Holland** said I think so. I think it’s one of these projects we spent a ton of time on NSP when that Stimulus money came through and I think it would be valuable to show where—if this money is from the sale and the specifications in any sale dollars go back to the State, that’s helpful to know. Are we anticipating—I mean we have between the three almost $1M. Is that $1M that we can put toward new homes? **Ms. Miller** said no. That was as of the beginning of the year that was the reappropriation as of then so we have had six months to be expending on that money. **Mayor Holland** asked are we expanding it on building new homes or are we using it—**Ms. Miller** said finishing up the ones that were—not all of them were finished as of January 1st. **Mayor Holland** said I got it. Yes, just an update on that would be great.

**Commissioner Johnson** said I have a newbie question. How many years are we allowed to reappropriate funds? **Ms. Miller** said with the Community Development Block Grant Funds, they don’t go away until we spend them so we either have to reappropriate or reallocate them to something that is going to expend. We do have a timeliness of expenditure rate that we must meet every year, but they don’t say you can only reappropriate so many times. They don’t tell us that.

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(Someone asked a question and was inaudible due to not using a microphone). Ms. Miller said we are only allowed to keep in the Treasury Department Letter of Credit 1.5 times our annual allocation. If we haven’t spent enough, they will send letters that say you haven’t spent enough. If you don’t spend it or have a plan to spend it, we’re going to take it back. Commissioner Markley said so we can’t save it up from year to year which is unfortunate in some ways. Ms. Miller said we will get into the HOME Program, but it also—(someone made a statement but was inaudible due to not using a microphone). Ms. Miller said the NESG also has time constraints.
Here is the Revised 2015 & Proposed 2016 Budgets. You will see that some of them have asterisks at the end that say they do include some reappropriations. For instance, you see the one right away the Consultant for the Five-Year Plan was obviously one of the ones we talked about just a few minutes ago. We can go through this by category or however—Commissioner Markley said we may want to talk a little bit about the Acquisition/Rehab/Reconstruction category. This is our effort at this idea of a more strategic programming for our CDBG dollars. We want to spend our CDBG money on acquisition, rehab and reconstruction in our urban neighborhoods and our CDBG eligible neighborhoods. We think that a match to our strategic
goal as a commission and it’s obviously part of what CDBG is intended for and a very big part of it. We recognize that can come in a lot of forms so we created this category and under this are the sub-categories of things we allocated to this year that we think fall under the Acquisition/Rehab/Reconstruction pot of money, but visually we just wanted to give you an idea that we want projects that fall under this category heading and then there may be several projects or items that fall within that heading and I’ll get to the budget amount. We hope we can give additional guidance to the community this way so that when they are applying for CDBG money they know what we’re looking for and what kind of projects we’re most likely to support. Again, we just wanted our CDBG expenditures to link more closely to our strategic plan goals and so that was our effort at doing that. Commissioner Johnson said I don’t have a problem with what you just said, Commissioner Markley, but the math just doesn’t add up when you just go down that line under the Rehab so the $700K and then you net that out, that basically gives you a zero and for the average person that would look at that, when I first looked at it I thought there was a mistake that was made. Commissioner Markley said I try not to look at it. It doesn’t make sense to me either. Commissioner Johnson said I’m just saying if you’re going to leave it like that, can we put some kind of asterisk and some type of explanation as to our methodology? Commissioner Markley said yes, I think he’s talking about the way it in here, parentheticals, visually it’s confusing. I understand it only because we talked as the committee so I know what it means. Ms. Miller said this is the one I prepared after the committee meeting so I apologize, it does look confusing, but it does add up to $1.87M when you add that so, yes, I can fix that. Doug Bach, County Administrator, said what you could do, Wilba, is take the $700K away from the Acquisition/Rehab/Construction line, that’s your header and then if you take away your parentheticals around the $500K and $200K everything will be broken out the right way. Melissa Mundt, Asst. County Administrator, said this was an attempt for the commissioner that’s not here tonight, but I think available by phone, to be able to show that those were our deducts, that our total pot of money was $700K for doing this type of work. Those two in parenthesis were to show deductions so that is what that is and the budget obviously will not show up like this in the actual budget document.

Mayor Holland said in terms of the Delta also, if you look on page 6, Community Development budget total $3.087M in 2015 should have two asterisks next to it because that includes reappropriations, is that right? Ms. Miller said yes. Mayor Holland said I think we
need to show that budget total for 2015 includes reappropriations because—while our allocation is down it’s not down—Ms. Miller said I should have put an allocation in there and then deducted to show you that. Mayor Holland said I think we need to show how much the total reallocation amount and the total budget coming from the federal government because the number coming from the federal government is going down and though I have encouraging news this week that even the House of Representatives has put in a Maintenance Budget for CDBG and not their traditional cut 50% of the budget, so that’s a good sign from the federal government side. The Senate still hasn’t taken their bite of the apple yet, but the Senate tends to be more supportive of CDBG than the House does. I would like to flip that out because we’re not going from $3M to $2.3M. Ms. Miller said I can do that.

Commissioner McKiernan said one of the things I’ve been asking for and I know that Wilba is working on this already is so that for every budget year we show the initial budget, we show the amount actually spent, we show the reappropriations into the revised budget year and into the next budget year so it’s very clear that we breakout budgeted versus spent versus the reappropriated for the new totals and it’s very clear to follow. I know she is working on that and we will get that soon. Ms. Miller said I did do it for 2015 so we have a history of what happened to the 2015 budget. Mayor Holland said that’s great. I think for clarity that’s very important. If I’m just doing an assessment, the biggest change is the recommendation is not to fund the Freedom Schools again and that was new. We had never done that before anyway so that was a two-year pilot and the recommendation is not to continue that again, but all the other social services, Liveable Neighborhoods, Willa Gill, and the Continuum of Care for the Homeless Liaison all that money is in place. Commissioner Markley said just to be clear for those who weren’t here last year that Liveable Neighborhoods last year they had carryover funding. It wasn’t that we didn’t fund them last year. They had funding last year. It was just carrying over funding and then this year we’re picking up funding them again so that is why there is a zero in 2015 and the $20K in 2016. Mayor Holland said the $20K is the normal amount we’ve been giving to Liveable Neighborhoods so from a Social Service perspective, except for the two years of Freedom School that was unusual, we’re keeping it the same as we have before. Ms. Mundt said I believe one of the Freedom Schools did not reapply. Is that correct? Ms. Miller said they finally did.
Commissioner Markley said another thing to note is the Section 108 repayment. In laymen terms is that our loan repayment for the hotel so there is a possibility that number could go away some day which would make us all happy. It’s on the page 5, $280K. We’re still budgeting that and I think the committee’s intent would be that if that payment were not needed for the hotel loan repayment, it would go into that Acquisition/Rehab/Reconstruction pot of money as well and be available for redevelopment projects. Mayor Holland said would it be better to call the Acquisition/Rehab/Reconstruction line item Economic Development or is it beneficial for some reason for CDBG purposes? Ms. Miller said it’s best that you don’t call it Economic Development. Those are separate activities. Commissioner Markley said we kind of went around and around about the name as well. Mayor Holland said I don’t want to reinvent it. Ms. Mundt said we spent quite a bit of time on that as a committee. Mayor Holland said that’s a rule. We’re going to leave it just like it is.

Commissioner Walker said the hotel raises a question for me. When we did that, as I recall, CDBG was part of a formula in which dollars were leveraged by the use of CDBG in order to make that happen. What I can’t figure out from year to year is the number of dollars that we’re going to leverage with these various expenditures for—well District 6 Housing Project I’m familiar with. I like it, love it, are we just spending $500K or are we going to get a $1.5M from the private sector because we’re throwing it in. We never have a number that shows how these dollars have leveraged private dollars rather than just spending them cold and while we can look back at the hotel and say it was a mistake in 1995, it wasn’t a mistake because there was no Downtown Hotel and there was no Speedway, there was nothing. It has become a mistake, an albatross if you will. Mayor Holland said for some people. Some of us still think it’s a good idea. Commissioner Walker said it’s a beautiful hotel. It’s just that nothing else is down there. There is nowhere to go from there. I guess the general question is are we leveraging enough dollars, are we going to try to leverage more out of CDBG, is that our goal? Commissioner Markley said one thing that I can answer that’s exciting is that in our meeting with HUD just yesterday we did confirm for sure that you can leverage CDBG property to get private dollars so when we do our first house in Highland Crest we can then use that home as collateral when we go a bank to get private dollars. It was not clear before that we could do that and we have confirmed that is possible so for those sort of housing redevelopment projects that’s huge and
Commissioner Philbrook said what we’re looking to do is revamp how we spend the arr…group. Right now it looks like we’re kind of just putting it into a pot and asking for people to come forth and request the money but in the middle of all that we still have to establish our guidelines, what we’re expecting, what we’re restricting, what our goals are; the whole nine yards and then who is going to make that decision? Commissioner Markley said this is a very good point. My faithful committee understands that assuming the budget passes like this we will need to get together post budget to begin to develop more specific guidelines and they are aware of this potential time commitment. That would be something that we would work on as a committee and then bring back to you guys for a final approval, a little more distinct set of guidelines as to what we’re looking for. Probably also added to that February application that would be CDBG specific so that staff has a little additional information when they are making that up for an analysis for us that goes in our fancy notebooks. Commissioner Philbrook said I sure don’t want it to wait until January 1st for us to be trying to make the definitive decisions on this. What kind of timeline are you looking at as the committee? Commissioner Markley said I think our plan is to meet in September so we will take a little break for the budget and start maybe again in September to have those ready before the February forms go out. Commissioner Philbrook asked would you see that everybody’s informed about those meetings

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just in case one of us wants to show up and go okay I’m listening now. Commissioner Markley said certainly. We have been noticing up our meetings anyway just in case anybody else came so we will just continue to do that for this particular committee. We will make sure the Clerk’s office has notice of all the meetings.

Commissioner Townsend said since the Mayor had made inquiry about some of the Social Service Programs that were still being maintained I thought I would make note of the fact that the Emergency Home Repair budget which you see reflected as a minus $200K parenthetically on page 5, I guess in 2015 we had about $380K-$400K. Ms. Miller said $380K plus $20K some odd in reappropriations. Commissioner Townsend said right and so on page 8 for 2016 where it was $300-$400K, now its $183K. Ms. Miller said no, this is the Homeless Funds. Page 5 shows both 2015 and 2016 on the Emergency Home Repair close to the very bottom of the page, you will see $401K for this year and then $200K should not be in parenthesis. It’s not a minus $200K so it’s reducing from $401K to $200K. Commissioner Townsend said right. Mayor Holland said so we’re cutting it in half. Commissioner Townsend said that’s really the point I wanted to make. When we were in that committee the number that resonates with me was $183K for 2016 which is about half and my recollection also was that money actually spent on those services in 2015 was about $300K+. So saying all that to say the expenditure of those types of funds impact some districts more than others. I’m glad to see we have something in there but I will be keeping an eye on that to see for next year if maybe we need to increase that number again.

Commissioner Bynum said I just want to make sure I’m understanding the project and the line items and the double asterisks and further Commissioner Philbrook’s question made me have questions. Also, when we move into page 7 and beyond, if I could just understand those programs a little bit better as well. Under Rehab/Reconstruction on page 5, District 6 Housing Project with a double asterisk, is a reappropriation of 2014 funds. Whose project is this? Ms. Miller said Argentine Betterment Corporation. Commissioner Bynum said so it’s different than the one immediately below it, ABC Application-Argentine & Highland Crest? Ms. Miller said yes, the ABC Application-Argentine & Highland Crest was a new one that came through in February. Commissioner Bynum said the reappropriation of $500K in 2015 is a project and the

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$500K in 2016 is a different project. Commissioner Markley said as Administrator Bach points out it is the same project area so not to confuse you geographically it’s the same project area, but the applications are separate because one was sort of the start of the project and this is the continuation of the project area. Commissioner Bynum said so ABC is the developer, Highland Crest is the location. Commissioner Markley said yes. Commissioner Bynum said $500K one year, $500K another year. Commissioner Markley said the second application includes part of Argentine as well. They are doing infill in both neighborhoods. Commissioner Bynum said I would be interested in details on projects like that and the same with Northeast Economic Development Project. Who is the developer of that project? Ms. Miller said that’s the name of the corporation, Northeast Development Corporation. This money was awarded to them two or three years ago. They did do a house and we gave them some additional money and we had to revise their contract. It needed a lot of work. Commissioner Bynum said so that’s also a reappropriation. Ms. Miller said yes. Commissioner Walker asked are people earning salaries during these years? Ms. Miller said that’s not salaries specific. That’s all acquisition/rehab of houses. Commissioner Walker said so nobody is getting paid out of that fund. Ms. Miller said no and nobody is getting paid out of the $500K yet.

Commissioner Bynum said just to finish, the very next line item Argentine Housing Project, a reappropriation of $258K from 2014 to the current year and that’s a separate project again from the first two. Commissioner Markley said that’s that multifamily project that was mentioned.

Mayor Holland said we’ve approved the District 6 $500K and we’ve approved the Argentine Housing Project $258K, is that right? Commissioner Bynum said those are approved. Mayor Holland said but the ABC Application for Argentine & Highland Crest, the additional $500K we haven’t approved that yet. Commissioner Markley said correct. Commissioner Bynum said I guess that’s why Commissioner Philbrook’s question confused me because we’re place holding, for lack of a better word that money for that but that application has not yet been approved by whoever approves these things. Commissioner Markley said by us. Commissioner Bynum said newbie, just trying to understand. At some point if I could understand those page 7 items.
Mayor Holland said I do have another question now because that raised a question in my mind. The District 6 Housing Project that is its own project. The next one for ABC for Argentine & Highland Crest, because District 6 Housing Project is Highland Crest, is that right? Commissioner Markley said yes. Mayor Holland said we approved that and now is ABC doing that one? (No answer could be heard). Mayor Holland said so they’re doing the current one and now they’re proposing to do a second one. Has the first $500K been spent? Commissioner Markley said no. Mayor Holland said was ABC the applicant on the first one? Commissioner Markley said they might not have been originally. Ms. Miller said the first one was over a combination of time. I think in 2012 or 2013 we allocated $75K to Commissioner Markley for a housing type project and then we went through a reallocation of some old activities that did not happen and it got set-aside for that project—I think that was last year, it increased it to $500K. Commissioner Markley said yes, it was last year. Mayor Holland said I don’t remember but it is ABC whose doing the 2015 $500K. Commissioner Markley said yes. Mayor Holland said and then there is a new application for another $500K in 2016. Commissioner Markley said yes. Mayor Holland asked do you anticipate that first $500K will be spent this year. Commissioner Markley said yes. We have high hopes.

Commissioner Murguia said, Mayor, are you trying to get at what is the delay on spending the money? Is that what you’re trying to get to? Mayor Holland said no. My question is what is—we approved a plan for $500K, it’s new to me that there is a second request for the same area for another $500K so I’m just trying to—I’m learning that today. The Argentine Housing Project $258K, is that ABC also? (Answer was inaudible) Mayor Holland said there are three—and that’s where it’s confusing because we don’t have ABC on all three of them so the first one District 6 is ABC District 6 Housing Project in Highland Crest. The next one is an ABC Application for this year for $500K more dollars for Highland Crest but some infill in Argentine as well and then the $258K for Argentine Housing Project is ABC also. That’s a multifamily that has already been approved and so if I’m correct, we’ve approved $758K already and there is an application for another $500K. My question is has the—the $258K hasn’t been spent yet either. Commissioner Murguia said no. Mayor Holland said if ABC has $758K appropriated and approved, right, they have $758K approved that we’ve already voted on that we haven’t finished yet, I’m just wondering about the $500K for the next year if the first portion hasn’t been

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spent yet. That’s my only question. **Commissioner Murguia** said Mayor, before I address that who do you think—what do you think the holdup is? **Mayor Holland** said I have no idea. **Commissioner Murguia** said so the question really is what is taking a long time and I serve on the committee with Commissioner Markley and Commissioner McKiernan and so that’s the dilemma, is that getting this money out the process which is involved in getting this money out into the community for projects that we agree to do has been very difficult. I would just want ABC, the organization that’s doing the project, has not been the holdup. There have been issues like environmental reviews, how the money can be spent; those kind of things that the committee has been sifting through and by the way, as Commissioner Markley said earlier, only 20% can be spent on social services. The rest has to be spent on economic development. *(Ms. Miller made a statement that was inaudible).* **Commissioner Murguia** said I’m sorry Wilba, only 15% can be spent on social services and for the 2016 proposal the $500K it was the only bricks and mortar application made to this fund. Remember the process that we all went through, Commissioners Markley and McKiernan set it up that everyone could apply and so there was a window opening and then there was a deadline. There was only one bricks and mortar application submitted. **Mayor Holland** said well I think my question maybe is to Wilba then. If we have $758K allocated to a group and it’s not been spent yet, do we anticipate—it’s just a practical question, do we anticipate that—those issues I presume are still going to be there next year. *(Ms. Miller made a statement that was inaudible).* **Mayor Holland** said well we hope not. We’ve been meeting with HUD to get a lot of the questions answered. This is, other than the Northeast which was a pilot project as you will recall, this is the first big housing redevelopment that we’ve done with CDBG. We were learning the process also. There have been a lot of environmental issues, there have been identification of property issues, there have been a lot of issues and we’re just working through them. **Commissioner Markley** said if I can just add, part of the reason that this committee has been so adamant about tightening down what we want to work on is so that staff can become an expert in one area because CDBG regulations are ridiculous. There is so much to try to figure out, there are so many little nuances that if we say what we want to do is acquisition/rehab and reconstruction projects only and staff can sort of narrow their focus to that as well, it gives them fewer things they have to focus on, fewer regulations to have to work around, and we want them to fill like okay we only have this one area to work in, we give you experts in this area and then all of our projects can move more smoothly because they have that expertise so that’s our hope in narrowing our focus a little bit.
Mayor Holland said I just had an opportunity with the US Conference of Mayors to talk to the Assistant Secretary of HUD on CDBG specific issues and raised the issue of the layers of compliance and how onerous it is to spend this money which considering we have a $300M budget we have about $2M worth of allocation, the amount of staff time we spend accounting for this money far exceeds the amount of time we spend—we have award winning accounting at the Unified Government. We literally win awards. We’re going to hear about that in July because we’re going to receive an award for our county. We just got through our audit with no problems and so the CDBG is so onerous it makes it difficult to spend a relatively small amount of money. There is actually a task force of Mayors that just formed, and because I opened my mouth I’m on it, about addressing taking our concerns to HUD and so I’m really going to rely on the committee because you’ve already been documenting the concerns to provide me that list to take to this HUD secretary and talk about streamlining. There are a couple of layers to this. One political party in America is trying to kill CDBG; another is trying to fund it. The group that’s trying to kill it has been unable to kill it, but what they’ve done instead is added layers of regulations to try to strangle it to death. Because they can’t get the votes to kill it out right they are just adding regulations one after the other on top of regulations. The regulation book is so thick it’s unreadable. The political environment for CDBG—the other piece that happens because the regulations are so onerous the percentage of failure nationally has gone up which—well I’ll just say it. The Republican Party is trying to kill this either in whole or in part and so what they’re doing is they are sharing the failure rate because of the additional layers they have added as a reason why they shouldn’t fund this program. If they can put enough regulations on it that no one can possibly jump through the hoops and money is being returned to the federal government because of failure to comply and that’s a risk. If we put money in the ground and we don’t comply, we come back as commissioners out of our General Obligation funds and pay it back which we don’t want to do. Working on these regulations is a big deal and working on the political environment is a big deal and I would encourage everyone within ear shot of this statement to call your Senator and Representative and let them know how important CDBG monies are to our community and the lifting of onerous regulations would be. I certainly want to work on that because I understand the layers and it’s not just our community. If you ask Mayor’s from around the country, they will all pull their hair out at once and say it’s impossible to spend the money on the things that we think we are supposed to be spending our money on.

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I understand the regulations so I think from a practical perspective I think the question for this body is if we’ve had trouble getting $758K of money out, does it make sense to put another $500K into that pot right now or do we need to think about how we do it. It’s just a question because I don’t know.

**Commissioner Bynum** said I guess what I’m thinking of is with respect to the comment I think Commissioner Murguia or Markley—that the only application that came in in that community grant funding opportunity that was bricks and mortar was this one; that takes me back to that application because I don’t think anywhere that I can see in that application does it say please bring us a bricks and mortar project. I think it says please tell us what you would like and we will see what we can do. I just feel like there’s a disconnect between that community application process and this. I don’t have a problem funding these important redevelopment projects. I guess my problem is we told the community tell us what you want and they did. We have a whole notebook of those applications and this one is the only one that’s bricks and mortar. I would prefer that we go back and look at that community funding application which makes me understand Commissioner Philbrook’s question now because I think that’s the question she was asking. If bricks and mortar is what we want, then I think we would serve ourselves well to tell the community that that’s what we’re looking for. **Commissioner Markley** said yes and that is the point of being more specific in what we’re looking for and you have to remember this is only the second year we’ve done this application process so we just threw that application out there the first year and this is just our second time around. We agree, the application will have to be revamped to match to what we’re asking for here.

**Commissioner Philbrook** said for me I think that for the community there was a lot of confusion because I was confused. When we put it out there and say send in, like she said, what you need it for and then we make decisions that the community doesn’t understand the direction we’re going in. I think that’s kind of an unfair way to handle it because I’m sure there were plenty of other bricks and mortar folks out there that could have come forward if they knew that’s what we were up to.
Commissioner Philbrook said the other thing is—I’m going to get off that for a moment and on the Emergency Home Repair why are we cutting that fund significantly? I have a question about that because I can’t believe that that ask has gone down because I get a lot of calls and I turn them on over to different organizations to try to help if we have ran out of money. Was there a suggestion from—Mayor Holland said I think the committee can answer that. I think it’s a philosophical shift. Commissioner Markley said it is a philosophical shift and I will say Commissioner Townsend has a different opinion than the other three committee members on this matter. We sort of did a compromise because to be honest the other committee members were going to give even less money to this program—Commissioner Philbrook said you mean they were going to try to. Commissioner Markley said yes. It was going to be our recommendation but Commissioner Townsend--we negotiated to come up with this recommendation.

I will talk a little bit about that philosophical shift. What we’ve seen over the years and I know some of us have been here a lot longer than others and some of us have been here a very short time, but what we’ve seen over the years is we spent a lot of CDBG dollars and we just haven’t seen a lot of impact other than the hotel which is probably our biggest expenditure. When you go through the community you just don’t see anything that you can point to as a big project that we’ve done with these dollars and we sort of did an analysis of the homes that we were using those repair dollars on and there is a fear I think that we are enabling people that really can’t afford to maintain their home long-term to stay there longer. I went back and pulled up the codes violation report and the houses they were doing repairs on, they are sort of habitual violators and it’s not that we don’t want to help people with their homes when they need it, but we also don’t want to—we had a long discussion about it, but we just felt like we weren’t getting the impact because the houses we were repairing if you drove by them today, they still don’t look like houses you would want in your community. I guess that’s the bottom line so are we spending the money in an impactful way if we spent money to repair the house but today it still doesn’t look like a home you would want to live next to.

Commissioner Philbrook said okay so let’s put it in other words. I’m an older person; it’s getting more expensive to pay my bills because I have more health problems. I bought my house a long time ago but I don’t have any support. In other words, kids to come over to take care of it. This is what I have left and you’re going to tell me that just because my house doesn’t look
wonderful in the community that I don’t deserve to stay there and ask for help. Is that what you’re saying? That’s what it sounds like to me. It really, really does. **Commissioner Markley** said, commissioner, I understand it’s a very emotional issue. I don’t think that’s what we’re saying but I do think we’re saying—**Commissioner Philbrook** asked what are you saying. **Commissioner Markley** said you said if my house doesn’t look wonderful, I think if the house—if houses in such a state, that Commissioner Philbrook if you drove by it, would turn it into as a code violation; should we be putting CDBG dollars into that. **Commissioner Philbrook** said I don’t think we have enough information directly on that as it relates to each thing.

On this stuff of shifting money, I think right along the same thing with the Public Services, that we have a responsibility as a community to help take care of folks. That’s part of whether we are really a culture that we want to live in or not and to kick people to the curb and not support Willa Gill or you know the Care Coordinator of Liveable Neighborhoods, things like that; shows that our community is just not a caring community if we don’t continue to do some of those services. Yes, I think we should leverage more of our stuff. I don’t have a problem with that. I think we need to be careful that we don’t push for reduction in that sort of thing until we could come up with other monies to take their place. If we can come up with another source of money to take their place, then fine, but until that I think we have to be very careful as commissioners in our hometown here to remember not everybody is as fortunate as those sitting at this table. **Commissioner Markley** said can we just clarify; those are in the budget proposal. **Commissioner Philbrook** said I know they are now.

**Commissioner Walker** said over the years, a lot of years, this has gone from more than $20M a year down to $2M a year and I would have to tell most of you that if you took a tour of this community, you couldn’t find where one nickel of it had been spent except the hotel and a few places. I’m all for any kind of program, but I’m not for smoking mirrors. Bricks and mortar are real and they last. I don’t know how I feel about what the right number is for housing. I would say is it more important to redevelopment housing stock that is—I can remember vividly a number of years ago a particular employee of Community Development showed me a house while we were out going to lunch where the house itself was deplorable, but it had a brand new roof on it. You wouldn’t live in that house but you sure would like to have that roof. I guess
what I’m saying is that this money needs to be wisely managed and when you have $400K you’re going to spend $400K because there is always going to be a need. How do you separate the real need from you know I’m needy, I don’t have $10K to put a new roof on my house but I can’t come here and apply for it. Sorry, government is not responsible to take care of everybody on every issue in their entire life and we don’t have the money to do it frankly. I’m happy with the proposals and I want to see more bricks and mortars. My policy would be if you don’t have a brick and mortar proposal, I wouldn’t accept it.

Commissioner Kane said as a kid I may have lived in one of those homes that you’re talking about Hal. Commissioner Walker said what does that mean, so did I Mike. Commissioner Kane said I lived in a not so nice house, Hal, and how are we as commissioners going to tell somebody like my parents with ten kids you know what your house isn’t that nice and even though if you could use that roof so it wouldn’t leak anymore, I think we’re heading in the wrong direction. I think we should go back. Commissioner Walker asked did your folks get public money to fix their roof. Commissioner Kane said no they didn’t get public money, but it sure would have been nice if they could have gotten it and for us to stand here—and for some people that don’t have the money for a roof and maybe their house doesn’t look great but it doesn’t leak anymore. I don’t want to kick somebody out and say you can’t live here anymore in Wyandotte County because you just don’t have enough money. In fact, in the ten years I have been here this—I’m upset because this isn’t what I think we’re supposed to do. I think we’re supposed to help as many people as possible and say to somebody you’re 80 some odd years old and you can’t live in there because we don’t like the way your house is. Maybe they don’t like it either but they can’t afford anything else and if the funding was there last time and we used the funding, I think we should put it back and use it again.

Commissioner Murguia said to add to the discussion, Mayor, you gave kind of a brief summary of what’s happening with CDBG and the federal regulations around that a few minutes ago. I would also add that what I see as a problem here in Wyandotte County is that we are losing agencies with the will and the capacity to do economic development in the areas that are CDBG eligible. As you all know City Vision closed so now we have a smaller number of organizations to have the will and capacity to do urban economic development. I’ll leave it at that.
**Mayor Holland** said I have a question though to that point. The Northeast Development—Economic Development had never done a house before, is that right? **Ms. Miller** said that’s correct. **Mayor Holland** said so this is their first one and we’re working with them on it. My question is, how many houses has ABC built? Have they ever built houses before? **Commissioner Murguia** said I don’t know. You would have to ask the Executive Director. **Mayor Holland** said I think we know the answer. I don’t know that ABC has ever—I don’t know that they’ve ever built a house before. **Mr. Bach** said I’m not aware that they have. **Commissioner Philbrook** said can we ask him. **Mayor Holland** said I think we can ask him, yes. **Mario Escobar**, Argentine Betterment Corporation, representative for ABC, said currently no, we haven’t. **Mayor Holland** said okay thank you very much. So my concern is that we’ve already committed $758K to an organization that has never built a house to do two housing projects. I think we ought to wait and see how that goes before we give them another $500K. I think we’ve been very patient and appropriately so with Northeast Economic Development, it’s their first time; we’re all behind them and we want to get this first house finished and sold. I know it’s been challenging selling it and we want to support them 100%, but that doesn’t mean we give them another $500K until that first project has been successful. I think CHWC builds, I believe, between 30 and 50 homes a year. They had the capacity to build homes. Habitat for Humanity builds dozens of homes a year in Kansas City, Kansas. Mt. Carmel has built over a dozen homes. There are a lot of groups that are building homes very successfully in Wyandotte County that have the capacity to put this money in the ground right now and so my concern is I think until we’ve seen the results—ABC might be the best homebuilder we’ve ever seen in America and I hope you are, we’re all pulling for you. In fact, we have 758K reasons why we’re pulling for you but if they’re not, I don’t think until we’ve seen that money in the ground—even if it’s not their fault that it hasn’t been spent, I mean that’s what I hear from you is it’s the regulations and trying to get the money out the door that’s been the challenge. I’m not blaming ABC for not having built them yet, but I’m just saying it’s still speculative at this point whether or not that organization, because it’s a knack, if we’ve already lost City Vision Ministries which was very successful; put tens of millions of dollars’ worth of property in the ground and they went under then there is reason to say this is a hard business. The not-for-profit housing sector is a tough business. I’m skeptical of giving another $500K to a group that hasn’t put the first house in the ground yet and so that to me is alarming.

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To the philosophical question, I think there is a balance. I think we do need to continue to do Emergency Home Repair. I think we have to continue to do that in our community. I think it’s an ethical issue. The question is, do we keep it at $400K or do we drop it to $200K and I think those are the perimeters that we need to negotiate between $200K and $400K. I would not support putting it into unchartered territory. I also don’t know how well publicized it was to CHWC, Mt. Carmel, or to Habitat that we were shifting gears and starting to put $500K towards economic development for housing. If they had known that, would they have applied and do they have the capacity right now to put the money in the ground? I think they do and it’s not speculative. They have a track record that’s unbeatable that I would feel very good putting our money in with them. I think the philosophical question we need to resolve, what’s the magic number, is it $200K or $400K. I don’t hear anyone suggesting we go above $400K and I don’t hear anyone suggesting we go below $200K though I think there are folks who would go higher or lower in each, but we have the perimeters for the negotiations so we need to decide what is this group comfortable with between $200K and $400K for Emergency Home Repair and then I do think putting the remainder of money into larger projects or for capacity of building bricks and mortar is a good plan. I think it’s a good plan. I think the philosophical shift is right and we can’t leave behind the poorest members of our community and I think those are the two—that’s the balance—am I framing it correctly? Commissioner Philbrook said correct. Mayor Holland said somewhere between $200K and $400K is the number we need to come up with and I would hope that we could come up with that tonight.

I also want to express my concern; I don’t support another $500K for ABC until they put the first house in the ground. I think we ought to reopen that and advertise it to the other groups and get a not-for-profit housing developer in here who is already doing these in already targeted areas.

Commissioner Walker said well, Mayor, I’m going to respond to that. First of all this targeted area that we’re talking about here, that’s where I live, that’s in my area, I’m a matter of blocks from the Highland Crest area. When has the city put any money in those areas? Mayor Holland said last year, $758K. Commissioner Walker said not in Highland Crest you didn’t. Mayor Holland said $500K. Commissioner Walker said it hasn’t been spent. Where has it been done? Mayor Holland said the money has been allocated. Commissioner Walker said so
when you talk about CHWC and these other organizations, it seems to me that some of those organizations had a little bit of public money help when they got started before they had a track record. Don’t tell me Mt. Carmel didn’t get public money before they built their first house. **Mayor Holland** said of course they did. They’re a CHDO. **Commissioner Walker** said don’t tell me that Mt. Zion didn’t get public funding. **Mayor Holland** said not through CDBG for Mt. Zion. **Ms. Miller** said those were fair market houses. **Commissioner Walker** said I’m just saying, Mayor, since when does this Commission do anything south of the river that builds houses? **Mayor Holland** said we have $758K unanimously approved. **Commissioner Walker** said but nothing has been done. **Mayor Holland** said we just talked about why that is. We all want it to be done. We all wish it were done and I’m not suggesting we pull back the $758K, you didn’t hear me say that, did you? **Commissioner Walker** said I’m not really quite sure what I heard you say in terms of where you wanted to go down the road other than you want to open it up again so other groups have an opportunity to put in bricks and mortar. **Mayor Holland** said 2015 Revised, that’s this year; we have $500K for Highland Crest and $258K for another Argentine housing project unanimously approved by the Commission last year. It’s in the budget to be spent and the faster we get it spent the better off we’re all going to be. The new piece of the $500K more, which is the third application from ABC for $500K for the next years’ budget, is the one I’m raising a question about. I think ABC ought to be successful with $758K before we allocate them another $500K. That’s all I’m saying. I don’t want to take the money out of Highland Crest. I agree with it and I supported it and so I’m not saying take money out of Turner. **Commissioner Walker** asked what are you saying then. You want to open the process up again for bids. **Mayor Holland** said for that $500K in 2016, absolutely. I think it would be a mistake to allocate it to a group that has no track record, no fault of their own. It’s not that ABC is holding it up, but at no fault of their own they haven’t been able to establish a track record, but why would we allocate $500K more when for Northeast, for instance, Northeast Economic Development; we could allocate them $500K more and they haven’t finished their first project. I don’t know why we would give money to a group that hasn’t finished their first project even if it’s not their own fault.

**Commissioner Murguia** said, Mayor, they haven’t built a house according to Mario but they do own and manage a $3.5M grocery store in the urban core so they have a substantial amount—
Mayor Holland said they don’t manage the grocery store. Commissioner Murguia said yes they do. They manage the building in which the store is in. It’s a $3.5M building. They do have incredible capacity when it comes to economic development. Regardless of that, I guess my bigger concern is CHWC, I used to work there, and I was part of the first 100 houses that they built. They are a great organization, Mayor, and they are fully aware of this money but they didn’t apply. Mt. Carmel has received this money, another phenomenal fantastic organization. They know about this money and they didn’t apply. I would just tell you I’m fine if the group decides to reopen the application process and encourage those people to apply again, but my point is you’re talking about organizations that have experience with this money, who have received this money before, who chose this year for whatever reason, to not apply. All that said, it doesn’t matter to me one way or the other frankly, but I would go back to what I told you in the beginning, I think for a later discussion the one thing this Commission is going to have to work on is that we are losing the number of agencies that have the will and the capacity to do this kind of urban work and that at least the one thing that we all agree on is economic development east of 635. That to me is the bigger question and the bigger concern than how the money gets allocated.

Commissioner McKiernan said a couple of things that come to mind for me here first of all in regards to CHWC they certainly are a marvelous housing redeveloper and they are doing fantastic work even without CDBG funds. From my perspective I could only imagine that where they could put a proposal in they could continue to do even more fantastic work east of 635, but what I want to ask the Commission to do is to think about the CDBG funds in terms of developing our community. In terms of the Emergency Home Repair I agree that $200K is a tremendously small amount of money, but $400K doesn’t fix all the problems that exist within our community. What I would like us to think about, and this is as much philosophical as anything else at this point in time, can we use the CDBG dollars to change the game so that maybe in the future we don’t need to designate as much money for Emergency Home Repair? Can we change the game by upgrading our housing stock especially for people of low and moderate income which is the focus of CDBG? Can we use CDBG dollars to change the game so that we can improve businesses in our low mods census tracks as well as homes, change the game so that not only the housing stock, but the buying of people in our low and moderate
income census tracks are both improved, hopefully, down the road not needing to put as much money toward Emergency Home Repair because we have changed the game. I don’t know if that’s going to be possible. Maybe I’m a horrible dreamer but I think what we need to do is think about how we can leverage these dollars to fundamentally change the game in our community so that we need fewer of those dollars.

Let’s say that we still need all of those dollars to repair homes in our community that for whatever reason are in need of repair. I would suggest that we need to change our game and engage those dollars much earlier in the process and not waiting until a home needs a roof total replacement, but maybe seeing if we can engage the citizens and engage our community partners to help us make needed repairs earlier in the process where maybe we don’t have to spend as much money on each individual repair and our money will go to more people in our community. Just a couple of thoughts as we go through this, I would like to see us use our CDBG money as much as possible to change the game for those people in our community who are low and moderate income and who live in those census tracks.

Commissioner Townsend said I too would like to see the game change, but in doing that it would still be consistent with that goal to maintain a pot of money specifically designated as it is here as it is for Emergency Home Repair. My concern was that there was better than $300K that was spent last year, the budget had about that amount of money. The goal is not to help scofflaws or you know horrible examples, but where people have legitimate needs, it is consistent with this Commission’s desire to improve situations that prevent code enforcement violations and deteriorations of homes and neighborhoods. Let’s face it; they’re just going to the individuals who need that extra help. That’s why I think it’s so important that this pot of money be maintained for those exigent circumstances where people require. Not everyone who is asking for those funds where home improvement needs is a scofflaw, they have extenuating circumstances possibly. We’ve seen any number of analysis that say our area is aging so that means you’re going to have people on fixed and lower moderate incomes who have been good homeowners but who over time may have lost the income level that helped them to sustain to the point where they didn’t have to ask for help. That’s why I think it’s so important; there has been no indication that the requests for these types of funds and assistance are going to diminish. I’m not saying or advocating to give it to any and everybody, but I think it’s important and consistent

June 25, 2015
with what we’re talking about in keeping a certain level of housing stock available for all income levels to more adequately fund at least at the same level.

That was the philosophical discussion that Commissioner Markley alluded to and so I still maintain that the need exhibited by the past dollars actually spent is around $300K area. I would love to see it around that but I did want to hear what the thoughts were from fellow commissioners so I’m glad to hear that there are some who still believe that as essential. As I said earlier, it impacts some districts more than others but hay Jesus said the poor were always going to have with us or people that cannot do better. That’s where I see these funds being used wisely. Mayor Holland said so you would advocate for moving that to $300K. Commissioner Townsend said yes, that was consistent with the prior year allocation. Commissioner Philbrook said I would go for that.

Commissioner Johnson asked are we using any type of historical data to help us make these decisions. I hear a lot of philosophical discussions and I’m good with that, but are we using any type of metrics that would help us to make the types of decisions that we’re making right now? If so, I certainly would like to see some of that. That would help me to make a more concrete decision or even things that would give us a sense of what similar size cities are doing with a similar type of budget relative to our Emergency Home Repair. Is there data that is driving our philosophies or are we just kind of—what is it that’s driving our philosophy? Things that we’ve seen in the past, that’s fine, but as a new person I certainly would like to see some data that would help me to understand the philosophy I suppose. Ms. Miller said, Commissioner, if I could say something about the Emergency Home Repair Program, this program is for major systems only so the only exterior improvements we would make would be roof or sewers. We can do data. We know how many grants we do every year but on an individual basis you don’t know when someone’s sewer is going to go bad. The other thing is inside we do major systems like plumbing, furnace, and electrical so we do have that. It’s very similar to the Demolition Program; you could put a lot of money out there and keep spending it because different people are going to apply. I do know that some people do apply a lot more than others and we try to hold it at a reasonable level so they just don’t keep using it over and over again. We do this just for homeowners. This isn’t for renters and this isn’t for people that have a Contract for Deed and we do insure that these people are paying their taxes and are either up-to-date or are in a payment
program and so we do have some rules that keeps it from, not to say that we don’t have people that do sneak through system, but we try to be helpful to people.

**Mayor Holland** said I think some data of how many homes, if we can pull the last two years, 2013 and 2014; how many homes, average allocation and one sentence or one two word roof, plumbing, sewer; just what it was for. That would give us an idea and I know we have this data too, we could have a map where you could show where those homes were so if you show where the allocations are being given and then we would have some data. We would have the locations, we would have the kind of work that was being done—now this is confidential I presume, I don’t know that we—do we publicize the addresses of every one? **Ms. Miller** said actually in our computer system with HUD the treasury system asks us to put the address, not the homeowners name obviously, by address and how much we spend. **Mayor Holland** said I’m glad to have the Commission look at that. I want to protect people’s privacy in terms that we don’t need to advertise to their neighbors of people that are struggling financially. They might know by looking at their homes that they are struggling financially, but I think from a protection of identity I think it would be helpful to see the area it is in and maybe we could even—**Ms. Miller** said we could do commission district. **Mayor Holland** said I would rather do it by precincts or something where you can just see how many in an area and not the specific address. I think that would be more helpful and precincts is a little more detailed than districts. If we did it by census track, like this census track had five, this census track had eight, this census track had one; that way we could get an idea for where it is without giving out to the public the address of who needed this help. I think we need to protect people that way and so if we can have that, that would be very helpful.

**Commissioner Johnson** said I was just going to say that the data does help us to know whether we’re doing things properly or not. I don’t know exactly what I would be looking for but I would be looking through the trends and whatnot to help me make a better more educated decision rather than just say we’re going to cut out $200K. I need something that would help me to understand why it’s appropriate at this time to cut out that much money.

**Ms. Miller** said to recap, we want to know how per census track and what types of repairs are we looking at. **Mayor Holland** said and the amount so we have an idea. It would be helpful to say we served 86 people with an average allocation of $2,500 and in this number of census tracks. That kind of data would at least give us a base line so when we cut $200K we
know we’re eliminating 40 people and this much impact. I’m making those numbers up but I’m saying that would be at least data that we would have.

**Commissioner Walters** said I might just add on to what Commissioner Johnson said. I thought he was going to ask how we compared to other CDBG eligible areas. **Ms. Miller** said you know not all cities do that program. **Commissioner Walters** said well that was my question. What are the best practices nationally? What other great administration can we follow along the footsteps of so that we don’t get sort of comfortable in our own little world and miss some really great opportunities that other cities are pursuing and accomplishing? That would be my only echo of his suggestion. **Ms. Miller** said I will attempt to try to find some cities of our same size and allocation to see what their best practices are.

**Mayor Holland** said the other thing I would have, just in terms of time lines, we had this presentation, this has already been submitted to HUD is that right? **Ms. Miller** said no. Part of my presentation was to talk about the Five-Year Plan. This budget was used with our consultants to put out a One-Year Strategic Plan which is the 2016 budget and a Five-Year Plan and it’s based on the information that the consultant got when they were here and use of our old Consolidated Plans. They interviewed our Homeless Coalition members, they interviewed the commissioners, we had a special session with our budget committee, they interviewed stakeholders, housing developers, CHWC, Habitat, Mt. Carmel, the Housing Authority; a lot of different agencies and so they’ve put together a draft plan. Today is our first day of our 30 day citizen comment period and while this is happening we can change things in that budget. It’s not set in stone. We have 30 days. We will be putting a public hearing out at the end of July and then adopting that so this right now is where it’s at as far as that One-Year Action Plan and the Five-Year Plan.

**Mayor Holland** said I guess we’re referring this back to the committee for the next 30 days to consider the feedback that we’ve had tonight. You’re going to have another meeting. Everyone is invited to that. We could have another session if you would like. **Commissioner Markley** said the committee has already kind of had their say at this point. Obviously, there’s a difference—**Mayor Holland** said so we need another workshop. Let’s all take some time to

June 25, 2015
digest this. You’ve already heard the feedback from tonight and then we will come back in a budget session with CDBG and finalize the numbers for the 2016 budget.

Mayor Holland said I want to thank the committee. This has not been easy. Commissioner Markley said that’s the understatement of the year. Mayor Holland said I want to thank our staff because it is a tedious job to follow these regulations and so I appreciate our staff’s work on this.

Mayor Holland said we’re going to end this meeting. We do have an executive session for property acquisition. I would entertain a motion for 20 minutes starting when we get up to the 9th floor.

Commissioner Philbrook made a motion, seconded by Commissioner Johnson, to go into executive session for 20 minutes regarding property acquisition. Motion carried unanimously.

MAYOR HOLLAND RECESSED INTO SPECIAL SESSION
ADJOURNED THE MEETING AT 6:55 P.M.

__________________________________________
Bridgette D. Cobbins
Unified Government Clerk

June 25, 2015
Memorandum

To: Doug Bach  
County Administrator

From: Bridgette Cobbins  
UG Clerk

Date: June 25, 2015

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

tpl

Attachment
Weekly Business Material for June 25, 2015

1. REPORT:


Action: Received and filed.

2. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received on June 24, 2015, for 2015 CNIP Bid Package No. 1 and Project CMIP ID #5303 – Bridge #388 (16th Street walking trail over Jersey Creek) Repairs.

Action: Received and filed. Copies previously forwarded to County Administrator, Emma Scovil, Legislative Auditor, and Public Works.

3. COMMUNICATION:

Ron Green, Manager of Accounting, regarding cash transfer memorandum March 2015

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<td>Health Dept Grants</td>
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4. PERSONNEL ACTION COMMUNICATION, DATED JUNE 23, 2015:

Section V - Increase per Memorandum of Understanding

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<tr>
<td>Nolan R. Smith</td>
<td>PW/Street</td>
<td>7/2/15</td>
<td>Equipment Operator I</td>
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Section VII - Reclassification

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<th>New Job Title</th>
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<tr>
<td>Vacant</td>
<td>DOTS</td>
<td>6/18/15</td>
<td>Info Systems Analyst</td>
<td>Info Systems Coordinator</td>
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Action: Received and filed. Copy previously forwarded to Payroll.

5. PERSONNEL ACTION COMMUNICATION, DATED JUNE 25, 2015:

Section I - Appointments

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<td>James Bartolac</td>
<td>PW/Engineering</td>
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<td>Jessica M. Harper</td>
<td>Area Agency on Aging</td>
<td>6/18/15</td>
<td>Program Specialist</td>
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<td>Laura E. Monslow</td>
<td>Health/PHS</td>
<td>7/2/15</td>
<td>Admin Supt Asst</td>
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Section II - Transfers

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<th>New Job Title</th>
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<tr>
<td>Marni K. Arevalo</td>
<td>Election Office</td>
<td>7/2/15</td>
<td>Admin Supt Asst</td>
<td>Admin Supt Spec</td>
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<td>Tara A. Cox</td>
<td>NRC/Code Enf.</td>
<td>7/2/15</td>
<td>Appraiser</td>
<td>Inspector I</td>
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<td>William L Storms II</td>
<td>Police/Public Safety</td>
<td>6/11/15</td>
<td>Police Sergeant</td>
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Section IV - Leave of Absence

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<th>Lv. Ends</th>
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<tr>
<td>Darrel W. Peterson Jr</td>
<td>PW/WPC</td>
<td>6/12/15</td>
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Section V - Increases per Memorandum of Understanding

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<th>Job Title</th>
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<td>JoEllen Garcia</td>
<td>Finance/Treasury</td>
<td>7/8/15</td>
<td>Fiscal Supt Specialist</td>
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<td>Roger D. Guess</td>
<td>Parks/Rec</td>
<td>7/2/15</td>
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<td>Mary T. Hatfield</td>
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<td>6/4/15</td>
<td>Fiscal Supt Asst</td>
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<td>Joseph M. Lichtenberger</td>
<td>PW/Fleet</td>
<td>5/20/15</td>
<td>Fleet Maint Tech I</td>
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<td>Stacy L. Nester</td>
<td>Finance/Treasury</td>
<td>6/5/15</td>
<td>Fiscal Supt Asst</td>
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<tr>
<td>Andrea L. Parra</td>
<td>Finance/Treasury</td>
<td>7/31/15</td>
<td>Lead Fiscal Supt Spec</td>
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Section VIII - Other Request

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<th>Action Requested and Explanation</th>
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<td>Jacqueline Watts</td>
<td>Area Agency on Aging</td>
<td>ACD change effective 6/18/15</td>
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6. CLAIMS FOR DAMAGES:

Beatrice Michel, 1934 Troup Ave., KCK, alleging damage to vehicle caused by a UG employee.

Carolyn Roper, 1713 Meadowlark Ct. #102, KCK, alleging damage to home caused by sewer back up on February 2015.

**Action:** Received and filed. Copies previously forwarded to Legal.

7. TRAVEL REQUESTS:

Bruce Andersen, Air Quality, travel to Williamsburg, VA, August 1 – 3, 2015, to attend the 2015 NACAA Summer Board of Directors Meeting, Federal.

Chad Cowher, KCKPD/Operations Bureau/Narcotics Unit, travel to Quantico, VA, July 14 – 19, 2015, to attend Clandestine Laboratory State and Local Certification Course, Narcotic Training & Travel.

Dion Dundovich, Police/EOD Unit, travel to Huntsville, AL, dates to be determined, to attend Hazardous Devices School (Basic), SPLETF.

Marlon Goff, Economic Development, travel to Miami, FL, June 24 – 26, 2015, to attend National Resources Network, Employee Training & Travel.
Thomas Tomasic and Amber Thomas Hickerson, KCKPD/Chief’s Office/PSU, travel to Colorado Springs, CO, July 21 – 26, 2015, to attend CALEA Summer Conference, SLETF Federal.

George Sims, KCKPD/Chief’s Office/Training Academy, travel to Millstadt, IL, July 27 – 31, 2015, to attend Firearms Recognition & Instructor Trainer Recertification Course, Academy Travel &Training.

Terry Zeigler and Rodney Smith, Police Department/Chief’s Office, travel to Colorado Springs, CO, July 24 – 26, 2015, to attend CALEA Summer Conference, SLETF Federal.

**Action:** Approved by County Administrator’s Office and received and filed.

8. **CERTIFICATES OF INSURANCE:**

- Champion National Security, Inc.
- Eden Tree Service Inc.
- FPK Security, Inc.
- Metro Protective Services
- Professional Escorts, Inc.
- Silvermen’s Tree Service, LLC
- Yale Enforcement Services, Inc.

**Action:** Referred to License.

9. **BUSINESS BONDS:**

**Electrical Contractor’s Bonds:**
- Arm Electric, Inc.
- Arnaldo Electric, LLC
- Barts Electric Company, Inc.
- Earl Bagg
- Brinton Electric, Inc.
- Mike Busby DBA Total Home Service
- Class One Electric Contractor, Inc.
- Electric Associates, LLC
- Frederick Industries
- Greenwood Energy Solutions, LLC
- Healy Electric
- Heritage Electric, LLC
- Jay-Mar Electric, LLC
- KC1 Service Co.
- M Electric, LLC DBA Mr. Electric
- Marc Sanders DBA Marc Electric
- Sullivan Electric, LLC

**HVAC Bond:**
- Complete Home Heating & Air Conditioning, LLC
Mechanical Contractor’s Bonds:
    Anchor Air, LLC
    B & C Mechanical Services, LLC
    BCI Mechanical, Inc.
    Climate Control Heating & Cooling, Inc.
    CJ Industries, LLC
    Ideal Air Heating and Cooling, LLC

Mechanical/HVAC Bonds:
    Baird Heating & Cooling
    Central Industrial Sheet Metal Works
    C.M.W., Inc.
    Corrosion Monitoring Service, Inc.

Plumber’s Bonds:
    Mike Busby DBA Total Home Service
    Climate Control Heating & Cooling, Inc.
    C.M.W., Inc.
    DLA Plumbing, LLC
    QuesTec Constructors, Inc.
    Ray Morrison Plumbing
    RLI Insurance Company

Action: Referred to License.

10. CONTINUATION CERTIFICATES:

Electrical Contractor’s Bonds:
    Al’s Electrical Maintenance
    Action Electric Coporation
    Apple Electric, Inc.
    BA Barnes Electric, Inc.
    Baldridge Electric
    CRH Electric
    Clayco Electric, Co.
    Brad Darnell of DEEM, LLC
    Citywide Electric, Inc.
    Dayspring Electric, Inc.
    Double S. Electric, Inc.
    Fusion Electric, LLC
    Hey Mechanical Service, LLC
    Guiding Light Home Repair, LLC (2)
    Kevin Johnson DBA Johnson Electric

HVAC Bond:
    Zumba, Salvador DBA Tescal Heating and Cooling

Mechanical Contractor’s Bonds:
    Central Plumbing, Heating & Air Conditioning, Inc.
    Car-Buc Enterprises, Inc. DBA Johnson Furnace Company
    Chief Heating & Cooling, Inc.
Travis Donn All-Weather Control
Koch Heating & Cooling, Inc.

Miscellaneous Bond:
Environmental Specialists, Inc.

Plumber’s Bonds:
Central Plumbing, Heating & Air Conditioning, Inc.
Cecil Chappell Jr. DBA CMC Plumbing
Fratzel Plumbing, LLC
Kastl Plumbing, Inc.
Poor John’s Plumbing, LLC
R & R Plumbing, Inc.
Tracy Petersen DBA Petersen Plumbing
Triton Plumbing, Inc.

Septic Tank & Cess Pool Bond:
American Waste Systems, Inc.
Brooks Grease Service, Inc.

Action: Referred to License.

11. CANCELLATION NOTICES:

Electrical Contractor’s Bonds:
J W McDowell Electric, LLC
Spec Electric, Inc.

HVAC Contractor’s Bond:
Mike Munsterman DBA Munsterman Heating and Cooling

Mechanical Contractor’s Bond:
Scanlon’s, LLC

Mechanical/HVAC Contractor’s Bond:
Neil Powell DBA NP Heating & Cooling

Miscellaneous Bond:
Coale Electric, LLC DBA R & R Services

Plumber’s Bond:
CE Burks, LLC

Sign Hanger’s Bond:
CAPO Group, LLC c/o Image 360

Sign Installer’s Bond:
Advertising Alternatives, LLC

Action: Referred to License.
12. REINSTATEMENT NOTICE:

HVAC Contractor’s Bond:
1st Priority Heating & Cooling, LLC

Action: Referred to License.

13. APPLICATION FOR PRIVATE SECURITY BUSINESS:


Action: Referred to License.
Memorandum

To: Doug Bach  
   County Administrator  

From: Bridgette Cobbins  
      UG Clerk  

Date: July 2, 2015  

Re: Weekly Business Material  

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

cm  

Attachment
Weekly Business Material for July 2, 2015

1. **PETITION:**

Creation of a Community Improvement District of approximately 1,250 square feet of light industrial and manufacturing space generally located south of the intersection of Riverview and Turner Diagonal, but north of Speaker Road, submitted by CCB RE Holdings, LLC.

**Action:** Received and filed. Copy previously forwarded to Economic Development.

2. **COMMUNICATIONS:**

Wyandotte County Business News’ legal advertising rates, effective July 1, 2015

The Wyandotte Echo, County of Wyandotte legal advertising rates, effective July 1, 2015 through June 30, 2016

**Action:** Received and filed.

3. **COMMUNICATION:**

Rescinded on March 26, 2014 notice of HVAC cancellation for City Wide Sheet Metal, Inc., 2820 Roe Lane, Suite F.

**Action:** Received and filed.

4. **REPORT:**

Legislative Auditor’s Office, May 2015 Cash Management Audit.

**Action:** Received and filed.

5. **COMMUNICATION:**

Rick Mikesic, Manager of Accounting, regarding cash transfer memorandum March 2015

<table>
<thead>
<tr>
<th>FUND FROM</th>
<th>FUND TO</th>
<th>PURPOSE</th>
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<tbody>
<tr>
<td>Trust Account</td>
<td>County General</td>
<td>Re-class Tax Revenue</td>
<td>400.00</td>
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<tr>
<td>Trust Account</td>
<td>Tax Collection</td>
<td>^</td>
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<td>EMS</td>
<td>^</td>
<td>419.08</td>
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<td>Parks &amp; Rec.</td>
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<td>City General</td>
<td>Dedicated Sales Tax</td>
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<td>628.63</td>
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<tr>
<td>County General</td>
<td>Metro Plaza TIF 448</td>
<td>^</td>
<td>676.10</td>
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<tr>
<td>County General</td>
<td>Prescott Plaza 446</td>
<td>^</td>
<td>1,336.54</td>
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<tr>
<td>Special Assessment</td>
<td>County General</td>
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<td>1,947.69</td>
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July 2, 2015
County General  La Plaza TIF 450  ^  2,374.63
EMS  Non-Debt Int. Improv  ^  3,140.43
City General  Metro Plaza TIF 448  ^  4,735.83
County General  Non-Debt Int. Improv  ^  5,095.42
County General  Tax Collection  ^  8,071.46
City General  Prescott Plaza 446  ^  10,741.12
City General  Non-Debt Int. Improv  ^  14,833.26
Tax Collection  County General  ^  16,198.78
City General  La Plaza TIF 450  Metro TIF Increment Sales  16,633.27
County General  Internal Plaza Speedway Sales  21,731.12
City General  Tax Collection  Re-class Tax Revenue  45,366.80
City General  Int. Improvement  ^  173,854.19
Sewer System  City General  03/2015 PILOT  315,476.94
Internal Improvement  Various Agencies  Tax Distribution  84,118.16
Tax Collection  Various Agencies  Current Tax Distribution  8,423,411.59
City General  Special Grants  Re-class Expense  4.18
Sewer System  County General  ^  69.80
Non-Deb Int. Improv.  City General  ^  174.54
City General  Health Dept.  ^  209.70
Heath Dept. Grants  Health Dept.  ^  400.00
Heath Dept.  City General  ^  500.00
Parks & Rec.  Health Dept.  ^  700.00
Non-Debt Internal Improv  City General  ^  1,411.78
Special Grants  City General  ^  1,720.95
City General  Non-Debt Int. Improv  ^  2,618.17
Various Agencies  City General  March Fuel  24,609.28
Health Dept. Grants  Health Dept.  ^  26,336.80

TOTAL  9,210,847.25

Action: Received and filed.

6. COMMUNICATION:

Lew Levin, Chief Financial Officer, regarding warrant cancellations:

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<th>FUND/VENDOR</th>
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<td>V #5230P</td>
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Action: Received and filed.
7. PERSONNEL ACTION COMMUNICATION, DATED JUNE 25, 2015:

**Section I - Appointments**

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
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<tbody>
<tr>
<td>James Bartolac</td>
<td>PW/Engineering</td>
<td>6/18/15</td>
<td>Intern</td>
</tr>
<tr>
<td>Jessica M. Harper</td>
<td>Area Agency on Aging</td>
<td>6/18/15</td>
<td>Program Specialist</td>
</tr>
<tr>
<td>Laura E. Monslow</td>
<td>Health/PHS</td>
<td>7/2/15</td>
<td>Admin Supt Asst.</td>
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**Section II - Transfers**

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<thead>
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<th>Department/Division</th>
<th>Eff. Date</th>
<th>Former Job Title</th>
<th>New Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marni K. Arevalo</td>
<td>Election Office</td>
<td>7/2/15</td>
<td>Admin Supt Asst.</td>
<td>Admin Supt Spec</td>
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<tr>
<td>Tara A. Cox</td>
<td>NRC/Code Enf.</td>
<td>7/2/15</td>
<td>Appraiser</td>
<td>Inspector I</td>
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<tr>
<td>William L. Storms II</td>
<td>Police/Public Safety</td>
<td>6/11/15</td>
<td>Police Sergeant</td>
<td>Police Sergeant</td>
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</table>

**Section IV - Leave of Absence**

<table>
<thead>
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<th>Leave Ends</th>
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</thead>
<tbody>
<tr>
<td>Darrel W. Peterson Jr.</td>
<td>PW/WPC</td>
<td>6/12/15</td>
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**Section V - Increases per Memorandum of Understanding**

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<th>Department/Division</th>
<th>Eff. Date</th>
<th>Job Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>JoEllen Garcia</td>
<td>Finance/Treasury</td>
<td>7/8/15</td>
<td>Fiscal Supt Specialist</td>
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<tr>
<td>Roger D. Guess</td>
<td>Parks/Rec</td>
<td>7/2/15</td>
<td>Caretaker</td>
</tr>
<tr>
<td>Joseph M. Lichtenberger</td>
<td>PW/Fleet</td>
<td>5/20/15</td>
<td>Fleet Maint. Tech I</td>
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<tr>
<td>Andrea L. Parra</td>
<td>Finance/Treasury</td>
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<td>Lead Fiscal Supt Spec</td>
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**Section VIII - Other Request**

<table>
<thead>
<tr>
<th>Name</th>
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<th>Action Requested and Explanation</th>
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<tr>
<td>Jacqueline Watts</td>
<td>Area Agency on Aging</td>
<td>ACD change effective 6/18/15</td>
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**Action:** Received and filed. Copy previously forwarded to Payroll.

8. PERSONNEL ACTION COMMUNICATION, DATED JUNE 30, 2015:

**Section I - Appointments**

<table>
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<th>Name</th>
<th>Department/Division</th>
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<tr>
<td>Jaelan L. Bradley</td>
<td>Parks/Rec</td>
<td>6/5/15</td>
<td>Lifeguard</td>
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<tr>
<td>Jennifer L. Chowning</td>
<td>DA's Office</td>
<td>7/2/15</td>
<td>Admin Supt Asst</td>
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<tr>
<td>Brandon W. Hand</td>
<td>Parks/Rec</td>
<td>6/11/15</td>
<td>Instructor</td>
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<tr>
<td>Terry E. Rubin Jr.</td>
<td>Parks/Rec</td>
<td>6/18/15</td>
<td>Lifeguard</td>
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<tr>
<td>Claudia J. Soto De Haro</td>
<td>DA's Office</td>
<td>7/2/15</td>
<td>Admin Supt Asst</td>
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**Section III - Separations**

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<th>Name</th>
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<tbody>
<tr>
<td>Kara M. Bird</td>
<td>DA's Office</td>
<td>7/3/15</td>
<td>Admin Supt Specialist</td>
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July 2, 2015
<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Division</th>
<th>Action Requested and Explanation</th>
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<tbody>
<tr>
<td>Tiffany Alexander</td>
<td>Health Dept.</td>
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<tr>
<td>Jennifer Allen</td>
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<tr>
<td>Lia Allen</td>
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<tr>
<td>Dairi Amaya</td>
<td>Health Dept.</td>
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<tr>
<td>Gregory Artis</td>
<td>Comm.. Corr..</td>
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<tr>
<td>Allyson Balliett</td>
<td>Comm. Corr.</td>
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<tr>
<td>Nate Banks</td>
<td>Comm. Corr.</td>
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<tr>
<td>Kristy Blagg</td>
<td>Comm. Corr.</td>
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<tr>
<td>Cori Bond</td>
<td>Sheriff</td>
<td>ACD change effective 7/2/15</td>
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<tr>
<td>Cheryl Braden</td>
<td>Health Dept.</td>
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<tr>
<td>Ashley Brown</td>
<td>Comm. Corr.</td>
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<tr>
<td>Jeanette M. Brown</td>
<td>Transportation</td>
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<td>Linda E. Campbell</td>
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<td>Shirley Chase</td>
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<td>Carolyn Cobb</td>
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<td>Terrie Garrison</td>
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July 2, 2015
<table>
<thead>
<tr>
<th>Name</th>
<th>Department</th>
<th>Action</th>
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<tbody>
<tr>
<td>Lonnie McConnell</td>
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<td>Marcela Morales</td>
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<td>Karli Nell</td>
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<td>Lesley Newton</td>
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<td>David Owens</td>
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<tr>
<td>Miranda Parson</td>
<td>Comm. Cor.</td>
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<td>Kendra Peterson</td>
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<tr>
<td>Mary Pollock</td>
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<td>Andrala L. Randle</td>
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<td>Betty Reed</td>
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<td>Brenda Russell</td>
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<td>Olivia Salazar</td>
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<tr>
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<tr>
<td>Juanita Wynn</td>
<td>Health Dept.</td>
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**Action:** Received and filed. Copy previously forwarded to Payroll.
5. **NOTICE OF CLAIM:**


**Action:** Received and filed. Copy previously forwarded to Legal.

6. **TRAVEL REQUESTS:**

Jeff Gardner and Dion Dundovich, Police/Operations/EOD, travel to Anniston, AL, August 30 – September 5, 2015, to attend Emergency Responder HAZMAT Training, FEMA.

Carl L. Webb, Jacob Dent and Chad P. Shore, KCKPD/Operations/Special Operation Unit, travel to Anniston, AL, July 26 – August 1, 2015, to attend AI & ICE WMD Training, DHS.

**Action:** Approved by County Administrator’s Office and received and filed.

7. **CERTIFICATES OF INSURANCE:**

Aerial FX (3)  
Adrian Bermudez/d/b/a Indios Carbonsitos  
Monument Security Inc.  
O’Neil Company, Inc.  
Roy’s Tree and Lawn Service  
Urban Tree Specialists LLC

**Action:** Referred to License.

8. **BUSINESS BONDS:**

Electrical Contractor’s Bonds:  
Edwards Electric Service, LLC  
Empowered Electric LLC  
G & H Electric Co., Inc.  
Kelly Electric

Mechanical Contractor’s Bonds:  
CAS Constructors, LLC  
Mark Young Construction, Inc.

Plumber’s Bonds:  
Always Plumbing LLC  
Cooter’s Plumbing, LLC  
Steve the Plumber, Inc.

July 2, 2015
Retail Fireworks Sales Bonds:
  B & L Fireworks, LLC
  Mike Bourquin d/b/a Rieke Farm Market
  Independence Fireworks & Don Rowland d/b/a Independence Fireworks
  James Street Investment Co., Inc. & Heidi Muder d/b/a Taylers Fireworks
  Kansas City Investment Co., Inc. & Heidi Muder d/b/a Banana Fireworks
  Kansas City Investment Co., Inc. & Heidi Muder d/b/a Zips Fireworks
  Larrance Brown d/b/a Schultz Family Fireworks
  Lone Jack Fireworks & Don Rowland d/b/a Fireworks Outlet, 4200 Shawnee Dr.
  Lone Jack Fireworks & Don Rowland d/b/a Fireworks Outlet, 3100 S. 24th St.
  Lone Jack Fireworks & Don Rowland d/b/a Fireworks Outlet, 315 Southwest Blvd.
  Mercedes Ontiveros d/b/a Big Z’s Fireworks
  Peanuts Fireworks, LLC

Renewal Second Hand and Junk Dealer’s Bond:
  Alandon Rebuilders & Equipment, Inc.

Sign Hanger’s Bonds:
  Odegard Sign and Lighting LLC
  See-More Signs Mfg., Inc.

Action: Referred to License.

9. CONTINUATION OF CERTIFICATES:

Electrical Contractor’s Bonds:
  Linton Donnell d/b/a L Donnell & Son Construction Company
  Pat Ryan d/b/a Ryan Electric

Heating Ventilation & Cooling Contractor’s Bonds:
  Kevin Loyd d/b/a Loyd Heating & Cooling
  Don West Cooling & Heating, Inc.

Mechanical Contractor’s Bond:
  Lippert Mechanical Service Corp.

Miscellaneous Bond:
  Jeremy Yates & William Oleary d/b/a Sure Flowing Plumbing

Plumber’s Contractor’s Bond:
  Farr Mechanical, LLC

Retail Fireworks Sales Bonds:
  Sasha Duncan d/b/a Sasha’s Fireworks
  Sasha Duncan d/b/a Sasha’s Fireworks #2
  Mercedes Ontiveros d/b/a Big Z’s Fireworks

July 2, 2015
Septic Tank Contractor’s Bond:
   H & H Septic Service

Sign Hanger’s Bonds:
   Ltd Signs & Graphics LLC
   Outfront Media LLC
   Young Sign Company

**Action:** Referred to License.

10. APPLICATIONS FOR PRIVATE SECURITY BUSINESS:

   North KC Bureau of Investigations/Alan Broxtermin d/b/a North KC Bureau of Investigations, 3000 Truman Rd., Kansas City, MO.

   Securitas Security Services USA, Inc./Tim Williams d/b/a Securitas Security Services, 2345 Grand Blvd. #1700, Kansas City, MO.

   **Action:** Referred to License.
Staff Request for Commission Action

Type: Standard  
Committee: Economic Development and Finance Committee

Date of Standing Committee Action: 7/6/2015
(If none, please explain):

Proposed for the following Full Commission Meeting Date:  7/9/2015
Confirmed Date: 7/9/2015

Changes Recommended By Standing Committee (New Action Form required with signatures)

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<td>6/24/2015</td>
<td>Charles Brockman</td>
<td>x5733</td>
<td><a href="mailto:cbrockman@wycokck.org">cbrockman@wycokck.org</a></td>
<td></td>
<td>Economic Development</td>
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Item Description:
The Department of Economic Development request the Unified Government Commission hear comments and recommendations for the purpose of considering the establishment of the 57th & State Redevelopment TIF District. The District is generally described as an area bounded by North 57th Street and Meadowlark Lane on the East; Approximately North 59th Place on the West; North of State Avenue on the North; South of State Avenue on the South. The District will consist of one (1) or more redevelopment project areas and generally described as: retail uses and any other commercial structure or use including but not limited to residential, office, non-profit, governmental, community use, structured and surface parking as well as associated infrastructure.

Action Requested:
Forward to the July 9, 2015 Full Commission to approve the Resolution to set a Public Hearing for August 13, 2015.

Publication Required
Publication Date: 8/6/2015

Budget Impact: (if applicable)
Amount: $
Source:

- [x] Included In Budget
- [ ] Other (explain) Policy action by Commission. More detail required for analysis.
RESOLUTION NO. R-____-15

A RESOLUTION CALLING AND PROVIDING FOR NOTICE OF A
PUBLIC HEARING ON THE ADVISABILITY OF CREATING THE 57th
AND STATE REDEVELOPMENT DISTRICT IN THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
PURSUANT TO K.S.A. 12-1770 ET SEQ.

WHEREAS, K.S.A. 12-1770 et seq., as amended (the "Act") provides for the creation of
redevelopment districts and the approval of redevelopment plans, and permits the issuance of tax
increment financing bonds in accordance with the terms of the Act; and

WHEREAS, the Board of Commissioners of the Unified Government of Wyandotte
County/Kansas City, Kansas (the "Unified Government") intends to set a date for a public
hearing for the purpose of considering the establishment of the 57th and State Redevelopment
District (the "Redevelopment District") in accordance with the Act; and

WHEREAS, the establishment of the proposed Redevelopment District is necessary to
promote the general economic welfare of the Unified Government pursuant to the Act; and

WHEREAS, the Redevelopment District consists of an area described on the attached
Exhibit A and generally delineated on the map attached as Exhibit B, both of which are attached
and made a part of this Resolution, and which is generally described as an area in the Northwest
and Southwest corners of the intersection of 57th Street and State Avenue in Wyandotte County,
Kansas City, Kansas.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF THE UNIFIED GOVERNMENT:

Section 1. Public Hearing. It is hereby authorized, ordered, and directed that the Board
of Commissioners shall hold a public hearing on August 13, 2015 at 7:00 PM or as soon
thereafter as the matter can be heard in the Commission Chambers, lobby level of the Municipal
Office Building located at 701 North 7th Street, Kansas City, Kansas to hear comments and
consider findings necessary to establish the 57th and State Redevelopment District, pursuant to
the Act.

Section 2. Description and Map. A description and map of the proposed
Redevelopment District is available for public inspection in the Unified Government Clerk’s
office located in Suite 323 on the third floor of the Municipal Office Building from 8:00 am to
5:00 pm, Monday through Friday.

Section 3. Redevelopment District Plan. The Redevelopment District Plan consists
of one (1) or more redevelopment project areas, the names and boundaries of which will be
determined at the time of the Project Plan, and may be described in a general manner as
consisting of some or all of the following uses, without limitation: retail uses and any other
commercial structure or use (including but not limited to residential, office, non-profit, governmental, or community use), and including such associated site work, infrastructure, utilities, storm water control, access, street improvements, landscaping, lighting, parking facilities (including parking garages), other associated and appurtenant structures and facilities, and any other items allowable under the Act. A copy of the Redevelopment District Plan is attached hereto as Exhibit C.

Section 4. Findings. The Unified Government is considering findings necessary for the establishment of a redevelopment district pursuant to the Act.

Section 5. Bonds. The Unified Government may, in the discretion of the Unified Government, issue full faith and credit tax increment bonds to assist with the financing of the redevelopment project as described by Redevelopment District Plan.

Section 6. Notices. The Unified Government Clerk is hereby authorized and directed to publish this Resolution once in the official city newspaper not less than one (1) week or more than two (2) weeks preceding August 13, 2015, the date set for the public hearing. The Clerk is authorized and directed to mail a copy of this Resolution via certified mail, return receipt requested to the Unified Government Board of Commissioners; the Kansas City, Kansas Unified School District #500 Board of Education as the school district levying taxes on property within the proposed Redevelopment District; and to each owner and occupant of land within the project areas of the proposed Redevelopment District not more than ten (10) days following the date of the adoption of this Resolution.

Section 7. Further Action. The Mayor/CEO, County Administrator, and other officers, agents, and employees of the Unified Government are hereby further authorized and directed to take such further action as may be appropriate or desirable to accomplish the purpose of this Resolution.

Section 8. Effective Date. This Resolution shall be effective upon its adoption by the Unified Government Board of Commissioners.

ADOPTED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS THIS 9th DAY OF JULY, 2015.

UNIFIED GOVERNMENT CLERK

Approved as to form:__________________
EXHIBIT A
Legal Description of Redevelopment District

A tract of land in the Southwest Quarter of the Southeast Quarter of Section 02, Township 11, Range 24, also a tract of land in the North Half of Section 11, Township 11, Range 24 all in the City of Kansas City, Wyandotte County, Kansas being more particularly described as follows:

Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 2; thence North 01°59’15" West, along the East line of said Southwest Quarter, a distance of 110.64 feet; thence North 88°00’45" East, a distance of 40.00 feet to a point of the East Right of Way line of 57th street; thence North 01°59’15" West, along said East Right of Way line, a distance of 220.13 feet; thence North 05°43’19" West, continuing along said East Right of Way line, a distance of 196.50 feet; thence South 87°45’19" West, a distance of 684.39 feet; thence North 02°22’49" West, a distance of 137.53 feet; thence South 88°07’37" West, a distance of 391.81 feet; thence South 01°11’54" East, a distance of 344.52 feet; thence South 88°07’37" West, a distance of 325.79 feet to a point on the West Right of Way line of 59th Street; thence South 01°51’49" East, along said West Right of Way line, a distance of 237.23 feet to a point on the North Right of Way line of State Avenue; thence South 87°53’36" West, along the North Right of Way line, a distance of 197.47 feet; thence North 01°06’06" West, continuing along said North Right of Way line, a distance of 65.01 feet; thence South 87°53’36" West, continuing along said North Right of Way line, a distance of 110.05 feet; thence South 01°45’27" East, a distance of 559.19 feet; thence South 88°14’00" West, a distance of 134.81 feet; thence South 01°44’56" East, a distance of 442.33 feet; thence North 88°14’35" East, a distance of 489.23 feet; thence South 01°43’37" East, a distance of 481.12 feet; thence North 88°05’17" East, a distance of 447.36 feet; thence North 01°42’10" West, a distance of 87.71 feet; thence North 83°18’03" East, a distance of 58.40 feet; thence South 40°56’19" East, a distance of 119.80 feet; thence North 87°59’13" East, a distance of 292.68 feet; thence North 01°48’36" West, a distance of 664.86 feet; thence North 87°59’38" East, a distance of 254.41 feet; thence North 01°43’16 West, a distance of 208.09 feet; thence North 87°50’33" East, a distance of 256.18 feet to a point on the East Right of Way line of 57th Street; thence North 00°42’48" East, along said East Right of Way line, a distance of 118.34 feet; thence South 87°38’23" West, a distance of 512.04 feet; thence North 02°49’13" West, a distance of 352.11 feet to a point on the South line of said Southeast Quarter; thence North 88°07’37" East, along said South line, a distance of 461.75 feet to the point of beginning.

Contains 55 acres more or less.
EXHIBIT C

Redevelopment District Plan

The Redevelopment District shall consist of one or more redevelopment project areas, the names and boundaries of which will be determined at the time of the Project Plan. The buildings, facilities, and improvements to be constructed or improved within the Redevelopment District may be described in a general manner as consisting of some or all of the following uses, without limitation: retail uses and any other commercial structure or use (including but not limited to residential, office, non-profit, governmental, or community use), and including such associated site work, infrastructure, utilities, storm water control, access, street improvements, landscaping, lighting, parking facilities (including parking garages), other associated and appurtenant structures and facilities, and any other items allowable under K.S.A. 12-1770 et seq.
**Staff Request for Commission Action**

**Tracking No. 150176**

- [ ] Revised
- [ ] On Going

**Type:** Standard

**Committee:** Economic Development and Finance Committee

**Date of Standing Committee Action:** 7/6/2015

**Proposed for the following Full Commission Meeting Date:** 7/9/2015

**Confirmed Date:** 7/9/2015

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**Item Description:**

An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas to issue its Sales Tax Special Obligation Bonds (Vacation Village Project Area 4, major multi-sport athletic complex project, U.S. Soccer training facility and tournament field complex), Series 2015 in an aggregate principal amount not to exceed $66,000,000 for the purpose of providing funds to finance certain costs relating to the Vacation Village Star Bond project plan; approving the execution of certain documents pertaining to the bond issuance; authorizing the removal of certain property from the Prairie-Delaware Redevelopment project Area B tax increment financing redevelopment plan and authorizing certain other actions in connection with the issuance of the bonds.

**Action Requested:**

Adopt ordinance and FAST TRACK to the July 9th Commission meeting. This action will allow for preparation of the necessary bond sale documents and facilitate a bond sale and pricing the week of July 27th.

**Publication Required:**

- [ ]

**Budget Impact:** (if applicable)

**Amount:** $

**Source:**

- [ ] Included In Budget

- [x] Other (explain) The debt service is paid from future State and local STAR Bond incremental revenues in the VW project area. The EMS, dedicated sales, and transient guest tax revenues are not pledged.

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The debt service is paid from future State and local STAR Bond incremental revenues in the VW project area. The EMS, dedicated sales, and transient guest tax revenues are not pledged.
ORDINANCE NO. O-___-15

AN ORDINANCE AUTHORIZING THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS TO ISSUE ITS SALES TAX SPECIAL OBLIGATION CAPITAL APPRECIATION REVENUE BONDS (VACATION VILLAGE PROJECT AREA 4 – MAJOR MULTI-SPORT ATHLETIC COMPLEX PROJECT), SERIES 2015 IN AN AGGREGATE ORIGINAL PRINCIPAL AMOUNT NOT TO EXCEED $66,000,000 FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE CERTAIN COSTS RELATING TO THE VACATION VILLAGE STAR BOND PROJECT PLAN; AUTHORIZING AND APPROVING THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; AUTHORIZING THE REMOVAL OF CERTAIN PROPERTY FROM THE PRAIRIE-DELAWARE REDEVELOPMENT DISTRICT UPON SATISFACTION OF AN EVENT; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SAID BONDS.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State as a consolidated city-county having all the powers, functions and duties of a county and a city of the first class; and

WHEREAS, the Unified Government desires to promote, stimulate and develop the general and economic welfare of Kansas City, Kansas and the state of Kansas (the “State”) and to assist in the development and redevelopment of eligible areas within Kansas City, Kansas, thereby promoting the general welfare of the citizens of the State and the Unified Government, by acquiring property and providing for the development and redevelopment thereof and the financing relating thereto; and

WHEREAS, pursuant to the provisions of K.S.A. 12-1770 et seq., as amended, as now authorized under the STAR Bonds Financing Act, K.S.A. 12-17,160, et seq., as amended (the “Act”), the Unified Government on October 20, 2005, adopted Ordinance No. O-76-05, which created a redevelopment district within Kansas City, Kansas (the “City”), the boundaries of which were defined in said Ordinance (the “Original District”) and contained one redevelopment project area; and

WHEREAS, on November 14, 2005 a Vacation Village Special Bond Project Plan (“Original Redevelopment Project Plan”) was filed with the Unified Government Clerk; and

WHEREAS, on November 14, 2005 the Planning Commission of the Unified Government made a finding that the Original Redevelopment Project Plan was consistent with the intent of the City's comprehensive plan for the development of the City; and

WHEREAS, on December 20, 2005, after proper notice in accordance with the Act, a public hearing was held on the Original Redevelopment Project Plan and the Unified Government then adopted Ordinance No. O-96-05 approving the Original Redevelopment Project Plan; and
WHEREAS, on December 23, 2005 the Secretary of Commerce of the State of Kansas (the “Secretary”), determined that the Original Redevelopment District was an “eligible area” under the Act, designated the redevelopment project as a “special bond project” and approved the issuance of STAR Bonds for the project; and

WHEREAS, on November 9, 2007 an Amended and Restated STAR Bond Project Plan (Vacation Village Project Plan) (“First Amended Project Plan”) was filed with the Unified Government Clerk; and

WHEREAS, a public hearing was held on November 15, 2007, after due published notice, regarding the First Amended Project Plan; and

WHEREAS, on November 29, 2007, the Unified Government adopted Ordinance No. O-100-07 approving the First Amended Project Plan; and

WHEREAS, an Amended and Restated STAR Bond District Plan dated July 8, 2014 (the “Amended STAR Bond District Plan”) was filed with the Unified Government Clerk, which Amended STAR Bond District Plan expanded the Original District to add additional property (the “Expanded STAR Bond District”) and divided the Expanded STAR Bond District into five project areas; and

WHEREAS, a Second Amended and Restated STAR Bond Project Plan (Village East Project Plan – Project Area 1) dated July 8, 2014 was filed with the Unified Government Clerk (the “Project Area 1 Plan”); and

WHEREAS, a STAR Bond Project Plan (Village East Project Plan – Project Area 2) dated July 8, 2014 was filed with the Unified Government Clerk (the “Project Area 2 Plan”); and

WHEREAS, a STAR Bond Financing Project Plan (Village East Project Plan – Project Area 4) dated July 8, 2014 was filed with the Unified Government Clerk (the “Project Area 4 Plan”); and

WHEREAS, on July 14, 2014 the Planning Commission of the Unified Government made a finding that the Project Area 1 Plan, Project Area 2 Plan and Project Area 4 Plan were each consistent with the intent of the City's comprehensive plan for the development of the City; and

WHEREAS, in accordance with the Act, on August 28, 2014 the governing body of the Unified Government held a public hearing to consider approval of the Expanded STAR Bond District and adoption of the Amended STAR Bond District Plan, Project Area 1 Plan, Project Area 2 Plan, and Project Area 4 Plan, after proper notice of such public hearing in accordance with the Act; and

WHEREAS, on August 28, 2014 the governing body of the Unified Government approved Ordinance No. O-47-14 that adopted the Amended STAR Bond District Plan, the Project Area 1 Plan, the Project Area 2 Plan, and the Project Area 4 Plan.

WHEREAS, on September 24, 2014 the Secretary determined that the Expanded STAR Bond District was an “eligible area” under the Act, designated Project Areas 1, 2 and 4 as “special bond projects” and approved the issuance of STAR Bonds for such projects; and

WHEREAS, pursuant to the Act, the Unified Government is authorized to issue its Sales Tax Special Obligation Capital Appreciation Revenue Bonds (Vacation Village Project Area 4 – Major Multi-Sport Athletic Complex Project), Series 2015 in the aggregate original principal amount of $66,000,000 (the “Series 2015 Bonds”) under the hereinafter described Bond Indenture, for the purpose of implementing the Project Area 4 Plan by providing funds to (a) finance a portion of the Costs of the
WHEREAS, the governing body of the Unified Government hereby finds and determines that the issuance of the Series 2015 Bonds to provide funds for the purposes described herein in the manner provided in the Act and pursuant to the provisions of the Bond Indenture, will serve one or more of the public purposes set forth in the Act and will promote, stimulate and develop the general and economic welfare of the Unified Government; and

WHEREAS, the governing body of the Unified Government further finds and determines that it is necessary and desirable in connection with the issuance of the Series 2015 Bonds that the Unified Government enter into certain agreements, and that the Unified Government take certain other actions and approve the execution of certain other documents as herein provided.

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

Section 1. Authorization of the Series 2015 Bonds. The Unified Government is hereby authorized to issue and sell the Series 2015 Bonds in an aggregate original principal amount not to exceed $66,000,000, the proceeds of which will be used to (a) pay Costs of the Project and (b) pay certain costs related to the issuance of the Series 2015 Bonds. The Series 2015 Bonds shall be issued and secured pursuant to the herein authorized Bond Indenture and shall bear such dates, shall be in such denominations, shall be in such forms, shall mature on the dates and in the principal amounts and maturity amounts, shall bear interest at rates not to exceed the maximum rate permitted by law and shall be subject to redemption on the dates and in the principal amounts as provided in the Bond Indenture and Bond Purchase Contract (as hereinafter defined), and shall have such other terms and provisions, shall be issued, executed, authenticated and delivered in such manner and shall be subject to such provisions, covenants and agreements, as are set forth in the Bond Indenture. The Series 2015 Bonds shall be sold and delivered to the order of the purchasers thereof in accordance with the terms and conditions of the Bond Purchase Contract, at such prices as are set forth therein.

The Series 2015 Bonds, together with interest and premium, if any, thereon are not general obligations of the Unified Government but are limited obligations payable solely from the trust estate pledged to the payment thereof under the Bond Indenture and shall be a valid claim of the respective holders thereof only against the trust estate and other moneys held by the Trustee and the revenues so pledged as aforesaid. In no event shall the Series 2015 Bonds be payable out of any funds or properties other than those pledged or acquired under the Bond Indenture, and the Series 2015 Bonds shall not be deemed to constitute a debt or liability of the State of Kansas, the Unified Government or of any political subdivision thereof and the issuance of the Series 2015 Bonds shall not, directly, indirectly or contingently, obligate the Unified Government, the State of Kansas or any political subdivision thereof to levy any form of taxation therefor or to budget or make any appropriation for their payment. Nothing in the Series 2015 Bonds, the Bond Indenture, the proceedings of the Unified Government authorizing the Series 2015 Bonds or the Act shall be construed to be a debt or loan of credit of the Unified Government, the State of Kansas or any political subdivision thereof within the meaning of any constitutional or statutory debt limitation or restriction.

Section 2. Authorization and Approval of Documents. The following documents are hereby approved in substantially the forms presented to the Unified Government at this meeting, and the Unified Government is hereby authorized to execute and deliver each of such documents (the “Unified Government”) with such changes therein as shall be approved by the officer or officers of the Unified Government;
Government executing such documents, such officers' signatures thereon being conclusive evidence of their approval and the Unified Government's approval thereof:

(a) Bond Trust Indenture dated as of the date stated therein (the “Bond Indenture”), between the Unified Government and Security Bank of Kansas City, Kansas City, Kansas, as trustee (the “Trustee”), authorizing the issuance of the Series 2015 Bonds.

(b) Bond Purchase Contract dated as of the date stated therein (the “Bond Purchase Contract”), among the Unified Government and the purchasers named therein, relating to the purchase of the Series 2015 Bonds.

(c) Tax Compliance Agreement dated as of the date stated therein between the Unified Government and the Trustee, relating to the Series 2015 Bonds.

(d) Unified Government's Continuing Disclosure Agreement dated as of the date stated therein between the Unified Government and Security Bank of Kansas City, Kansas City, Kansas, as dissemination agent, relating to the Series 2015 Bonds.

(e) Tax Distribution Agreement dated as of the date set forth therein (the “Tax Distribution Agreement”) among the Unified Government, the Trustee and the other parties named therein, which provides for certain distributions of tax revenues for the benefit of the Series 2015 Bonds.

Section 3. Approval of Use of Official Statement. The Unified Government hereby approves the use of the Preliminary Official Statement, from which a final Official Statement shall be drafted (collectively, the “Series 2015 Official Statement”), in connection with the sale of the Series 2015 Bonds, in substantially the form presented to the Unified Government, with such changes therein as shall be necessary to provide for the execution of such document by the Unified Government, such officer's signature thereon being conclusive evidence of his approval and the Unified Government's approval thereof; in connection with the sale of the Series 2015 Bonds, in substantially the form presented to the Unified Government, with such changes therein as shall be approved by the officer of the Unified Government executing the Series 2015 Official Statement, such officer's signature thereon being conclusive evidence of his approval and the Unified Government's approval thereof.

The Series 2015 Official Statement and the use and distribution thereof by the Underwriter is hereby approved. For the purpose of enabling the Underwriter to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the “Rule”), the Mayor/CEO of the Unified Government is hereby authorized and directed to deem the Series 2015 Official Statement to be “final” as of its respective dates, except for the omission of such information as is permitted by the Rule, and, if requested, to provide the Underwriter a letter or certification to such effect and to take such other actions or execute such other documents as the Mayor/CEO of the Unified Government in his reasonable judgment deems necessary to enable the Underwriter to comply with the requirements of such Rule.

Section 4. Execution of Bonds and Documents. The Mayor/CEO of the Unified Government is hereby authorized and directed to execute the Series 2015 Bonds and to deliver the Series 2015 Bonds to the Trustee for authentication for and on behalf of and as the act and deed of the Unified Government in the manner provided in the Bond Indenture. The Mayor/CEO of the Unified Government is hereby authorized and directed to execute the Unified Government Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, with such changes as the Mayor/CEO deems necessary or appropriate, for and on behalf of and as the act and deed of the Unified Government. The Clerk of the Unified Government is
hereby authorized and directed to attest to and affix the seal of the Unified Government to the Series 2015 Bonds, the Unified Government Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 5. Removal of Property from Prairie-Delaware Redevelopment District. The Unified Government removes from the Prairie-Delaware Redevelopment District the real property legally described on Exhibit A attached hereto and on the map shown as depicted on Exhibit B attached hereto upon the occurrence of the payment and/or defeasance of all outstanding STAR Bonds issued by the Unified Government and payable from the STAR bond revenues generated within Prairie-Delaware Redevelopment Project Area B and described as follows: (1) Taxable Special Obligation Revenue Refunding Bonds (Redevelopment Project Area B) Series 2004, (2) Sales Tax Special Obligation Revenue Refunding Bonds (Redevelopment Project Area B), Subordinate Lien Series 2012 (3) Sales Tax Special Obligation Capital Appreciation Revenue Bonds (Redevelopment Project Area B – Major Multi-Sport Athletic Complex Project), Subordinate Lien Series 2010B and (4) Taxable Sales Tax Special Obligation Capital Appreciation Revenue Bonds (Redevelopment Project Area B – Major Multi-Sport Athletic Complex Project), Subordinate Lien Series 2014.

Section 6. Further Authority. The Unified Government shall, and the officers, employees and agents of the Unified Government are hereby authorized and directed to, take such action, expend such funds and execute such other documents, certificates and instruments, including without limitation documents relating to the qualifications of the Bonds under the “blue sky” laws of the various states of the United States of America, documents necessary to obtain approvals of the Kansas Secretary of Commerce and the Kansas Secretary of Revenue as required by law, and any agreements with respect to the investment of funds held under the Bond Indenture, as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the Unified Government with respect to the Series 2015 Bonds and the Unified Government Documents.

Section 7. Severability. The provisions of this Ordinance shall not be severable.

Section 8. Effective Date. This Ordinance shall take effect and be in full force after its adoption by the Unified Government and publication once in the official newspaper of the Unified Government.

PASSED by the Board of Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas this 9th day of July, 2015.

Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas
(Seal)

ATTEST:

Unified Government Clerk

Approved as to Form:

Chief Counsel
EXHIBIT A

LEGAL DESCRIPTION OF REMOVED PROPERTY

Village West Property Description:

Part of platted Section 01, Township 11 South, Range 23 East, and Section 02, Township 11 South, Range 23 East, all being in Kansas City, Wyandotte County, Kansas and being more particularly described as follows:

BEGINNING at the point of intersection of the South Right-of-Way line of said Parallel Parkway and the West Right-of-Way line of said Interstate Highway No. 435, as both are now established; thence Southeasterly, along the West Right-of-Way line of said Interstate Highway No. 435, to the point of intersection of the West Right-of-Way line of said Interstate Highway No. 435 and the Northerly Right-of-Way line of State Avenue, as now established; thence Southerly, continuing along the West Right-of-Way line of said Interstate Highway No. 435, to the point of intersection of the West Right-of-Way line of said Interstate Highway No. 435 and the South Right-of-Way line of said State Avenue; thence Westerly, along the South Right-of-Way line of said State Avenue, to the point of intersection of the South Right-of-Way line of said State Avenue and the Easterly Right-of-Way line of Village West Parkway, as now established; thence Northwesterly to the point of intersection of the Southwesterly Right-of-Way line of said State Avenue and the Westerly Right-of-Way line of said Village West Parkway; thence Northeasterly to the point of intersection of the Northeasterly Right-of-Way line of said State Avenue and the Westerly Right-of-Way line of said Village West Parkway; thence Northwesterly and Westerly, along the Northeasterly and Northerly Right-of-Way line of said State Avenue, to the point of intersection of the Northerly Right-of-Way line of said State Avenue and the East Right-of-Way line of 110th Street, as now established; thence Northerly, along the East Right-of-Way line of said 110th Street, to the point of intersection of the East Right-of-Way line of said 110th Street and the South Right-of-Way line of said Parallel Parkway; thence Easterly, along the South Right-of-Way line of said Parallel Parkway, to the POINT OF BEGINNING.
EXHIBIT B

MAP SHOWING REMOVED PROPERTY
Staff Request for Commission Action

Type: Blue Sheet Amendment
Committee: Economic Development and Finance Committee

Date of Standing Committee Action: 7/6/2015
(If none, please explain):

Proposed for the following Full Commission Meeting Date: 7/9/2015

Changes Recommended By Standing Committee (New Action Form required with signatures)

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<th>Contact Phone</th>
<th>Contact Email</th>
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<td>6/30/2015</td>
<td>George Brajkovic</td>
<td>x 5749</td>
<td><a href="mailto:gbrajkovic@wycokck.org">gbrajkovic@wycokck.org</a></td>
<td></td>
<td>Economic Development</td>
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Item Description:
On August 28, 2014, the Full Commission passed Ordinance O-47-14 that approved the Expanded STAR Bond District known as Vacation Village with five separate Project Areas, adopted the Amended STAR Bond District Plan, and established Plans for Project Areas 1, 2 and 4. At this time, SVV I, LLC (Developer) is requesting an amendment that would split Project Area 2 into Area 2A and Area 2B, as detailed in the Plans filed with Clerk’s Office on June 24, 2015. In accordance with Statutory requirements, staff is requesting a Public Hearing to be set on August 13, 2015 to consider the proposed amendments.

A significant amount of site work progress has been made within Project Area 2, and a portion of the project is ready to move towards Bond issuance. To take advantage of favorable bond market conditions, the Developer would like to proceed with that portion of the Project that has established commitments, which corresponds to proposed Area 2A.

Action Requested:
Fast track Resolution setting a Public Hearing on August 13, 2015, to the July 9, 2015 FC meeting.

The Resolution will require publication on July 30 and August 6, 2015.

Publication Required
Publication Date: 7/30/2015

Budget Impact: (if applicable)

Amount: $  
Source: 

Included In Budget  
Other (explain) Provides financing to reimburse UG for 98th Street/ DFA expenses. Includes UG annual appropriation backing of a subordinate $10 million issuance. Part of State and local sales tax base is a backstop.

File Attachment
7/6/15 EXECUTIVE SUMMARY
FIRST AMENDMENT TO AMENDED AND RESTATE VACATION VILLAGE
DEVELOPMENT AGREEMENT

1. **Parties.** UG and SVV I, LLC ("SVV"), a Kansas limited liability company.

2. **Nature of Agreement.** This is a first amendment (the "First Amendment") to the Amended and Restated Vacation Village Development Agreement ("Agreement") entered into between UG and SVV on August 28, 2014, which incorporated six prior amendments to the original Vacation Village Development Agreement and set forth five distinct Project Areas: (1) Project Area 1 - Schlitterbahn waterpark, with potential for other future commercial uses; (2) Project Area 2 - the automotive plaza, restaurant pad sites, convenience store, and approximately 150 room extended-stay hotel; (3) Project Area 3 - approximately 400,000 square feet of entertainment/retail facilities; (4) Project Area 4 - U.S. Soccer training and coaching facility and tournament fields complex (governed by a separate agreement between UG and a different SVV); and (5) Project Area 5 - potential for various types of lodging facilities in the future. This First Amendment divides Project Area 2 (the Automotive Plaza) into two separate project areas—Project Area 2A and Project Area 2B, and provides for two separate, phased STAR Bond issuances, instead of the single issuance that was originally contemplated by the Agreement.

3. **The Project/Timing.** The First Amendment contemplates dividing Project Area 2 into two separate project areas: (1) Project Area 2A – four automotive dealerships, a convenience store, and two restaurant pad sites on the west side of 98th Street; and (2) Project Area 2B – the remaining automotive dealerships, extended stay hotel, and two restaurant pad sites on the east side of 98th Street.

   (i) All other Project Areas are unmodified by this First Amendment.

   (ii) The four automotive dealerships in Project Area 2A shall be completed and opened for business by December 31, 2016, and the convenience store and restaurant pad sites shall be completed and opened for business by December 31, 2017. The other automotive dealerships in Project Area 2B shall be completed and opened for business by December 31, 2017. Developer shall not be obligated to commence construction on the rest of the improvements in Project Area 2B until construction of the U.S. Soccer training and coaching facility in Project Area 4 is substantially complete.

4. **Amendments to STAR Bond Financing.** SVV's budget indicates that it has previously spent approximately $222M on the Project, and the budget also estimates approximately $115M in new capital investment for the auto plaza/restaurants/hotel project in Project Area 2 and approximately $187M for the retail/entertainment project in Project Area 3. Section 4.2 of the Agreement originally contemplates a single STAR Bond issuance for the Project in the first quarter of 2015, based on the Incremental Sales Taxes created by the Waterpark in Project Area 1 and the auto mall/restaurants/hotel in Project Area 2. This STAR Bond issue would be capped at $100M of net proceeds (subject to marketability). Of this $100M, approximately $10M is to cover the UG's costs for $5.4M of temporary notes (plus interest) that it incurred in improving 98th Street, and to pay for the costs of the so-called "S Curve" required by the DFA transaction -- to provide a better connection of the north and south sides of 98th Street at France Family Drive -- and the balance of the $90M is generally to cover the costs of Developer's project. The parties have also agreed to the following changes in the STAR Bond financing:

   (a) There will be two separate STAR Bond Issuances instead of one.

   (b) The revenues from Project Area 1 and Project Area 2A will be pledged to the First STAR Bond Issue, which is expected to yield approximately $78M of proceeds. There will be two series in this First STAR Bond Issue – (i) Series A, which should yield approximately $65M, and (ii) Series B, which
should yield approximately $10M of additional STAR Bond proceeds. Series B will be subordinate to Series A and the UG will pledge its annual appropriation to support Series B. The UG will receive the $10M of proceeds from Series B to pay for the UG's 98th Street Costs and S Curve Costs (as described above). If and when the parties do a Second STAR Bond Issue, the proceeds of that Second STAR Bond Issue shall be used first to fully redeem and retire all of Series B.

(c) The First STAR Bond Issue shall occur on or before November 1, 2015 (the original date in the Agreement was September 1, 2015). The Second STAR Bond Issue shall occur, if at all, prior to that date which is 7 years after the U.S. Soccer Facility opens. The Developer's net proceeds from the First STAR Bond Issue and the Second STAR Bond Issue shall still be capped at $90M.

(d) The UG will still have access to net STAR Bond proceeds from Series A of the First STAR Bond Issue for a new traffic signal at 98th and State Avenue (with a currently estimated cost of $275,000) and an additional $665,000 for the remaining costs of the previously-constructed sewer lift station that feeds to the Marshall Creek Sewer Interceptor.

(e) In the original Agreement, SVV's access to $25M of STAR Bond Proceeds from the First STAR Bond issue (the "Held Back Proceeds") was to be held back and restricted until such time as SVV met certain development thresholds and conditions. Most of these conditions have been met, but the remaining condition is to be modified as follows:

(i) SVV will not receive $500,000 of the Held Back Proceeds until it (1) cleans up, rough-grades and seeds the 59 acres in Project Area 3, and (2) timely completes the improvements related to St. Patrick's Catholic as required by the Agreement (and as discussed below).

5. **Church and Current Schlitterbahn Entrance Drive Improvements.** SVV has agreed to complete certain entrance drive improvements for St. Patrick's, along with providing new connecting drives to the medical plaza located to the west of St. Patrick's and closing the existing Schlitterbahn entrance drive. SVV was originally obligated to commence these improvements by September 15, 2015, but the First Amendment will allow SVV to commence these improvements no later than December 31, 2016, as long as SVV shall close the current Schlitterbahn entrance drive on or before December 31, 2015.

6. **Changes in Uses - Car Wash Restriction.** Section 1.a of the First Amendment says that SVV may not change any of the uses in the Auto Plaza Project, unless such changes are approved in writing by the UG's County Administrator. Also, Section 5.b of the First Amendment slightly modifies the "car wash restriction" to allow no more than one car wash – which may either be a stand-alone car wash facility or constructed in connection with a convenience store or other use.
RESOLUTION NO. R-____-15

A RESOLUTION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING REGARDING A PROPOSED FIRST AMENDED AND RESTATED STAR BOND DISTRICT PLAN AND A PROPOSED FIRST AMENDED AND RESTATED STAR BOND PROJECT PLAN FOR PROJECT AREA 2A, ALL WITHIN THE PROPOSED EXPANDED STAR BOND DISTRICT IN THE CITY OF KANSAS CITY, KANSAS AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING (VACATION VILLAGE).

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the "Unified Government") desires to promote, stimulate and develop the general and economic welfare of Kansas City, Kansas and the state of Kansas (the "State") and to assist in the development and redevelopment of eligible areas within Kansas City, Kansas, thereby promoting the general welfare of the citizens of the State and the Unified Government, by acquiring property and providing for the development and redevelopment thereof and the financing relating thereto; and

WHEREAS, pursuant to the provisions of K.S.A. 12-1770 et seq., as amended, as now authorized under the STAR Bonds Financing Act, K.S.A. 12-17,160, et seq., as amended (the "Act"), the Unified Government on October 20, 2005, adopted Ordinance No. O-76-05, which created a redevelopment district within Kansas City, Kansas (the "City"), the boundaries of which were defined in said Ordinance (the "Original District") and contained one redevelopment project area; and

WHEREAS, on November 14, 2005 a Vacation Village Special Bond Project Plan ("Original Redevelopment Project Plan") was filed with the Unified Government Clerk; and

WHEREAS, on November 14, 2005 the Planning Commission of the Unified Government made a finding that the Original Redevelopment Project Plan was consistent with the intent of the City's comprehensive plan for the development of the City; and

WHEREAS, on December 20, 2005, after proper notice in accordance with the Act, a public hearing was held on the Original Redevelopment Project Plan and the Unified Government then adopted Ordinance No. O-96-05 approving the Original Redevelopment Project Plan; and

WHEREAS, on December 23, 2005 the Secretary of Commerce of the State of Kansas (the "Secretary"), determined that the Original Redevelopment District was an "eligible area" under the Act, designated the redevelopment project as a "special bond project" and approved the issuance of STAR Bonds for the project; and

WHEREAS, on November 9, 2007 an Amended and Restated STAR Bond Project Plan (Vacation Village Project Plan) ("First Amended Project Plan") was filed with the Unified Government Clerk; and

WHEREAS, a public hearing was held on November 15, 2007, after due published notice, regarding the First Amended Project Plan; and
WHEREAS, on November 29, 2007, the Unified Government adopted Ordinance No. O-100-07 approving the First Amended Project Plan; and

WHEREAS, an Amended and Restated STAR Bond District Plan dated July 8, 2014 (the “Amended STAR Bond District Plan”) has been filed with the Clerk, which Amended STAR Bond District Plan would expand the Original District to add additional property (the “Expanded STAR Bond District”) and would divide the Expanded STAR Bond District into five project areas; and

WHEREAS, a Second Amended and Restated STAR Bond Project Plan (Village East Project Plan – Project Area 1) dated July 8, 2014 was filed with the Unified Government Clerk, as amended (the “Project Area 1 Plan”); and

WHEREAS, a STAR Bond Project Plan (Village East Project Plan – Project Area 2) dated July 8, 2014 was filed with the Unified Government Clerk, as amended (the “Project Area 2 Plan”); and

WHEREAS, a STAR Bond Financing Project Plan (Village East Project Plan – Project Area 4) dated July 8, 2014 was filed with the Unified Government Clerk, as amended (the “Project Area 4 Plan”); and

WHEREAS, on July 14, 2014 the Planning Commission of the Unified Government made a finding that the Project Area 1 Plan, Project Area 2 Plan and Project Area 4 Plan were each consistent with the intent of the City's comprehensive plan for the development of the City; and

WHEREAS, in accordance with the Act, on August 28, 2014 the governing body of the Unified Government held a public hearing to consider approval of the Expanded STAR Bond District, and adoption of the Amended STAR Bond District Plan, Project Area 1 Plan, Project Area 2 Plan, and Project Area 4 Plan, after proper notice of such public hearing in accordance with the Act; and

WHEREAS, on August 28, 2014 the governing body of the Unified Government passed Ordinance No. O-47-14 that approved of the Expanded STAR Bond District, and adopted the Amended STAR Bond District Plan, Project Area 1 Plan, Project Area 2 Plan, and Project Area 4 Plan and such ordinance was published on September 4, 2014; and

WHEREAS, a First Amended and Restated STAR Bond District Plan dated June 23, 2015 (the “First Amended STAR Bond District Plan”) was filed with the Unified Government Clerk on June 24, 2015, which First Amended STAR Bond District Plan would divide Project Area 2 into Project Area 2A and Project Area 2B; and

WHEREAS, a First Amended and Restated STAR Bond Project Plan (Village East Project Plan – Project Area 2A) dated June 23, 2015 was filed with the Unified Government Clerk on June 24, 2015 (the “Project Area 2A Plan”); and

WHEREAS, in accordance with the Act as a substantial change, the governing body of the City wishes to hold a public hearing to consider adoption of the First Amended STAR Bond District Plan and Project Area 2A Plan, and the governing body shall provide notice of such public hearing in accordance with the Act; and

WHEREAS, at the public hearing a representative of the Unified Government shall present the proposed First Amended STAR Bond District Plan and the Project Area 2A Plan and all interested persons shall be given an opportunity to be heard; and
WHEREAS, following the conclusion of such public hearing, the governing body may adopt the First Amended STAR Bond District Plan by ordinance upon a majority vote, and the governing body may adopt the Project Area 2A Plan by ordinance passed upon a 2/3 vote; and

WHEREAS, the City Council desires to establish August 13, 2015 as the date for the public hearing on the First Amended STAR Bond District Plan and the Project Area 2A Plan.

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

Section 1. Consideration of First Amended STAR Bond District Plan and Project Area 2A Plan. The Unified Government is considering the approval of the First Amended STAR Bond District and Project Area 2A Plan, all pursuant to the Act.

Section 2. STAR Bond District. A map and legal description of the STAR Bond District with six project areas is attached hereto as Exhibit A, which is incorporated herein by reference. Also, attached are maps showing the proposed Project Areas 2A and 2B.

Section 3. Proposed Project Area 2A Plan. The proposed Project Area 2A Plan, including a summary of the feasibility study, market study, relocation assistance plan and financial guarantees of the developer and a legal description and map of the area to be redeveloped or developed are public records and are available for public inspection during regular office hours in the office of the Unified Government Clerk, Municipal Office Building, 701 North 7th Street, Kansas City, Kansas.

Section 4. Public Hearing. Notice is hereby given that a public hearing will be held by the Commission to consider the approval of the First Amended STAR Bond District Plan and the adoption of the Project Area 2A Plan on August 13, 2015, at the Commission Meeting Room, located at Municipal Office Building, 701 North 7th Street, Kansas City, Kansas, the public hearing to commence at 7:00 p.m. or as soon thereafter as the Commission can hear the matter. At the public hearing, the governing body will receive public comment on the proposed First Amended STAR Bond District Plan and Project Area 2A Plan and may, after the conclusion of such public hearing, consider the findings necessary for approval of the First Amended STAR Bond District Plan and adoption of the Project Area 2A Plan pursuant to the Act.

Section 5. Notice of Public Hearing. The Unified Government Clerk is hereby authorized and directed to provide for notice of the public hearing by taking the following actions:

(a) A copy of this resolution shall be mailed by United States certified mail, return receipt requested, within 10 days of this date to:

(i) the Board of County Commissioners of Wyandotte County, Kansas;

(ii) the Board of Education of U.S.D. No. 500 and U.S.D. 203;

(iii) each owner and occupant of land within the proposed Expanded STAR Bond District.
(b) This resolution, specifically including Exhibits A and B attached hereto, shall be published once in the official newspaper of the Unified Government not less than one week nor more than two weeks preceding the date of the public hearing.

Section 6. Further Action. The Mayor/CEO, County Manager, Unified Government Clerk and other officials and employees of the Unified Government, including the County Attorney, and Gilmore & Bell, P.C., Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this resolution.

Section 7. Effective Date. This resolution shall be effective upon its adoption by the Commission of the Unified Government of Wyandotte County/Kansas City, Kansas.

ADOPTED by the Commission of the Unified Government of Wyandotte County/Kansas City, Kansas on July 9, 2015.

[SEAL]

_________________________
Mayor/CEO

Attest:

_________________________
Unified Government Clerk
EXHIBIT A

MAP AND LEGAL DESCRIPTION OF EXPANDED STAR BOND DISTRICT
AND PROJECT AREAS 1-5

Village East Star Bond Project District
Overall Star Bond Project Areas 1 thru 5 Description:

Part of platted and unplatted land in Section 01, Township 11 South, Range 23 East, Section 02, Township 11 South, Range 23 East, Section 11, Township 11 South, Range 23 East, Section 12, Township 11 South, Range 23 East, Section 35, Township 10 South, Range 23 East, Section 36, Township 10 South, Range 23 East, Section 6, Township 11 South, Range 24 East, and Section 7, Township 11 South, Range 24 East, all being in Kansas City, Wyandotte County, Kansas and being more particularly described as follows:

Star Bond Project Area 1
Part of Lot 1, Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, along with a portion of unplatted land, all being in the Southeast Quarter of Section 1, Township 11 South, Range 23 East, being more particularly described as follows: BEGINNING at the Northwest corner of the Southeast Quarter of said Section 1, Township 11 South, Range 23 East; thence North 87 degrees 30 minutes 09 seconds East, along the North line of said Southeast Quarter, a distance of 1,003.58 feet; thence South 00 degrees 00 minutes 00 seconds East, departing the North line of said Southeast Quarter, a distance of 685.13 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 696.01 feet; thence South 69 degrees 44 minutes 32 seconds East, a distance of 730.33 feet, to a point on the Easterly line of said Lot 1; thence North 87 degrees 45 minutes 28 seconds, along the Easterly line of said Lot 1, a distance of 272.37 feet, to a point on the West Right-of-Way line of N. 94th Street, as now established; thence South 02 degrees 14 minutes 32 seconds East, continuing along the Easterly line of said Lot 1, and along the West Right-of-Way line of said N. 94th Street, a distance of 910.24 feet; thence South 87 degrees 45 minutes 28 seconds West, continuing along the Easterly line of said Lot 1, and along the West Right-of-Way line of said N. 94th Street, a distance of 15.00 feet; thence South 02 degrees 14 minutes 32 seconds East, continuing along the Easterly line of said Lot 1, and along the West Right-of-Way line of said N. 94th Street, a distance of 645.04 feet to the point of intersection of the West Right-of-Way line said N. 94th Street and the North Right-of-Way line of State Avenue, as now established; thence South 53 degrees 02 minutes 04 seconds West, continuing along the Easterly line of said Lot 1, and along the North Right-of-Way line of said State Avenue, a distance of 61.51 feet; thence South 87 degrees 42 minutes 57 seconds West, along the South line of said Lot 1 and along the North Right-of-Way line of said State Avenue, a distance of 881.99 feet; thence North 64 degrees 32 minutes 17 seconds West, continuing along the South line of said Lot 1 and along the North Right-of-Way line of said State Avenue, a distance of 13.73 feet; thence in a Westerly direction, departing the South line of said Lot 1, and continuing along the North Right-of-Way line of said State Avenue, to a point of intersection of the South Right-of-Way line of said State Avenue and the South line of said Lot 1; thence South 87 degrees 42 minutes 57 seconds West, along the South line of said Lot 1 and continuing along the North Right-of-Way line of said State Avenue, a distance of 61.75 feet, to the point of intersection of the North Right-of-Way line of said State Avenue and the Northeasterly Right-of-Way line of N. 98th Street, as now established; thence North 02 degrees 18 minutes 50 seconds West, departing the North Right-of-Way line of said State Avenue and along the Northeasterly Right-of-Way line of said N. 98th Street and continuing along the Southerly line of said Lot 1, a distance of 65.74 feet, to a point of curvature; thence Northerly, Northwesterly and Westerly, continuing along the Northeasterly Right-of-Way line of said N. 98th Street and along the Southerly line of said Lot 1 and along a curve to the left, having a radius of 575.00 feet and a central angle of 96 degrees 39 minutes 25 seconds, an arc length of 970.01 feet; thence North 00 degrees 00 minutes 00 seconds East, departing the Northeasterly Right-of-Way line of said N. 98th Street and the Southerly line of said Lot 1, a distance of 681.26 feet; thence North 78 degrees 38 minutes 12 seconds West, a distance of 570.99 feet, to a point on the West line of the
Southeast Quarter of said Section 1; thence North 02 degrees 20 minutes 41 seconds West, along the West line of the Southeast Quarter of said Section 1, a distance of 1,102.14 feet to the POINT OF BEGINNING.

AND ALSO:

Project Area 2A Description:

All of Lots 1, 4-A, 4-B, 5 and 6 Legends Auto Plaza, a subdivision in Kansas City, Wyandotte County, Kansas.

Project Area 2B Description:

Part of Lots 1, 2 and all of Tract B, Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas; All of Legends Auto Plaza, a subdivision in Kansas City, Wyandotte County, Kansas; along with a portion of unplatted land, all being in Sections 1, Township 11 South, Range 23 East, and that part of Section 12, Township 11 South, Range 23 East, all being more particularly described as follows:

BEGINNING at the Northeast corner of the Southwest Quarter of said Section 1, Township 11 South, Range 23 East; thence South 02 degrees 20 minutes 41 seconds East, along the East line of said Southwest Quarter, a distance of 49.99 feet, to a point on the South Right-of-Way line of France Family Drive, as now established; thence South 87 degrees 20 minutes 51 seconds West, along the South Right-of-Way line of said France Family Drive, a distance of 281.92 feet, to a point on a non-tangent curve; thence Southwesterly, departing the South Right-of-Way line of said France Family Drive, and along a curve to the right, whose initial tangent bearing is South 44 degrees 08 minutes 09 seconds West, having a radius of 650.00 feet, and a central angle of 28 degrees 36 minutes 27 seconds, an arc length of 324.54 feet, to a point of tangency; thence South 72 degrees 44 minutes 36 seconds West, a distance of 346.32 feet, to a point of curvature; thence Southwesterly, Southerly and Southeasterly, along a curve to the left, having a radius of 500.00 feet and a central angle of 92 degrees 50 minutes 42 seconds, an arc length of 810.22 feet, to a point on the Northeasterly Right-of-Way line of N. 98th Street, as now established, said point also being on the Westerly line of said Lot 2, said point also being a point of tangency; thence South 20 degrees 06 minutes 06 seconds East, along the Northeasterly Right-of-Way line of said N. 98th Street and along the Westerly line of said Lot 2, a distance of 253.32 feet, to a point of curvature; thence Southeasterly, continuing along the Northeasterly Right-of-Way line of said N. 98th Street and along the Westerly line of said Lot 2, and along a curve to the left, having a radius of 725.00 feet and a central angle of 27 degrees 18 minutes 33 seconds, an arc length of 345.56 feet, to a point of tangency; thence South 47 degrees 24 minutes 39 seconds East, continuing along the Northeasterly Right-of-Way line of said N. 98th Street and along the Westerly line of said Lot 2, and along the Southerly line of said Lot 1, a distance of 624.55 feet, to a point of curvature; thence Southeasterly, Easterly and Northeasterly, continuing along the Northeasterly Right-of-Way line of said N. 98th Street and along the Southerly line of said Lot 1, and along a curve to the left, having a radius of 675.00 feet and a central angle of 76 degrees 58 minutes 27 seconds, an arc length of 906.83 feet, to a point of reverse curvature; thence Northeasterly, Easterly, Southeasterly and Southerly, continuing along the Northeasterly Right-of-Way line of said N. 98th Street and along the Southerly line of said Lot 1, and along a curve to the right, having a radius of 575.00 feet and a central angle of 122 degrees 03 minutes 50 seconds, an arc
length of 1,224.99 feet, to a point of tangency; thence South 02 degrees 19 minutes 17 seconds East, continuing along the Northeasterly Right-of-Way line of said N. 98th Street and along the Southerly line of said Lot 1, a distance of 65.73 feet, to the point of intersection of the Northeasterly Right-of-Way line of said N. 98th Street and the North Right-of-Way line of State Avenue, as now established; thence North 87 degrees 42 minutes 57 seconds East, continuing along the Southerly line of said Lot 1 and along the North Right-of-Way line of said State Avenue, a distance of 61.74 feet, to the point of intersection of the North Right-of-Way line of said State Avenue and the Southerly line of said Lot 1, lying on the West side of an unplatted piece of land; thence Southerly, departing the Southerly line of said Lot 1, and continuing along the North Right-of-Way line of said State Avenue; thence Easterly, continuing along the North Right-of-Way line of said State Avenue, to the point of intersection of the North Right-of-Way line of said State Avenue and the Southerly line of said Lot 1, lying on the East side of an unplatted piece of land; thence South 64 degrees 52 minutes 17 seconds East, continuing along the North Right-of-Way line of said State Avenue and the Southerly line of said Lot 1, a distance of 13.73 feet; thence North 87 degrees 42 minutes 57 seconds East, continuing along the North Right-of-Way line of said State Avenue and the Southerly line of said Lot 1, a distance of 881.99 feet; thence North 53 degrees 02 minutes 04 seconds East, continuing along the North Right-of-Way line of said State Avenue and the Southerly line of said Lot 1, a distance of 61.51 feet, to the point of intersection of the North Right-of-Way line of said State Avenue and the West Right-of-Way line of N. 94th Street, as now established; thence Southerly, departing the North Right-of-Way line of said State Avenue, to the point of intersection of the West Right-of-Way line of said N. 94th Street and the South Right-of-Way line of said State Avenue; thence Westerly, along the South Right-of-Way line of said State Avenue to the point of intersection of the South Right-of-Way line of said State Avenue and the Easterly Right-of-Way line of Interstate Highway No. 435, as now established; thence Northerly, departing the South Right-of-Way line of said State Avenue and along the Easterly Right-of-Way line of said Interstate Highway No. 435 to the Point of intersection of the Easterly Right-of-Way line of said Interstate Highway No. 435 and the North Right-of-Way line of said State Avenue, said point also being the Southwesterly corner of Tract A of said Schlitterbahn Vacation Village; thence South 86 degrees 36 minutes 43 seconds East, along the North Right-of-Way line of said State Avenue and the South line of said Tract A, a distance of 246.20 feet; thence South 77 degrees 39 minutes 21 seconds East, continuing along the North Right-of-Way line of said State Avenue and the South line of said Tract A, a distance of 92.23 feet; thence North 87 degrees 42 minutes 57 seconds East, continuing along the North Right-of-Way line of said State Avenue and the South line of said Tract A, and along the South line of Lot 3 of said Schlitterbahn Vacation Village, a distance of 925.88 feet to a point of curvature, said point also being the point of intersection of the North Right-of-Way line of said State Avenue and the Southwesterly Right-of-Way line of said N. 98th Street; thence Northeasterly, Northerly and Northwesterly, departing the North Right-of-Way line of said State Avenue, and along the Southwesterly Right-of-Way line of said N. 98th Street, and along the Easterly and Northeasterly line of said Lot 3, and along a curve to the left, having a radius of 182.00 feet and a central angle of 118 degrees 41 minutes 03 seconds, an arc length of 377.00 feet, to a point of compound curvature; thence Northwesterly, Westerly and Southwesterly, continuing along the Southwesterly Right-of-Way line of said N. 98th Street and along the Easterly and Northerly line of said Lot 3, and along a curve to the left, having a radius of 425.00 feet and a central angle of 93 degrees 25 minutes 01 seconds, an arc length of 692.93 feet, to a point of reverse curvature; thence Southwesterly, Westerly and Northwesterly,
continuing along the Southwesterly Right-of-Way line of said N. 98th Street and the Northerly line of said Lot 3 and along the Northerly line of said Tract A, and along a curve to the right, having a radius of 825.00 feet and a central angle of 76 degrees 58 minutes 28 seconds, an arc length of 1,108.35 feet, to a point of tangency; thence North 47 degrees 24 minutes 39 seconds West, continuing along the Southwesterly Right-of-Way line of said N. 98th Street and the Northerly line of said Tract A, a distance of 29.19 feet; thence South 42 degrees 35 minutes 21 seconds West, departing the Southwesterly Right-of-Way line of said N. 98th Street, along the Southeasterly line of said Tract B, and continuing along the Northerly line of said Tract A, a distance of 25.00 feet, to a point on the Easterly Right-of-Way line of said Interstate Highway No. 435, said point also being on the Westerly line of said Tract B; thence North 47 degrees 24 minutes 39 seconds West, along the Easterly Right-of-Way line of said Interstate Highway No. 435 and the Westerly line of said Tract B, a distance of 814.00 feet; thence North 20 degrees 07 minutes 39 seconds West, continuing along the Easterly Right-of-Way line of said Interstate Highway No. 435 and the Westerly line of said Tract B, a distance of 1,498.22 feet to a point on the South line of the Northwest Quarter of said Section 1, said point also being the Southwest corner of said Legends Auto Plaza; thence North 15 degrees 56 minutes 18 seconds West, continuing along the Easterly Right-of-Way line of said Interstate Highway No. 435 and along the West line of said Legends Auto Plaza, a distance of 938.56 feet; thence North 13 degrees 58 minutes 29 seconds East, continuing along the Easterly Right-of-Way line of said Interstate Highway No. 435, and along the West line of said Legends Auto Plaza, a distance of 568.70 feet; thence North 74 degrees 54 minutes 27 seconds West, departing the Easterly Right-of-Way line of said Interstate Highway No. 435 and the West line of said Legends Auto Plaza, a distance of 130.08 feet; thence North 01 degrees 35 minutes 51 seconds West, a distance of 255.72 feet to the Westerly prolongation of the South Right-of-Way line of Parallel Parkway, as now established; thence North 88 degrees 01 minutes 07 seconds East, along the Westerly prolongation of the South Right-of-Way line of said Parallel Parkway, a distance of 370.61 feet, to the point of intersection of the Easterly Right-of-Way line of said Interstate Highway No. 435 and the South Right-of-Way line of said Parallel Parkway, said point also being the Northwest corner of said Legends Auto Plaza; thence North 88 degrees 01 minutes 07 seconds East, along the South Right-of-Way line of said Parallel Parkway, and along the North line of said Legends Auto Plaza, a distance of 150.00 feet; thence South 01 degrees 58 minutes 53 seconds East, continuing along the South Right-of-Way line of said Parallel Parkway, and along the North line of said Legends Auto Plaza, a distance of 10.00 feet; thence North 88 degrees 01 minutes 07 seconds East, continuing along the South Right-of-Way line of said Parallel Parkway, and along the North line of said Legends Auto Plaza, a distance of 140.02 feet; thence North 54 degrees 20 minutes 07 seconds East, continuing along the South Right-of-Way line of said Parallel Parkway and along the North line of said Legends Auto Plaza, and their Northeasterly prolongation, a distance of 72.12 feet; thence North 88 degrees 01 minutes 07 seconds East, a distance of 61.99 feet; thence South 02 degrees 22 minutes 58 seconds East, a distance of 10.00 feet, to a point on the Westerly prolongation of the South Right-of-Way line of said Parallel Parkway and of the North line of said Legends Auto Plaza; thence North 88 degrees 01 minutes 07 seconds East, along said Westerly prolongation and along the South Right-of-Way line of said Parallel Parkway, and along the North line of said Legends Auto Plaza, a distance of 451.28 feet; thence North 89 degrees 11 minutes 40 seconds East, continuing along the South Right-of-Way line of said Parallel Parkway and along the North line of said Legends Auto Plaza, a distance of 243.64 feet; thence North 88 degrees 01 minutes 07 seconds East, continuing along the South Right-of-
Way line of said Parallel Parkway, and along the North line of said Legends Auto Plaza, a distance of 84.91 feet; thence North 82 degrees 59 minutes 09 seconds East, continuing along the South Right-of-Way line of said Parallel Parkway, a distance of 170.99 feet, to a point on the North line of said Lot 1; thence North 88 degrees 01 minutes 07 seconds East, continuing along the South Right-of-Way line of said Parallel Parkway and along the North line of said Lot 1, a distance of 173.97 feet; thence North 88 degrees 00 minutes 23 seconds East, continuing along the South Right-of-Way line of said Parallel Parkway and the North line of said Lot 1, a distance of 183.19 feet; thence South 00 degrees 55 minutes 56 seconds East, departing the South Right-of-Way line of said State Avenue and the North line of said Lot 1, a distance of 582.69 feet; thence South 89 degrees 01 minutes 58 seconds West, a distance of 148.05 feet; thence North 29 degrees 19 minutes 48 seconds West, a distance of 62.94 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 190.36, to a point on a non-tangent curve; thence Southerly, along a curve to the left, whose initial tangent bearing is South 07 degrees 20 minutes 18 seconds East, having a radius of 5,654.58 feet, and a central angle of 06 degrees 19 minutes 32 seconds, an arc length of 624.28 feet, to a point on a non-tangent line; thence North 89 degrees 03 minutes 39 seconds East, a distance of 264.66 feet; thence South 01 degrees 01 minutes 01 seconds East, a distance of 295.50 feet; thence South 89 degrees 01 minutes 58 seconds West, a distance of 195.18 feet, to a point on a non-tangent curve; thence Southerly, along a curve to the right, whose initial tangent bearing is South 13 degrees 19 minutes 19 seconds East, having a radius of 5,804.58 feet and a central angle of 02 degrees 43 minutes 40 seconds, an arc length of 276.34 feet, to a point on a non-tangent line, said point also being on the East line of the Northwest Quarter of said Section 1; thence South 02 degrees 19 minutes 21 seconds East, along the East line of said Northwest Quarter, a distance of 57.88 feet, to the POINT OF BEGINNING.

EXCEPTING therefrom, all of Lots 1, 4-A, 4-B, 5 and 6, of said Legends Auto Plaza.

AND ALSO:

Project Area 3 Description:
Part of Lots 1 and 2, and all of Lot 3 and Tract A, Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas; being in Section 1, Township 11 South, Range 23 East, being more particularly described as follows:

COMMENCING at the Northeast corner of the Southwest Quarter of said Section 1, Township 11 South, Range 23 East; thence South 02 degrees 20 minutes 41 seconds East, along the East line of said Southwest Quarter, a distance of 49.99 feet, to the POINT OF BEGINNING; thence South 02 degrees 20 minutes 41 seconds East, continuing along the East line of said Southwest Quarter, a distance of 1,052.15 feet; thence South 78 degrees 38 minutes 12 seconds East, departing the East line of said Southwest Quarter, a distance of 570.99 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 681.26 feet, to a point on a non-tangent curve, said point also being on the Southerly line of said Lot 1, said point also being on the Northeasterly Right-of-Way line of N. 98th Street, as now established; thence Southwesterly, along the Southerly line of said Lot 1 and the Northeasterly Right-of-Way line of said N. 98th Street, and along a curve to the left, whose initial tangent bearing is South 81 degrees 01 minutes 18 seconds West, having a radius of 575.00 feet, and a central angle of 25 degrees 24 minutes 25 seconds, an arc length of 254.98 feet, to a point of reverse curvature; thence Southwesterly, Westerly and Northwesterly, continuing along the Southerly line of said Lot 1 and the Northeasterly Right-of-Way line of said N. 98th Street, and along a curve to the right, having a radius of 675.00 feet and a central angle of
76 degrees 58 minutes 27 seconds, an arc length of 906.83 feet, to a point of tangency, said point hereinafter referred to as Point "A"; thence North 47 degrees 24 minutes 39 seconds West, continuing along the Southerly line of said Lot 1 and the Northeasterly Right-of-Way line of said N. 98th Street, and along the Southwesterly line of said Lot 2, a distance of 624.55 feet, to a point of curvature; thence Northwesterly, continuing along the Southwesterly line of said Lot 2 and the Northeasterly Right-of-Way line of said N. 98th Street, and along a curve to the right, having a radius of 725.00 feet and a central angle of 27 degrees 18 minutes 33 seconds, an arc length of 345.56 feet, to a point of tangency; thence North 20 degrees 06 minutes 06 seconds West, continuing along the Southwesterly line of said Lot 2 and the Northeasterly Right-of-Way line of said N. 98th Street, a distance of 253.32 feet, to a point of curvature; thence Northwesterly, Northerly and Northeasterly, departing the Southwesterly line of said Lot 2 and the Northeasterly Right-of-Way line of said N. 98th Street, and along a curve to the right, having a radius of 500.00 feet and a central angle of 92 degrees 50 minutes 42 seconds, an arc length of 810.22 feet, to a point of tangency; thence North 72 degrees 44 minutes 36 seconds East, a distance of 346.32 feet, to a point of curvature; thence Northeasterly, along a curve to the left, having a radius of 650.00 feet and a central angle of 28 degrees 36 minutes 27 seconds, an arc length of 324.54 feet, to a point on the South Right-of-Way line of France Family Drive, as now established; thence North 87 degrees 20 minutes 51 seconds East, along the South Right-of-Way line of said France Family Drive, and its Easterly prolongation, a distance of 281.92 feet, to the POINT OF BEGINNING.

AND ALSO:

COMMENCING at the aforementioned Point "A"; thence South 53 degrees 36 minutes 09 seconds West, a distance of 152.81 feet, to a point on the Southwesterly Right-of-Way line of said N. 98th Street, said point also being on the Northerly line of said Tract A, said point also being the POINT OF BEGINNING; thence South 47 degrees 24 minutes 39 seconds East, along the Southwesterly Right-of-Way line of said N. 98th Street and the Northerly line of said Tract A, a distance of 29.19 feet to a point of curvature; thence Southeasterly, Easterly and Northeasterly, along the Southwesterly Right-of-Way line of said N. 98th Street and the Northerly line of said Tract A and the Northerly line of said Lot 3, and along a curve to the left, having a radius of 825.00 feet and a central angle of 76 degrees 58 minutes 28 seconds, an arc length of 1,108.35 feet, to a point of reverse curvature; thence Northeasterly, Easterly and Southeasterly, continuing along the Southwesterly Right-of-Way line of said N. 98th Street and the Northerly and Northeasterly line of said Lot 3, and along a curve to the right, having a radius of 425.00 feet and a central angle of 93 degrees 25 minutes 01 seconds, an arc length of 692.93 feet, to a point of compound curvature; thence Southeasterly, Southerly Southwesterly, and Westerly, continuing along the Southwesterly Right-of-Way line of said N. 98th Street and the Easterly line of said Lot 3, and along a curve to the right, having a radius of 182.00 feet and a central angle of 118 degrees 41 minutes 03 seconds, an arc length of 377.00 feet, to a point of tangency, said point also being the point of intersection of the Southwesterly Right-of-Way line of said N. 98th Street and the North Right-of-Way line of State Avenue, as now established; thence South 87 degrees 42 minutes 57 seconds West, along the North Right-of-Way line of said State Avenue and the South line of said Lot 3 and Tract A, a distance of 925.88 feet; thence North 77 degrees 39 minutes 21 seconds West, continuing along the North Right-of-Way line of said State Avenue and the South line of said Tract A, a distance of 92.23 feet; thence North 86 degrees 36 minutes 43 seconds West, continuing along the North Right-of-Way line of said State Avenue and the South line of said Tract A, a distance of 246.20 feet, to the point of intersection of the North Right-of-Way line of said State Avenue and the Easterly Right-of-Way line of Interstate Highway No. 435; thence North 27 degrees 56 minutes 39 seconds West, departing the North Right-of-Way line of said State Avenue, and along the Easterly Right-of-Way line of said Interstate Highway No. 435 and the Westerly line of said Tract A, a distance of 549.00 feet; thence North 42 degrees 35 minutes 21 seconds East, departing the Easterly Right-of-Way line of said Interstate Highway No. 435, and along the Westerly line of said Tract A, a distance of 25.00 feet, to the POINT OF BEGINNING.
AND ALSO:

Project Area 4 Description:
Part of platted and unplatted land in Section 01, Township 11 South, Range 23 East, Section 02, Township 11 South, Range 23 East, Section 11, Township 11 South, Range 23 East, Section 12, Township 11 South, Range 23 East, Section 35, Township 10 South, Range 23 East, Section 36, Township 10 South, Range 23 East, Section 6, Township 11 South, Range 24 East, and Section 7, Township 11 South, Range 24 East, all being in Kansas City, Wyandotte County, Kansas and being more particularly described as follows:
COMMENCING at the Northwest corner of the Northeast Quarter of said Section 1, Township 11 South, Range 23 East; thence South 01 degrees 58 minutes 52 seconds East, a distance of 50.00 feet, to a point on the South Right-of-Way line of Parallel Parkway, as now established, said point also being on the North line of Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, said point also being the POINT OF BEGINNING; thence South 88 degrees 01 minutes 07 seconds West, along the South Right-of-Way line of said Parallel Parkway and the North line of said Schlitterbahn Vacation Village, a distance of 173.97 feet; thence South 82 degrees 59 minutes 09 seconds West, continuing along the South Right-of-Way line of said Parallel Parkway and the North line of said Schlitterbahn Vacation Village, a distance of 170.99 feet; thence South 88 degrees 01 minutes 07 seconds West, continuing along the South Right-of-Way line of said Parallel Parkway and the North line of said Schlitterbahn Vacation Village, a distance of 84.91 feet; thence South 89 degrees 14 minutes 18 seconds West, continuing along the South Right-of-Way line of said Parallel Parkway and the North line of said Schlitterbahn Vacation Village, a distance of 234.91 feet; thence South 88 degrees 01 minutes 07 seconds West, continuing along the South Right-of-Way line of said Parallel Parkway and the North line of said Schlitterbahn Vacation Village, and along the North line of Laffoons Lakeview, a subdivision in Kansas City, Wyandotte County, Kansas, a distance of 460.02 feet; thence North 02 degrees 22 minutes 58 seconds West, continuing along the South Right-of-Way line of said Parallel Parkway, a distance of 10.00 feet; thence South 88 degrees 01 minutes 07 seconds West, continuing along the South Right-of-Way line of said Parallel Parkway, a distance of 42.17 feet; thence South 54 degrees 19 minutes 23 seconds West, continuing along the South Right-of-Way line of said Parallel Parkway, a distance of 72.10 feet; thence South 88 degrees 01 minutes 07 seconds West, continuing along the South Right-of-Way line of said Parallel Parkway and the West Right-of-Way line of said Interstate Highway No. 435, as now established; thence Westerly to the point of intersection of the South Right-of-Way line of said Parallel Parkway and the West Right-of-Way line of said Interstate Highway No. 435; thence Southeasterly, along the West Right-of-Way line of said Interstate Highway No. 435, to the point of intersection of the West Right-of-Way line of said Interstate Highway No. 435 and the Northerly Right-of-Way line of State Avenue, as now established; thence Southerly, continuing along the West Right-of-Way line of said Interstate Highway No. 435, to the point of intersection of the West Right-of-Way line of said Interstate Highway No. 435 and the South Right-of-Way line of said State Avenue; thence Westerly, along the South Right-of-Way line of said State Avenue, to the point of intersection of the South Right-of-Way line of said State Avenue and the Easterly Right-of-Way line of Village West Parkway, as now established; thence Northwesterly to the point of intersection of the Southwesterly Right-of-Way line of said State Avenue and the Westerly Right-of-Way line of said Village West Parkway; thence Northerly to the point of intersection of the Northeasterly Right-of-Way line of said State Avenue and the Westerly Right-of-Way line of said Village West Parkway; thence Northwesterly then Westerly, along the Northeasterly and Northerly Right-of-Way line of said State Avenue, to the point of intersection of the Northerly Right-of-Way line of said State Avenue and the East Right-of-Way line of 110th Street, as now established; thence Northerly, along the East Right-of-Way line of said 110th Street, to the point of intersection of the East Right-of-Way line of said 110th Street and the South Right-of-Way line of said Parallel Parkway; thence Easterly, along the South Right-of-Way line of said Parallel Parkway, to the point of intersection of the South Right-of-Way line of said Parallel Parkway and the Southerly prolongation of the East line of
Parallel Heights, a subdivision in Kansas City, Wyandotte County, Kansas; thence Northerly, along said Southerly prolongation and along the East line of said Parallel Heights, to the point of intersection of the North Right-of-Way line of said Parallel Parkway and the West Right-of-Way line of said Interstate Highway No. 435; thence Easterly, to the point of intersection of the North Right-of-Way line of said Parallel Parkway and the East Right-of-Way line of said Interstate Highway No. 435; thence Easterly, along the North Right-of-Way line of said Parallel Parkway, to the point of intersection of the North Right-of-Way line of said Parallel Parkway and the Northerly prolongation of the East Right-of-Way line of N. 94th Street, as now established; thence Southerly, along said Northerly prolongation and along the East Right-of-Way line of said N. 94th Street, to the point of intersection of the East Right-of-Way line of said N. 94th Street and the North line of the Southwest Quarter of said Section 6, Township 11 South, Range 24 East; thence Easterly, along the North line of said Southwest Quarter to the point of intersection of the North line of said Southwest Quarter and the West Right-of-Way line of N. 90th Street, as now established; thence Southerly, along the West Right-of-Way line of said N. 90th Street, to the Northeast corner of Parcel No. 938501; thence Westerly, along the North line of said Parcel No. 938501, to the Northwest corner thereof; thence Southerly, along the West line of Parcel Nos. 938501 thru 938508, to the Southwest corner of said Parcel No. 938508, said point also being on the North Right-of-Way line of said State Avenue; thence Easterly, along the North Right-of-Way line of said State Avenue, to the point of intersection of the North Right-of-Way line of said State Avenue and the West Right-of-Way line of said N. 90th Street; thence Easterly to the point of intersection of the North Right-of-Way line of said State Avenue and the East Right-of-Way line of said N. 90th Street; thence Southerly, to the point of intersection of the East Right-of-Way line of said N. 90th Street and the South Right-of-Way line of said State Avenue; thence Westerly, along the South Right-of-Way line of said State Avenue, to the point of intersection of the Westerly prolongation of the South Right-of-Way line of said State Avenue and the West Right-of-Way line of said N. 94th Street; thence Northerly, to the point of intersection of the West Right-of-Way line of said N. 94th Street and the South Right-of-Way line of said State Avenue; thence Northerly, to the point of intersection of the West Right-of-Way line of said N. 94th Street and the North Right-of-Way line of said State Avenue, said point also being on the East line of said Schlitterbahn Vacation Village; thence North 02 degrees 14 minutes 32 seconds West, along the West Right-of-Way line of said N. 94th Street and the East line of said Schlitterbahn Vacation Village, a distance of 645.04 feet; thence North 02 degrees 14 minutes 32 seconds West, along the West Right-of-Way line of said N. 94th Street and the East line of said Schlitterbahn Vacation Village, a distance of 15.00 feet; thence North 02 degrees 14 minutes 32 seconds West, continuing along the West Right-of-Way line of said N. 94th Street and the East line of said Schlitterbahn Vacation Village, a distance of 910.24 feet, to the point of intersection of the East line of said Schlitterbahn Vacation Village and the West Right-of-Way line of said N. 94th Street at the Southeast corner of an unplatted tract of land; thence Northerly, departing the East line of said Schlitterbahn Vacation Village, and continuing along the West Right-of-Way line of said N. 94th Street, and along the East line of an unplatted tract of land and along the East line of Shepherd Hills, a subdivision in Kansas City, Wyandotte County, Kansas, to the point of intersection of the East line of said Schlitterbahn Vacation Village and the West Right-of-Way line of said N. 94th Street, thence North 02 degrees 11 minutes 59 seconds West, along the East line of said Schlitterbahn Vacation Village and continuing along the West Right-of-Way line of said N. 94th Street, a distance of 50.00 feet, to the point of intersection of the East line of said Schlitterbahn Vacation Village and the West Right-of-Way line of said N. 94th Street; thence Northerly, departing the East line of said Schlitterbahn Vacation Village, and continuing along the West Right-of-Way line of said N. 94th Street, and along the East line of replat of Lots 5 to 37, Shepherd Hills, a subdivision in Kansas City, Wyandotte County, Kansas, and along the East line of unplatted tracts of land, to the point of intersection of the West Right-of-Way line of said N. 94th Street and the South Right-of-Way line of said Parallel Parkway; thence Westerly, along the South Right-of-Way line of said Parallel Parkway, to the point of intersection of South Right-of-Way line of said Parallel Parkway and the North line of said Schlitterbahn Vacation Village at the Northwest corner of an unplatted tract of land; thence South 02 degrees 11 minutes 59 seconds East, departing the South Right-of-Way line of said Parallel Parkway, and along the East line of
said Schlitterbahn Vacation Village, a distance of 245.05 feet; thence South 62 degrees 48 minutes 12 seconds West, departing the East line of said Schlitterbahn Vacation Village, a distance of 301.92 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 181.85 feet; thence South 34 degrees 59 minutes 43 seconds West, a distance of 207.82 feet; thence South 00 degrees 00 minutes 00 seconds East, a distance of 492.40 feet; thence South 75 degrees 42 minutes 31 seconds West, a distance of 930.96 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 770.80 feet; thence North 01 degrees 01 minutes 01 seconds West, a distance of 258.55 feet; thence South 89 degrees 03 minutes 39 seconds West 264.66 feet, to a point on a non-tangent curve; thence Northerly, along a curve to the right, whose initial tangent bearing is North 13 degrees 39 minutes 50 seconds West, having a radius of 5,654.58 feet and a central angle of 06 degrees 19 minutes 32 seconds, an arc length of 624.28 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 190.36 feet; thence South 29 degrees 19 minutes 48 seconds East, a distance of 62.94 feet; thence North 89 degrees 01 minutes 58 seconds East, a distance of 148.05 feet; thence North 00 degrees 55 minutes 56 seconds West, a distance of 582.69 feet, to a point on the North line of said Schlitterbahn Vacation Village, said point also being on the South Right-of-Way line of said Parallel Parkway; thence South 88 degrees 00 minutes 23 seconds West, along the North line of said Schlitterbahn Vacation Village and the South Right-of-Way line of said Parallel Parkway, a distance of 183.19 feet, to the POINT OF BEGINNING.

EXCEPTING therefrom Lots 1 thru 16, Lots 23 thru 34 and Lot 107, San Marcos Village Addition, a subdivision in Kansas City, Wyandotte County, Kansas, AND ALSO EXCEPTING Parcel Nos. 938509 and 938510.

AND ALSO:

**Project Area 5 Description:**
Part of Lot 1, Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas, along with a portion of unplatted land, all being in Section 1, Township 11 South, Range 23 East, being more particularly described as follows:
BEGINNING at the Southwest corner of the Northeast Quarter of said Section 1, Township 11 South, Range 23 East; thence North 02 degrees 19 minutes 21 seconds West, along the West line of said Northeast Quarter, a distance of 57.88 feet; thence North 11 degrees 57 minutes 29 seconds West, departing the West line of said Northeast Quarter, a distance of 276.31 feet; thence North 89 degrees 01 minutes 58 seconds East, a distance of 195.18 feet; thence North 01 degrees 01 minutes 01 seconds West, a distance of 36.96 feet; thence North 90 degrees 00 minutes 00 seconds East, a distance of 770.80 feet; thence North 75 degrees 42 minutes 31 seconds East, a distance of 930.96 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 492.40 feet; thence North 34 degrees 59 minutes 43 seconds East, a distance of 207.82 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 181.85 feet; thence North 62 degrees 48 minutes 12 seconds East, a distance of 301.92 feet, to a point on the Easterly line of said Schlitterbahn Vacation Village; thence North 02 degrees 11 minutes 59 seconds West, along the Easterly line of said Schlitterbahn Vacation Village, a distance of 245.05 feet, to the point of intersection of the Easterly line of said Schlitterbahn Vacation Village and the South Right-of-Way line of Parallel Parkway, as now established; thence Easterly, along the South Right-of-Way line of said Parallel Parkway, to the point of intersection of the South Right-of-Way line of said Parallel Parkway and the West Right-of-Way line of N. 94th Street, as now established; thence Southerly, along the West Right-of-Way line of said N. 94th Street and along the East line of an unplatted tract of land and along the East line of Replat of Lots 5 to 37, Shepherd Hills, a subdivision in Kansas City, Wyandotte County, Kansas, to the point of intersection of the West Right-of-Way line of said N. 94th Street and the Easterly line of said Schlitterbahn Vacation Village; thence South 02 degrees 11 minutes 59 seconds East, continuing along the West Right-of-Way line of said N. 94th Street, and along the East line of said Schlitterbahn Vacation Village, a distance of 50.00 feet, to the point of intersection of the Easterly line of said Schlitterbahn Vacation Village and the West Right-of-Way line of said N. 94th Street; thence Southerly, departing the East line of said Schlitterbahn Vacation Village, and continuing along the West
Right-of-Way line of said N. 94th Street and along the East line of Shepherd Hills, a subdivision in Kansas City, Wyandotte County, Kansas, and along an unplatted tract of land, to the point of intersection of the East line of said Schlitterbahn Vacation Village and the West Right-of-Way line of said N. 94th Street, at the Southeast corner of an unplatted tract of land; thence South 87 degrees 45 minutes 28 seconds West, departing the West Right-of-Way line of said N. 94th Street, and along the Easterly line of said Schlitterbahn Vacation Village, a distance of 272.37 feet; thence North 69 degrees 44 minutes 32 seconds West, departing the Easterly line of said Schlitterbahn Vacation Village, a distance of 730.33 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 696.01 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 685.13 feet, to a point on the North line of the Southeast Quarter of said Section 1; thence South 87 degrees 30 minutes 09 seconds West, along the North line of the Southeast Quarter of said Section 1, a distance of 1,003.58 feet, to the POINT OF BEGINNING.
FIRST AMENDMENT TO AMENDED AND RESTATED
VACATION VILLAGE DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO AMENDED AND RESTATED VACATION VILLAGE DEVELOPMENT AGREEMENT (the "Amendment") is made as of the ___ day of __________, 2015 (the "Effective Date") between the Unified Government of Wyandotte County/Kansas City, Kansas (the "UG"), and SVV I, LLC, a Kansas limited liability company ("SVV").

RECITALS:

A. On December 20, 2005 the UG and SVV entered into that certain Vacation Village Development Agreement, as subsequently amended (the "Original Development Agreement").

B. On October 20, 2005, in accordance with and pursuant to the Kansas Tax Increment Financing Act, K.S.A. 12-1770, et seq., as amended, the predecessor of the Kansas STAR Bond Financing Act, K.S.A. 12-17,160 et seq. (the "Act"), the UG duly adopted Ordinance No. 0-76-05, which created the Vacation Village Redevelopment District (the "Original District"), within Kansas City, Kansas (the "City"), the boundaries of which were defined in said Ordinance, and contained a general development plan for the Original District (the "Original District Plan"). On November 29, 2007, the UG adopted a project plan for the sole redevelopment project area within the Original District (the "Original Project Plan"), which was subsequently amended and restated.

C. On August 28, 2014, the UG duly adopted Ordinance 47-14 (the "2014 Ordinance"), which amended and restated the Original District and Original District Plan (the "Amended District Plan"), to expand the boundaries of the Original District and to include five (5) distinct Project Areas (each referred to herein as a "Project Area" and collectively referred to herein as the "Project Areas"). The amended and restated Vacation Village STAR Bond Project District (the "District") contains all of the same real property that was included in the Original District – approximately 380 acres, bounded on the west by Interstate 435, on the south by State Avenue, on the north by Parallel Parkway and on the east by the east right-of-way line of 94th Street, plus certain real property located east of N. 94th Street for the Tournament Fields (as defined in Section 2.2.2(a)(iv) of the Amended & Restated Development Agreement (as defined below)) and to create an overlay district on top of a portion of the currently-existing STAR Bond district covering the Village West development.

D. The Amended District Plan calls for the design, development and construction of the following improvements and amenities within the five (5) respective Project Areas: a Schlitterbahn waterpark (the "Waterpark"), with the potential for other future commercial uses ("Project Area 1"); an automotive plaza consisting of at least four (4) automobile dealerships, four (4) restaurant pad sites, a convenience store and an approximately 150-room, extended-stay hotel ("Project Area 2"); approximately 400,000 square feet of entertainment/retail facilities ("Project Area 3"); and the potential for various types of lodging facilities in the future ("Project Area 5"). Additionally, one of the Project Areas that is not governed by the terms and conditions of this Agreement, but is expected to include a U.S. Soccer training and coaching facility and a tournament fields complex ("Project Area 4"). All of these improvements and Project Areas are described in further detail in Section 2.2 of the Amended & Restated Development Agreement (as defined below).

1 The UG’s original creation of the STAR Bond project district was as a "Redevelopment District" under the Kansas Tax Increment Financing Act, K.S.A. 12-1770, et seq., as amended. After creation of the Vacation Village Redevelopment District, the Kansas Legislature moved the relevant statutory provisions to the Kansas STAR Bonds Financing Act, K.S.A. 12-17, 160, et seq. (the "Act"), and the terminology for such a district under the Act changed to "STAR Bond project district," rather than "redevelopment district."
E. On August 28, 2014, the Unified Government duly adopted 2014 Ordinance, which (among other things) adopted the STAR Bond Project Plan for Project Area 2 within the District ("Original Auto Plaza Project Plan"). The Original Auto Plaza Project Plan calls for SVV, along with its tenants and transferees, to design, develop, complete and operate a nine (9) lot automotive plaza to be occupied by between four (4) and seven (7) automobile dealerships, an approximately 150-room, extended-stay hotel, four (4) restaurant pad sites, and a convenience store (as more fully described in Section 2.2 of the Amended & Restated Development Agreement) along with other related infrastructure and amenities (collectively, the "Auto Plaza Project").

F. In conjunction therewith, the UG and SVV entered into that certain Amended and Restated Vacation Village Development Agreement dated August 28, 2014 (the "Amended & Restated Development Agreement").

G. On __________ 2015, the UG duly adopted Ordinance ___-__ (the "2015 Ordinance"), which amended the Amended District Plan (the "Second Amended District Plan"), to divide Project Area 2 into two separate project areas — "Project Area 2A" and "Project Area 2B." which provides for the Auto Plaza Project to be divided into two parts — with certain portions of the Auto Plaza Project being located in Project Area 2A and the balance of the Auto Plaza Project to be located in Project Area 2B, as more fully described herein.

H. On __________ 2015, by adoption of the 2015 Ordinance, the UG approved the Amended and Restated STAR Bond Project Plan for Project Area 2A as the STAR Bond Project Plan for Project Area 2A (the "Auto Plaza – Phase 1 Project Plan").

I. Additionally, Sections 4.2 and 4.3 of the Amended & Restated Development Agreement contemplated a single STAR Bond issuance and a single Closing; however, the parties have now agreed to two (2) separate, phased STAR Bond issuances — a STAR Bond issuance and a Closing for Project Areas 1 and 2A (the "First Closing") and a second, subsequent STAR Bond issuance and closing for Project Area 2B (the "Second Closing"), subject to the terms and conditions more fully set forth herein.

J. Capitalized terms used but not defined in this Amendment shall have the respective meanings set forth in the Amended & Restated Development Agreement.

K. The parties desire to further modify the Amended & Restated Development Agreement as provided herein.

AGREEMENT

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the UG and SVV hereby agree as follows:

1. CHANGES TO REFLECT SEPARATION OF ORIGINAL PROJECT AREA 2 INTO PROJECT AREAS 2A AND 2B.

   a. References to "Project Area 2" in the Amended & Restated Development Agreement. References in the Amended & Restated Development Agreement to "Project Area 2" shall be interpreted to be inclusive of Project Areas 2A and 2B, unless otherwise specifically stated herein.

   b. Location of Project Area 2 Improvements. The parties hereby agree that (i) Project Area 2A shall include four (4) of the Auto Dealerships, the C-Store and the two (2) Restaurant Pads located on the west side of 98th Street, and (ii) Project Area 2B shall include the remaining Auto Dealerships, the Extended Stay Hotel, and the two (2) Restaurant Pads on the east side of 98th Street. Notwithstanding anything set forth in...
Section 2.2(a)(ii) of the Original Development to the contrary, the parties hereby understand and agree that Auto Plaza Project uses set forth above may only be modified or amended by SVV with the prior written approval of the UG's County Administrator.

c. Conditions to First Closing. The parties hereby understand and agree that all of the conditions set forth in Section 3.1 of the Amended & Restated Development Agreement shall be applicable to the First Closing, with the following modifications to certain conditions:

i. Section 3.1(b) of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

“The UG shall have adopted and approved the Waterpark Project Plan as provided in Recital E of this Agreement and the Auto Plaza – Phase 1 Project Plan as provided in Recital F of this Agreement.”

ii. Section 3.1(c) of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

“The confidential review by the UG’s representatives and the UG’s reasonable satisfaction with the terms and conditions of SVV’s private financing, including evidence that SVV has procured and will, upon the STAR Bond Closing, close on financing transactions for the Private Contribution for the Infrastructure Improvements and its portion of the design and construction work for the portion of the Auto Plaza Project within Project Area 2A, the net proceeds of which, when added to the demonstrable equity commitments of SVV, are sufficient and available to fully fund the costs of such improvements, which will not be paid for with STAR Bonds;”

iii. Section 3.1(e) of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

“SVV shall have obtained rezoning/preliminary development plan and final plat approvals, and shall have constructed the Infrastructure Improvements necessary to make the Auto Plaza Project lots within Project Area 2A Pad Ready (except that if the U.S. Soccer Facility project has not yet committed to move forward in the vicinity of the southeast corner of 98th Street and Parallel Parkway within Project Area 4, then in no event shall Infrastructure Improvements on the east side of 98th Street shall be required for purposes of this subsection (e));”

iv. Section 3.1(g) of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

“If SVV has not already substantially completed the Infrastructure Improvements necessary to make the Auto Plaza Project lots located within Project Area 2A Pad Ready, SVV shall obtain and deliver to the UG (i) the payment and performance bonds described in Section 6.9 hereof, and (ii)
guaranteed maximum price design-build construction contract, related to improvements to be undertaken by SVV (as opposed to its tenants and transferees) within Project Area 2A, with the General Contractor (as defined in Section 6.3) or another contractor with sufficient financial strength, reputation and experience to complete such work in accordance with the agreed-upon construction and completion schedule set forth herein:

d. **Conditions for Second Closing.** The parties hereby understand and agree that the conditions for the Second Closing shall be as follows:

i. The UG shall have adopted and approved a STAR Bond Project Plan for Project Area 2B;

ii. The confidential review by the UG's representatives and the UG's reasonable satisfaction with the terms and conditions of SVV's private financing, including evidence that SVV has procured and will, upon the Second Closing, close on financing transactions for the Private Contribution for the Infrastructure Improvements and its portion of the design and construction work for the portion of the Auto Plaza Project within Project Area 2B, the net proceeds of which, when added to the demonstrable equity commitments of SVV, are sufficient and available to fully fund the costs of such improvements, which will not be paid for with STAR Bonds;

iii. SVV shall have fully executed, commercially reasonable leases and/or purchase and sale agreements for all or a portion of the uses in Project Area 2B and shall have provided the UG's representatives an opportunity to confidentially review such leases and/or purchase and sale agreements to confirm satisfaction of this condition;

iv. SVV shall have obtained rezoning/preliminary development plan and final plat approvals, and shall have constructed the Infrastructure Improvements necessary to make the Auto Plaza Project lots within Project Area 2B Pad Ready;

v. If SVV has not already substantially completed the Infrastructure Improvements necessary to make the Auto Plaza Project lots located within Project Area 2B Pad Ready, SVV shall obtain and deliver to the UG (i) the payment and performance bonds described in Section 6.9 hereof, and (ii) a guaranteed maximum price design-build construction contract, related to improvements to be undertaken by SVV (as opposed to its tenants and transferees) within Project Area 2B, with the General Contractor (as defined in Section 6.3) or another contractor with sufficient financial strength, reputation and experience to complete such work in accordance with the agreed-upon construction and completion schedule set forth herein;

vi. the Kansas Department of Commerce shall have approved the Total Project Budget (attached hereto as **Exhibit 7**), including the line items set forth therein, along with the amount of authorized STAR Bonds, the terms of the STAR Bonds and the costs of issuance for the Second Closing; and
vii. The Second Closing shall occur, if at all, on or before that date which is seven (7) years after the substantial completion and opening of the U.S. Soccer training and coaching facility in Project Area 4.

e. **Amount of STAR Bonds.** Section 4.2(a) of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

"It is contemplated that for the **two (2)** STAR Bond issuances to which STAR Bond revenues from Project Areas 1 and 2A, and 2B will be pledged, which **STAR Bond issuances shall be in simultaneous or phased issuances**, the STAR Bonds described herein shall be sold in an amount which results in a maximum principal amount that yields up to $90,000,000 of Net STAR Bond Proceeds in the aggregate from both STAR Bond issuances, excluding any portion of such STAR Bond Proceeds paid to the UG for the 98th Street Costs and the S Curve Costs, and also exclusive of financing costs, issuance-related fees, and applicable reserves ("Net STAR Bond Proceeds") for use in funding Auto Plaza Project STAR Bond Project Costs as well as the other Eligible STAR Bond Expenses specifically identified in Exhibit 7 attached hereto. The parties hereby agree that, except as specifically set forth in Section 4.2(h) below, in no event shall more STAR Bonds be issued in connection with the Auto Plaza Project than the amount necessary to yield $90,000,000 in Net STAR Bond Proceeds in the aggregate from both STAR Bond issuances, excluding any portion of such proceeds paid to the UG for the 98th Street Costs and the S Curve Costs, and also exclusive of financing costs, issuance-related fees, and applicable reserves. All disbursements of Net STAR Bond Proceeds shall be made only to pay Project Costs which are (i) eligible for payment or reimbursement pursuant to the STAR Bond Act, and (ii) agreed-upon by the parties and identified on Exhibit 7 attached hereto (the "Eligible STAR Bond Expenses"). Among other things, the parties have agreed that no more than $10,000,000 of the site work expenses for the portion of the Auto Plaza Project that is west of 98th Street shall be Eligible STAR Bond Expenses; the balance of such expenses shall be paid for with private funds."

f. **Collection of Incremental Taxes.** Section 4.2(b) of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

"The STAR Bonds shall be paid from (i) incremental State sales and use taxes imposed pursuant to K.S.A. 79-3601 et seq. and 79-3701 et seq. (ii) local sales and use taxes imposed pursuant to K.S.A. 12-187 et seq. consisting of the current City of Kansas City sales tax excluding any local sales tax committed to other uses by election of voters (currently 1%, calculated as the total sales tax rate of 1.625% less the dedicated amounts of 0.25% for emergency medical service and 0.375% for public safety and neighborhood infrastructure) and the UG’s share of the current County’s 1% sales tax (currently 93.98%) and (iii) 7.84% of the current UG’s transient guest tax (i.e., 8% transient guest tax net of the State’s 2% share), all collected within the District (collectively, the "Incremental Taxes") each and every year for a period of twenty (20) years from the approval of the Project Plan for each
respective Project Area. For purposes of illustrative example, the parties hereby agree that (i) the Original Project Plan for Project Area 1 was approved on November 29, 2007 and so the Incremental Taxes shall be collected in Project Area 1 until November 28, 2027; but (ii) the Auto Plaza Project Plan (amended and restated as the Auto Plaza – Phase 1 Project Plan) was approved on August 28, 2014 and so Incremental Taxes shall be collected in Project Area 2A until August 27, 2034. The allocation of Incremental Taxes for Projects Areas 2B, 3, 4 and 5, shall continue until that date which is twenty (20) years from the approval of a project plan for each such respective Project Area. Such Incremental Taxes for Project Areas 1 and 2 shall be measured against the State and local sales and use taxes from a base year which is twelve (12) months immediately prior to the month in which the STAR Bond District was established in October of 2005 (the "Base Year Revenues"). For a period of twenty (20) years from the approval of the Project Plan for each particular Project Area, the UG shall cooperate with the State of Kansas and the Bond Trustee to properly allocate Incremental Taxes collected within the STAR Bond District to pay and amortize STAR Bonds issued for the Project Areas, unless such STAR Bonds shall be paid in full and retired prior to the end of such twenty (20) year period.”

g. **Anticipated STAR Bond Structure.** As of the Effective Date, the parties anticipate the first STAR Bond issuance will pledge the STAR Bond revenues from Project Area 1 and Project Area 2A, and shall be made up of two series (the “First Issuance”). The proceeds of Series A of the First Issuance would be used to pay for and/or reimburse Eligible STAR Bond Expenses incurred by, or which are otherwise the responsibility of, SVV. Series B of the First Issuance would be subordinate to Series A and the UG would pledge its annual appropriation to Series B. The revenue waterfall for the First Issuance shall provide for the application of the Incremental Taxes as follows: First, payment of scheduled principal and interest on the Series A, Second, payment of scheduled principal and interest on the Series B, Third, payment of super sinker redemption of the Series A. Notwithstanding anything set forth in Section 4.2(h) of the Amended & Restated Development Agreement which is seemingly to the contrary, the parties agree that the proceeds of Series B would be used to pay for and/or reimburse the UG for the S Curve Costs and 98th Street Costs. Subject to the conditions for the Second Closing described in Section 1.d of this Amendment and the terms and conditions set forth in Section 4.3 of the Amended & Restated Development Agreement (including without limitation, Section 4.3(d) thereof), the parties anticipate that at some time after the First Issuance, a second issuance of STAR Bonds (the “Second Issuance”) will be issued to which the STAR Bond revenues from Project Area 2B will be pledged. SVV hereby understands and agrees that upon any such Second Issuance, the proceeds from the Second Issuance shall first be used to fully redeem and retire all Series B before any proceeds are made available to SVV. SVV agrees to fully cooperate with the UG in connection with completion of the Second Issuance.

h. **No UG Guaranty or Credit Enhancement of Incremental Taxes.** Section 4.3(c) of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

“The UG **may issue its annual appropriation pledge to support the issuance and sale of Series B of the First Issuance of the STAR Bonds, but** the UG shall not
otherwise be required to, in any way, to guaranty or lend its credit to secure any other portion of the STAR Bonds."

i. **Modification of the 50% Limitation Regarding Project Area 4.** The parties hereby agree that the second sentence of Section 4.2(f) of the Amended & Restated Development Agreement regarding the 50% Limitation shall be deleted and replaced with the following:

"The parties understand and agree that the developer of Project Area 4 will have an agreement with the UG, similar to this Agreement, which will include the requirement set forth in this subsection (f). For purposes of such developer's satisfaction of such requirement, the developer of Project Area 4, in designing, building, and constructing the U.S. Soccer Facility and Tournament Fields, may, with the written consent of the Secretary of Commerce, count up to $60,000,000$64,000,000 of Private Contribution made by SVV within the District toward meeting the 50% Rule, but only to the extent necessary (e.g., if Project Area 4 is funded with $60,000,000$64,000,000 in STAR Bonds and $10,000,000 of Private Contributions, $60,000,000$54,000,000 of SVV's Private Contribution will be credited to such developer for satisfaction of the 50% Rule), unless otherwise agreed to in writing by SVV in its sole and absolute discretion."

2. **ACKNOWLEDGMENT OF SATISFACTION OF CERTAIN CONDITIONS RELATED TO US SOCCER FACILITY AND OFFICE HQ.**

a. **98th Street Costs and S Curve Costs.** The parties acknowledge and agree that the conditions related to the Office HQ set forth in Section 4.2(h) of the Amended & Restated Development Agreement for the shift of the responsibility of the 98th Street Costs, S Curve construction, and S Curve Costs to the UG have been fully satisfied, and the UG has therefore assumed the responsibility of all of same pursuant to the terms of Section 4.2(h) of the Amended & Restated Development Agreement (including the UG's assumption of all responsibilities relating to any landscaping or other work within the median of the S Curve). In connection with the UG's construction of the S Curve, upon SVV's dedication of the additional right-of-way needed to accommodate the S Curve, the UG shall simultaneously vacate the portions of the France Family Drive right-of-way no longer utilized by France Family Drive after construction of the S Curve.

b. **Held-Back Proceeds.** The parties acknowledge and agree that the conditions set forth in Section 4.2(e)(ii) of the Amended & Restated Development Agreement for release of $10,000,000 of the Held-Back Proceeds requirements have been satisfied in full, and thus there will be no Held-Back Proceeds from the issuance of STAR Bonds. Though most, but not all of the conditions set forth in Section 4.2(e)(i) have been fully satisfied, the parties hereby agree to delete Section 4.2(e)(i) in its entirety and replace it with the following:

"(i) SVV shall not be entitled to receive $500,000 of the Held Back Proceeds unless and until (x) the improvements SVV is required to perform related to St. Patrick's Catholic Church as described in Section 6.5(b) and
Exhibit 4 of the Agreement have been fully completed; and (y) SVV shall have removed construction equipment and debris, buildings and structures and otherwise cleaned up the approximately 59 acres of land within Project Area 3, as well as rough grading and seeding such land as set forth in Section 6.5(a) below, all to the reasonable satisfaction of the UG; provided however, that SVV shall not be required to demolish or remove the two (2) red brick buildings located south of 98th Street in order to satisfy this subsection (y). Satisfaction of (x) and (y) above shall release $500,000 of the Held Back Proceeds."

c. City/State Agreement. The parties acknowledge and agree that the STAR Bonds issuance condition set forth in Section 4.2(h) requiring that the UG have entered into a City/State Agreement with the Kansas Department of Commerce has been satisfied.

d. UG Purchase Option. The parties acknowledge and agree that the conditions set forth in Section 5.2(e) of the Amended & Restated Development Agreement for nullification of the UG’s right under Section 5.2 of the Amended & Restated Development Agreement to purchase the land that comprises Project Area 3 have been satisfied in full, and thus in no circumstances does the UG have the right to purchase such land. In connection with the nullification of the UG’s Option, the parties hereby agree that the last two (2) sentences of Section 9.2 of the Amended & Restated Development Agreement shall be deleted in their entirety.

e. Release of Office HQ Parcel from Amended & Restated Development Agreement. The parcel of land SVV will convey to DFA for construction of the Office HQ (the “Office HQ Parcel”), as legally described on Exhibit A attached hereto, upon such conveyance, shall be released from the Amended & Restated Development Agreement and any related document/agreement and neither SVV nor DFA, nor their successors and assigns, shall have any rights or obligations under the Amended & Restated Development Agreement, as amended from time to time, with respect to the Office HQ Parcel.

3. ACKNOWLEDGMENT OF APPROVED DESIGN CRITERIA AND LANDSCAPE PLAN. [Subject to confirmation with UG Planning]

a. Design Criteria. The parties acknowledge and agree that the Design Criteria were approved by the UG as part of the UG’s approval of the preliminary development plan for the Auto Plaza Project in full satisfaction of the requirements set forth in Section 6.2(a) of the Amended & Restated Development Agreement. The parties agree that the Design Criteria may be amended for any particular component of the Auto Plaza Project if and when approved in writing by SVV and by the UG as part of an approved final development plan.

b. Landscaping Plan. The parties acknowledge and agree that the Landscape Plan was approved by the UG as part of the UG’s approval of the preliminary development plan for the Auto Plaza Project in full satisfaction of the requirements set forth in Section 6.2(b) of the Amended & Restated Development Agreement.

4. TIMING ADJUSTMENTS.
a. **Deadline for Satisfaction of Bond Issuance Conditions.** Section 3.2 of the Amended & Restated Development Agreement is amended to change the deadline for satisfaction of the bond issuance conditions set forth in Section 3.1 of the Amended & Restated Development Agreement to November 1, 2015.

b. **Issuance of Obligations.** The first paragraph of Section 4.3 of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

   “It is anticipated that the STAR Bonds for the Auto Plaza Project **within Project Area 2A** may be issued in the **first** quarter of 2015 and that the UG, in its sole discretion, may authorize the issuance of additional STAR Bonds for other parts of the Project in the future, as provided for under Applicable Laws and Requirements, including without limitation the Act. The terms and conditions of this Section 4.3 (including the conditions set forth in Section 4.3(d) below) shall govern and control the issuance of such STAR Bonds.”

c. **Project Area 3 – Grading and Seeding.** The deadline for completion of the work within Project Area 3 set forth in Section 6.5(a) of the Amended & Restated Development Agreement shall be December 31, 2015. The parties agree that the timing of the Office HQ project and the S Curve construction will have an impact on when the subject work within Project Area 3 can be completed without requiring SVV to grade and/or seed Project Area 3 more than once. The parties agree that the timing of such work should be such that the work will only need to be completed once. Accordingly, if the actual timing of the Office HQ project and/or the S Curve construction ultimately suggests that the most efficient timing of the Project Area 3 work would extend beyond December 31, 2015, the County Administrator may, in his reasonable discretion, grant any required extension to the deadline set forth above.

d. **Church and Current Schlitterbahn Entrance Drive.** Section 6.5(b) of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

   “SVV has agreed to complete the entrance drive improvements for St. Patrick's Catholic Church (the "Church"), along with a connecting drive between the Church's parking facility and the medical plaza located to the west of the Church, as such improvements are depicted on **Exhibit 4** attached hereto. SVV shall commence such improvements **contemporaneously with commencement of redevelopment of the SVV property that is directly across from the Church on the north side of State Avenue, on which the former County Annex building is presently located (the "Annex Property"), but in no event later than December 31, 2016** no later than September 15, 2015, and SVV shall diligently and continuously continue such work to completion; provided however, SVV will not be required to proceed with such work unless and until the UG confirms with the Church and the medical plaza property owner that they consent to such improvements being constructed by SVV and the UG secures for SVV, at no cost to SVV, necessary construction easements and any necessary zoning, platting, and/or development plan approvals, as well as any necessary cross access or other permanent easements needed as part of
constructing the improvements. Contemporaneously with SVV’s construction of such improvements, SVV shall construct improvements necessary to restrict the intersection of State Avenue and the current Schlitterbahn entrance, which is located across State Avenue from the Church property (the “Current Schlitterbahn Entrance Drive”), to right-in / right-out turning movements. Additionally, on or before December 31, 2015, SVV shall either: (x) close the Current Schlitterbahn Entrance Drive on State Avenue just west of 94th Street (the “Current Schlitterbahn Entrance Drive”). As part of and contemporaneously with the redevelopment of the Annex Property, but in no event later than December 31, 2016, SVV shall (y) relocate the Current Schlitterbahn Entrance Drive to align with the new western-most access drive to the Church property to be constructed as set forth above (z) request the UG’s consent to an extension of the December 31, 2015 deadline, which the UG shall reasonably accept or deny in its sole discretion.”

e. Auto Dealerships in First Bond Issuance. Section 6.6(a) of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

“SVV hereby agrees that commencement of construction (which shall include lot grading) of at least four (4) of the Auto Dealerships, shall occur on or before December 31, 2014, and SVV further agrees that the four (4) Auto Dealerships included in the Project Area 2A bond issuance as actually issued and sold at least four (4) of the Auto Dealerships shall be completed and opened for business no later than December 31, 2016. The C-Store and the improvements on the two (2) Restaurant Pads located west of 98th Street shall commence construction on or before December 31, 2016 and shall be completed and open for business no later than December 31, 2017.”

f. Auto Dealerships in Second Bond Issuance. Section 6.6(b) of the Amended & Restated Development Agreement shall be replaced in its entirety with the following:

“SVV agrees that the remainder of the Auto Plaza Project that is included in the Project Area 2B bond issuance as actually issued and sold at the Second Closing shall commence construction on or before December 31, 2016 and shall be completed and open for business no later than December 31, 2017; provided that, notwithstanding anything in this Agreement to the contrary, SVV shall not be obligated to commence or cause construction to be commenced on any improvements within Project Area 2 east of 98th Street unless and until the U.S. Soccer Facility is substantially complete within Project Area 4 as planned.”

5. MISCELLANEOUS. In connection with this Amendment, the parties hereby agree as follows:

a. The parties hereto agree that all obligations of the parties under the Amended & Restated Development Agreement relating to the conveyance of the UG Property, KDOT Property and the New Fairgrounds Site (as such terms were defined in the Amended & Restated Development Agreement) have been satisfied, and the parties have no further obligations to one another related to same.
b. The parties hereby agree that the restriction in Section 2.4(b)(ii) of the Amended & Restated Development Agreement shall be replaced with the following:

"Other than in connection with the one (1) C-Store in Project Area 2, which is hereby expressly permitted, a gas station. No more than one (1) car wash facility shall be allowed, whether the same is a separate, stand-alone retail car wash facility or the same is in connection with a C-Store or other use."

c. SVV hereby agrees that the obligation to make its first lump sum donation, as described in the third sentence of Section 7.17 of the Amended & Restated Development Agreement, shall be made by SVV on or before the Closing of the First Issuance as described in this Amendment.

d. SVV hereby understands and agrees that Kansas resident employees shall be given priority consideration for employment on the Project as required by K.S.A. 12-17,166(m) of the STAR Bond Act.

e. The Recitals set forth above are hereby incorporated as though more fully set forth herein.

f. Except as specifically modified by this Amendment, the Amended & Restated Development Agreement shall be and remain in full force and effect in accordance with the terms thereof.

g. This Amendment shall be binding upon and inure to the benefit of the parties hereto, and their successors and assigns.

h. This Amendment may be executed in counterparts.

i. This Amendment shall be construed in accordance with the laws of the State of Kansas.

[Remainder of page intentionally left blank. Signature pages immediately follow.]
IN WITNESS WHEREOF, the parties hereto have executed these presents as of the day and year first above written.

UG:

THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

By: _____________________________________________

Mark R. Holland, Mayor/CEO

STATE OF KANSAS )
COUNTY OF WYANDOTTE ) SS.

This instrument was acknowledged before me on ____________ 2015 by Mark R. Holland as Mayor/CEO of the Unified Government of Wyandotte County/ Kansas City, Kansas.

Printed Name: _____________________________________________
Notary Public in and for said State
Commissioned in ____________ County

My commission expires

_____________________________
SVV:

SVV I, LLC, a Kansas limited liability company

By: ____________________________
    Gary Henry, Manager

STATE OF ____________________  
    )
COUNTY OF ____________________  ) SS.

This instrument was acknowledged before me on ____________ __, 2015 by 
Gary Henry as Manager of SVV I, LLC, a Kansas limited liability company.

Printed Name: ____________________________
Notary Public in and for said State
Commissioned in ____________ County

My commission expires:

____________________________

49757270.6
49757270.8
DB93/0501343.0077/10211329.5
EXHIBIT A

LEGAL DESCRIPTION OF OFFICE HQ PARCEL

All that part of Lots 1 and 2, Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas being more particularly described as follows:

COMMENCING at the Northeast corner of the Southwest Quarter of Fractional Section 1, Township 11 South, Range 23 East; thence South 87 degrees 20 minutes 51 seconds West, along the North line of the Southwest Quarter of said Section 1-T11S-R23E, a distance of 379.58 feet; thence South 02 degrees 39 minutes 09 seconds East, departing the North line of the Southwest Quarter of said Section 1-T11S-R23E, a distance of 125.46 feet, to the POINT OF BEGINNING; thence South 06 degrees 20 minutes 50 seconds East, a distance of 652.85 feet; thence South 66 degrees 53 minutes 22 seconds West, a distance of 916.00 feet, to a point on the Easterly Right-of-Way line of Schlitterbahn Drive, as established with Schlitterbahn Vacation Village, a subdivision in Kansas City, Wyandotte County, Kansas; thence North 20 degrees 06 minutes 06 seconds West, along the East Right-of-Way line of said Schlitterbahn Drive, a distance of 179.00 feet, to a point of curvature; thence Northwesterly, Northerly and Northeasterly, departing the East Right-of-Way line of said Schlitterbahn Drive, and along a curve to the right, having a radius of 500.00 feet, through a central angle of 92 degrees 50 minutes 42 seconds, an arc length of 810.22 feet, to a point of tangency; thence North 72 degrees 44 minutes 36 seconds East, a distance of 346.32 feet, to a point of curvature; thence Northeasterly, along a curve to the left, having a radius of 650.00 feet, and through a central angle of 17 degrees 43 minutes 52 seconds, an arc length of 201.15 feet, to the POINT OF BEGINNING, containing 588,498 square feet or 13.510 acres, more or less.

Olsson Associates
File No. 2014-0347
Schlitterbahn
December 15, 2014
EXH6

49757270.6
49757270.8
DB03/0501343.0077/10211329.5
Staff Request for Commission Action

Date of Standing Committee Action: 7/6/2015
(If none, please explain): None -- discussed at Special Session on 2/19/15

Proposed for the following Full Commission Meeting Date: Confirmed Date: 7/9/2015
7/9/2015

☐ Changes Recommended By Standing Committee (New Action Form required with signatures)

<table>
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<tr>
<th>Date</th>
<th>Contact Name</th>
<th>Contact Phone</th>
<th>Contact Email</th>
<th>Ref.</th>
<th>Department / Division</th>
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<td>7/6/2015</td>
<td>Jody Boeding</td>
<td>573-5060</td>
<td><a href="mailto:jboeding@wycokck.org">jboeding@wycokck.org</a></td>
<td>jb</td>
<td>Legal</td>
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Item Description:
Attached ordinance establishes an additional 90-day moratorium on the enforcement of Ordinances in Chapter 27 of the Code of Ordinances and Resolutions as they relate to existing vending machines located in Kansas City, Kansas. The Commission previously granted a 120-day moratorium on such enforcement beginning March 5, 2015. Because of scheduling problems and the need to work on the Unified Government budget during the month of July, staff recommends granting an additional 90-day moratorium, ending October 1, 2015. This allows four additional meetings during August and September on which the subject can be scheduled for a Special Session for Commission consideration.

Action Requested:
Adopt Ordinance.

☐ Publication Required
Publication Date: 7/16/2015

Budget Impact: (if applicable)
Amount: $
Source:
☐ Included In Budget
☐ Other (explain)
ORDINANCE NO. ____________

AN ORDINANCE continuing the moratorium on the enforcement of Ordinances in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas as they relate to existing vending machines located in Kansas City, Kansas.

WHEREAS, the Unified Government Board of Commissioners has previously adopted Ordinances regulating vending machines in commercial and residential districts; and

WHEREAS, the Unified Government Board of Commissioners desires to further study the existing regulations pertaining to vending machines, to study the manner in which other cities in the area regulate vending machines, and to consider the advisability of any changes to its existing Ordinances pertaining to vending machines; and

WHEREAS, the Board of Commissioners originally granted a moratorium of 120 days as of March 5, 2015, to study the subject, and, based on the recommendation of staff, wishes to further extend such moratorium for an additional 90 days,

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

Section 1. That, based upon the recommendation of Unified Government staff, the Board of Commissioners hereby determines that the moratorium granted by Ordinance No. O-20-15 on the enforcement of all Ordinances in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas as they pertain to existing vending machines located in Kansas City, Kansas, shall be extended an additional 90 days, through October 1, 2015.

Section 2. Nothing in this Ordinance shall be construed to relieve the owners and operators of existing vending machines from all other legal responsibilities and duties as it relates to the safe operation and display of existing vending machines in Kansas City, Kansas. Nor shall this Ordinance be construed as limiting the liability of any such owner or operator for their failure to do so.

Section 3. This Ordinance shall take effect and be in full force after its passage, approval, and publication.

Mark Holland, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to form:

Unified Government Counsel
Harlan Brownlee  

From: Harlan Brownlee <Brownlee@ArtsKC.org>  
Sent: Thursday, May 28, 2015 12:38 PM  
To: 'cgodsil@wycokck.org'  
Subject: Request for agenda item on Standing committee  

Ms. Godsil:

My name is Harlan Brownlee, I am the CEO for ArtsKC – Regional Arts Council. Over the past year we have been working with the five counties to create the first regional cultural plan for Wyandotte, Johnson, Clay, Platte and Jackson counties. The plan is now complete and we have visited with several of Wyandotte County’s elected officials about the plan including Maureen Mahoney in Mayor Holland’s office and Commissioners McKiernan and Brandau-Murguia.

Our next step, as recommended by the commissioners, is for us to ask for a formal adoption of the plan and have this adoption item placed on an agenda for one of your standing committees. My email today is intended to be our request for adoption of the OneArtsKC Regional Cultural Plan and for that request to be placed on the agenda of one of the standing committees.

Please let me know if you have any questions. Thank you for your assistance. I look forward to hearing back from you.

Best,

Harlan Brownlee  
President + CEO  
816.994.9222 direct | Brownlee@ArtsKC.org  
106 Southwest Blvd. | Kansas City, MO 64108

ARTSKC  
regional arts council

The mission of ArtsKC is to unleash the power of the arts.  
Learn more www.ArtsKC.org  
Facebook | Twitter | LinkedIn | Sign Up For Our eNews | Donate Now!
Executive Summary

The Kansas City region has built an extraordinary and increasingly well-recognized arts and cultural ecology. From the many individual suburban and rural communities of the region, to the downtown core, arts and culture are resurgent. New venues, patronage, creative businesses, tourism, and leadership that spans across civic, governmental, and artistic sectors are combining into a shared consensus that arts and culture are an essential part of our communities. A vital missing ingredient has been a shared vision for coordinated cultural development of the region, as well as a way to leverage the existing resources and the potential within each individual community.

OneArtsKC is the cultural plan for the Kansas City region. It sets forth a vision for successful cultural development and acknowledges that as a plan it will change and evolve responding to community interests and needs. Development of this vision was made possible through a partnership of public and private resources. Each of the five counties—Clay, Jackson, Johnson, Platte and Wyandotte—joined with philanthropic support to assure that a comprehensive process assessed the needs and aspirations of the stakeholders within each county, as well as for the region.

Arts and culture are drivers of community vitality throughout the five-county Kansas City region, providing a space for engagement and involvement and offering opportunities for collaboration and meaningful public dialogue. Art and culture contribute to each community’s creative life, economic well-being, education, and quality of life. Stakeholders from all five counties shared stories of the myriad ways in which arts and culture contribute to their lives and their communities, and ideas for creating synergy through regional cultural development. This plan is a living document, created with the input from more than 1,800 individuals including local and regional arts organizations, government representatives, and the public.

The vision and overarching goals of OneArtsKC are:

- To advance the remarkable arts and cultural life of communities throughout the five counties of the Kansas City region—within each county and municipality, as well as regionally
- To increase public benefits from arts and culture through greater coordination and resource sharing
- To envision a future where the arts are embedded in daily life; creating a foundation for a critical and engaged populace who are part of inventing a dynamic, responsive, and resilient region

What are the public benefits of adopting a regional cultural plan? They include:

- Greater access to and availability of arts education experiences for children and young people
- Greater capacity to imagine, plan, and implement creative solutions for complex problems and community issues
- Increased involvement in civic engagement and dialogue
- Increased attraction and retention of talented people
- Increased awareness of and participation in the rich and often hidden or overlooked array of the region’s cultural opportunities

The Mission of ArtsKC – Regional Arts Council is to Unleash the Power of the Arts
• Increased tourism in individual counties and the region
• Increased pride and sense of place for residents and workers in all five counties
• A deeper understanding that arts and culture contribute to equitable development and a thriving civic spirit
• Greater quality of life and amenities for all residents

In addition, the nonprofit arts and cultural community will benefit from stronger communications, coordination, collaborations, and support services to assist them in fulfilling their missions. The goals and strategies of OneArtsKC were developed through an extensive yearlong effort during which input was gathered from elected officials, community and civic leaders, citizens, and arts professionals. Civic, arts, philanthropic and political leadership from all five counties convened in a Steering Committee to guide the process for an unprecedented regional collaboration for cultural development.

There are six core strategies of this plan that bring to life the overarching goals:

1. Strengthening and deepening arts education and arts integration in schools and for life-long learning throughout the region.
2. Improving public access to information about the region’s cultural offerings through coordinated marketing and promotion
3. Supporting creative placemaking
4. Strengthening the capacity of the cultural sector to deliver services to their communities
5. Serving as the primary advocate for the value of the arts and artistic processes in the five-county region and
6. Supporting economic development of a regional creative economy

This plan provides the best and most comprehensive information available about the cultural needs and perspectives of the region’s communities. Based on this portrait, it provides a framework to address regional cultural needs and illustrates ways in which ArtsKC and other regional civic, arts, and not-for-profits organizations can approach taking lead roles and collaborating on strategies for implementation.

ArtsKC is in a unique position to assess and monitor the regional arts ecology as well as build on its expertise in facilitating collaborations in implementing OneArtsKC. It also has extensive experience in serving as a regional advocate, with an ability to focus on the local municipalities, and counties at the regional and/or state level.1

County and city governments, and other organizations, must certainly all be partners in implementation and this plan provides a framework for agencies to partner with ArtsKC to participate and/or take leadership in specific areas. Again, there is the potential to build on ArtsKC’s historical strengths of collaboration and facilitation in implementing the strategies of this plan, whether serving as the primary programmatic center for implementation, as a conduit and/or agent for funding and resources, or facilitating partnerships between appropriate agencies.

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1 ArtsKC has successfully launched an on-line advocacy campaign tool utilizing the CQ Engage platform. ArtsKC currently has over 4,100 individuals who are active participants in advocacy campaigns through CQ Engage.

The Mission of ArtsKC – Regional Arts Council is to Unleash the Power of the Arts
Key Messages

One ArtsKC Regional Cultural Plan...

...is a bold, unprecedented collaboration among leadership that spans across civic, governmental, and artistic sectors in the five counties focused on cultural development.

...recognizes the vital and sometimes undiscovered or overlooked cultural life that exists in communities throughout the region. This includes the downtown core but extends to individual cities and neighborhoods.

...provides tools for communities throughout the region to strengthen and celebrate their own local culture. Success on the local level creates a stronger region.

...celebrates and promotes the cultural diversity of the region, and commits to greater inclusion and equity in the cultural life of the five-county area recognizing that issues of equity and accessibility exist and can be addressed in a meaningful manner.

...is a voluntary collaboration of county and local governments. The plan defines opt-in strategies and services that communities can choose to provide for the benefit of their own citizens.

...calls on ArtsKC as a leadership body to assist and strengthen the cultural resources in each county, as well as enhance and advocate for the value of the cultural life of the region.

...acknowledges that, as artistic and cultural interests and needs for the community change and evolve, the plan will be flexible and responsive to those changes.
thank you

We thank and acknowledge the following for their generosity and support:

Johnson County, Kansas
Unified Government of Wyandotte County, Kansas
Jackson County, Missouri
Platte County, Missouri
Clay County, Missouri
Ewing Kauffman Foundation
Francis Family Foundation
Missouri Arts Council
National Endowment for the Arts
Sprint Foundation
Hotel Phillips
KCUR 89.3 FM

We thank and acknowledge the following community partners for their assistance:

American Jazz Museum
Arts Council of Johnson County
Asian Chamber of Commerce
Association of Black MBA's
Black Archives of Kansas City
Black Chamber of Commerce
Blue Hills Neighborhood Association
Blue Springs Chamber of Commerce
Bonner Springs Arts Alliance
Bruce R. Watkins Cultural Center
Carol Suter, City of Gladstone, Missouri
Cascade Media Group
Charlotte Street Foundation
City of Kansas City, Missouri
City of Lee's Summit, Missouri
Community Housing of Wyandotte County
Crossroads Community Association
Donnelly College
Downtown Council of Kansas City
Folly Theater
Gladstone Chamber of Commerce
Greater Kansas City Chamber of Commerce
Heart of America Shakespeare Festival
Hispanic Chamber of Commerce
IntorUrban ArtHouse
Ivanhoe Neighborhood Council
Johnson County Arts Marketers
Johnson County Community College
Kansas City Volunteer Lawyers and Accountants for the Arts
Kansas City Area Development Council
Kansas City Art Institute

Kansas City Friends of Alvin Ailey
Kansas City Public Library
KC Substance Abuse Treatment and Recovery Support Coalition
Liberty Chamber of Commerce
Marlborough Community Coalition
Mattie Rhodes Center
Mayor Eileen War, Independence, MO
Metro Organization for Racial and Economic Equity
Mid-America Regional Council (MARC)
Mid-America Arts Alliance (M-AAA)
MyArts
MyArts East
National Association of Human Resource Professionals
Northland Regional Chamber of Commerce
Performing Arts Marketing Group
Platte City Friends of the Arts
Platte City Area Chamber of Commerce
Platte County Community Center South
Platte Parks & Recreation
reStart, Inc.
Social Media Club of Kansas City
The Guadalupe Center
The Kansas City Film Society
The Lee's Summit Arts Council
The Nelson Atkins-Museum of Art
Three Link Gallery
University of Missouri - Kansas City
Urban Financial Services Coalition
Urban League
Weston Chamber of Commerce
oneartskc steering committee

Allan Gray II, Chair
Jeff Becker
Emily Behrmann
Erik Bergrud
Thomas Boedinger
Julia Cole
Consuelo Cruz
Steve Curtis
Megan England
Rafael Garcia
Tim Gelvin
Jenny Hayes
Taylor Hirth
Stefan Jones
Siew Lau
Troy Lillebo
Angela Malone
Anita Malta
Monica Mendez
Bev Randles
Mattie Ransom
Luann Ridgeway
Rosemary Salerno
Nicholas Segura
Blake Schreck
Dr. Tom Trigg
Nancy Kraus Womack

City of Lee's Summit
Three Link Gallery
Johnson County Community College
Park University
Unified Government of Wyandotte County (Retired)
Charlotte Street Foundation
Red Star Studios
Community Housing of Wyandotte County
Roeland Park City Council
Garcia Architecture, LLC
Kansas State University
Kearney Enrichment Council
Organizing for Action
Wyandotte High School
Belugaboutique.com
University of Missouri—Kansas City
GlaxoSmithKline
Green Impact Zone, Ret.
Latino Health for All Coalition
Randles Law
Liberty School District Board, Ret.
Clay County Commissioner
Zona Rosa
Samos
Lenexa Chamber of Commerce
Blue Valley School District
Northridge Farm

For ArtsKC - Regional Arts Council

Board of Directors
Becky Blades, Chair, Civic Leader and Artist
Allan Gray II, Immediate Past Chair, Councilman,
Lee's Summit, Missouri
David Oliver, Secretary, Berkowitz Oliver Williams Shaw &
Eisenbrandt LLP
Jean-Paul D. Wong, Treasurer, Contract Furnishings
Shirley Bush Holzberg, Founding Chair
Kay Barnes, Park University & Former Mayor of
Kansas City, Missouri
Niki Lee Donawa, Truman Medical Center
Brad Douglas, Alliance Benefit Group
Patrick McCown, McCownGordon Construction LLC
Steve McDowell, Berkebile Nelson Immenschuh
McDowell Architects
Siobhan McLaughlin Lesley, Walz Tetrack Advertising
Richard Miller, Miller Law Firm
Eric Negrete, Design Eric Negrete
Teri Rogers, Hint (aka Take 2 & Back Alley Films)
Dale Trott, Retired, Burns & McDonnell

Lead Project Staff Members
Harlan Brownlee, President & CEO
Kathleen Daily, Project Coordinator
Sara Vogt, Marketing & Communications Manager

Consultants
The Cultural Planning Group
David Plettner-Saunders, Partner
Martin Cohen, Partner
Lisa Flynn, Research Director
www.culturalplanning.com
Enrique A. Chaurand, Community Engagement Consultant
a message from...

Councilman Allan Gray II - OneArtsKC Steering Committee Chair

In my lifetime, I have witnessed the Kansas City Metropolitan Region emerge as one of the most dynamic, sophisticated and significant regions for the arts in the nation.

We are a region where artists are inspired to create new and exciting visual aesthetics. Where musicians and actors fine tune their crafts and prepare for center stage both here and around the country. Where comprehensive community planning includes public and private investment in the infrastructure that provides a platform for the arts to thrive and develop to their full potential.

Over the past year ArtsKC has guided an unprecedented collaboration among five-counties to create the first regional cultural plan. Our sincere appreciation is extended to the members of regional cultural plan Steering Committee for their dedication and the countless hours they committed to the planning process. With the input of thousands of diverse area residents, arts organizations, and community leaders we have developed a plan that will incorporate arts and culture into the DNA of our region.

The regional cultural plan is one of the most important and exciting initiatives the metropolitan community has ever undertaken. It is a plan built upon the foundation of a shared vision designed by the community that provides a road map for the future of arts and culture in the region.

The research process of the regional cultural plan reaffirms the arts are a powerful tool that can transform our lives, change the environment around us, and impact the local economy. The arts have a positive impact on human capital, arts education, economic development, and can build new forms of meaningful regional connectivity.

The document within is a template for the transformation that is possible for our region. The Regional Cultural Plan takes bold new steps to illustrate not just what is, but, what can be!
Becky Blades - ArtsKC Board Chair

We can all feel it. This is a special time in the life of Kansas City.

Our rich arts history is the colorful springboard for a new generation of our creative life. New energy, ideas, and daring are defying expectations across our region. At ArtsKC, we can’t help but feel a sense of resolve and obligation to make the most of these community riches. That is why ArtsKC took the lead in developing the first-ever cultural plan for the five-county region.

It is an inclusive, thoughtful effort to ensure that the Kansas City region nourishes outstanding cultural assets, in order to grow, attract, and retain individuals and businesses.

One trip to downtown Overland Park, Linden Square in Gladstone, or the Crossroads Arts District will show you the powerful role the arts play in building communities and attracting economic investment. The arts can make our children better learners, our companies more innovative and our communities closer. The arts can stretch our thinking, our boundaries and our potential.

By engaging the broader community in a conversation about the arts, the OneArtsKC Regional Cultural Plan will build connections among diverse cultural groups and act as a unifying guide for all five-counties.

We invite you to become more engaged and more invested in Kansas City’s potential. From right where you are, tune in, participate, collaborate, and volunteer to be a part of the OneArtsKC Regional Cultural Plan. Let go of your old ideas of what art can do, and brace yourself for a dazzling future where advancements in business, education, and technology are fueled by a thriving arts sector.
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executive summary

The Kansas City region has built an extraordinary and increasingly well-recognized arts and cultural ecology. From the many individual suburban and rural communities of the region, to the downtown core, arts and culture are resurgent. New venues, patronage, creative businesses, tourism, and leadership that spans across civic, governmental, and artistic sectors are combining into a shared consensus that arts and culture are an essential part of our communities. A vital missing ingredient has been a shared vision for coordinated cultural development of the region, as well as a way to leverage the existing resources and the potential within each individual community.

OneArtsKC is the cultural plan for the Kansas City region. It sets forth a vision for successful cultural development and acknowledges that as a plan it will change and evolve responding to community interests and needs. Development of this vision was made possible through a partnership of public and private resources. Each of the five-counties—Clay, Jackson, Johnson, Platte and Wyandotte—joined with philanthropic support to assure that a comprehensive process assessed the needs and aspirations of the stakeholders within each county, as well as for the region.

Arts and culture are drivers of community vitality throughout the five-county Kansas City region, providing a space for engagement and involvement and offering opportunities for collaboration and meaningful public dialogue. Art and culture contribute to each community’s creative life, economic well-being, education, and quality of life. Stakeholders from all five-counties shared stories of the myriad ways in which arts and culture contribute to their lives and their communities, and ideas for creating synergy through regional cultural development.

The vision and overarching goals of OneArtsKC are:

- To advance the remarkable arts and cultural life of communities throughout the five-counties of the Kansas City region—within each county and municipality, as well as regionally
- To increase public benefits from arts and culture through greater coordination and resource sharing
- To envision a future where the arts are embedded in daily life; creating a foundation for a critical and engaged populace who are part of inventing a dynamic, responsive, and resilient region
What are the public benefits of adopting a regional cultural plan? They include:

- Greater access to and availability of arts education experiences for children and young people
- Greater capacity to imagine, plan, and implement creative solutions for complex problems and community issues
- Increased involvement in civic engagement and dialogue
- Increased attraction and retention of talented people
- Increased awareness of and participation in the rich and often hidden or overlooked array of the region’s cultural opportunities
- Increased tourism in individual counties and the region
- Increased pride and sense of place for residents and workers in all five-counties
- A deeper understanding that arts and culture contribute to equitable development and a thriving civic spirit
- Greater quality of life and amenities for all residents

In addition, the nonprofit arts and cultural community will benefit from stronger communications, coordination, collaborations and support services to assist them in fulfilling their missions.

The goals and strategies of OneArtsKC were developed through an extensive yearlong effort during which input was gathered from elected officials, community and civic leaders, citizens, and arts professionals. Civic, arts, philanthropic and political leadership from all five-counties convened in a Steering Committee to guide the process for an unprecedented regional collaboration for cultural development.

There are six core strategies of this plan that bring to life the overarching goals:

1. Strengthening and deepening arts education and arts integration in schools and for lifelong learning throughout the region
2. Improving public access to information about the region’s cultural offerings through coordinated marketing and promotion
3. Supporting creative placemaking
4. Strengthening the capacity of the cultural sector to deliver services to their communities
5. Serving as the primary advocate for the value of the arts and artistic process in the five-county region, and
6. Supporting economic development of a regional creative economy
This plan provides the best and most comprehensive information available about the cultural needs and perspectives of the region’s communities. Based on this portrait, it provides a framework to address regional cultural needs and illustrates ways in which ArtsKC and other regional civic, arts, and nonprofit organizations can approach taking lead roles and collaborating on strategies for implementation.

ArtsKC is in a unique position to assess and monitor the regional arts ecology as well as build on its expertise in facilitating collaborations in implementing OneArtsKC. It also has extensive experience in serving as a regional advocate, with an ability to focus on the local municipalities and counties at the regional and/or state level.

County and city governments and other organizations must certainly all be partners in implementation, and this plan provides a framework for agencies to partner with ArtsKC to participate and/or take leadership in specific areas. Again, there is the potential to build on ArtsKC’s historical strengths of collaboration and facilitation in implementing the strategies of this plan, whether serving as the primary programmatic center for implementation, as a conduit and/or agent for funding and resources, or facilitating partnerships between appropriate agencies.

It is inspiring to see an overarching document, developed with broad community input that creates a roadmap for our region. Together we will see progress and success.
key messages

ONEARTSKC

...is a bold, unprecedented collaboration among leadership that spans across civic, governmental, and artistic sectors in the five-counties focused on cultural development.

...recognizes the vital and sometimes undiscovered or overlooked cultural life that exists in communities throughout the region. This includes the downtown core but extends to individual cities and neighborhoods.

...provides tools for communities throughout the region to strengthen and celebrate their own local culture. Success on the local level creates a stronger region.

...celebrates and promotes the cultural diversity of the region, and commits to greater inclusion and equity in the cultural life of the five-county area recognizing that issues of equity and accessibility exist and can be addressed in a meaningful manner.

...is a voluntary collaboration of county and local governments. The plan defines opt-in strategies and services that communities can choose to provide for the benefit of their own citizens.

...calls on ArtsKC as a leadership body to assist and strengthen the cultural resources in each county, as well as enhance and advocate for the value of the cultural life of the region.

...acknowledges that, as artistic and cultural interests and needs for the community change and evolve, the plan will be flexible and responsive to those changes.
diversity and inclusion

The Kansas City region encompasses an increasingly diverse population and vibrant, lively cultural community. While the region as a whole is moderately diverse, in comparison with other US regions, it has become significantly more diverse in recent decades with most of the population growth being among people of color. Latino and Asian populations had the greatest growth in the past decade. Moreover, diversity is increasing in the urban core and expanding outwards, affecting communities throughout the region. These trends are projected to continue, with Jackson and Wyandotte becoming majority people of color by 2040.

These population facts and trends have profound implications for cultural development. The region has a long and rich history of culturally diverse achievements in arts and culture, a tradition that is celebrated and extended through culturally-specific arts organizations, places such as the Historic 18th and Vine Jazz District, and a diverse community of individual artists. Related to diversity and inclusion, planning participants expressed concerns associated with cultural equity. These concerns acknowledged that cultural equity is linked to broader issues of equity in education, race, gender, and socioeconomic status. Participants commented on the need for ongoing support and recognition of diverse cultural expression and the opportunity provided by the arts in providing common ground for increased understanding, celebration, and tolerance.

One aspect of discovering and revealing cultural gems in the region is promoting the diverse expressions of the region's population and communities.

ArtsKC has a commitment to inclusion, equity, and accessibility in the arts and seeks to achieve diversity and cultural equity in its own programs and leadership. Similarly, OneArtsKC adopts celebrating and promoting cultural diversity as a core value, and as a theme throughout its six strategies. This ensures that all aspects of the community receive equal opportunities to engage in arts processes and enjoy the benefits that come with programs, venues and artistic events.
I am delighted to see that OneArtsKC has examined Kansas City's cultural climate with care and optimism. This group has captured the passion that our residents have for arts education and for increasing awareness of Kansas City's treasures, and I look forward to watching the regional vision unfold.

Karen Christiansen, Chief Operating Officer, The Nelson-Atkins Museum of Art
research process and findings

The process of developing the OneArtsKC plan was anchored by a focus on engaging stakeholders from across the region. A multi-faceted research approach for both qualitative and quantitative data was utilized to provide a broad spectrum of ways for residents, workers, and stakeholders to participate. Participants were asked a range of questions, essentially focused on understanding:

- What do residents (in each county) value about the cultural life of their town, county, and the region, and what are the cultural assets that come to mind?

- What are their aspirations for the cultural life of their communities and the region (what would success look like)?

Nearly 1,800 individual stakeholders participated from across the five-counties. Within each county, stakeholders identified an extensive list of assets that they value in their own communities, clearly articulated their priorities and needs for desired arts services.

Following are summaries of what residents of the region collectively as well as each county expressed through stakeholder engagement.

A separate Research Appendix of this report contains a complete summary and analysis of stakeholder feedback and data collected throughout this process.

In addition to extensive stakeholder engagement, leadership for the planning process was provided by a Steering Committee composed of civic, business, educational, arts, and philanthropic leadership from all five-counties. The county commissioners in each of the five-counties were each asked to appoint five representatives. A complete list of the Steering Committee is included in this plan.
Stakeholder participation in the five primary methods of gathering data included:

- 75 Individual interviews and discussion groups were conducted with representatives of county and municipal government, elected officials, civic, and arts leadership.

- A series of 12 Town Hall Meetings that reached into all five-counties with over 185 participants.

- Volunteer-led Community Conversations that occurred in all five-counties and reached an additional 230-plus participants.

- A community web-based survey with over 1,000 participants across the five-counties participating.

- Web-based engagement utilizing the community planning platform MindMixer, aka mySidewalk. This website received 7,100 unique visitors who engaged in 805 on-line conversations.

"This plan provides useful data that will enable and require both public and private sectors to work hand-in-hand in order to achieve the goals identified by our communities."

Megan Oppen
Office of Culture and Creative Services for the City of Kansas City
key findings

Engagement with stakeholders provided a comprehensive view on both a regional level and within each county of what cultural assets are valued and of what stakeholders would like to see more of.

regional findings

Across all five-counties there were five top priorities that emerged:

- Arts education in all forms was the highest priority, including expressions of support for lifelong learning as well as supporting and developing K-12 arts education.
- Communicating and learning about the unique arts and cultural offerings of all counties was a clear theme throughout. There was a widespread observation that people are not aware of the extent of what is currently available, and that there was a strong potential for audience development, as well as broader participation in the rich cultural life of the region. Specific suggestions focused on development of a comprehensive and strategic communications program for arts and culture that fostered access within and across the region.
- Creating places for people to gather to create, collaborate and participate in the arts was recognized as a high priority. Successful efforts were cited ranging from the Crossroads District; to efforts underway in Gladstone, Lee's Summit, Weston and Liberty, MO; as well as downtown Overland Park and Olathe, KS.
- Support for and collaboration of arts organizations across counties, including leadership development and core operating support.
- ArtsKC was recognized as playing a leadership role in connecting the counties—serving as the primary source of information and facilitator of arts and cultural development across the region.
what residents want...

- Art in public places: 63%
- Arts education in schools (K-12): 44%
- After school/summer arts: 48%
- Live music concert or performances: 40%
- Cool places to hang out: 41%
- Art festivals/events: 39%
- Live theatre/performing arts: 46%
- Creative co-working/maker spaces: 27%
- Large scale/signature event: 18%
- Art galleries/exhibits: 27%
- More downtown events: 25%
- Live music at club/bar/coffee shop: 26%
- Independent films/events: 26%
- Ethnic festivals: 24%
- Art museums or other museums: 26%
- Craft Festivals: 19%
- Library programs and events: 46%
- Literary events: 19%

what should counties focus on?

- Support quality arts education: 66%
- Support/fund arts and cultural facilities: 65%
- Support arts and cultural organizations: 57%
- Provide better information about activities: 57%
- Provide more art in public places: 49%
- Support amateur arts and cultural activities: 40%
- Provide more high quality cultural and arts activities: 29%
- Support professional and working artists: 34%
- Celebrate cultural diversity: 32%

Clay
Jackson
Johnson
Platte
Wyandotte
local arts agencies in the region

In addition to ArtsKC, there are a number of other local arts agencies whose mission includes community-wide cultural development. They form an invaluable network of resources and leadership, and partners for OneArtsKC.

Art Committee of Blue Springs
Arts Council of Johnson County
Arts Council of Raytown
Bonner Springs Arts Alliance
Cultural Arts Coalition of Eastern Jackson County
Independence Arts Commissioner & Cultural Arts Commission
KC North East Arts
Leawood Arts Council
Lee's Summit Arts Council
Lenexa Arts Council
Mission Arts Council
Municipal Arts Commission, Kansas City Office of Culture and Creative Service, Kansas City
Olathe Arts Alliance
Platte County Arts Council
Prairie Village Arts Council
Roeland Park Arts Commission
Senior Arts Council

kc region arts participation
20% higher that national average
(source: Americans for the Arts Local Index 2012)

national average 188.2
kc region average 225.3

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<th>Clay County</th>
<th>Jackson County</th>
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local arts index

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<td>232.7</td>
<td>225.3</td>
<td>218.9</td>
<td>212.7</td>
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sampling of arts participants

- 43% of metro residents attended live performing arts events
- 21% of jackson residents visited an art museum
- 12% of platte residents attended the symphony or opera
- 30% of johnson residents attended live theater

arts spending per capita

- $335.19 KC metro average
- $354.93
- $272.66 national average
- $217.89
- $321.15
- $101.09
- $406.83
- $282.88
253 nonprofit arts organizations in the KC region

359 locally owned arts-related businesses
county-specific findings

Stakeholders in each county provided a portrait of their cultural interests, aspirations, and suggestions for their local communities. They also articulated their cultural priorities for county government and resounding support for county spending on the arts. These ideas echo and refine the regional findings.

"The plan is another example of a growing awareness of our region as a major metropolitan area that is rapidly becoming a national leader in innovative approaches to the problems that face every city."
Liberty Arts Squared, an annual festival in Downtown Liberty, Missouri is co-produced by the Liberty Arts Commission and the City of Liberty. Taking place in the early summer, the weekend-long event hosts food vendors, children’s art activities, artist booths, and much more!

A gathering place for friends, family and community to enjoy live entertainment, activities, festivals and events in downtown Gladstone, MO in Clay County, Linden Square hosts ice skating, summer concerts and a public event space. Additionally, the City of Gladstone recently purchased its first piece of public art for the Linden Square space adding a metal sculpture by local artist, Beth Nybeck.
Clay County

Attendance in Clay County (Clay County residents only):

- Live music concert or performance: 50%
- Live theater/performance arts: 44%
- Community arts events/activities: 55%
- Arts/crafts festivals: 45%
- Art museum or other museums: 44%
- Art galleries, art fairs, art shows: 40%
- Historic Sites/Programs: 33%
- Live music at a club or bar or coffee shop: 36%
- School arts/cultural events: 34%
- Library programs/events: 31%
- Nature center: 25%
- Independent films/film events: 11%
- Ethnic festival: 11%
- A literary event: 10%

Clay County residents want:

- Art in public places: 63%
- After-school/summer arts: 53%
- Live theater/performing arts: 46%
- Arts education in schools (K-12): 44%
- Cool places to hangout: 44%
- Live concert or performances: 40%
- Art festivals/events: 40%
- Art gallery/exhibits: 39%
- Music at clubs/bars/coffee shops: 38%
- Museums or other galleries: 36%
- Ethnic festivals: 26%
- Independent film events: 20%
- Craft festivals: 20%
- Large scale/signature events: 15%
- Library programs and events: 15%
- A literary event: 10%

What should Clay County government focus on?

- Support quality arts education: 66%
- Support fund arts and cultural facilities: 55%
- Support arts and cultural organizations: 57%
- Provide information about activities: 57%
- Provide more art in public places: 49%
- Support amateur arts and cultural activities: 40%
- Support professional and working artists: 34%
- Celebrate cultural diversity: 33%
- Provide more high quality cultural and arts activities: 25%

Clay County tax support:

- Favorable: 83%
- Unfavorable: 7%
- Not sure: 10%

How favorable are you to spending $15, $10, $5, or $0 annually (per person) if it were dedicated to supporting arts and cultural activities?
LOTS of Love is a pilot project initiated by the Ivanhoe Neighborhood Council Healthy Kids Initiative that addresses the neighborhood’s vacant land. This project will occupy several of the vacant lots in Ivanhoe and transform them into casual community spaces where residents of the neighborhood will gather.

- School (K-12) engagement in the arts
- Mentorship/apprenticeship programs
- Collaboration between diverse ethnic groups
- Targeted communications to the public
- Workspaces for local artists
- Affordable performances and venues
- Engagement of nontraditional audiences
- Representation of minority communities within the arts
- Professional practices training for artists
- Mobile arts—taking it to the community
- One stop shopping for arts information

A new initiative, the UMKC Downtown Campus for the Arts would relocate the University of Missouri, Kansas City’s Conservatory of Music and Dance, the UMKC Theatre Department, visual arts, KCUR public radio station and others to the Crossroads Arts District.
Due for completion in 2015, the new facility for InterUrban ArtHouse would include artist studios, exhibition space, tuition rooms and a recital hall, commercial retail space, event space, outdoor patio and garden area and a small café, all in the heart of Downtown Historic Overland Park. A 25-block area already teeming with shopping, eateries, and over 280 locally owned business, InterUrban ArtHouse will add a creative home for many of the areas artists and arts professionals.

- Support for arts education
- Support from government and city officials
- Art displayed in county buildings
- Engagement of younger residents and others through more accessible programming
- Space for schools (K-12) to use for programming
- Arts patrons to give "locally"
- Leadership in arts in our county
- Revitalization efforts in Northeast Johnson County—Metcalfi corridor, Roeland Park, Downtown Overland Park

The Performing Arts Series at Johnson County Community College presents professional performing arts programming, arts education opportunities, and new artistic work right from their home on the Johnson County Community College Campus.

Another integral part of Johnson County Community College is the Nerman Museum of Contemporary Art. Located on campus, the elegant, minimalist building was designed by architect Kyu Sung Woo and is clad in Kansas limestone.
- Participatory art projects
- A larger role for government and business in support of the arts
- Priority for arts education and summer youth arts programming
- Partnerships between organizations (ex: Chamber of Commerce and Zona Rosa)
- Places for visual art displays
- Performance venues for local artists
- Communication about arts within county
- Connection with Northland area
- Information about and access to grants

The Great Northwest Missouri Wine Trail is a collaboration of eight wineries located throughout Clay and Platte counties north of Kansas City. Providing an interactive online guide, the Great Northwest Missouri Wine Trail can be completed during a weekend getaway.

The International Center for Music (ICM) at Park University trains and educates the next generation of accomplished musicians in a focused and creative atmosphere with an international faculty of renowned excellence. ICM offers degree, certificate and diploma programs at the undergraduate and graduate levels.
• Support for arts education and lifelong learning
• Arts patrons and residential support for the arts
• Arts a part of the city budgets
• Younger leadership
• Centralized information about events and opportunities
• Promotion about ethnically diverse arts opportunities and events
• Professional practices training for artists

EPIC Clay Studio is an all-inclusive community clay studio in downtown Kansas City, Kansas.
additional research findings

Two additional pieces of research were conducted to inform development of strategies for this plan: an arts education survey and a study of the region's creative economy. These are described here. Complete research reports are found in the Research Appendix for this plan.

arts education survey of public school districts

It became apparent early in the planning process that arts education was a priority issue. This was evident in initial feedback from individual interviews, community conversations, and discussions among the steering committee. With assistance from Gayden Carruth of the Cooperating School Districts of Greater Kansas City and Tom Trigg, Superintendent of the Blue Valley School District, a web-based survey was distributed to all 32 public school districts in the five-counties and 25 districts responded. The overall goal of the survey was to understand the needs of the school districts and to identify ways that OneArtsKC might serve the interests of those districts and better connect schools with arts resources in the community.

Many community members participating in OneArtsKC describe a loss of arts education in the public schools. In contrast, the overall amount of arts education instruction self-reported by districts that participated in the survey has stayed about the same in the past three years for most districts (60%), with some reporting an increase (36%). None reported a decrease (one reported mixed results at different grade levels).

While undoubtedly there are districts and schools with greater needs, the current capacities of the school districts provide a platform for improvement. Moreover, survey respondents identify many ways that a regional cultural plan can lead to efforts to assist them in improving the availability and quality of arts instruction to their students. The needs of districts are highly individualized, so most interventions should be based on assessment and planning specific to each district.

Districts identified specific needs and opportunities for regional assistance:

- **Access to information**: about funding, training, and other resources outside the district, and about arts resources in the community
- **Professional development**: and other assistance related to instructional improvement
- **Access to arts enrichment**: a broad range of services, including student competitions, performing, exhibition, career awareness, and internship opportunities in the community
- **Advocacy:** including raising awareness, educating about the role and value of arts education, promoting arts integration in school curricula, and organizing specific advocacy efforts.

- **Fostering collaborations:** exploring and identifying collaborative initiatives among districts and perhaps including arts providers. It is likely that convening districts around the topic of arts education would lead to specific collaborative opportunities.

- **District plans for arts education:** it appears that some districts would benefit from facilitated planning services by experts to assess arts education in greater detail, on the school site level, and to develop specific improvement plans.

> We need to raise dollars so every child has access to performance and visual art programs with the goal to change the lives of every child in our community.
study of the Kansas City region's creative economy

The Mid-America Regional Council (MARC) assisted this planning process with a study of the creative economy in the region, conducted by Frank Lenk, Director of Research Services, and Jeff Pinkerton, Senior Researcher. They approached a basic analysis of the creative sector of the regional economy with a focus on occupations and employment—jobs that require creative training (e.g., artist, architect, graphic designer) and all jobs within a creative business enterprise (e.g., accountants at Hallmark, security guards at a museum), respectively.

The resulting portrait of the regional creative economy shows significant strengths and weaknesses, and suggests in particular the role that creative occupations play in the success of other key sectors of the economy.

Key findings are:

- The creative sector in the KC region has nearly twice the employment compared to the nation as a whole: 4.1% for the region compared to 2.1% for the US (2014). 4 The majority of creative jobs are located in Jackson and Johnson Counties.

- Creative occupations in the region have grown since 2001, especially in categories such as photographers, musicians, singers, writers, and authors. The region's creative workforce includes an increasing number of freelance (self-employed) and part-time creative professionals. This highlights the important role played by individual creatives in the sector, which echoes other regional studies where this role is described as the "hidden dividend." 5

- Creative occupations play a role far beyond their absolute numbers. For example, they form a significant portion of two of the region's six "key traded sectors" (as identified in MARC's 2014 Brookings Institute study "Prosperity at a Crossroads") and they are essential to the success of those sectors.

- Total creative employment (all jobs in a creative enterprise) has declined since 2001, while creative occupations (creative jobs, regardless of the nature of the business enterprise) have risen. This likely means that many of those working in creative businesses are not themselves in a creative occupation. An accountant at Hallmark would be an example of an individual working in a creative business, but not a creative occupation.
creative industry growth
changes in creative industry employment | 2001 - 2014
I am excited to see the importance the plan places on Arts Education. The interest in insuring that the youth of the region are engaged in the arts is refreshing and encouraging.

Dr. Tom Trigg, Superintendent,
Blue Valley School District
strategies

arts education

The highest priority emerging from this planning process was to improve K-12 arts education for students and for lifelong learning throughout the region.

Why is arts education important? There are multiple reasons that arts education is critically important to a child's education and for lifelong learning:

- The arts build competency in skills essential to a 21st Century workforce: critical thinking, communication, collaboration, and creativity.

- Introduction and involvement to the arts at an early age is the highest predictor of arts participation later in life—arts education helps create the audiences of the future.

- The arts promote positive student outcomes, such as higher achievement test scores, English language proficiency, attendance, graduation rates, self-esteem and tolerance.

- Beyond the classroom, access to lifelong learning in the arts is an important economic development tool: Millennials and others place a high value on living in a community that provides the resources to live a creatively fulfilled life.

- The arts develop citizens who seek meaningful lives, participate in civic engagement, and will invest in creating a dynamic and resilient region.

While many school districts in the region report a stable or increasing level of arts education, they also identified a variety of needs and opportunities to strengthen arts education. They welcome the assistance of a regional collaboration to serve as a resource for improvements, as defined by each individual district.

The National Endowment for the Arts has published a framework for accomplishing systemic improvement in arts education. It includes four principles:

1. Cross-sector collaboration among policy-makers
2. Focus on changing the systems that serve students
3. Sustained, coordinated leadership effort
4. Alignment of arts education with statewide priorities
The Kansas City region can benefit from adapting these principles to the specific needs of its school districts.

- ArtsKC can lead advocacy and promotional efforts for the development of a collaborative or collective impact regional initiative to support improvements in arts education.

- Partner agencies to be involved in this arts education collaboration should include arts education stakeholders, such as Kansas City Young Audiences, the Cooperating School Districts of Greater Kansas City, Missouri Alliance for Arts Education, Kansas Alliance for the Arts in Education, Mattie Rhodes, Johnson County Community College Community Resource for Arts Education, UMKC, Kansas City Art Institute, Park University, the new City of Kansas City Office of Culture and Creative Services, and others.

- The collaboration can provide services building on, expanding and enhancing the existing resources through those agencies that are potential partners (as outlined above) that include:
  - Professional development for classroom teachers, arts specialist teachers, and teaching artists
  - Information and referrals, including funding, research, and consultant roster
  - An online listing of arts and cultural events and offerings of interest to arts educators, their students and parents. This listing can be a part of the larger recommendation for regional arts marketing and promotion
  - Convening and networking opportunities for arts educators throughout the region, including opportunities for peer learning
  - Advocacy for arts education and arts integration
  - Assistance for school districts to conduct a district-wide assessment of arts education needs and then prepare a board-adopted plan for systemic improvement. It can provide access to consultants and planning tools, and matching grants for planning
  - Research that is most relevant to the region's challenges
  - Best practices and model programs
  - Resource directory with online listing of approved arts providers and teaching artists
  - Teaching artist certification; arts provider certification (for arts organizations)
  - Student celebrations and awards
  - Teacher celebrations and awards
implementation

Building upon the current foundation of arts organizations and school districts already conducting quality arts education, we envision assisting all school districts in making arts education opportunities available to all their students and replicating successful models and best practices for arts education from across the nation.

Utilizing a collective impact model, it is likely that funding for arts education would be shared among the partners and apportioned according to their functions. Each participating organization would be called upon to utilize their particular strengths for the benefit of the region. ArtsKC would be best suited to advocate for, promote, and convene the initiative, connecting various stakeholders while other arts and service organizations would provide specific services such as arts instruction and through the curriculum, professional development for teachers, and programs introducing the students to various arts disciplines and venues.

With the creation of the Regional Arts Education and Integration Policy Council, the first priority would be to bring together self-selected funders, school districts, arts organizations, and their teaching artists to develop a clear understanding of the roles and functions of this initiative, and to identify the first services and programs. The initial work for the group would involve creating policy and strategic planning for school districts ready to commit to developing their arts education curriculum for the long-term. Subsequent goals would be to create a common set of measurable objectives to define success and broaden and deepen the arts education experiences of students whose districts elected to participate. Similar collaborative efforts in other communities have grown over a period of years to be successful at making meaningful change in their communities. To create the suggested collective impact model, initial steps will involve individual and multiple countywide comprehensive audits and assessments of available arts instruction. Also planned would be individual and multiple countywide conversations, forums, and possible regional/national symposiums directed toward developing a deeper and comprehensive vision for arts education in the region. Currently, opportunities already exist for highlighting and partnering arts education practices within the region that should be celebrated and showcased.

Furthermore, we envision arts instruction being developed that reaches out to the adult population of the region. The region has a highly developed system of community centers and public libraries. This infrastructure of potential sites for arts instruction can be not only where young people engage in developing their artistic skills, but can also serve the adult population's desire to experience the benefits that come with creative expression, involve them in collaborative projects, and have them interact with others who have similar interests while providing employment for regional artists.
Regional marketing and promotion

While the downtown core has highly visible cultural institutions and venues, the cultural life of the whole region is often undiscovered. The region's communities are replete with cultural events, organizations, and activities that are often "hidden gems." The most common comment of this planning process was the desire for better information about the region's cultural resources, and for greater visibility of these resources across the region. Stakeholders view this as a way to increase participation in the arts by the region's residents—moving people around the region—as well as a complement to downtown's destination marketing.

- ArtsKC can lead development of a regional arts and cultural marketing program, in collaboration with existing marketing efforts, to improve residents' and visitors' access to information and promotional opportunities.
- The purpose of regional marketing is to increase economic impact and increase the total amount of access to, and participation in, cultural activities.

- A comprehensive regional arts and cultural marketing program will include:
  - A comprehensive arts and event marketing website, such as the Artsopolis platform (http://www.artsopolisnetwork.com) or the "Philly Fun Guide" (www.phillyfunguide.com). Partnerships should be considered with the website and marketing capacities of VisitKC.com and other local arts marketing efforts. Key attributes of the examples cited above include their becoming the primary "backbone" for information in their regions. Several of them serve as the event database for local/regional newspapers, for instance, as well as for tourism and visitors bureaus. Also, these platforms extend far beyond advertising ticketed arts events. They take a broad view of "arts and culture," extending to commercial, community, educational, and amateur activities. They can also provide listings for space rentals.
  - Development of a mobile application and robust social media to accompany the online listings.
  - A scan of regional cultural "products"—events, venues, and activities that have potential draw as an attraction; Also some product development of events, such as festivals.
Development of themed programming: convening interested organizations, venues and local governments (tourism bureaus, EDCs, chambers, etc.) to identify a shared theme for a month or a year. Allow creatives (arts organizations, creative businesses, restaurants, and venues) to align their programming and co-market it under the themed banner.

- Cross-promotions, such as restaurant tie-ins, ticket samplers, discounts, and contests.
- Creation of a box office service, advertising program, and other fee-based services to help fund it over time.

"The plan is a solid blueprint for constructing the civic infrastructure essential to a vibrant cultural community—one that enriches our individual lives and sustains our region's economic and social vitality."
implementation

We envision assisting every resident and visitor to the Kansas City metropolitan area to discover the cultural gems throughout the region.

The most comprehensive and effective means for addressing the needs articulated for regional marketing and promotion of the arts and culture sector involves the enhanced use of technology and much greater collaboration and coordination from multiple agencies across the region and in all five-counties. Constituents of the region would benefit greatly from having access to greater cultural and arts information both in their own neighborhoods and specific counties as well as across the region.

Currently, the efforts for marketing the region's cultural assets are somewhat fractured and in many cases duplicative. Local agencies are tasked with populating these multiple sources of information and in many cases are not able to provide their specific information to these multiple sources as a result of limited staff resources.

We propose the creation of a much more robust web-based calendar for the region. This web service would feature services not currently available. The most significant among them would be the capacity to populate multiple calendars and digital information sources with a cascading data service. Arts organizations would post their information on one site and through cooperative agreements the data would automatically transfer to multiple other websites. There are a large number of civic and countywide organizations that would benefit from having one regional storehouse for arts and cultural services and events. In addition, the information for the site would be more inclusive and broader in its definition of arts and cultural services and events. Specific efforts would be devoted to including a larger percentage of smaller arts organizations, promotion of individual artists, and broadening listings for more literary, architectural design, and culinary arts events in the region.

To implement this project would require the creation of the OneArtsKC Hub charged with the task of bringing together various stakeholders from across the region and developing a workable action plan with specific priorities and milestones. Partners for such an effort are not only the counties that would elect to participate, but the multiple arts and community calendars that exist from the VisitKC site to publications that maintain local cultural offerings. ArtsKC would be well suited to coordinate such an effort for the region, employing multiple partners with agencies where current relationships exist as well as broadening those relationships with this enhanced capacity to provide information across the region. A significant start-up cost promotional effort will be required to coordinate the participation of arts and cultural
organizations in providing their listings. Resources for staff would need to be acquired to ensure that information was both accurate and timely and to provide follow-up to ensure engagement from all arts organizations across the region along with ongoing upgrades for the technology platform. Additional considerations would also be needed to be focused on the widening digital divide. The website will be responsive, interfacing with mobile users through a mobile application. In addition, assistance from the public library system in the region would be needed to make available access to technology that in turn provides access to arts and cultural information.

Some costs for this effort could be addressed by operating on a business model that includes both contributed and earned income (including advertising). The site would provide for an online box office with the potential to generate a substantial amount of transaction fees.

"This plan, which recognizes the value of arts, culture, and creativity as a boost to the economy as well as to the quality of life for its citizens. It is well timed to offer the platform for a broad and regional approach to collaboration between cities and counties.

Megan Clique, Director of Cultural and Civic Affairs of Kansas City
creative placemaking

Creative placemaking encompasses a range of activities but, in essence, it is where artistic, cultural, and historical assets can create compelling venues and environments that attract visitors and enrich the lives of the residents. It is defined as public, private, nonprofit, and community sectors partnering to strategically shape the physical and social character of a neighborhood, city, or region around arts and cultural activities. It can be as focused as the development of an arts facility that is strategically located and programmed to contribute to revitalization, or a broader effort to enliven a district or neighborhood with a coordinated program of cultural programming. Planning participants celebrated the arts-related developments that have taken place in the region, such as Kauffman Center, the Jazz District at 18th and Vine, the Crossroads Arts District, and other new cultural facilities in the Downtown core, as well as the Arts and Heritage Center in Overland Park, and the revitalization of downtown Lee's Summit. At the same time, there is a need for specialized assistance that can facilitate the development of new cultural attractions. These developments must take into account the potential that new attractions often lead to displacement of current residents and artists. The goal is to improve a neighborhood for current and new residents to the area. Most leaders with a vision for creative placemaking do not have a background in real estate development or capital fundraising. Often the missing ingredient is technical assistance that can turn a concept into a concrete plan and a vision into a building.

ArtsKC can provide direction and assistance in creative placemaking, such as:

- Informational sharing through case studies, informational workshops, and peer learning with leaders of successful arts-driven projects.

- A first step could be to convene leaders including county legislators, mayors, and city managers in communities where there is interest in facility projects. This could be initiated with a workshop on ways to create cultural hubs that address sustainable and equitable long-term needs of both local residents and businesses. Peer learning would be invaluable; leaders from successful placemaking projects in the region, such as the Crossroads Arts District, 18th and Vine, Lee's Summit or Gladstone, could be invited to share their experiences.

- Creative placemaking includes temporary and informal activities, such as art projects in vacant lots or community gardens. Information sharing can foster this type of activity, in addition to larger or more formal facility and district projects.
Technical assistance for arts-related development projects, such as cultural facilities and cultural districts.

- Technical assistance can include information and referrals to nonprofit real estate developers that specialize in arts-related projects, such as PLACE (http://welcometoplacenyc.org/) and Artspace USA (http://www.artspace.org/), and to other planning consultants. Also, assistance may include information about major grants programs specializing in this area, such as ArtPlace America (http://www.artplaceamerica.org), the National Endowment for the Arts Our Town Program (http://arts.gov/grants-organizations/our-town/introduction), and the Kresge Foundation's Arts and Culture Program (http://kresge.org/programs/arts-culture).

- Creation of a regional grants/loan fund for cultural development could provide matching grants for planning and other soft costs of arts-related development. An example of such a fund is the Salt Lake County Cultural Facilities Support Program, which provides matching funds for project planning, renovation and/or construction (http://www.clcc.org/cultural-facilities-support-program/). An interesting potential partner is Partners for Sacred Places (www.sacredplaces.org), which helps congregations of all faiths better leverage their architectural assets in serving the community; some projects have involved arts uses of religious buildings.

"The arts lift our hearts and they lift our pocket books. It is time for the next regional effort. Please become engaged. Give this your support. Join us in the journey to places unimaginable."
We envision the region developing numerous examples of successful creative placemaking projects that make the most of the cultural and historical assets in a neighborhood to attract and bring together business, cultural tourism, and people of multiple generations and diversity.

Providing regional agencies with direction and referrals to potential resources and partnering organizations, ArtsKC is best suited to convene the initiative, creating opportunities for dialogue and conversation, and connecting various stakeholders with creative placemaking services that could be supported by engaging existing expertise in other agencies. The Cultural District Concept being developed by the Nelson-Atkins Museum and neighborhood partners, the Kemper Museum of Contemporary Art, the Kansas City Art Institute, and Kansas City government is a good example of an opportunity where ArtsKC can provide connectivity with the general public and arts community. ArtsKC would provide vital and needed data on the current state of arts and culture in the region as well as directing individual and organizations to resources for current best practices in the creative placemaking space on a regional and national level.

Existing regional civic, nonprofit, and community development agencies would provide specific services and expertise focused on developing the technical assistance resources, events and consultations for stakeholders in the region seeking to develop a concept. Organizations with those capacities and interest in the arts in the region include the Downtown Council, the Local Initiatives Support Corporation (LISC), the Urban League, the Full Employment Council, the InterUrban ArtHouse, and the Kansas City Economic Development Corporation. Costs may include workshop expenses; engaging speakers, coaches, and other professional service providers as appropriate; re-granting to provide matching support for the soft costs of creative placemaking projects; and potentially, matching/incentive funds for capital costs of a creative placemaking project.

While these costs to ArtsKC would be minimal, some allocation of resources would need to be devoted for providing these services and could be offset by contracts for services from local governments and/or organizations in the region.
A dynamic artistic community is a critical component of the five-county region’s collective future. The Kansas City region has the unique opportunity to build upon the momentum of an already strong arts community to accelerate efforts in nurturing and educating its own future artists and creative leaders.

Paul J. Schofer, President and CEO
Kauffman Center for the Performing Arts
capacity building and leadership development for the cultural sector

Most cultural services are provided to Kansas City area communities by the region’s cultural sector: nonprofit arts and cultural organizations, artists and other cultural resources such as universities, colleges and cities. Leaders of the sector articulated a range of needs to fulfill their missions of service to the community. These include technical assistance in managing a nonprofit organization, leadership development and peer learning. Managers, board members and other leaders all express the desire to be networked regionally, to explore collaborations and to learn new skills. There is also an opportunity to convene interested leadership from throughout the region to proactively identify and pursue issues of shared concern and broad community benefit.

To address this need, ArtsKC can provide or collaborate in specific initiatives, such as:

- Consulting services and toolkits for county and city governments to build their own capacity for arts and culture, such as creating a cultural grants program, facility planning, cultural planning, and developing a public art program.
- Support for developing a public art program could be done in collaboration with the City of Kansas City, Missouri’s municipal public art program. Support could include providing information and referrals to public art resources, consultations, and development of a public art toolkit that includes templates for program ordinances, policies and procedures. Public art resources include the Public Art Network at Americans for the Arts, a professional network and professional development program (http://www.artsusa.org/networks/public_art_network/default.asp), and Going Public: A Field Guide to Developments in Art in Public Places, published by the University of Massachusetts Arts Extension Service (http://www.artsexensionservice.org/index.php/publications/publications/list-of-publications).

- A coordinated mentorship program for young and future leaders
- Coaching environments for senior leadership
- An initiative to place arts managers and artists on civic and government boards
- Regular forums on organizational change/adaptive management, perhaps in partnership with a university-based management program
- Professional development for arts managers focused on specific areas, i.e., marketing, social media, and development
- Re-grant program to foster innovation, with incentives for nonprofits to address organizational transformation
implementation

We envision an arts ecology across the region that is supported with multiple capacity building efforts. These efforts assist all artists and arts organizations with increasing their capacity to deliver high quality arts experiences across the region by developing their expertise and understanding in development, marketing, board recruitment, governance, diversity, and programming.

As with other strategies, there is an opportunity for ArtsKC to build on and extend existing knowledge and expertise in the region through partnerships, collaborations, and/or contracting for services. Currently there are several organizations in the region, such as Nonprofit Connect and the Midwest Center for Nonprofit Leadership at UMKC, who are providing professional development and networking programming for executive leaders as well as area-specific managers (including boards), and overseeing and developing all related capacity building programs. While these programs serve the nonprofit community well, they lack a specific arts related focus and concentration on issues pertaining exclusively to arts management, arts advocacy, and capacity building. Recognizing this distinctive need, ArtsKC could develop an internal position focused on addressing capacity building and leadership development that would be supported by at least one dedicated senior staff member or consultant with experience in organizational development, arts advocacy, and knowledge of the arts sector. An in-depth survey of the current state of organizational capacity would assist with identifying issues with the highest priority. Collaborating with each other and pooling their resources, counties and municipalities would contract for projects focused on those identified and agreed upon highest needs.

Costs for engaging external expertise would depend on the specific needs of the project. Additional costs may include re-grant programs, professional development incentive grants and/or engaging speakers, coaches, and other professional service providers as appropriate.

"This plan has the ability to bring together non-artists and artists to demonstrate the rich cultural diversity that exists in our region."
advocacy

Advocating for arts and culture was called out as a need in a variety of ways during the planning process. Each of the strategies in this plan will require some aspect of advocacy and, in particular, arts education will require special efforts to articulate the many ways in which the arts are valuable in each child's education. Indeed the plan itself, and its mission of regional cultural development, will require a sustained public education effort to reinforce its messages and support implementation.

ArtsKC is the region's designated arts advocacy organization and has developed its ArtsKC Advocacy program and e-advocacy platform. ArtsKC partners with Missouri Citizens for the Arts, Missouri Alliance for Arts Education, and the Missouri Association of Community Arts Agencies in this effort. ArtsKC hosts candidate forums, educates on specific legislative initiatives, and promotes increased public funding for the arts. While some advocacy is targeted specifically to legislative decision makers, it also encompasses broadly based public education on an issue. The goal is always to provide accurate, relevant and persuasive information on an issue.

For the OneArtsKC Regional Cultural Plan, ArtsKC can serve as the primary advocate for the value of the arts and artistic processes in the five-county region. It can define ways to work with the government and civic organizations to communicate the benefit of the arts to our community, increase funding for the arts, and provide meaningful experiences to the region's communities. To this end, ArtsKC can convene stakeholders, provide information and advocacy resources, and manage collaborations.

Advocacy will involve two categories of action:

- Community Advocacy: changing the ideas and attitudes of the public, and exploring new ways the arts can be used as solutions to challenges our community faces
- Legislative Advocacy: using resources to change federal, state, or local law, policy, or budget allocations
implementation

ArtsKC plans several advocacy initiatives to support implementation of the strategies in this plan:

- "ArtsKC Thought Leaders Series": a multi-part approach to convening leadership for the purpose of community education, support for legislative action, and other advocacy initiatives.

A series of panel discussions and speaker events to educate the Kansas City community and elected officials on the value and impact of the arts to our economy and quality of life. The series brings together leaders in the community to inspire core audiences on topics related to the arts.

- How do we utilize the arts to create community and infrastructural improvements?

- How can we use the arts as a means to create a sustainable economic impact in our community?

- How do our cultural and arts amenities contribute to recruiting talent for area businesses?

- Speakers would include "c-suite" business leaders, artists, and nationally acclaimed arts leaders.

- Hosting regular meetings for arts, business, and civic leaders to discuss strategic ways to incorporate the arts in our everyday community approach to problem solving.

- Creating an Advocacy Committee and membership:

  - Issues will be defined by a group of selected individuals who serve on an advocacy committee through ArtsKC.

  - This committee will be responsible for identifying the arts issues that matter most to the community and defining ways our elected officials can support the region’s arts agenda.

  - A legislative agenda will be written each year outlining the key issues that matter to our arts community and would be presented at a formal reception or meeting.

  - A State of the Arts summit of elected officials and arts leaders will be convened. The legislative agenda created by the advocacy committee will be presented at this event. In addition, speakers from the community will provide updates on their goals on improving the arts, share ideas and speak on a key message that is selected for the event.

- Conduct an annual Legislative Day in Jefferson City, MO. ArtsKC currently produces this action.

- Participation in National arts Advocacy day in D.C.

- Expanding ArtsKC's existing action alert software to include school board personal and elected official at the country, city, and municipal level.
creative economy

Mid-America Regional Council conducted an analysis of the creative sector of Kansas City’s regional economy as part of the planning process. This study focused on the nature and extent of employment in the region’s creative sector. The key findings are:

The creative sector in the KC region has more than twice the employment than the nation as a whole: 4.1% for the region compared to 2.1% for the US (2012).

Creative occupations in the region have grown since 2001, especially in categories such as photographers, musicians, singers, writers and authors. The region’s creative workforce includes an increasing number of freelance (self-employed) and part-time creative professionals. This highlights the important role played by individual creatives in the sector.

Creative occupations play a role far beyond their absolute numbers. For example, they form a significant portion of two of the region’s six “key traded sectors” (as identified in MARC’s 2014 Brooking Institute study “Prosperity at a Crossroads”) and they are essential to the success of those sectors.

It is clear that the creative sector has the potential to contribute more to the growth of the regional economy.

- KC Rising provides an excellent opportunity to focus on the creative sector as a key contributor to economic growth. A civic initiative cooperatively led by Kansas City Area Development Council, Civic Council of Greater Kansas City, and Mid-America Regional Council, KC Rising is assembling a broad range of business and civic leaders to develop and implement a vision and strategies to aggressively grow the Kansas City region’s 21st century economy. KC Rising leaders should ensure that the region’s creative capacity is embedded in strategies to advancing globally competitive sectors, innovation and entrepreneurship and human capital as the drivers of regional economic growth.

- ArtsKC can expand the Artist INC. program of business training for individual artists to serve more artists.

- ArtsKC can explore development of an incubator program for entrepreneurs in the creative sector.
implementation

Recognizing the greater role the arts sector plays as an enabler of economic growth for the region is vital to continued economic growth. The arts are an attractor for not only bringing new businesses and top talent to the region, but also for retaining businesses and talent. We envision a region that offers a multitude of varying artistic experiences for Millennials, experiences that range from world-class to grass roots. The arts enable us to create shared experiences that develop social capital and social bonds.

MARC does take the lead in strategic planning for economic development of the creative economy in the region. ArtsKC and other organizations in the region can play a supporting role by advocating for a focus on the creative sector and assisting MARC in its efforts.

• One noteworthy goal would be to expand the Artist INC. program, a joint project of ArtsKC, Charlotte Street Foundation, and the UMKC Innovation Center. Expanding the program to serve more local artists in a wider range of artistic disciplines would create a stronger arts sector. Additional growth opportunities should include extending the program to form an incubator or accelerator for artistic and design endeavors and training artists to be more civically engaged. The unique perspective and problem-solving skills that artists bring with them is needed and desirable for addressing a number of important social issues. Having more artists serve in positions of civic leadership, from local government boards to actively participating in new and established civic initiatives focused on the region's economic growth, would be beneficial to our region. More artists taking a greater leadership role in the region would continue to develop the arts sector as an enabler of economic growth and position the arts as part of a solution for addressing civic and social concerns in the region.

• Another goal would be an initiative that would place arts managers and artists on civic and government boards to help increase understanding of the arts as a means of creative problem-solving for community issues and broadening public awareness.

"Our vision of thirty years ago has become a reality: the arts are now the driving economic force behind our region's revival."
funding

An underlying principle of OneArtsKC is the provision of professional services to each of the counties that serve their specific residents and constituents. There is also the opportunity for municipalities to “opt-in,” either for specific services that serve their constituents or in conjunction with their counties. The necessary resources may be derived from one of six potential sources:

1. Each of the five-counties and/or the municipalities within those counties may contract with ArtsKC or other qualified agencies for specific services to serve their residents and constituents. Contracts may be for one-time services as well as ongoing programs under any or all of the five strategies outlined in this plan. Examples may include services for capacity building programs within each county; support and expertise for creative placemaking programs; and managing arts education support programs as identified within each county.

2. ArtsKC has extensive experience in managing grant programs that may be extended as re-granting contract services for counties and/or municipalities. Grant funds may be directed for specific projects within a county or city, according to local needs and requirements. Examples of potential re-granting programs include arts education projects (including adult lifelong learning); professional development for arts educators; leadership development of arts and cultural leaders; direct operating support for arts and cultural organizations; and others of particular interest to the counties and/or municipalities.

3. Private philanthropic support for initiatives outlined in this plan may be focused on two levels. One is for philanthropic support with a specific geographic focus (perhaps augmenting contract services from counties and municipalities) as well as initiatives that are broadly focused on the entire region. Examples of region-wide initiatives that are likely to be supported through philanthropy include development of a regional marketing infrastructure, capacity building programs and leadership development that serve the region broadly, and arts education services that reach across the region and are not specifically localized.
4. The ArtsKC Fund has an opportunity to expand throughout the region, building on its existing experience and infrastructure. This would leverage public and private support indicated above with individual, voluntary support through workplace giving. The infrastructure of the ArtsKC Fund could provide individual donors with the choice to designate their support to specific projects, counties, municipalities, and/or to contribute to region-wide efforts in arts and culture.

5. A surcharge on arts tickets in the region would provide an ongoing revenue stream to support implementation of some elements of this plan. In particular, arts education and regional arts marketing are examples of desirable uses of a regional ticket surcharge. A critical element of implementing this idea is to involve stakeholder organizations—those who would charge the fee—in its design and in promoting the surcharge as a community benefit.

6. Some planning participants expressed a future interest in exploring a communitywide tax initiative for the arts or for broader quality of life purposes. While the idea of regional tax dollars being used outside of local counties remains controversial, various funding approaches have been adopted, and often reauthorized by the voters, in many other regions. The key element is defining funding allocations that maintain local benefits. It also has a precedent in the Kansas City region in the Bistate Commission (Metropolitan Culture District), a special district authorized in 1996 by a joint compact between the states of Kansas and Missouri. Voters in Platte, Clay and Jackson counties in Missouri and Johnson County in Kansas approved a retail sales tax of 1/8 of one cent to renovate Union Station and to construct Science City in Union Station. The tax expired in 2002.
Salt Lake County Zoo, Arts & Park Tax

In 1996, Salt Lake County (Utah) voters approved a 1/10th of a cent sales tax dedicated to zoological, cultural, botanical, recreational and artistic programs. Called the ZAP Tax (Zoo, Arts & Parks), the tax enjoys broad-based support, unifying Republicans and Democrats on the nine-member County Council. Monies are distributed to approximately 170 arts and cultural organizations, the regional zoo, and parks facilities throughout the county. Because of the broadly-based public benefits accruing from these funds—free admissions, new recreation facilities, and an increasingly vital cultural scene—voters have reauthorized the ZAP Tax twice, in 2004 and 2014, each time with an increased majority. Total ZAP tax receipts have ranged in recent years from $13.3 million to $14.9 million annually and are administered by county staff and a volunteer Advisory Board.

Salt Lake County resident, Ray Riveron, sums up a widespread public attitude about ZAP, "It's like a latte a year or something like that so I think it's totally worth it." [Link](http://slco.org/zap/zap-policy-and-state-statute/)
Denver Scientific & Cultural Facilities District

Since 1989, the Scientific and Cultural Facilities District (SCFD) has distributed funds from a 1/10 of 1% sales and use tax to cultural facilities throughout the seven-county Denver, Colorado metropolitan area. The funds support cultural facilities whose primary purpose is to enlighten and entertain the public through the production, presentation, exhibition, advancement and preservation of art, music, theatre, dance, zoology, botany, natural history and cultural history.

The distribution budget for scientific and cultural organizations in the seven-county area is approximately $47 million annually. Administrative costs are exceptionally low, less than 1% of the fund. Funding on that scale, delivered to a local area, makes a profound impact. As a result, the Denver Metro area is now in the national spotlight and has been elevated in stature to a world-class cultural center.

Voters reaffirmed their support of the SCFD tax in 1994 and again in 2004 by voting to extend the SCFD tax with 65% voter approval. Voters will have another opportunity to extend the SCFD in November 2016 before the June 2018 sunset date. http://scfd.org
implementation

OneArtsKC provides the best and most comprehensive information available about the cultural needs and perspectives of the region's communities. Based on this portrait, it provides a framework to address regional cultural needs and identifies specific strategies. County and city governments and other organizations must certainly all be partners in implementation and it is possible that agencies other than ArtsKC could take leadership in specific areas.

A key aspect of implementation will be to identify and fund partner agencies to "do what they do best." ArtsKC can play the role of convener and steward of the plan but will rely on others to provide programs and services that support fulfillment of OneArtsKC's strategies.

How much detail on implementation can be expected? A cultural plan is a master plan for ArtsKC and a range of additional agencies. It provides a regional framework for implementation but does not specify the level of detail of an organization's strategic or action plan. ArtsKC and other agencies in the region have the opportunity to take the lead in developing detailed implementation plans for specific areas of the plan.

The following table summarizes the recommended implementation steps and costs defined above in the strategies chapter.
<table>
<thead>
<tr>
<th>Strategy</th>
<th>Partner Agencies</th>
<th>Investment</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strengthening and Deepening Arts Education</td>
<td>Kansas City Young Audiences, the Cooperating School Districts of Greater Kansas City, Missouri Alliance for Arts Education, Kansas Alliance for the Arts in Education, Johnson County Community College Community Resource for Arts Education, UMKC, Kansas City Art Institute, Park University, the new City of Kansas City Office of Cultural and Creative Services, and others</td>
<td>$75K-$200K start-up costs for an arts education collaborative annually</td>
<td>Years 1-2: start-up of the arts education collaborative</td>
</tr>
<tr>
<td>Improving Public Access - Marketing</td>
<td>KCAD's America's Creative Crossroads campaign (<a href="http://www.kccreativecrossroads.com">http://www.kccreativecrossroads.com</a>), Kansas City CVAS's VisitKC.com (<a href="http://www.visitkc.com">www.visitkc.com</a>), 15 CVAs in the region, KC Studio's Arts Calendar (<a href="http://kcestudio.org/artscalendar">http://kcestudio.org/artscalendar</a>), Downtown Council, The Pitch, other publications, arts and cultural organizations, and others</td>
<td>$100K-$150K start-up costs for the collaborative online marketing platform, and calendar ongoing costs of $50K+ offset by earned revenues for advertising and potential ticket service fees</td>
<td>Years 1-2: start-up of the marketing collaborative and promotion of participation by area arts and cultural organizations</td>
</tr>
<tr>
<td>Capacity Building</td>
<td>City of KCMO for public art services</td>
<td>$65K-$85K annual staff costs, plus program expenses</td>
<td>Lower priority; can be started in years 3+</td>
</tr>
<tr>
<td>Creative Placemaking</td>
<td>ArtSpace and PLACE for feasibility and development of arts-related facilities districts, County and city governments for support of services to local communities, Groups and organizations with creative placemaking projects, concepts</td>
<td>$65K-$85K annual staff or consultant costs, plus program expenses</td>
<td>Years 1-2: establishment of creative placemaking program and initial informational workshops</td>
</tr>
<tr>
<td>Advocacy</td>
<td>Missouri Citizens for the Arts, Missouri Alliance for Arts Education, Missouri Association of Community Arts Agencies, Arts organizations and individuals who are advocacy members of ArtsKC, Other agencies for specific issues</td>
<td>$50K-$75K to expand existing staff capacity and for program expenses</td>
<td>Years 1-2: building on ArtsKC's current advocacy program</td>
</tr>
<tr>
<td>Creative Economy</td>
<td>MARC for economic development planning</td>
<td>$50K-$100K to expand Artist INC trainings</td>
<td>Timing of planning efforts to be determined by MARC, expansion of Artist INC trainings and development of a creative sector incubator can be started in years 3+</td>
</tr>
</tbody>
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