



Public Works and Safety Committee
Standing Committee Meeting Agenda
Monday, January 14, 2013
5:00 PM

Location:

Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
6th Floor Training Room

<u>Name</u>	<u>Absent</u>
Commissioner John Mendez, Chair	<input type="checkbox"/>
Commissioner Ann Brandau-Murguia	<input type="checkbox"/>
Commissioner Angela Markley	<input type="checkbox"/>
Commissioner Tom Cooley	<input type="checkbox"/>
Commissioner Butch Ellison	<input type="checkbox"/>
Loretta Colombel - BPU	<input type="checkbox"/>

I. **Call to Order / Roll Call**

II. **Approval of standing committee minutes from December 17, 2012.**

III. **Committee Agenda**

Item No. 1 - 3 RESOLUTIONS: TRANSPORTATION ENHANCEMENT GRANT FUNDS

Synopsis:

Three resolutions authorizing submission of an application to KDOT for transportation enhancement program funds for the following projects, submitted by Bill Heatherman, County Engineer. KDOT's share would be 80% with the UG paying 20% plus design costs. This is in keeping with the Sidewalk Plan and strategy and the Complete Street policy.

- Kaw Point Park Connector Project
- Missouri River Bridge/Jersey Creek Connector Project

- State Avenue/Village West Connector Project

Tracking #: 130028

Item No. 2 - COMMUNICATION: UMB'S "MORE THAN" COMMUNITY MURAL

Synopsis:

A communication requesting approval of Chester Owens, with the Historic Northeast-Midtown Association (NBR), request to list the UG owned retaining wall at 5th & Washington on their application for consideration for UMB's "More Than" community mural, submitted by George Brajkovic, Economic Development Director.

Tracking #: 130029

IV. Adjourn

**PUBLIC WORKS AND SAFETY
STANDING COMMITTEE MINUTES
Monday, December 17, 2012**

The meeting of the Public Works and Safety Standing Committee was held on Monday, December 17, 2012, at 5:00 p.m., in the 6th Floor Human Resources Training Room of the Municipal Office Building. The following members were present: Commissioner Mendez, Chairman; Commissioners Cooley, Markley (arrived at 5:08), Murguia, and Ellison. BPU Board Member Loretta Colombel was absent.

Chairman Mendez called the meeting to order. Roll call was taken and all members were present as shown above.

Approval of standing committee minutes for November 13, 2012. **On motion of Commissioner Markley, seconded by Commissioner Ellison, the minutes were approved.** Motion carried unanimously.

Committee Agenda:

Item No. 1 – 120296... **Report by Bob Roddy, Public Works Director, regarding the status of the interlocal agreement with Edwardsville regarding sewer services. The purpose of the report is to share information and get input and direction from the standing committee.**

Bob Roddy, Public Works Director, said we are here to give you a status report on the Edwardsville interlocal sewer agreement. Representatives from Edwardsville are here, Mike Webb, City Administrator; and Mayor McTaggart. They are here to share in this discussion. In the packet before you we brought up two different items, but before I get into those, I just want to give you a brief history for those of you who might not be familiar with it. Since 198, the city of Kansas City, KS, has provided wastewater treatment for the city of Edwardsville. They basically

manage their own collection system and we are responsible for the major pumping station and it pumps their wastewater over to plant 20.

In the current system, the citizens of Edwardsville pay their sewer bill on the BPU bill just like any other customer, but in addition, Edwardsville has a monthly charge on the customer to help cover any administration costs in Edwardsville and secondly to pay for any capital investments that Edwardsville has incurred. The customer receives basically two bills which is different than KCK. In KCK you just receive the one bill which takes care of collections. That's somewhat of a unique system going on. That agreement since 1981 has now expired. It was a 30-year agreement. Since then, we've been operating on a mutual agreement to extend and operate it under the existing 30-year old agreement.

As far as this evening is concerned, we have two issues we would like to bring to your attention for review, comment, and perhaps some direction. The first of these involves this board up here. This is the vicinity of I-70 and 110th St. This property south of I-70 is in Edwardsvilles' municipality. This area currently is not developed. What they would like to do is basically bring sewers to this 100 - 200 acre but in order to do that, they have to have a place to take the wastewater. We, being Kansas City, KS, have a big sewer in Little Turkey Creek to the east of this site. What they are proposing is to build a collection system and a pump station to pump the water underneath I-70 and connect onto the gravity sewer near Chateau Avalon.

This proposal is currently allowed in the current agreement that we're operating under and it is truly just an administrative decision. It doesn't require commission approval, but we thought it would be appropriate to bring it to your attention that we, at staff level, have looked at this. We think that the sewer has capacity. We see no reason why this would not be allowed and, in fact, was originally envisioned with the first agreement. That is what we propose to do. Perhaps someone from the city would comment on their timeline, but as far as we're concerned, we would certainly support making this second connection.

Mike Webb, City Manager of the City of Edwardsville, said as Bob said this is something actually we've been working on for quite some time, probably about four or five years ago we did kind of a concept plan to see if it would work. We came back and spoke to Bob and his staff and decided it needed to go to the next step and some of that was to make sure there was capacity and where would the sewer line go. We retained the firm of BHC Rhodes who actually has prepared pretty much preliminary plans for all this. They did the testing that was necessary to

show there was capacity and line sizes. We're basically at the point now where we're ready to move forward with obtaining rights of the easements necessary to put the sewer line. I think as he noted, most of this is all pressure line on the north. I think there are only two property owners, the Speedway and the Unified Government are the two property owners. Obviously more in the south, but we've had quite a bit of interest recently come forth on 110th St. for development. I have some additional meetings this week. We've done all the design work and we're kind of ready to take it to the next phase. I don't know that we're ready to start construction until obviously there are developments in play and supported financially for all purposes. That's where we are at in the timeframe.

Chairman Mendez asked did I hear you say that all the right-of-ways have been acquired in order for you to do that. **Mr. Webb** said it has not been acquired. We have all the information necessary to prepare the documents. We expect some of it will be donated through the development process and some of them will have to be taken through normal methods, but we're ready to move forward to that step. That's where we're at tonight.

Commissioner Cooley said Mike, when I was first commissioner in the spring of 2000, we talked about doing this. At the time Edwardsville did not have the financial wherewithal to do it so it's been somewhat semi designed all along that time, although the line that's going to be going down—is this just immediately. Is this going to be your force main? **Mr. Webb** said the force main is from here up this way. This will all be gravity and roughly serve and that probably serves better but basically serves this area. **Commissioner Cooley** said the reason why I was asking is originally the line went down Riverview back in 2000. **Mr. Webb** said I think as you know, there hasn't been a lot of discussion in the past about Betts Creek which would be great except you have to go three, four or five miles to get there. In any good sewer system you have to have connections that make sense and at this point that doesn't make sense. We figured that eventually Betts Creek will get built, but this area can't support all of that the whole way.

Commissioner Cooley said Bobby, I asked in 2000 before all the Village West and the Legends area had gotten developed if there was enough capacity on the Little Turkey Creek interceptor and you indicated then that there was. Is that still the case? **Mr. Roddy** said yes and as a matter of fact, we did flow studies for whether or not — what kind of capacity to allow them to have

because in the agreement we would say you are entitled to so much capacity. We do not want to give away capacity that they don't use and would preclude us from using that capacity ourselves. We feel comfortable that we still have additional capacity in the sewer even with committing to this additional growth. **Commissioner Ellison** said Bob even when they develop eventually we'll still have that much room. **Mr. Roddy** said we'll have plenty of room. **Mr. Webb** said I think the flow study that was done during a race at some other big events that particular period. **Mr. Roddy** said in the long-term remember we built the treatment down in Wolcott and right now we are taking water from Piper and pumping it over to Little Turkey. The long-term is to push water further to the north so that in the future years there will more relief given to the Little Turkey Creek so we'll have even more capacity.

Commissioner Murguia said Bob I might have missed that first part of this sorry. Is this flow going to flow into my Turkey Creek? **Mr. Roddy** said no, this is not. Your creek is Turkey Creek. This is Little Turkey Creek. **Commissioner Murguia** said so it really is Little Turkey Creek. **Mr. Roddy** said I'm convinced that in Kansas they only have about four words for creeks and it has to have Turkey in there somehow. **Mr. Webb** said this side of Turkey Creek just below Parallel through 435 between Village West and to 88th and K-32. **Commissioner Murguia** said I thought it was a ways away, just checking. **Commissioner Markley** asked has BPU been involved in this discussion at all. **Mr. Roddy** said no. **Commissioner Markley** said it's talking in here about the billing and that not being done by BPU. What would be left for BPU if that stuff happens? **Mr. Roddy** said you're jumping ahead. That's number two.

Mr. Roddy said the second item that we would like to bring up would be for the negotiations for the new interlocal agreement. Edwardsville desires to alter the nature of the agreement. As I said earlier they are responsible for their collection system and yet they get charged as if I was providing their collection system. You could argue the case that they are paying for sewer service than someone in Kansas City, KS. On the flip side you can also say that the citizens of Kansas City, KS incurred the capital expense to build the treatment plant and they have the liability of the treatment plant, perhaps one flip for the other but that is the nature of where we are. If I understand, what Edwardsville would like to do is a wholesale agreement; which means they deliver water to the treatment plant and they only pay for treatment costs so they do not have to pay for the collection costs. The collection responsibility is solely on them.

This technique is used in a variety of other places so it's not unusual. We could structure it that way. I think from my perspective it would be fairly easy to do. I think quite honestly most of the burden would be shifted to Edwardsville. You asked about BPU, it wouldn't bother them at all, they would have less work to do. They would be quite happy with it. When we enter these negotiations concerns that I have representing the city of KCK is liability. If we were out there we want to make sure that they are responsible for their collection system. I don't want the city to be held liable for their actions or inactions, perhaps I've been dealing with CSOs and the EPA too much.

The second item that would have to be reviewed is the call out for expenses. Occasionally Edwardsville ask us to do something and in the past we've sometimes struggled with how much we charge them and how much they are willing to pay. Any agreement would have to clearly specify what those expenses and what the costs would be to provide service. The third thing would be my concern for Edwardsville ability to operate under this situation. They have a very small system, 500 customers. It's a question of economics of scale and everything that goes with it, but that's their burden. I'm just offering it as a caution. The last item is money. Something that is basically—the water pollution would probably by shifting to a wholesale agreement they would receive anywhere from \$50,000 to \$100,000 less revenue. I guess the reason why and I'll let Mike or the mayor speak if they would like to add to comments.

Mr. Webb said I generally agree with Bob wholeheartedly. Wholesale agreements are fairly common. I've operated in a number of cities where we've had those. To speak to the BPU question, a number of years ago we did and I think we went to BPU and we talked about changing it to where we could have centralized billing. That wasn't able to be worked out and it put us in the position where we had to add our own billing system. We now have that billing capacity in the system which we didn't have in the past. I think the items that Bob talks about are on line. How do you figure out that buy-in cost for treatment?

One of the reasons we can't staff for maintenance because the way the structure is right now with the dollars all going into the KCK system typically part of your rates cover the cost of maintenance and operation and right now we don't really have the mechanism to collect that. Yes, we will have to work on that. It's one of the — the mayor can speak if necessary. I mean even this year we're already staffing up for just general maintenance type thing. As far as I'm concerned right now have a liability. We have a sewer system and technically even under the

current agreement it's our responsibility to maintain everything up to the plan. I think probably we technically should be maintaining the lift station, but over time the main lift station has been maintained through the Unified Government. I think we have some liability in the sense that we should be maintaining something that's probably not being properly maintained at all.

I think the wholesale agreement works. One of the things we proposed—this isn't new. I went back and went through some of my records. We've been talking about this since 2007, 2008. It may be a separate contractual agreement. That may be whether we do it in the main agreement or do we do a contractual agreement for those services. The rates in Edwardsville will be different than what they are in Kansas City, KS. Our counsel will set the rates appropriate to service our system and obviously the U.G. set the rates to service it's system. I think that was one of the only things, how it will affect rates. Can I tell you ours is going to be more or less at this point, I don't know because we haven't gotten that far? Certainly I want to answer any questions but I think we're on the same page relative to the key issues around a wholesale agreement again are very common.

Mr. Roddy said we were just trying to be transparent that we're entering these negotiations and if we do opt to come back with a recommendation for wholesale, we wanted to give the commissioners notice of this because it would be a departure from what we've done in the last thirty years. Just to share the complete history with you we had at one offered to take over their collection system and then charge them the same as everyone else, but what we would do is go in and look at their collection system and that they would be responsible for any upgrades to the system as it exist today, but for whatever reason they opted not to choose that path.

Mr. Webb said that the issue is now that we have taken on debt to expand that system so then the question is are you going to buy the system out in debt. If I'm sitting in Bob's seat, I'm going heck no and I understand being in this business and I've been in these agreements on both sides. I can definitely understand but we've got several million dollars in capitol even if this thing goes forth. We know we've got debt now on the book and will for a long time. We certainly don't want that debt to be taxpayer debt, it should be system revenue debt. That's the way the sewer systems in any city should work. That's one of the complications in the transfer situation.

Action: No action required.

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Item No. 2 –120338... **Requesting approval of the following resolutions, submitted by Debbie Jonscher, Finance. The projects are consistent with the CMIP. It is requested that this item be fast tracked to the December 20, 2012 full commission meeting.**

- 2012 Emergency Bridge Repair Annual Program, CMIP 942-0112**
- 2012 Concrete Street Repair Annual Program, CMIP-941-0312**
- 2012 Guardrail Replacement Annual Program, CMIP 941-0512**

Debbie Jonscher, Deputy Finance Director, said these resolutions included in your packet are for various capital improvements for emergency bridge repair, concrete street repair and guardrail replacement. The resolutions list the improvements that are to be completed and we've financed in our 2013 financing. We previously issued reimbursement resolutions on these projects and at that time we did not issue financing for them so now we are coming back to you with a list of projects to be completed and then we are going to issue financing. Normally these projects would go through the finance standing committee, however they were left off the list of projects that went through two weeks ago so we requested to bring them to the Public Works Standing Committee for approval and then are requesting to fast track them to the Thursday night commission meeting with all of the rest of our CMIP projects.

Commissioner Ellison said Mike it's not in my district, but my district is the whole city right. On Sorta Dr. at about 40th there is a creek there and the rail is very narrow. Two cars can't get on there. The rail is almost lying over in the creek bed. I go through there four or five times a week sometimes. Some car is going to slip off in there during the winter. It's just before the White property. You know where that—just when you make that turn and it's very dangerous. You probably can't get it on this year but take a look at it because it's bad. **Mike Tobin, Deputy Public Works Director**, said we might be able to commissioner. **Commissioner Ellison** said the rail is probably 30 ft. long. **Commissioner Murguia** asked did they just fall over. **Commissioner Ellison** said yes it's almost in there quite frankly. Just a footnote.

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Ms. Jonsher asked were there any questions on any of the projects that were included with these resolutions.

Action: **Commissioner Cooley made a motion, seconded by Commissioner Ellison, to approve and forward to full commission.** Roll call was taken and there were five “Ayes,” Ellison, Cooley, Markley, Murguia, Mendez.

Item No. 3 -120339... Report by Mike Tobin, Public Works, regarding the John Garland Park reuse plan.

Mr. Tobin said as you know John Garland Park is an old landfill that was closed in 1974 and it's been an area of much concern to the neighborhood and much costs and even much litigation between Kansas Department Health and Environment and the city of Kansas City, Kansas and the Unified Government, however; we have performed a number of improvements to the gas system and the monitoring of the fill. Recently the EPA has come forward and they have started talking to us about a reuse plan and this was quite a change from their perspective for us. We've been working with them. They've talked to the neighborhood and they've come up with some good ideas. In discussing this with the Kansas Department Health and Environment they just have some concerns about the integrity of the cap of the landfill, but the improvements that are proposed as part of this plan are not invasive for the most part.

We're going to fix the exterior fence. We're going to put interior fences around the wells and the monitoring system that are much nicer than the one that is currently up around the gas system. We're going to do some—in fact we've already done some improvements to the shelter house that's in the southwest corner of the park. We're going to put some bollards in some parking lots around the exterior of it and then we're going to put a walking trail similar to the one that's down at Kaw Point Lewis & Clark Park which is a crush limestone path. It's about 4 or 5 five feet wide that'll be going through there. Its very user friendly and it'll be very nice as part of the park. All of this is an attempt to take the park back and give it back to the neighborhood and

let's get some use out of it. Eventually, because we are doing this in phases in order to stay within budget, there will be the possibility of some athletic fields and perhaps some more improvements as we go along.

Commissioner Ellison said I see Tilapia House—Tilapia Farm Greenhouse. **Mr. Tobin** said you have to remember that I was dealing with the feds and they get out there a little bit. **Commissioner Ellison** said what about catfish? **Mr. Tobin** said that seems more appropriate.

Mr. Roddy said just to clarify that the items on your list, the fencing and the — what will be done in the next 6 or 9 months? A level of what will be done in the next 6 to 9 months. **Mr. Tobin** said the fencing will start relatively soon. We've already procured the fencing and a contractor with that in place. Hopefully most of that will be complete in the spring. There will still be some areas that will be worked on. The bollards in the parking lots probably won't be in all the way until the summer. The trail will start weather permitting as soon as we get the break in the spring.

Commissioner Murguia said so remind me who's paying for this—these improvements. **Mr. Tobin** said the Unified Government. **Mr. Roddy** said last budget session the consensus of the commission was to start investing in the park to turn it into reuse. We have approximately \$100,000 for Garland Park for managing that site. In the past all of that \$100,000 has been on environmental compliance issues. We're now to the point that is behind us so we're taking whatever funds we have and basically reinvesting in the original purpose of the site returning it to a park. **Commissioner Murguia** said and we all decided that was a good idea. **Mr. Roddy** said I believe so and matter of fact you—one of the purposes of this meeting was for us to come back and tell you what we have planned to do first and when were these things going to happen to return it back to a park. I believe it's our consensus, at least at the staff level, is that once the wells are fenced in and we open up with some of the parking lot we intend to have that park useable by the spring or the summer of this year. **Commissioner Murguia** said the trail that you're doing was there a trail there already or is it a brand new trail? **Mr. Tobin** said it would be brand new. **Commissioner Murguia** asked are you guessing it to be \$20,000. **Mr. Tobin** said basically that's a material costs. **Commissioner Murguia** said that doesn't include labor. **Mr. Tobin** said hopefully we can get it done for not much more than that. We may do it with our

own crew. **Commissioner Murguia** said just as an FYI the Sunflower Foundation will give you matching dollars no questions asked so if it cost \$20,000 they'll give you \$10,000. It's not a rigorous process it's sort of an automatic thing. **Mr. Tobin** said that would allow us to hire a contractor. **Commissioner Murguia** said right and it's whatever the costs is.

Gary Ortiz, Assistant County Administrator, said commissioner you might not recall the budget discussion because I think we led into it off of the environmental trust plan. It was a side conversation. **Commissioner Murguia** said okay, I don't have an objection I just was surprised I guess was the deal. **Mr. Ortiz** said this is housekeeping. We promised to bring it back. **Commissioner Murguia** said well if we could leverage those dollars that would be great. It's pretty easy, if you need some help I'll be glad to help. **Mr. Tobin** said and again as Bob and Gary stated this is stuff you've already approved.

Commissioner Ellison said Andy Rollins would be proud of that. I remember when he went to DC to get the name for that landfill and they came in off 7th St. **Commissioner Murguia** asked what was that. **Mr. Tobin** said Andy Rollins. **Commissioner Ellison** said Andy, John Garland was his ace boon coon and so he named it after him.

Action: No action required.

Goals and Objectives:

Item No. 1 – 120316... **Presentation of a draft tracking tool to help commissioners and staff track the status of various goals and objectives identified as a result of last year's strategic planning initiative, submitted by Gary Ortiz, Assistant County Administrator.**

Mr. Ortiz said a couple of things; this too is just for information only. We developed a tracking tool to help the staff and the commission more closely track all of the moving parts related to your strategic planning and the discussions were kind of taking a life of their own and we're beginning to become concerned that things would slip through the cracks if we did not track it. That's what this tool is intended to do. We've shown it to the other group of standing committees and we wanted to do it with this group and just show you the tool.

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There are a few people that have editorial access to it. It's the assistant county administrators, Sharon McMillan and some public works staff primarily. All of the commissioners will have read only access to this tool. **Commissioner Markley** asked if it will be linked in that same area. **Mr. Ortiz** said yes, off of myUG.com you just click it and enter in and this point I'll let Sandy describe the tool.

Sandy Mai, Information Systems Analyst, said what you see here is kind of like a glorified spreadsheet similar to a lot of things you've seen probably, but what we have are the nine goals that were set forth a while back by the commission. Housing, infrastructure, ect. Within each goal you have objectives that you established. When I click the plus sign it expands it out. Here's the objective. Objective one was for our neighborhoods; objective two was make property owners accountable.

What we have here across is several columns. We don't have a big creative fill in sometime in July you set that, but that can be filled in and then the standing committee that is concerned with that goal, admin that's been assigned to the goal and staff assigned. The current status which can change as time goes on. You just replace it with what's currently going on. Then to the right are the columns for each standing committee date and what was discussed about that goal at that particular standing committee date and right now we only show up until December but we'll continue it on through January of course. That way you can see the progress that things have made and as you plus out each goal you see the set of objectives within it and you can compress it this way. This kind of gives you a quick summary of what has been going on with those goals.

There are some different views I want to show you. If you scroll all the way to the right, if you want to, for instance, look at them in terms of the standing committee; now we're going to group it by standing committee. Here would be this standing committee and the goals that they are concerned with and the objectives within each of those goals. It's just redisplaying the exact same information in a different order. Again you can scroll to the right. Some of them have been filled in, some have not as of yet, but we wanted to show you the tool that we developed so that as it gets filled in you'll be seeing more information. It's going to be maintained by the five admin people that have been assigned to it and again that's another view if you want to see by group by the admin assigned, now we have the five admin that have been assigned to maintain the information. That's it. **Mr. Ortiz** said that's the overview, just a courtesy of information.

Commissioner Cooley said to pull it up you go to MyUG. **Mr. Ortiz** said yes and then Sandy show them again where you can access it off of MyUG, right there commission goals. **Ms. Mai** said not everyone has that, but you guys all have it now. You have access to that and then the admins have access to that.

Action: No action required.

Public Agenda:

Item No. 1 – 120345... Shannon Clark, Constable Patrol, LLC requesting his business be granted emergency vehicle status.

Ken Moore, Legal Counsel, said commissioners, by way of background, Mr. Clark has asked for an appearance on the public agenda for five minutes. His request does have a request for action and that is for an emergency vehicle designation. This will allow the vehicle to have red and blue lights just like the police cars, highway patrol, ambulances, things of that nature. We do not have an ordinance in Wyandotte County governing those types of applications, but there is a state statute which allows someone to appear before the Board of County Commissioners and request such a designation. No action is required but if you have any questions, staff is here to answer any. The statute does outline the criteria to use in giving such an application. My understanding is that we've never done that before. Such a designation is good anywhere throughout the state.

Commissioner Cooley asked did that statute cover the old days of private ambulances. **Mr. Moore** said well— **Commissioner Cooley** said because we used to have private ambulances that ran emergency vehicles...**Mr. Moore** said it does say—there are certain vehicles that don't even require such an application. Fire department vehicles, motor vehicles operated by ambulance services, wreckers, tow trucks and then of course law enforcement. They do not require an application. **Commissioner Markley** asked did you say the designation is throughout the state. If our county approves it is good in all the other counties. **Commissioner Ellison** said that's kind of dangerous. Someone in Sedgwick County who was approved in Wyandotte County gets to

chasing somebody down the highway—**Mr. Moore** said it doesn't allow them to do anything illegal; it just allows those lights and the use of those lights.

Shannon Clark, Owner of Constable Patrol, LLC, said if I may I'd like to address that. Some of you may recognize me from the police department. I used to be a police officer for almost 14 years. I got seriously ill and injured and they medically retired me so I started my own company. To answer your question right off, emergency status approval does not mean I have law enforcement credentials. We're not going to chase anybody for any reason. The purpose of this is partly outlined in this booklet that I've prepared for you, the commissioners. Constable Patrol does not operate exclusively in the state of Kansas, Sedgwick County, Reno County. We're not there. Kansas City metropolitan area that's it. We're just a small business, and as such, and part of the reason why we're going this route.

We offer services for many commercial businesses here in Wyandotte County, but we also operate for a homeowners' association in Johnson County. There are many hundreds of houses in this homeowners association. They have swimming pools; they have a huge private lake so there are some issues with safety there. When I was contacted and we started service for these people, I looked at it and said you know there's really an ability to do more here having my agency on site. Essentially, we are a first responder for the people out there. If they have a problem they call us. I got to thinking what if a person has a medical problem. What if we were to equip our cars with life-saving devices, AEDs (Automated External Defibrillators), our people are CPR certified, first aid trained.

If we have an incident in the swimming pool where we have a potential drowning victim, and we have emergency vehicle status, sure we're a couple of minutes out; but for those couple of minutes out it's nice to be able to pull in using that equipment as needed. If we have traffic for whatever reason for one of the thorough ways we can get through safely. That's just one segment of why I'm looking at this. We're also looking at getting into motorist assist and this is something new something security hasn't done before. Kansas has a move over law, police, highway patrol, if you see emergency lights, emergency vehicle equipment, you move one lane over. You get away from them and give them the space needed. If we're out on the highway somewhere or in the street, I would like that same protection given under the law for us. All these different little points that I'm pointing out also leads up to my biggest portion of the presentation here and that's assisting law enforcement.

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How can my company assist law enforcement especially in today's economy. This is a beautiful thing. We have a police officer that stops someone, let's say he makes an arrest warrants, whatever. From the time of the stop to the time he has to take that party to jail, if the jail is busy they have to sit with that party. You've just taken that police officer out of service for an hour, maybe a little more than an hour. Under the existing state law, law enforcement asks for assistance from anyone a citizen, Commissioner Ellison. He's duly deputized and basically under the color of law as a police officer for the time of that situation.

We set it up where we can transport for the police department putting those officers that ordinarily would have been tied up with his administrative routine transporting people to jail, sitting with them until they are booked. We can put that officer back out on the street. All it takes is a request from law enforcement hey we need your assistance. Can you respond here? Again that falls into the move over law with the approval of emergency vehicle status. Once Constable Patrol shows up to assist law enforcement we are still protected by existing state law. This is not because we want to go run around and play cowboy. This is not because we see somebody speeding down the street hey we can take care of that who needs the police. This is not about that. This is more professional than that.

Commissioner Ellison said I have a couple of questions one, when I saw this on our agenda I did talk to the police chief and the sheriff. Have you made any contact with either of those two law enforcement officials? **Mr. Clark** said not at the current time no sir.

Commissioner Ellison said I think that the process that he utilized needs input from our professional sheriff and our professional police chief and I looked at that name Constable Patrol which is kind of misleading a bit. My daughter happens to live in Houston, Harris County. She used to live in Harris County. She's in Brazoria and they had a constable in their neighborhood which was an upper class Jewish neighborhood. The name constable—their constables were elected by war in Houston and they worked under the Harris County sheriff. I think that you really need before we get to talking about sirens and lights, I think you really need to consult with our police chief and our sheriff. I think we're putting the cart before the horse. I think they really need to be in on this. They were not even aware of this. So we're talking about police things. Major Horn, am I on the right track?

Major Henry Horn, Police Department, said it is correct, I think it is important for the group to understand that by our own ordinances he has the right to establish a legitimate business as a security company by the standard UG business licensing as it is regulated under our UG ordinances. It's under the state statute that regulates the commission of the emergency vehicle status. We do not currently have a UG ordinance that covers that. It is set aside completely for jurisdictional authorities throughout the state of Kansas, anything outside of that is something very different, but the statute does require that area of commission within the company owner's business address to look at that. That is part of his application process. **Commissioner Ellison** said so we need an ordinance to establish— **Major Horn** said I think the ordinance is there. The state statute is what he is asking for, but as the commissioner stated earlier, he has to apply in which his business resides in and then if he has it approved then it is approved throughout the state of Kansas. I currently do not know any current jurisdiction around here that have given that approval as a county authority. **Mr. Moore** said we don't have an ordinance covering these designations just as a security guard. **Major Horn** said that's correct. Our UG ordinances do not govern the designation of emergency vehicles. A point of clarification on this—he called it yielding the right a way of emergency vehicles. That's actually in rural areas not urban areas as well. It's kind of dated out of our current demographic type of makeup.

Commissioner Ellison said what would be the proper method or procedure that would be used by the applicant to be completely legal. We're kind of standing in the dark. We don't have any authority to do anything because the process and the procedure—is there a procedure that he needs to follow? **Mr. Moore** said the statutory procedure is very brief. It just says that they submit an application signed by the applicant, partnership or an authorized agent. That's really all it says. It does have criteria that says these vehicles upon approval may be designated as emergency vehicles. (1), is civil defense vehicles, (2), is emergency vehicles operated by public utilities, (3), private owned vehicles by fire fighters or volunteer fire fighters, (4), privately owned vehicles of police officers or (5), which I think is the last thing which is the most applicable, any other vehicle when it is determined by the Board of County Commissioners that such designation is necessary to the preservation of life or property or carrying out of emergency governmental functions.

Commissioner Ellison said my third question is there a need? We have a county of 154,000 with a full-time sheriff and a full-time police chief. Major Horn and not to put you on the spot, I read through this and we mentioned I think one of the words used was affluent neighborhoods. I found it hard to find a definition for affluent neighborhoods right. That's to begin with. Number two, to my knowledge and I've been here since 1939 I'm still looking for an affluent neighborhood in Wyandotte County. What I would call affluent. I studied this all day long and looked at it. One to establish a need which means you need some data on crime. Swimming pools, I've got one in my backyard and nobody patrols mine. I don't know how many pools—**Mr. Clark** said may I interrupt sir. **Commissioner Ellison** said no wait let me finish. I think we have an adequate police force and sheriff's department. Right off the bat my vote is no whatever the situation is. I don't see it, but go ahead.

Commissioner Markley said can I walk us down a path here. We can create an ordinance that's more specific for this statute that would allow us to designate vehicles is that correct? **Mr. Moore** said yes; right now the state statute says you're basically allowing this vehicle to have the emergency lights and this is separate than private security companies that have the flashing yellow lights. You'd be allowing them to use the same lights that all law enforcement and emergency vehicles use. That's what you're doing. So as long as the vehicle is owned by the person who applied that vehicle can have those lights. It doesn't say what they can use it for, doesn't say who's authorized to turn them on or drive the vehicle. It's just that vehicle can have those lights. **Commissioner Markley** asked is there any other county that has that more specific ordinance. **Mr. Moore** said not that I'm aware of, but that's the key not that I'm aware of. **Commissioner Markley** said my concern with this is it is obviously is very vague. It doesn't give us the ability to revisit the license of designation once it's been issued. They don't even have to have paperwork in their car. It says they have to carry it, but if they don't carry it this doesn't affect their status. What is that? You have to have a driver's license but if you don't carry it no big deal no problem. The only criteria we have is whether it's necessary. Obviously it's not necessary in a critical sense because we've been without it all these years but it's not giving us much to go on so if we were even to consider moving in this direction I think we need to—for fear of having ten different security companies here and saying we all want the same thing we need to have our own ordinance if we're going to do this. I'm not saying that we need to or should I'm just saying if we would, I don't think we should do it under this statute, I think

we would have to do it under an ordinance that said these are the more strict criteria that we as a county are going to adopt that we want vehicles to be in our county. Now the weird thing about that is based on this statute then he can set up business in Johnson County and come right on over and if they don't have the same ordinance. That's why I wondered if any of the other counties had ordinances. It'd be nice if everybody had them then we could kind of fall into line with that but that's not an option. **Mr. Moore** said I can try to find that out. I apologize I didn't check into that.

Commissioner Cooley said Ken what's the difference of having the security people at the Legends area with light bars on their vehicles and cameras and uniformed security people. What's the difference? **Mr. Moore** said I don't think they are allowed to have the same red and blue. **Commissioner Cooley** said is it the color of the lights. **Mr. Moore** said that's the biggest distinction so that you know it is an authorized emergency vehicle. **Commissioner Cooley** said so it isn't him running a security company because we have them all over the place. **Mr. Moore** said correct and we have several apartment complexes that have their own private security and they have lights on their vehicles. They are just not the red and blue law enforcement type that you think as emergency vehicle lights. **Commissioner Cooley** said in having an issue with do we need security companies, yes. I think the security people at Village West and the Legends serve a great purpose there. They relieve some of the pressure that the police department has and I mean they do more than just traffic control I know that. We've seen some of the videos haven't we major. I guess where I'm going with this is so the only issue is the color of the light bar. **Mr. Moore** said correct. I also would like to state that by statute it is the designation of emergency vehicle.

Commissioner Cooley said I understand. **Mr. Moore** said that's the clarity here. His right to have free enterprise and have a business and everything is not in question whatsoever, but I think there is a definite concern for the UG. I think for the police department because our ordinance with security companies obviously make them differ from their uniform so it's totally distinguishable between law enforcement and I think the state has made those provisions for emergency operable vehicles for the same purpose of that and I think that's where it's kind of different. I've really never see that applied that in any other county that I know of and I've checked some of the neighboring ones here and that's just with the local law enforcement

agencies between here and Johnson County and I have not had any confirmation that they've given up that same as it's being requested here.

Commissioner Cooley said I understand the designation of an emergency vehicle and what that means, but when we're talking about a light bar and certain other vehicles. So do wreckers and tow trucks have that color light bar and they don't have any problem. Are they designated emergency vehicles? **Mr. Moore** said by statutory. **Commissioner Cooley** said you see where I'm going with this. **Mr. Moore** said it's pretty much automatic. **Commissioner Cooley** said that's what I'm saying. You see where I'm going with this. I have never seen a wrecker running down the road at 60 mph as an emergency vehicle. **Commissioner Markley** said you're never going to see a wrecker behind you and wonder whether it's a cop pulling you over or a security guy. There's no confusion there. **Commissioner Cooley** said no I understand, but again the bottom line that we're talking about is the color of the light bar and designation as emergency vehicle. It seems confusing to me and I have mixed emotions. I'd like to know more about it. **Commissioner Ellison** said we need the sheriff and the police chief. **Commissioner Cooley** said I agree with Commissioner Ellison I'd like to have some input from our law enforcement people, but the other side of that issue is if we do this are we issuing it as a county or the city of Kansas City, Kansas? **Mr. Moore** said county, the Board of County Commissioners. **Commissioner Cooley** said because now we've got two other cities we've got to deal with. One was here tonight talking about sewers.

Mr. Clark said the affluent homeowners association that we were discussing with Commissioner Ellison that is in Johnson County. **Commissioner Ellison** said they call themselves affluent. **Mr. Clark** said it's the Cedar Creek homes out near DeSoto. As far as like you had said wondering this is not to pull people over. This is strictly for use on client property. As I tried to, and perhaps I didn't clearly communicate in this, the differentiating between the white and amber lights and the color blue is a much more prominent pronounce light. I had an incident where I had activated my amber and white lights and a police car kept driving right by me. No one stopped to see if I needed anything when I had to use my high intensity flashlight to signal an officer hey to pull over.

He pulls over and he was like well I saw the light, but I didn't know what the heck that was. Well he said he couldn't stay. I have two people trespassing on this property. He can't

stay. I'll just ID them and just tell them you're trespassing. It was later determined that these two individuals were wanted sexual offenders who were armed and dangerous. The reason why I'm requesting—I'm not wanting red lights. I want to differentiate myself from police but still have that emergency vehicle designation. I drew a picture in the packet here how I would like to have my lights set up. Amber colored lights on the end, blue lights in between with white lights in the middle. This is not for running around pulling people over. This is not for running around giving people a hard time. Like you said looking toward the sheriff and to the chief of police, perhaps I should have done that. I am new to this kind of process.

Commissioner Ellison said with all due respect, I have flashbacks where in Florida this private security guy was told to back off and he winds up killing a guy. **Mr. Clark** said sir that was not private security, he was the neighborhood watchman. **Commissioner Ellison** said same thing to me. If I have a problem, I'm going to call 911, a PD. Maybe the affluent people can afford that to watch the pools and the people that shouldn't be in the neighborhood. When I saw that I think you need to talk to the sheriff and the police chief.

Commissioner Cooley said I'll make a recommendation that you bring it back here in 30 days after you visit with the other law enforcement agencies and the other two cities. If this is going to be countywide, there are two other cities that are going to be involved with this. **Commissioner Cooley** said I want our legal department to be involved so if this does come to fruition that we'll have the proper ordinance and the proper okays from the other agencies in the other two cities which are in my district. **Mr. Clark** said thank you very much for your time. **Chairman Mendez** said there is a motion and a second that this come back. **Commissioner Cooley** said next month but if you can't get it all done by then due to the holiday season, I'm not rigid on that.

Action: **Commissioner Cooley made a motion, seconded by Commissioner Murguia, to bring it to us when you can. That way I'm not locking everyone in. Everyone has their certain schedule. It might take three months.** Roll call was taken and there were five "Ayes," Ellison, Cooley, Markley, Murguia, Mendez.

Item No. 2 – 120344... Appearance of Tresa McAlhaney to speak on behalf of the Libertarian Party on the matter of the open carry ban and its interests compromising one's request for a home-based gun sales business.

Action: Item was previously deleted from the agenda at the request of Ms. McAlhaney.

Adjourn

Chairman Mendez adjourned the meeting at 6:04 p.m.

tp



Staff Request for Commission Action

Tracking No. 130028

- Revised
 On Going

Type: Standard

Committee: Public Works and Safety Committee

Date of Standing Committee Action: 1/14/2013

(If none, please explain):

Proposed for the following Full Commission Meeting Date:

Confirmed Date: 1/31/2013

1/31/2013

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

Date:	Contact Name:	Contact Phone:	Contact Email:	Ref:	Department / Division:
1/9/2013	Bill Heatherman	5400	Bheatherman@wycokck...		Public Works

Item Description:

KDOT has requested applications for Transportation Enhancement Grant funds. Applications are due February 15th. Public Works and Planning staff are preparing feasibility estimates and costs for the our main objective, the revised Kaw Point Connector, along with two possible alternate or supplemental projects: the State Avenue/Village West Connector and the Missouri River Bridge/Jersey Creek Connector. A resolution of support and commitment is required for the applications. All three projects are included in the recently adopted Sidewalk and Trails Master Plan. Staff will provide additional information on each concept. KDOT will announce awards in July 2013, and all projects must be under construction no later than September 2014.

Budget:

We only anticipate one project of the three being awarded, and detailed estimates and scopes are being refined. Local cost share needed to match available KDOT funds may be between \$300,000 and \$750,000. KDOT would pay 80% of construction, right-of-way and utility in private easement costs, with the City paying 20% of those costs plus design. Proposed budgets will be submitted as part of the 2013 CMIP revisions project.

Action Requested:

Submitted for approval by the Commission.

Publication Required

Budget Impact: (if applicable)

Amount: \$

Source:

- Included In Budget
 Other (explain)

			<input type="button" value="File Attachment"/>

RESOLUTION _____

A RESOLUTION DECLARING THE ELIGIBILITY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ENHANCEMENT FUNDS SET FORTH BY THE FEDERAL TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY FOR **THE KAW POINT PARK CONNECTOR PROJECT** IN KANSAS CITY, KANSAS AND AUTHORIZING THE M A Y O R / C E O TO SIGN THE APPLICATION.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas, (hereinafter the “Unified Government”) has the legal authority to apply for, receive, and administer federal, state, and other monies through Home Rule Power under the Constitution of the State of Kansas and authorized by K.S.A. 12-1662, regarding the expenditure of federal aid to public agencies; and

WHEREAS, the Unified Government desires to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, the Unified Government is participating in the Kansas Department of Transportation's Transportation Enhancement Program set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, Federal monies are available under a transportation enhancement program set forth by the Federal Transportation Equity Act for the 21st Century, administered by the State of Kansas, Department of Transportation, for the purpose of Historic, Scenic and Environmental, and Pedestrian and Bicycle projects; and

WHEREAS, the monies, if awarded would fund up to 80% of the costs of construction, construction engineering, right-of-way acquisition and adjustment of utilities in private easements, with the remaining share and all design costs paid for by the Unified Government.

WHEREAS, After public notice and due consideration, the Unified Government recommends that an application be submitted to the State of Kansas for the Kaw Point Park Connector project.

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

SECTION 1. That the Unified Government does hereby authorize the Mayor/CEO to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of Unified Government.

SECTION 2. That the Unified Government, hereby advises the Kansas Department of Transportation that pursuant to State law, sufficient funding for the construction of the Kaw Point Park Connector project will be included as part of the annual Capital Maintenance Improvement Program to be adopted.

SECTION 3. That the Unified Government hereby advises the Kansas Department of Transportation that pursuant to State law, if the project is built, funding for the operation and maintenance of the Kaw Point Park Connector project will be available for the life of the project.

SECTION 4. That the Unified Government hereby assures the Kansas Department of Transportation that the Unified Government will have title or permanent easement to the Kaw Point Park Connector project by the time of project letting.

SECTION 5. That the Mayor/ CEO of the Unified Government is authorized to sign the application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of Kansas City, Kansas. The Mayor/CEO is also authorized to submit additional information as may be required and act as the official representative of the Unified Government in this and subsequent related activities.

SECTION 6. That the Unified Government hereby assures the Kansas Department of Transportation that the Unified Government is willing and able to, if the Kaw Point Park Connector project is selected for funding, to administer the designing, letting and construction of the Kaw Point Park Connector project.

ADOPTED AND PASSED by the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas, Kansas, this ___ day of _____, 2013.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY KANSAS by:

Joe Reardon, Mayor/CEO

(SEAL)

ATTEST:

Unified Government Clerk

RESOLUTION _____

A RESOLUTION DECLARING THE ELIGIBILITY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ENHANCEMENT FUNDS SET FORTH BY THE FEDERAL TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY FOR **THE MISSOURI RIVER BRIDGE/JERSEY CREEK CONNECTOR PROJECT** IN KANSAS CITY, KANSAS AND AUTHORIZING THE MAYOR/CEO TO SIGN THE APPLICATION.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas, (hereinafter the “Unified Government”) has the legal authority to apply for, receive, and administer federal, state, and other monies through Home Rule Power under the Constitution of the State of Kansas and authorized by K.S.A. 12-1662, regarding the expenditure of federal aid to public agencies; and

WHEREAS, the Unified Government desires to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, the Unified Government is participating in the Kansas Department of Transportation's Transportation Enhancement Program set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, Federal monies are available under a transportation enhancement program set forth by the Federal Transportation Equity Act for the 21st Century, administered by the State of Kansas, Department of Transportation, for the purpose of Historic, Scenic and Environmental, and Pedestrian and Bicycle projects; and

WHEREAS, the monies, if awarded would fund up to 80% of the costs of construction, construction engineering, right-of-way acquisition and adjustment of utilities in private easements, with the remaining share and all design costs paid for by the Unified Government.

WHEREAS, After public notice and due consideration, the Unified Government recommends that an application be submitted to the State of Kansas for the Missouri River Bridge/Jersey Creek Connector project.

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

SECTION 1. That the Unified Government does hereby authorize the Mayor/CEO to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st

Century on behalf of the citizens of Unified Government.

SECTION 2. That the Unified Government, hereby advises the Kansas Department of Transportation that pursuant to State law, sufficient funding for the construction of the Missouri River Bridge/Jersey Creek Connector project will be included as part of the annual Capital Maintenance Improvement Program to be adopted.

SECTION 3. That the Unified Government hereby advises the Kansas Department of Transportation that pursuant to State law, if the project is built, funding for the operation and maintenance of the Missouri River Bridge/Jersey Creek Connector project will be available for the life of the project.

SECTION 4. That the Unified Government hereby assures the Kansas Department of Transportation that the Unified Government will have title or permanent easement to the Missouri River Bridge/Jersey Creek Connector project by the time of project letting.

SECTION 5. That the Mayor/ CEO of the Unified Government is authorized to sign the application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of Kansas City, Kansas. The Mayor/CEO is also authorized to submit additional information as may be required and act as the official representative of the Unified Government in this and subsequent related activities.

SECTION 6. That the Unified Government hereby assures the Kansas Department of Transportation that the Unified Government is willing and able to, if the Missouri River Bridge/Jersey Creek Connector project is selected for funding, to administer the designing, letting and construction of the Missouri River Bridge/Jersey Creek Connector project.

ADOPTED AND PASSED by the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas, Kansas, this ___day of _____, 2013.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY KANSAS by:

Joe Reardon, Mayor/CEO

(SEAL)

ATTEST:

Unified Government Clerk

RESOLUTION _____

A RESOLUTION DECLARING THE ELIGIBILITY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ENHANCEMENT FUNDS SET FORTH BY THE FEDERAL TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY FOR **THE STATE AVENUE/VILLAGE WEST CONNECTOR PROJECT** IN KANSAS CITY, KANSAS AND AUTHORIZING THE MAYOR/CEO TO SIGN THE APPLICATION.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas, (hereinafter the “Unified Government”) has the legal authority to apply for, receive, and administer federal, state, and other monies through Home Rule Power under the Constitution of the State of Kansas and authorized by K.S.A. 12-1662, regarding the expenditure of federal aid to public agencies; and

WHEREAS, the Unified Government desires to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, the Unified Government is participating in the Kansas Department of Transportation's Transportation Enhancement Program set forth by the Federal Transportation Equity Act for the 21st Century; and

WHEREAS, Federal monies are available under a transportation enhancement program set forth by the Federal Transportation Equity Act for the 21st Century, administered by the State of Kansas, Department of Transportation, for the purpose of Historic, Scenic and Environmental, and Pedestrian and Bicycle projects; and

WHEREAS, the monies, if awarded would fund up to 80% of the costs of construction, construction engineering, right-of-way acquisition and adjustment of utilities in private easements, with the remaining share and all design costs paid for by the Unified Government.

WHEREAS, After public notice and due consideration, the Unified Government recommends that an application be submitted to the State of Kansas for the State Avenue/Village West Connector project.

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

SECTION 1. That the Unified Government does hereby authorize the Mayor/CEO to submit an application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st

Century on behalf of the citizens of Unified Government.

SECTION 2. That the Unified Government, hereby advises the Kansas Department of Transportation that pursuant to State law, sufficient funding for the construction of the State Avenue/Village West Connector project will be included as part of the annual Capital Maintenance Improvement Program to be adopted.

SECTION 3. That the Unified Government hereby advises the Kansas Department of Transportation that pursuant to State law, if the project is built, funding for the operation and maintenance of the State Avenue/Village West Connector project will be available for the life of the project.

SECTION 4. That the Unified Government hereby assures the Kansas Department of Transportation that the Unified Government will have title or permanent easement to the State Avenue/Village West Connector project by the time of project letting.

SECTION 5. That the Mayor/ CEO of the Unified Government is authorized to sign the application to the Kansas Department of Transportation for transportation enhancement program funds set forth by the Federal Transportation Equity Act for the 21st Century on behalf of the citizens of Kansas City, Kansas. The Mayor/CEO is also authorized to submit additional information as may be required and act as the official representative of the Unified Government in this and subsequent related activities.

SECTION 6. That the Unified Government hereby assures the Kansas Department of Transportation that the Unified Government is willing and able to, if the State Avenue/Village West Connector project is selected for funding, to administer the designing, letting and construction of the State Avenue/Village West Connector project.

ADOPTED AND PASSED by the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas, Kansas, this ___day of _____, 2013.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY KANSAS by:

Joe Reardon, Mayor/CEO

(SEAL)

ATTEST:

Unified Government Clerk



Staff Request for Commission Action

Tracking No. 130029

- Revised
 On Going

Type: Standard

Committee: Public Works and Safety Committee

Date of Standing Committee Action: 1/14/2013

(If none, please explain):

Proposed for the following Full Commission Meeting Date:

Confirmed Date: 2/7/2013

2/7/2013

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

Date:	Contact Name:	Contact Phone:	Contact Email:	Ref:	Department / Division:
1/9/2013	George Brajkovic	5749	gbrajkovic@wycokck.org		Economic Development

Item Description:

To commemorate it's 100th anniversary in 2013, UMB is launching a "more than" community mural project and will choose one community in Kansas City, St. Louis, and Denver, CO to receive a mural; they are currently accepting applications. Chester Owens, with the Historic Northeast-Midtown Association (NBR), has requested the UG owned site/retaining wall at 5th & Washington to be part of their group's application. Staff supports the request. In the past, a mural in the Argentine Community (30th & Metropolitan) had the site request come through this Committee for approval, and thus we are following suit with this recent request.

Action Requested:

Approval of retaining wall at 5th & Washington to be submitted for consideration for UMB's "More Than" community mural project.

Publication Required

Budget Impact: (if applicable)

Amount: \$

Source:

- Included In Budget
 Other (explain) Policy decision

	 aerial.bmp Bitmap Image 395 KB	 File Attachment	 File Attachment
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UMB FINANCIAL CORPORATION

Request for Submission

“More Than” Community Mural Project

Travis Lavender

11/29/2012

Deadline 12/31/2012 – 5PM CST



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Introduction

Background

For almost a century, we've believed that who we are is defined by what we do for our communities- providing the *Count on More* experience to everyone we meet. Our passion for serving our clients is matched only by our passion for serving our communities. We want to touch the lives of people around us- that's our legacy.

We're turning 100 next year and we're not stopping there. We never just arrive; we always do more. UMB is more than just a bank. You are more than a community or non-profit. In keeping with that thought, help us celebrate UMB's 100-year anniversary by creating a "More Than" mural in your community. The selected organization will work with UMB and an artist to select the location for the mural as well as its design.

The "More Than" a Mural Project requires the commitment of local volunteers from the earliest stages of planning and design through the work of preparing the wall and painting the mural. The proposal review committee will, therefore, look for proposals that show promise of broad participation from residents and a desire for a project that is reflective to the community. Applicants should communicate how the community "More Than" a Mural Project will help build ties within the community and address some important challenges the community faces. Proposals will be reviewed by a committee (including the artist) and may include an onsite visit. One "More Than" a Community Mural Project will be awarded in February 2013 in each of the following cities, Denver, Kansas City and St. Louis. Planning meetings are expected to begin by April 1, 2013. The process includes planning, design, wall preparation and painting. Accounting for weather and other unforeseen delays, the completion of the "More Than" Community Mural Project is expected to be on or before June 1, 2013 with an unveiling ceremony on June 1, 2013.

Confidential Information

The information contained in this Request for Proposal (RFP) is confidential and proprietary to UMB Financial Corporation (hereinafter referred to as "UMB"). After accepting this RFP, the Respondent is not to use the information contained herein for any purpose other than to submit a response and is not to disclose the existence of this RFP outside its organization without prior written authorization from UMB. Additionally, the Respondent agrees to prevent the disclosure of this information outside its organization. UMB may, at its option, request the return of this RFP and any copies from the Respondent.

Not-for-profit community organizations, neighborhood groups and municipalities receiving this RFP must agree to maintain the confidentiality of this document and all information concerning this RFP. UMB agrees that all information provided by the Respondent will be treated as proprietary information and kept confidential. All responses will be held confidential and will not be returned.

Disclaimer

UMB reserves the right to reject any and all responses without recourse. UMB is under no obligation to select any of the products or services offered. Respondents are responsible for all costs relative to the preparation and presentation of any and all responses.

II. Project Specific Information

UMB requires the following information and will work together with the selected community on the following project components:

1. Location

- Identifying a location to enhance your project
- Selecting available publicly visible wall(s) in adequate condition for mural painting
- Acquiring all necessary approvals and permits
- Determining dimensions of area which will be used
- Identifying other artwork already at the site
- Taking photos of the site (digital are best for submission)

2. Funding

- Funding will be provided by UMB Bank with an allocated budget for an artist, supplies, and the dedication event

3. Project

- Defining and describing your project,
- Working with designated artist to choose design
- Providing or arranging space for the artist and volunteers to meet and work on the mural design
- Recruiting a core group of volunteers (5-15) to participate in the mural process
- Assisting in coordination and participation in public meetings, including the dedication event
- Work to be unveiled on Saturday June 1st, 2013

III. Submission Checklist

To be included in UMB's More Than a Mural project, interested Community host organizations, including neighborhood organizations, municipalities, and community development not-for-profit organizations, are invited to submit a proposal with the information and photos requested below. You must submit the following items before 5 PM on 12/31/2012. Submissions should be submitted via e-mail and in Word format with photos in PDF, JPG, or hardcopy format.

Submissions should follow the format below:

1. **Executive Summary:** Provide a summary of the community, the organization that would be involved, the proposed site, and themes or designs for the mural.
2. **Community Background:** Provide a concise description of the applicant community or nonprofit including but not limited to cultural, economic, geographic, and population diversity information, describe any issues of importance or challenges the community faces.
3. **The Applicant Organization:** Describe the applicant organization and contextualize it within the community. Be sure to include the organization's mission statement.
4. **Organizational Capacity and Project Manager:** Which organization in the community will act as the on-site project manager? How will that organization meet the specified eligibility criteria? Include the name, position, email, and phone of the primary contact for that organization.
5. **Community Engagement and Partnerships:** How will community residents be included in this project? Which community partners will participate? Describe the resources these partners might provide (i.e. in-kind donations, scaffolding, etc.)
6. **The Proposed Mural Location:** Describe suitable locations for a mural in the community and please attach photos of these locations with approximate dimensions. Submit photos of the proposed locations in either PDF or JPG form. Describe ownership and permit requirements for these proposed locations.
7. **The Community Mural Project:** Describe what themes or ideas the community might be interested in to complement of UMB's 100th anniversary celebratory theme of "More Than". How might this project address any issues of importance or challenges the community faces?
8. **Community Impact and Project Evaluation:** Describe the impact this project might have on the community. How will the applicant organization and its partners evaluate the "More Than" Community Mural Project?
9. **Additional Support Materials:** Please provide any additional information that might be of interest to the committee reviewing the proposal. Detail any costs that may be associated with the duties assigned to your organization not accounted for in the budget (such as permits). Provide copies of any contracts that would apply to this project for review.

IV. Details of Existing Project Conditions

1. All materials submitted in response to the RFP become the property of UMB Financial Corporation. (This would include the material used to submit prior work, but not any rights to those works.) Proposals and supporting materials will not be returned to vendors.
2. UMB reserves the right to reject any or all proposals.

VI. Terms of the contract

Proposals received after the closing date, detailed in the timeline below, will not be accepted.

Submit copies of your proposal and required materials to:

NAME	Travis Lavender
TITLE	Contract Administrator
ORGANIZATION	UMB Financial Corporation
ADDRESS	1010 Grand Blvd, Kansas City, MO 64106
TELEPHONE	816-860-7306
FAX	816-860-7009
EMAIL ADDRESS	Travis.lavender@umb.com

Proposals will be accepted in the following formats:

- **Electronic (MS Word)**

Should you wish to submit questions about the RFP, please email Travis Lavender at travis.lavender@umb.com. Questions regarding the RFP process may be submitted through December 21, 2012.

VII. Contract and License Agreements

Please provide a copy of your standard contracts that may apply as well as any license agreements commensurate to this proposal.

VIII. Timeline

12/21/12-Due date for questions

12/31/13-Due date for proposals

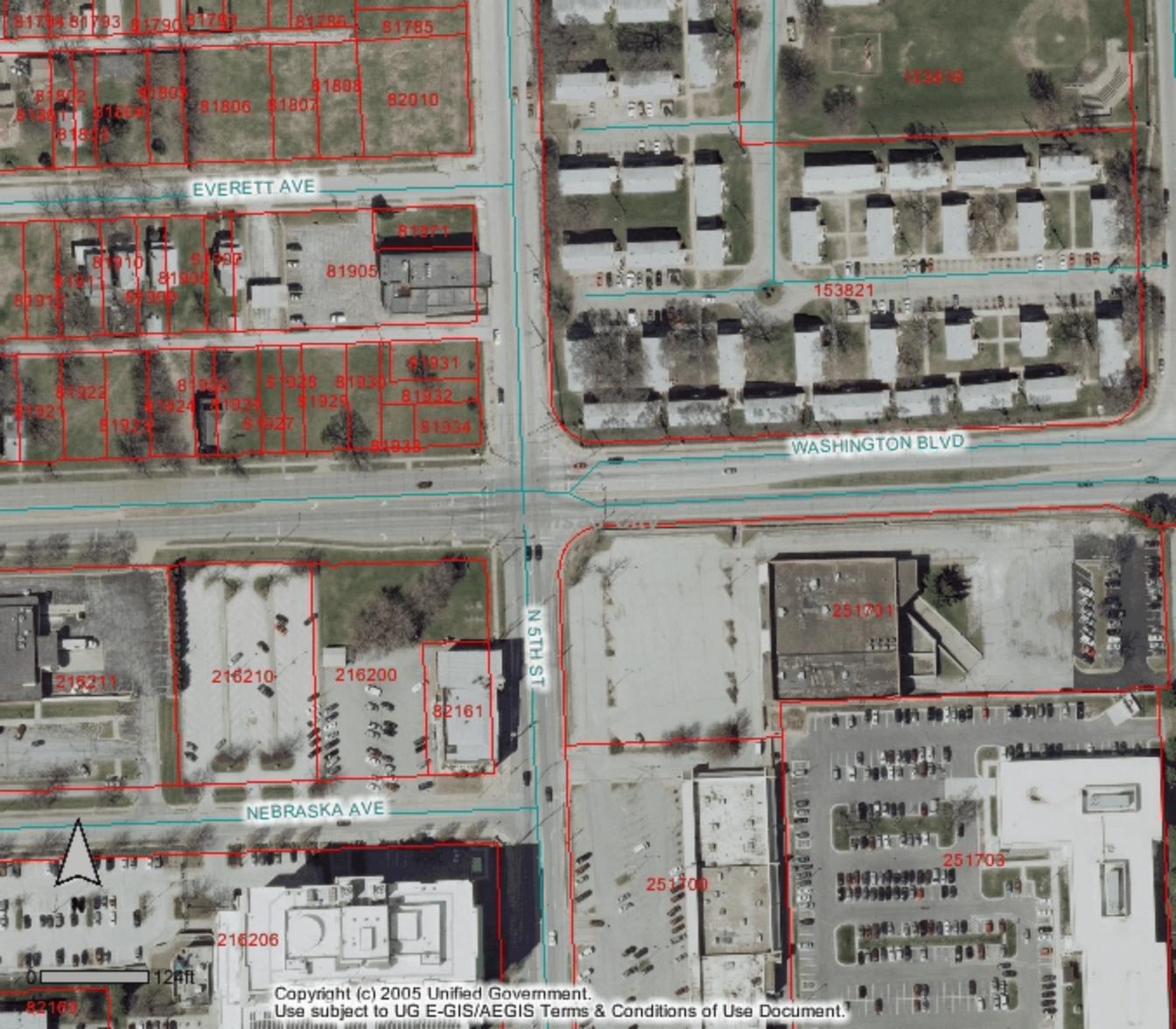
1/31/13-Artists chosen/put under contract

1/31/13-Community chosen

February-Community collaboration on design

3/1/13-Painting Begins

6/1/13-Public Unveiling



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