Public Works and Safety Committee
Standing Committee Meeting Agenda
Monday, June 16, 2014
5:00 PM

Location:
Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
5th Floor Conference Room (Suite 515)

Name             Absent
Commissioner Mike Kane, Chair       ☐
Commissioner Hal Walker            ☐
Commissioner Tarence Maddox        ☐
Commissioner Angela Markley         ☐
Commissioner Jane Philbrook         ☐
Jeff Bryant - BPU                   ☐

1.    Call to Order / Roll Call

II.   Approval of standing committee minutes from April 21, 2014

III.  Committee Agenda

   Item No. 1 - HONORARY STREET NAME: REV. L.D. SIPPLE

Synopsis:
Request by members of the Timothy Baptist Church, 1937 N. 24th St., to provide an
honorary street name for Rev. L.D. Sipple on Garfield Avenue from 22nd St. to 24th
St., presented by Lideana Laboy, Public Works.
Tracking #: 140198
Item No. 2 - INTERLOCAL AGREEMENT: FAIRFAX DRAINAGE DISTRICT

Synopsis:
Request approval of the 2014 interlocal agreement with the Fairfax Drainage District, submitted by Jim Larkin, Public Works/Water Pollution Control Dept. This includes a modest increase from $186,666 to $189,391.
Tracking #: 140178

Item No. 3 - RESOLUTION: 55TH STREET BRIDGE

Synopsis:
A resolution declaring the necessity and authorizing a survey of land necessary for the construction of the 55th Street Bridge, north of Leavenworth Road (CMIP 2134), submitted by Ken Moore, Deputy Chief Legal Counsel.

*It is requested that this item be fast tracked to the June 19, 2014 full commission meeting.*

Tracking #: 140213

Item No. 4 - RESOLUTION: COUNTY LINE ROAD IMPROVEMENTS

Synopsis:
A resolution authorizing an agreement with the city of Shawnee, KS, for the paving of County Line Road from 55th Street to 65th Street, submitted by Bill Heatherman, County Engineer. The UG's share of the cost is $101,796, which is in the 2014 budget.

Tracking #: 140212

Item No. 5 - PRESENTATION: PROJECTS FOR KDOT'S "LOCAL CONSULT PROCESS"

Synopsis:
Presentation of various projects staff would like KDOT to consider under their "Local Consult Process," presented by Bill Heatherman, County Engineer. This is a process where local governments share their priorities for state-level investments and funding.

*No action required.*

Tracking #: 140201
Item No. 6 - RESOLUTION: MERRIAM LANE, 10TH TO 24TH ST., FUNDING ADJUSTMENTS...

Synopsis:
A resolution approving the increase in funding authority for the Merriam Lane, 10th to 24th Street project, submitted by Bill Heatherman, County Engineer. Local funding requirement has increased from $4.8M to $6.1M. This is a federal aid job administered through KDOT with $4.2M in federal grants.

It is requested that this item be fast tracked to the June 19, 2014 full commission meeting.
Tracking #: 000000

IV. Outcomes

Item No. 1 - OUTCOMES

Synopsis:
Overviews/discussion of the next phase.

PWS outcomes presented at the following standing committee meetings:

Aug. 12, 2013
a. Infrastructure. Improve and finance infrastructure to comply with federal regulations, encourage private investment, and build community.
b. Environment. Ensure natural resources are protected to the maximum extent possible; opportunities for additional natural areas are pursued; and the park system is enhanced.
c. Public Safety. Provide the public's safety through best practices with results in lower crime rate, safer dwellings and businesses, and efficient court services.
d. Multimodal Transportation. Create a transportation system that moves people to where they want to go including work, services, and amenities.

Dec. 16, 2013
a. Infrastructure. Presentation on the upcoming application round for federal transportation funding administered by the Mid-America Regional Council, by Bill Heatherman, County Engineer. Staff estimates the UG is in a good position to be awarded $4-6M which would require local design and matching funds.
c. Public Safety. No discussion.
Jan. 13, 2014
Infrastructure. Presentation and discussion on a list of projects that staff considers good candidates from which to select projects for federal transportation funding, submitted by Bill Heatherman, County Engineer.
Tracking #: 120155

V. Adjourn
The meeting of the Public Works and Safety Standing Committee was held on Monday, April 21, 2014, at 5:00 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Kane, Chairman; Commissioners Walker, Maddox (arrived at 5:03), Markley, Philbrook; and BPU Board Member Bryant.

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

Committee Agenda:

**Item No. 1 – 140124…HONORARY STREET NAME: ERVIN SIMS, JR.**

**Synopsis:** Request from Mt. Carmel Church of God in Christ for an honorary street name on 12th Street, Garfield Avenue to Jersey Creek Park, for Bishop Ervin Sims, Jr., submitted by Lideana Laboy, Public Works.

**Bob Roddy, Public Works Director,** said the Public Works Department received a request to do an honorary naming of 12th St. from Garfield going north towards Jersey Creek. Lideana Laboy is with me, she is a traffic engineer. She did all the work. I’m just sitting in trying to help through the process. As part of the program we generally require the petitioner to give us a signed petition of the people that are supportive. On 12th St. there are a total of eight homes. Six of the eight homes support the renaming to an honorary status. The rest of the properties are owned by Mt. Carmel or are in the Land Bank. Six of the eight residents are supportive. Obviously Mt. Carmel is supportive of the renaming. Just as a side note, the packet that they submitted was quite substantive. It’s probably one of the best submittals I think we’ve seen as far as the work that they’ve put into it to demonstrate the hard work that Bishop Sims has done in this community over the years.

The policy is for us to bring this to the standing committee for consideration for the honorary naming and if they so approve, then it would go to the full commission for ultimate acceptance or rejection.
Commissioner Philbrook asked how much does it cost us. Mr. Roddy said minimal, all it does is consist of a number of small signs that are added below the existing sign name. We do it all in-house so it’s very low cost.

Action: Commissioner Walker made a motion to approve.

Commissioner Maddox said I just wanted to know who set up for the renaming of the street on 12th St. Mr. Roddy said the policy that we have, I believed was shared with you that was laid out perhaps ten years ago says that the submission can either go to the commissioners or to the public works director. In this case they went to the Public Works Department. That’s the procedure of how it came to this point. Commissioner Maddox said well I’d like to speak to that. If the current policy does say that, it’s conflicting to me to receive certain documents that had supposedly been sent from the public works director to me as in just two weeks ago. I received one for Rev. Sipple and I was asked to approve it but then in this case with this street name it’s not sent for approval by me. I get confused when that happens. If that is what the policy says, that’s okay. I would like to actually have a copy of it, which I don’t have a copy of it, which is why I brought up at this moment. Mr. Roddy said we’ll certainly get you a copy of it. I’m not aware of sending you anything commissioner. I don’t know who this request came to you from. By way of the secretary, I received a request for Timothy—Mr. Roddy said sometimes the citizens could be sending them directly to you. Lideana are you aware of any that we’ve received. Lideana Laboy, Public Works, said no not recently. Commissioner Maddox said it seems like it’s confusing to me for one person to be able to approve it and then it seems like it should be a single thing. I get lost in the translation if I don’t know that there’s a street being renamed. I have people from the community who call me and ask well, who is this person? What has this person done? Why is my street being named? That’s the concern for me as an elected official. It seems some of that falls on our shoulders.

Mr. Sims is an outstanding person in the community. I don’t have a problem with that but it seems a little conflicting to me that I receive certain ones in which I’m asked to have a say so in and then there’s other ones that go and I don’t even know about it until I get it on my packet. Mr. Roddy said obviously, the approval rest with the commission. All staff does is compile the information and make sure that they have submitted the documents as to the validity of the person’s status and the support that exist in the community. Chairman Kane said I’ve never
received a letter or anything from anybody other than when they come through the standing committee. Maybe it was somebody else. I don’t know. Do you have a comment? **BPU Board**

**Member Bryant** said I just have a question. This is just educational for me. This doesn’t change the actual billing address of any homes right? **Mr. Roddy** said we moved away from formally changing the street name because it gets into a lot of complications. For the last 10 or 15 years all I can ever recall is just doing honorary naming.

**Action:** **BPU Board Member Bryant, seconded the motion to approve.** Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Markley, Maddox, Walker, Kane.

**Item No. 2 – 140113…RESOLUTION: DOWNTOWN CINCO DE MAYO FESTIVAL**

**Synopsis:** A resolution approving a special permit to allow the temporary closure of 12th Street, between Minnesota and State Avenue on May 3, 2014 and allowing alcoholic beverages on this street during the Downtown Cinco de Mayo Festival, submitted by Jennifer Myers, Legal. It is requested this item be fast tracked to the April 24, 2014 full commissioner meeting.

**Action:** **Commissioner Walker made a motion, seconded by Commissioner Philbrook, to approve and forward to full commission.** Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Kane, Maddox, Walker, Markley.

**Item No. 3 – 140126…ORDINANCE: DISCHARGES FROM INDUSTRIAL FACILITIES**

**Synopsis:** An ordinance amending the UG’s legal authority to enforce the programs set out in its partial consent decree with the US EPA regarding the regulation of discharges from industrial facilities to municipal storm sewer systems, submitted by Misty Brown, Legal.

**Misty Brown, Legal,** said this is a third ordinance change that I’m here before you seeking for additional legal authority. This request stems from the provisions of the federal consent decree that we entered into. This particular ordinance change sets up a couple new definitions but the crux of it creates a new category where we’re monitoring the discharge from industrial facilities that discharge into the storm sewer. It basically creates a registry that these facilities have to be part of and requires that they have storm water prevention plans so they’re not discharging things...
that could affect the storm water. Bill Heatherman is here; he has had a meeting with the community about this and could provide some more practical insight.

**Bill Heatherman, County Engineer,** said we did a briefing on this program back in December to the Public Works Standing Committee. It is a mandated aspect of our storm water program. The range of industries that we are required to put on our registry actually turns out to be fairly narrow. There are only twelve that meet the definition. It’s not every industrial user in the city. We held an information meeting about three weeks ago. Six of the 12 did come. All of the 12 were invited. The folks that came are generally environmental compliance type experts with those industries already. There wasn’t really anything we told them about that struck them as unusual compared to things they’re already required to do with the state.

Our commitment was to use good common sense as we roll this program out, get to know them, kind of get to know their role, our role and make sure that we’re really just providing quality assurance, that the standards and expectations that already exist under most state programs that we have some eyes and ears locally. We got a few comments. They really weren’t comments needed to change the ordinance; they were more suggestions on how we run the program. They were all very agreeable. We think we are ready for this program to go forward.

**Commissioner Walker** asked what about the six that didn’t attend. **Mr. Heatherman** said you know we invited all and we gave an opportunity for comment. We really just didn’t—I don’t think we registered really that high on their radar screen. I don’t know that we heard anything from any of them. **Commissioner Walker** said I guess my concern is are we going to have an issue with their compliance. Who are they? Do we have a list of what these 12 industries are? The six that are apparently on board and the six that aren’t. **Mr. Heatherman** said I can get that for you commissioner. I don’t have it. I wouldn’t interpret the ones that didn’t come as not being on board. Really, the kind of program that we have isn’t so unusual compared to things that they’re already running. If we do find a difficulty, we’ll work that through with them. I will get you a copy of the attendee list. **Commissioner Walker** said okay. Thank you.

**Action:** **Commissioner Philbrook made a motion, seconded by Commissioner Markley,** to approve and forward to full commission. Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Markley, Maddox, Walker, Kane.

April 21, 2014
Item No. 4 – 140074...REPORT/RECOMMENDATION: HIKE AND BIKE TRAIL

Synopsis: Report on hike and bike trail on Fairfax Drainage District property and recommended options, submitted by Robert Roddy, Public Works Director.

Robert Roddy, Public Works Director, said with me is Steve Dailey. Steve Dailey is the General Manager of the Fairfax Drainage District. This evening we’re reporting back to the standing committee in compliance with the interlocal agreement that exist between the Unified Government and Fairfax Drainage District. The agreement that was passed last year required the two, public works and the drainage district to come back and report to the standing committee about the possible options for hike and bike trails along the drainage district works. In compliance with that, that’s why we’re here this evening. The two staffs looked at five different options in relation to possible trails.

![Option 1: Entire Levee Road](image)

The first one is basically a picture of Fairfax aerial. This is the north. This is Kaw Point Park down here in the bottom. This is the Fairfax Bridge going into Missouri. The first trail we looked at was being up on the levee road itself, which is basically the top road system that exists down there. We looked at this and this is the road that obviously, you’re closest to a lot of the industrial structures along the whole berm and in addition it has other complications in that the security measured are heightened as you go up on this upper level.
Option 2

Levee Road to F-9:
Path starts on Levee Road from behind (east of) Midwest Refrigeration (formerly Lady Baltimore) ‘A’ to first Pump Station (Pump Station F-9) “C”. Trail Returns to “A” after dead head at “C”

The next option we looked at was something similar where we’re still on top of the trail but we shortened the path from Kaw Point. Kaw Point is going to connect to the Missouri Trail System and Jersey Creek system eventually. This would just be a deadhead where you’d go out and come back and you’d get back on the trail system. It goes throughout the rest of the metro area.

Option 3

Lower Levee Maintenance Rd to Sta. 43+00

April 21, 2014
The third option we looked at is going down on the shelf. If you look at this, many of the river dykes you see, you have an elevated area where you’re actually preventing the river water from coming in. In this particular case, there’s a big shelf. How wide is that Steve? Steve Dailey, Fairfax Drainage District General Manager, said in some places, probably. Mr. Roddy said this is generally dry except in flood conditions. I think you grow grain on that. This concept would be, you’re up on the trail when you’re down at Kaw Point, you come up here and you drop down to the shelf of the Fairfax Works. It still offers a majestic view of the downtown area as does Kaw Point. There is a trail down there. The nicest thing about this feature is that we don’t get involved in interfering with the drainage district, nor do we compromise some of the greater security concerns that exist on the upper level.

The fourth one is basically taking that concept of No. 3 and taking it on the lower shelf and going all the way around and staying on the shelf until you basically come to the end of the shelf or ultimately you would get out and take the Fairfax Bridge over into Missouri. We didn’t see a need for this one at this time because A, this would be a lot of road work to do. The Fairfax Bridge is going to be under construction so this would actually go nowhere. Until the Fairfax Bridge is completed, this would be a dead end. The plan that exists for Fairfax Bridge is that there will be a bike lane that crosses into Missouri. At that time, if this road was considered, that would probably be the appropriate time to take this much larger undertaking and expand the shelf trail all the way over to Highway 69.
Option 5

**Bridge Hike & Bike Lane Detour:**

Path starts from new MoDOT Bridge hike/bike lane “G”, and ends at/near Levee Rd “H”. Trail returns to G after dead head at H.

The last one is really just to reflect the fact that if we proceed with one of these lower shelf ones, ultimately you’re going to have to connect the shelf site up to Fairfax. Steve, is there anything you’d like to add? **Mr. Dailey** said the only thing I might add is this question has been asked of us for several weeks, months or a few years now. We’ve given a lot of levee tours, a lot of educational time to different interested parties. Bob approached me sometime around the first of the year to sit down and try to come to some kind of agreement for doable options. We’ve arrived at something. **Mr. Roddy** said the option we would recommend that had merit to us right now is the option No. 2 where we go basically go down to the lower shelf and we go out a couple thousand feet or yards but as you go over this portion. The reason why we’re recommending this one is A) it doesn’t interfere with their operations, B) it limits our restoration efforts on this trail. My concern is if you try to do all this at once we won’t live up to the expectations of having a decent trail system.

We have to learn as we go along and try to do a much more limited basis as we work out the arrangement between the public works staff and Fairfax as to the operational hours, who’s cleaning, who’s monitoring, who’s maintaining the trail after a flood condition. That’s our report. I think we’re in agreement that if we were told which one we’d recommend, we’d recommend the shelf, the short route for the time being.
Commissioner Markley said the one that you’re recommending, is it the start of that option 4. Is option 2 that little section before it goes further down the shelf for option 4? Mr. Roddy said say that again please. That is it option 3, no option—Commissioner Markley said I was thinking of 2. This little segment is that the same little segment that’s at the start of option 4. Mr. Roddy said say that again. I’m still not following. Commissioner Markley asked is this the same segment that’s the beginning of option 4. If we wanted to expand later, this is what we would expand from. Mr. Roddy said you’d be down on the shelf and you would just go further. Mr. Dailey said this one’s not on the shelf. Mr. Roddy said I know its No. 3. This is the one. From point E it would ultimately extend all the way around. Commissioner Markley asked if we use option 2, what happens if we want to do option 4 if it’s not already part of that. I guess I was thinking that was the start of that so that if we wanted to expand later we already had that first section done. Mr. Roddy said if you want to go on the shelf, if you’re going to be on the shelf, this is the correct one to start with. If you said you wanted to be up on the top, that’d be No. 2, you’re basically hard surfacing, however, I think it’s only fair to say that Fairfax Drainage District is a very unique levee system. Most levee systems don’t have the number of structures per mile to maintain this levee. This is a levee that’s built out of sand. Most levees have some earth infrastructure. It requires unique operational understanding to make sure that this levee integrity is not breached.

Chairman Kane asked is this the one you want us to vote on. Mr. Roddy said we recommend the lower one. Chairman Kane said you’re doing 3 but its still goes all the way around there and stops. Mr. Roddy said ultimately. Chairman Kane said so we’re going to start where there’s a little bit—Mr. Roddy said the lower levee start and then ultimately when Highway 69, a trail that goes into Missouri, that would be the time to start extending this. Even this one could be extended over the years but—Commissioner Walker said that shelf that you’re talking about, who owns that shelf. Mr. Roddy said I believe it’s the drainage district. They have the responsibility of it. Commissioner Walker asked where is the high water mark of the river. I thought the state owned it on both sides up to the high water mark. Mr. Dailey said no. No it’s not that way. Commissioner Walker asked are you saying that if we want to go with option 4 that we have something in place that will—the agreement is there. Mr. Dailey said 3 could be expanded to 4. One of the things that will have to be worked out is first of all we have to get approval from the corps if there are any gates or structures that are part of the trail system that’s
put down in the floodway within a certain distance of the levee. Second thing is, the drainage board has emphasized is we want to make sure that there can’t be any traversing from the path along the river’s edge back up onto the levee to start interfering with those flood control works that we’re so concerned about. We’re open, we’re open to it. We don’t mind all those considerations but we need to make sure that they’re safeguarded by way of, however.

Mr. Roddy said the one good thing about being down on the shelf is the whole river dike is armored with a lot of riffraff stones. It would be extremely difficult for someone; they’d have to get on their hands and knees to crawl up through this rockbed going up to the top. There’s some natural defense to the upper works along the levee. I would emphasize, this is a trial. We’re recommending that we do this and see what we learn. Hopefully, it will work and everyone will be happy with it but it might be that we find too much vandalism down there. I don’t know. I don’t think so, generally we’ve not had vandalism along the river.

Chairman Kane said we’re saying we want to go with option 3 but after we’ve done this for a while and figured everything out it’ll go into option 4. Mr. Roddy said that’s correct. Commissioner Walker asked how far is that. Mr. Dailey said it’s about 4.5 miles or so. Commissioner Walker said I meant the—Mr. Dailey said that distance there probably 1,000/1,200 ft. not very far. One of the problems that we would encounter and that’s why it deadheads there is there’s an outfall structure from a gel and pipeline that is very close to the river and levee tow. There would have to be some safety precautions built in to traversing over that before you could proceed into option 4. That’s why it ends at option 3. BPU Board Member Bryant asked would this be down on the—Mr. Dailey said where we call the maintenance road. We have a maintenance road that begins on the south end and then as you go that northeasterly direction it pulls away from the maintenance road and a new road would have to be constructed or trailway to hug along the river’s edge. BPU Board Member Bryant asked would it be paved or would it just be graded? Mr. Roddy said we would probably use asphalt chips initially or some kind of crushed limestone. I don’t plan on paving it at this time. BPU Board Member Bryant said not where it would be floodable. Mr. Roddy said no, there is a more fundamental reason. I don’t have the money. Commissioner Philbrook asked how much is it going to cost us. Mr. Roddy said this portion, not much at all. I think between the two staff’s we’ll be able to work it out.
Action: Commissioner Philbrook made a motion, seconded by BPU Board Member Bryant, to accept recommendation of option No. 3. Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Markley, Maddox, Walker, Kane.

Item No. 5 – 140093…PRESENTATION: INSURED SEWER & WATER RESIDENTIAL LINES

Synopsis: Presentation on the concept of insured sewer and water residential service lines and possibly endorsing a program for KCK, submitted by Bob Roddy, Public Works.

Bob Roddy, Public Works Director, said Jim Epp, Director of Water for BPU, is here to join us. We’re here to talk about insured water and sewer lines. Just as a backdrop, generally all of us in our homes we have the city lines, whether it’s the wastewater line, or whether it’s the BPU waterline at the street edge. We have a line that basically brings that service into or out of our house. This line here, the two service lines are the responsibility of the homeowner. Many homeowners are A) unaware of this and they certainly don’t know that their homeowner’s insurance doesn’t cover it so when these lines fail, they have a big surprise. As a result there has been a number of companies coming around to the different communities offering to provide private insurance for insuring these lines.

There are at least three companies that have sent flyers out to our community at different times. At least one of them is looking for government recommendation. What we’re proposing is that we put out a Notice of Need or a Letter of Interest from the different providers and see if in fact which one would be the one we’d recommend to the community. I think the community is looking to us to help them A) find out if the company is legitimate, B) if it’s someone that we would recommend that we would do business with in our community. It’s really just a concept. We can do it or not do it.
I do think in our older community this is probably something that is a high interest in the community. I know Jim has a lot of old waterlines and I know there are a lot of old sewer lines that are going to break and somebody is going to have a surprise.

Commissioner Walker said at the last National League of Cities the mayor and I met with an individual and I can’t recall the company. I’m sure there are a number of them. Their basic proposal was they would agree to insure everybody within this community, it’s a voluntary program. I forget how much he said it was a month but when you compute what it would cost to replace your waterline, it was money well spent. I think what we need to do rather than go about studying a lot of stuff, it’s just like insurance, it’s not required but you take the risk and the responsibility.

I think we need to move this program along. I would be one if we agree as a committee to make the recommendation that we proceed with implementing this program subject to you coming back with a recommendation of which company, what cost and so forth. I know we were quoted various numbers per house and that quote covered both the water and sewer line. If you’ve ever had a sewer line or waterline go south on you, you quickly learn how expensive it is to get it repaired. It was relatively cheap, like $10 or $12 a month, something like that. For people in newer homes it might be less of a value but for people in older homes, 30 years plus, I think it would be foolish not to have it on your bill.

Mr. Roddy said I want to commend the commissioners. A number of the commissioners brought this forward after visiting one of the national programs. They came back with this for us to look into. Obviously, there’s one program that seems to be stronger than the others; however, each one has their own issue of rates, experience, what their claim level is, whether they use local contractors or not. There are a variety of things we want to review to make sure whoever we recommend at least has a decent review of all parties.

Commissioner Walker said for the record I met with this guy and the mayor but I want the record to reflect that Commissioner Maddox first brought it to the attention of the mayor and we happen to be at a conference where this guy was available and talked to us. This wasn’t something that I came up with but he learned it at NLC which is obviously one reason commissioners should go to the NLC because even if you only capture one idea and bring it back.
home, it can be a great benefit to the community and they have good programs. I’m not going this year so I’m not trying to sell a ticket for myself. I think what we need to do is have a motion made that would direct staff to investigate and bring back a recommendation for the implementation of this program. I would defer to Commissioner Maddox to make that motion if he would or if he wants to. If he doesn’t, I will. **Commissioner Maddox** said go ahead I second.

**BPU Board Member Bryant** said as a BPU representative I have received many comments from concerned citizens about the letters that they’ve received, wanting to know who is representing these companies and whether or not any of them are actually coming from the city, the state or BPU themselves. We’ve had many discussions in our board of director meetings about the idea of someone vetting these companies and find out who would be a good fit for our city. If not just one, if maybe if we have to limit to a couple or three but just something to get out to the citizens so that they understand what they’re getting for their money and proving it’s a reputable company as much as you can by investigation. I’d really like to see this.

**Jim Epp, Board of Public Utilities, Director of Water**, said thank you, Mr. Bryant. Just to let you know what Bob and I were thinking as far as due process. I have discussed it with the General Manager Don Gray at BPU. He’s not opposed to it. We felt that this committee was the appropriate place to first bring it. There’s BPU representation on this committee to entertain the idea and then we would further investigate based upon direction of this committee and then bring it back to Don Gray, the board, and commissioners, if necessary, to get the final blessing on it. What Hal said if I had a new home I wouldn’t touch the insurance, but if I had a 50 to an 80 year-old galvanized line on my house, I’d be all over it, if it’s a legitimate company and that’s part of the process. **BPU Board Member Bryant** said thank you Mr. Epp.

**Commissioner Walker** said I’m deferring to him to make the motion. **Commissioner Philbrook** said I thought he already did. **Chairman Kane** said he was trying. **Commissioner Maddox** said no, I didn’t make the motion.

**Action:** Commissioner Maddox made a motion, seconded by BPU Board Member Bryant, that the staff move forward to come back with presentation of us working in unison with BPU to move forward with a plan to move forward with
one of the companies in regards to underground waterline. Roll call was taken and there were six “Ayes,” Bryant, Philbrook, Markley, Maddox, Walker and Kane.

Adjourn

Chairman Kane adjourned the meeting at 5:35 p.m.
**Staff Request for Commission Action**

**Type:** Standard  
**Committee:** Public Works and Safety Committee

**Date of Standing Committee Action:** 6/16/2014  
**(If none, please explain):**

**Proposed for the following Full Commission Meeting Date:**  7/10/2014  
**Confirmed Date:** 7/10/2014

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

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<tr>
<td>5/29/2014</td>
<td>Lideana Laboy</td>
<td>573-5771</td>
<td><a href="mailto:Llaboy@wycokck.org">Llaboy@wycokck.org</a></td>
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<td>Public Works</td>
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**Item Description:**  
Public Works Department has received a request to provide Honorary Street Name for Rev. L.D. Sipple. The attachment details the community contribution made by L.D. Sipple over the years. In addition there is a signed petition with a majority of properties along Garfield Ave supporting the recognition.

Add a Honorary Street sign on Garfield Ave from 22nd St to 24th St.

**Action Requested:**  
Approval by the Commission.

**Publication Required**

**Budget Impact: (if applicable)**

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Policy action by Commission.
FEBRUARY 21, 2014

TO COMMISSIONER TERRANCE MADDOX:

CITY HALL

WE THE MEMBERS OF THE TIMOTHY BAPTIST CHURCH WOULD LIKE TO GET A HONORARY STREET SIGN FOR OUR PASTOR, REV. L.D. SIPPLE

WE WOULD LIKE FOR IT TO BE ON GARFIELD, FROM 22ND STREET TO 24TH STREET.

WE THANK YOU IN ADVANCE FOR HELPING US WITH THIS PROJECT. WE PRAY WE WILL BE ABLE TO GET THIS DONE.

PRAYERFULLY SUBMITTED

SIS. GLORIA SIPPLE
SECRETARY

REV. L. D. SIPPLE, PASTOR
April 17, 2014

Commissioner Terrence Maddox
701 N. 7th Street
Room 979
Kansas City, Kansas 66101

Dear Commissioner Maddox:

This letter is in reference to the conversation we had regarding our Pastor Rev. L.D. Sipple having a street sign in his honor. We would like for the sign to go from 22nd and Garfield to 24th and Garfield, Kansas City, Kansas. The name on the street sign, would be Rev. L.D. Sipple.

Pastor Sipple has been such a blessing to the neighborhood and to the neighbors. He had a successful day care in a house located at 2214 Garfield, which he had remodeled and improved the neighborhood. He also had and apartment building which had five apartments in it. The building had set for years and had the neighborhood looking bad. He remodeled this building and brought the neighborhood up, located at 2211 Garfield.

He also owned a house at 2216 Garfield and remodeled it, which brought up the neighborhood.

He has a church at 2248 Garfield, which he remodelled it and enlarged it, painted it and brought the neighborhood up. There was an abandoned house at 2247 Garfield, he purchased the house and had it torn down and made a parking lot for the church. The house was a sore eye.

He has purchased ten or eleven properties in this neighborhood, he had about three or four of them torn down because they were eye sores in the neighborhood. The other houses he remodeled them and made new homes for people to live in.

So we feel he has been a blessing in this neighborhood, in bringing the area and neighborhood up. The neighbors have shared with us that he has been a blessing to our neighborhood and community. Because of this we wanted to honor him with a street sign with his name on it.

Rev. L.D. Sipple

Sincerely,

Gloria Sipple
Secretary
FEBRUARY 22, 2014

TO THE COMMUNITY ON GARFIELD AVENUE FROM 22ND STREET TO 24TH STREET:

WE THE MEMBERS OF THE TIMOTHY BAPTIST CHURCH WOULD LIKE TO GET A HONORARY STREET SIGN FOR OUR PASTOR, REV. L.D. SIPPLE. WE WOULD LIKE FOR IT TO BE ON GARFIELD FROM 22ND STREET TO 24TH STREET.

WE THANK YOU IN ADVANCE FOR HELPING US WITH THIS PROJECT, WE PRAY WITH YOUR HELP WE WILL BE ABLE TO GET THIS DONE.

PRAYERFULLY SUBMITTED,

SIS. GLORIA SIPPLE, SECRETARY

REV. LOUIS D. SIPPLE, PASTOR

PLEASE SIGN YOUR NAME

1. Bill Austin 2242 Garfield
2. Bernell Gouldeon III 2230 Garfield Ave
3. Morris Sipple
4. Floyd Freeman 2210 Garfield Ave
5. Clifton Hunt 2208 Garfield Ave
6. Mary J. Hulmon 2205 Garfield Ave
7. Renny Sippel 2201 Garfield
8. James Wilks 1950 Garfield
9.
10.
11.
FEBRUARY 22, 2014

TO THE COMMUNITY ON GARFIELD AVENUE FROM 22ND STREET TO 24TH STREET:

WE THE MEMBERS OF THE TIMOTHY BAPTIST CHURCH WOULD LIKE TO GET A HONORARY STREET SIGN FOR OUR PASTOR, REV. L.D. SIPPLE. WE WOULD LIKE FOR IT TO BE ON GARFIELD FROM 22ND STREET TO 24TH STREET.

WE THANK YOU IN ADVANCE FOR HELPING US WITH THIS PROJECT, WE PRAY WITH YOUR HELP WE WILL BE ABLE TO GET THIS DONE.

PRAYERFULLY SUBMITTED,

SIS. GLORIA SIPPLE, SECRETARY

REV. LOUIS D. SIPPLE, PASTOR

PLEASE SIGN YOUR NAME

1. Linthia Benitez
2. June Chappul
3. DEA Tra Ashford

4. 
5. 
6. 
7. 
8. 
9. 
10. 
11. 
12. 
13. 
14. 1950 Garfield Ave
15. 
16. 
17. 
18. 
19. 
20. 
21. 
22. 

2235 Garfield Ave

2325 Garfield Ave
Staff Request for Commission Action

Tracking No. 140178

Date of Standing Committee Action: 6/16/2014

Proposed for the following Full Commission Meeting Date: 7/10/2014

Confirmed Date: 7/10/2014

Item Description:
Fairfax Interlocal Agreement: This interlocal agreement is an annual agreement and requires renewal for the year 2014. The Fairfax drainage district has asked for an increase based on the consumer price index for a total amount of $189,391.00. The U.G. made payment of $186,666.00 to the district in 2013. Staff recommends that this modest increase for 2014 be approved and the sum of $189,391.00 be made to the Fairfax drainage district for this interlocal agreement.

Action Requested:
Committee approval of Interlocal agreement and then forward to the Board of Commissioners for approval.

Publication Required

Budget Impact: (if applicable)

Amount: $
Source:
- Included In Budget
- Expense within the Sewer Enterprise Fund
- Other (explain)
April 8, 2014

Water Pollution Control Division
Unified Govt. of Wyandotte County/Kansas City, Ks
50 Market Street
Kansas City, KS 66118

Attention: Mr. Jim Larkin

Subject: 2014 Interlocal Agreement

Gentlemen:

The Fairfax Drainage District is enclosing three (3) partially executed original copies of the proposed Interlocal Agreement for 2014. In summary, the agreement calls for a (1) one year agreement by which the Unified Government will contribute a sum of $189,391.00 to the Fairfax Drainage District to help defray costs of sewer cleaning and related maintenance expenses attributable to sanitary and non-sanitary waste, sediment and debris for purposes of insuring adequate interior drainage within the District.

As in previous years, this year’s interlocal agreement payment includes an inflationary increase based upon the CPI change from 2012 to 2013. The attached BLS chart illustrates how this year’s payment was determined.

Please have all three (3) original copies executed of the proposed 2014 Interlocal Agreement and return one (1) copy to the FDD for our records along with the payment as soon as administratively feasible.

If you have any questions, please advise. The Fairfax Drainage District appreciates the willingness of the Unified Government to contribute toward the maintenance of the sewers in Fairfax in 2014.

Respectfully yours,

Stephen P. Dailey, P.E.
General Manager

Enclosures
Databases, Tables & Calculators by Subject

Data extracted on: March 27, 2014 (3:45:47 PM)

Consumer Price Index - All Urban Consumers

Series Id: CPUR0000SA0
Not Seasonally Adjusted
Area: U.S. city average
Item: All items
Base Period: 1982-84=100

Download: Excel

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2012 to 2013 factor: \[ \frac{232.957}{229.594} = 1.0146 \]

Inter/Local payment for 2014 = 186,666 x 1.0146 = 189,391
INTERLOCAL AGREEMENT BETWEEN
THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
AND
THE FAIRFAX DRAINAGE DISTRICT

THIS INTERLOCAL AGREEMENT BETWEEN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS AND THE FAIRFAX DRAINAGE DISTRICT ("INTERLOCAL Agreement") is made and entered into this ___ day of __________, 2014, between the Unified Government of Wyandotte County/Kansas City, Kansas ("Unified Government") and the Fairfax Drainage District ("District").

WHEREAS, the District, pursuant to authority granted by the State of Kansas, has caused to be constructed, maintained and funded certain sewer lines within the District to insure adequate interior drainage; and

WHEREAS, sediment and debris from sanitary and non-sanitary storm water discharge collects in the District’s sewer lines; and

WHEREAS, the sediment and debris comes from in-district and out-of district sewers; and

WHEREAS, it becomes necessary from time to time to clean and perform maintenance on the sewer lines to insure adequate interior drainage; and

WHEREAS, the Unified Government collects sewer service charges for the Water Pollution Control sewer service fund from WPC customers in the District, who utilize the District’s sewer system to, in part, transport waste water to the Unified Government treatment system; and

WHEREAS, K.S.A. §12-2901 et seq. and amendments thereto entitled the “Interlocal Cooperation Act” authorize parties hereto to cooperate in the aforementioned public functions; and

NOW, THEREFORE, in consideration of the above recitals, the mutual covenants and agreements herein contained, the parties AGREE as follows:

1. **PURPOSE.** The parties hereto enter into this Interlocal Agreement for the purpose of formalizing the parties’ agreement to provide adequate sewer services to promote industrial growth within the District.
2. **JOINT COOPERATION.** The District and the Unified Government agree and covenant to cooperate and assist each other in order that both the District and the Unified Government may better serve their respective constituents and customers, including, but not limited to, the exploration by the parties of alternative means to avoid or minimize the accumulation of sediment and debris within the District’s sewers from in-district and out-of-district sources. In furtherance of this spirit of cooperation, the parties acknowledge the right of all to attend public meetings of the governing bodies of both the District and the Unified Government, but each wishes to issue an express invitation to the other to have a representative attend meetings of each others’ governing bodies. In addition, the general manager of the District and the Director of Water Pollution Control of the Unified Government shall meet regularly to discuss matters of mutual interest.

3. **DURATION AND TERM.** This Interlocal Agreement shall remain in full force and effect for a term of one (1) year beginning January 1, 2014 and terminating on December 31, 2014 and neither party may terminate or extend the term of this Interlocal Agreement without the mutual consent of the other party.

4. **FINANCING.** The Unified Government shall pay to the District the sum of One Hundred Eighty-Nine Thousand Three Hundred Ninety-One and no/100 Dollars ($189,391.00) on or before October 1, 2014. The District shall contribute this revenue toward sewer cleaning and maintenance throughout the duration of this Interlocal Agreement.

5. **ADDITIONAL CHARGES.** In partial consideration of the payment, the District shall not advocate or pursue an additional user fee charge by the District to the Unified Government during the term of this contract.

6. **PLACING AGREEMENT IN FORCE.** The attorneys for the Unified Government and the District shall cause this Interlocal Agreement to be executed by the Unified Government and District and submitted to the Attorney General of Kansas for approval. Thereafter, this Interlocal Agreement shall be filed with the Register of Deeds of Wyandotte County, Kansas, and with the Secretary of State of Kansas, all in accordance with K.S.A. §12-2904 and §12-2905, as amended. Each party shall receive a duly executed copy of the Interlocal Agreement for their official records.
THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

By: _______________________

Attest:

THE FAIRFAX DRAINAGE DISTRICT
OF WYANDOTTE COUNTY, KANSAS

By: [Signature]
President
Board of Directors

Attest:

[Signature]
Secretary
Board of Directors

SEAL
CERTIFICATE OF CORPORATE RESOLUTION

OF

THE FAIRFAX DRAINAGE DISTRICT

The undersigned does hereby certify that he is the duly elected, qualified and acting Secretary of The Fairfax Drainage District, and as such officer he has custody of the corporate records and the corporate seal of said The Fairfax Drainage District, and the following Resolution was adopted at a regular scheduled meeting of the Board of Directors of the Fairfax Drainage District and that such Resolution has not been amended or rescinded and is now in full force and effect:

"RESOLVED" That The Fairfax Drainage District enter into an Interlocal Agreement with the Unified Government of Wyandotte County/Kansas City, Kansas for purposes of providing adequate sewer services to promote industrial growth within the Fairfax Industrial District and promote joint cooperation.

The above Resolution has not been rescinded or modified, has been duly entered in the corporate records and remains in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this Certificate this 8th day of April, 2014.

[Signature]
Martin L. Quinn, Secretary/Treasurer

I, Kevin S. Brown, President of the Fairfax Drainage District, a Kansas corporation, do hereby certify that the above and foregoing Certificate of Corporate Resolution is true and correct.

[Signature]
Kevin S. Brown, President
Staff Request for Commission Action

Tracking No. 140213

Type: Standard
Committee: Public Works and Safety Committee

Date of Standing Committee Action: 6/16/2014
(If none, please explain):

Proposed for the following Full Commission Meeting Date: Confirmed Date: 6/19/2014
6/19/2014

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

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<th>Date</th>
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<tr>
<td>6/4/2014</td>
<td>Ken Moore</td>
<td>5060</td>
<td><a href="mailto:smitchell@wycokck.org">smitchell@wycokck.org</a></td>
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Item Description:

Project Name: 55th Street Bridge - CMIP#2134

This Resolution declares that these projects are 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 for a licensed land surveyor or a professional engineer to identify and describe the property to be acquired for these projects, 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:
Adopt the Resolution.

☑ Publication Required
Publication Date: 6/19/2014

Budget Impact: (if applicable)

Amount: $
Source:
☑ Included In Budget Consistent with the CMIP.
☐ 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 certain storm water and street improvements, all in Kansas City, Wyandotte County, 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 following CMIP #2134 projects, all in Kansas City, Wyandotte County, Kansas:

55th Street Bridges. This project will replace two existing bridges and will require other drainage and road improvements to facilitate construction. The project will remove and replace two culverts along 55th Street/Nearman Drive, north of Leavenworth Road and South of Dickinson Road. These structures are designated as Bridges #109 and #111 in the Unified Government bridge inventory system. Work includes installation of a temporary bypass route at each location, demolition of existing structures, and replacement of each with new concrete box culverts, including related street approach replacement, street and channel improvements, guardrails, and the relocation of utilities. This will require easements/acquisition of Right-of-Way.

This projects will be funded by general obligation bonds and/or temporary notes.

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 the Unified Government 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 ________________________, 2014.

_____________________________________
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:** 6/16/2014  
(If none, please explain):

**Proposed for the following Full Commission Meeting Date: Confirmed Date:** 6/19/2014  
6/19/2014

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

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<tr>
<th>Date</th>
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<td>573-5416</td>
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**Item Description:**

The Unified Government and the City of Shawnee are cooperating on the paving of County Line Road from 55th Street to 65th Street. This is a joint border road (for Shawnee, it is named 47th Street, Switzer to Monrovia). The Unified Government share of the resurfacing cost is $101,796 and is being paid for from the annual 2014 budget for arterial/collector resurfacing. This was a planned project that was included in the financing notes and in the District 6 recommendation for 2014. The City of Shawnee is taking the lead on contracting and inspection, with the UG providing reimbursement based on actual work on our half.

**Action Requested:**

Staff recommends approval of the resolution authorizing the Mayor to execute this funding agreement. Staff requests advancement directly to June 19th Commission.

**Publication Required**

**Budget Impact: (if applicable)**

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<th>Amount: $</th>
<th>Source: $101,796, from budgeted funds for resurfacing.</th>
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<td>✔ Included In Budget Consistent with the CMIP.</td>
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[File Attachment] [File Attachment]
RESOLUTION NO. ________

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY AND THE CITY OF SHAWNEE, KANSAS FOR THE FOR IMPROVEMENTS TO 47th STREET/COUNTY LINE ROAD (FROM SWITZER ROAD/S. 55th TO MONROVIA/S. 65th).

WHEREAS, the City of Shawnee, Kansas ("Shawnee") and the Unified Government, Kansas ("Unified Government" desire to make street improvements to 47th Street (also known as County Line Road) from Switzer Road/South 55th Street to Monrovia/South 65th Street ( "Project"); and

WHEREAS, both parties have determined that it is in the public interest to jointly make improvements to 47th Street/County Line Road since the Project will be located partially within the jurisdictional boundaries of Shawnee and partially within the jurisdictional boundaries of Unified Government; and

WHEREAS, both parties wish to each assume responsibility for and pay for the improvements to the portions of the street located entirely within their respective city limits, and both parties desire to share in the costs of construction and construction observation, in proportion to the cost of improvements to be made to the portions of the street located within their respective city limits; and

WHEREAS, both parties recommend entering into the attached agreement which fully sets out the responsibilities of both parties in undertaking this joint Project.

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

1. That the Mayor of the Unified Government of Wyandotte County/ Kansas City, Kansas is hereby authorized to execute said Agreement on behalf of the Unified Government.

2. The Mayor, County Administrator and the Unified Government's other officers, agents, and employees are hereby authorized to take any action required and necessary to implement and satisfy the intent of said Resolution and Agreement.

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

THIS _______ DAY OF ______________________ 2014.
ATTEST

__________________________
Mark Holland, Mayor/CEO

__________________________
Unified Government Clerk

Approved As To Form:

__________________________
Misty S. Brown, Assistant Counsel
AGREEMENT BETWEEN
THE CITY OF SHAWNEE, KANSAS AND THE UNIFIED GOVERNMENT, KANSAS
FOR THE IMPROVEMENTS TO 47th STREET/COUNTY LINE ROAD
(FROM SWITZER ROAD/S. 55th TO MONROVIA/S. 65th)
CITY OF SHAWNEE PROJECT NO. 3398

This Agreement is made and entered into on the ____ day of ____________, 2014,
between the City of Shawnee, Kansas ("Shawnee") and the Unified Government, Kansas
(“Unified Government” or "UG"), collectively “the Parties,” for the purpose of making street
improvements to 47th Street (also known as County Line Road) from Switzer Road/South 55th
Street to Monrovia/South 65th Street (hereinafter referred to as the “47th Street/County Line Road
Improvement Project” or “Project”).

WHEREAS, the Cities have by their Governing Bodies determined that it is in the public
interest to jointly make improvements to 47th Street/County Line Road, as hereinafter provided;

WHEREAS, the 47th Street/County Line Road Improvement Project will be located
partially within the jurisdictional boundaries of Shawnee and partially within the jurisdictional
boundaries of Unified Government;

WHEREAS, the Cities desire to enter into an agreement to clarify their responsibilities
for construction and future maintenance of the 47th Street/County Line Road Improvement
Project;

WHEREAS, the Cities desire to each assume responsibility for and pay for the
improvements to the portions of the street located entirely within their respective city limits, and
the Cities desire to share in the costs of construction and construction observation, in proportion
to the cost of improvements to be made to the portions of the Street located within their
respective city limits;
WHEREAS, the Cities are authorized to enter into an agreement for this joint public improvement by the power vested in the Cities by Article 12, Section 5 of the Kansas Constitution and by K.S.A. 12-2908;

WHEREAS, the Governing Body of Shawnee has approved and authorized this Agreement on the ___ day of ____________, 2014; and

WHEREAS, the Governing Body of the Unified Government has approved and authorized this Agreement on the ___ day of ____________, 2014.

AGREEMENT

In consideration of the mutual covenants and agreements herein contained, Shawnee and Unified Government agree as follows:

1. **PURPOSE OF AGREEMENT.** Shawnee and UG enter into this Agreement for jointly undertaking the 47th Street/County Line Road Improvement Project. The Cities agree to improve 47th Street/County Line Road according to the standards within each City to standards determined by each City’s respective standards and practices. Exceptions include that all concrete in both Cities shall consist of design mixes approved by the Kansas City Metropolitan Materials Board (KCMMB) and all surface asphalt in both Cities shall meet the requirements of the American Public Works Association (APWA) 6-01 mix design.

2. **ESTIMATED COST OF PROJECT.**

   A. **Total Estimated Cost.** The total estimated cost of the Project is $312,220 (Three Hundred Twelve Thousand, Two Hundred and Twenty Dollars), which includes the total estimated cost of construction and construction observation.
B. **Cities’ Shares of Total Estimated Cost.** UG and Shawnee agree to pay the actual cost of construction, construction observation. Attachment A depicts the estimated cost for each City, based on field estimated quantities, recent bid tabulations, and a 2% cost for inspection. Unified Government has elected to not repair any curb or sidewalk within the Unified Government limits of the improvements; therefore, Attachment A does not reflect any quantities for that work along County Line Road. Shawnee’s portion is estimated at 67.4% of the total costs (or $210,424) and UG’s portion is estimated at 32.6% of the total costs (or $101,796).

C. **Actual Costs; Change Orders; Payment of Invoice.** Shawnee and UG agree to pay the actual cost of construction, and construction observation for the work completed in their respective limits, regardless of whether the actual Project cost is lower or higher than the estimated cost. Each City shall be solely responsible for any increase in cost resulting from the issuance and approval of change orders for work to be performed within the city limits of such City. However, no change order for work to be done within the city limits of Unified Government shall be approved or issued without the prior written consent of the County Engineer.

The costs for construction and construction observation will be paid by Shawnee when incurred and reimbursed by UG within thirty (30) days of the date UG is invoiced.
D. **Financing.** The Cities shall pay their respective portions of the cost of the Project with monies budgeted and appropriated funds.

3. **PROJECT ADMINISTRATION.** Shawnee will be the Administrator for the Project. As Administrator for the Project, Shawnee will assume and perform the following duties:

A. Manage construction contract, administration and construction inspection.

B. Require the contractor to comply with all applicable laws and regulations governing construction of the Project.

C. Require statutory, performance and completion bonds for the Project from all contractors and require that all contractors discharge and satisfy any mechanics or supplier liens that may be filed. As Administrator, Shawnee will, upon request of Unified Government, make any claim upon the statutory, performance and completion bonds and require that the contractor fully perform all obligations under the statutory, performance and completion bonds.

D. Require a maintenance bond for the Project from all contractors for a two-year period commencing on the date of substantial completion. As Administrator, Shawnee will, upon request of Unified Government, make any claim upon the maintenance bond and require that the contractor fully perform all obligations under the maintenance bond.

E. Require evidence of insurance naming both Shawnee and Unified Government additional insured parties from contractors for loss or damage
to life or property arising out of the contractors' negligent acts or omissions in an amount not less than $2,000,000.00 for any contractor.

F. Include in contracts for construction a requirement that the contractor defend, indemnify and save Shawnee and Unified Government harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit or action for injuries or damages sustained to persons or property by reason of the act or omissions of the contractor and the performance of his or her contract, and requiring Shawnee and Unified Government to be named as an additional insured party in the required liability policy.

G. Coordinate all work with utilities, even if some utilities may require relocation in order for the Project contractor to complete the Project.

4. MAINTENANCE AGREEMENT. Each party, in conformity with the generally recognized and prevailing standards in existence at the time, has determined the plan, design, and scope of work that shall be undertaken within each party's own respective territory for the 47th Street/County Line Road Improvement Project. Each party shall be responsible for all decisions relating to the scope of work performed within each party's own respective territory. Upon completion of the 47th Street/County Line Road Improvement Project and acceptance of the same by City of Shawnee, both parties agree that each party shall be responsible for all future maintenance of the 47th Street/County Line Road Improvement Project within each party's own respective territory. Neither party assumes responsibility
for maintaining any portion of the 47th Street/County Line Road Improvement Project within the legal boundaries of the other party.

5. **DURATION OF AGREEMENT.** This Agreement shall continue in full force and effect until completion of the Project and the Cities have fulfilled all obligations undertaken by them in this Agreement. The Project shall be deemed completed, and this Agreement terminated, upon receipt of written certification to each of the Cities by the Shawnee City Engineer.

A. **AMENDMENTS.** This Agreement cannot be modified or changed by any verbal statement, promise or agreement, and no modification, change nor amendment shall be binding on the parties unless it shall have been agreed to in writing and signed by both parties.

B. **JURISDICTION.** This Agreement shall be construed according to the laws of the State of Kansas.

6. **PLACING AGREEMENT IN FORCE.** The attorneys for the Cities shall cause sufficient copies of this Agreement to be executed so as to provide each City with duly executed copies and any copy duly executed by both Cities shall be deemed an original for all purposes.

7. **CASH BASIS LAW.** This Agreement is subject to the Kansas Cash Basis Law, K.S.A. 10-1101 *et seq.* and amendments thereto. Any automatic renewal of the terms of the Agreement shall create no legal obligation on the part of either party. This Agreement shall be construed and interpreted so as to ensure that both parties at all times stay in conformity with such laws and, as a condition of this
Agreement, both parties reserve the right to unilaterally sever, modify, or terminate this Agreement at any time if, in the opinion of its legal counsel, the Agreement is deemed to violate the terms of such law. Both parties are obligated only to pay periodic payments or monthly installments under the Agreement as may lawfully be made from (a) funds budgeted and appropriated for that purpose during the party’s current budget year or (b) funds made available from any lawfully operated revenue producing source.
IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by the parties hereto and made effective as of the date and year first above written.

CITY OF SHAWNEE, KANSAS

By: ____________________________
    Jeff Meyers, Mayor

Attest:

_______________________________
Stephen Powell, City Clerk

Approved:

_______________________________
Ellis Rainey, City Attorney

UNIFIED GOVERNMENT, KANSAS

By: ____________________________
    Mark Holland, Mayor/ CEO

Attest:

_______________________________
Unified Government Clerk

Approved as to Form:

_______________________________
Misty S. Brown, Assistant Counsel
47th STREET/COUNTY LINE ROAD REHABILITATION
ESTIMATE OF PROPOSED WORK (4-3-14)

**CITY OF SHAWNEE - 47th Street (Monrovia to Switzer)**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asphalt overlay APWA 6-01</td>
<td>Tons</td>
<td>1.075</td>
<td>$70.00</td>
<td>$75,250.00</td>
</tr>
<tr>
<td>Milling 1.5&quot;-2&quot; in depth (all surfaces)</td>
<td>SY</td>
<td>9.540</td>
<td>$1.20</td>
<td>$11,448.00</td>
</tr>
<tr>
<td>Curb &amp; Gutter Remove and Replace, reinforced (All types)</td>
<td>LF</td>
<td>2,500</td>
<td>$30.00</td>
<td>$75,000.00</td>
</tr>
<tr>
<td>Remove and Replace Concrete Sidewalk (4&quot;)</td>
<td>LF</td>
<td>700</td>
<td>$32.00</td>
<td>$22,400.00</td>
</tr>
<tr>
<td>R/R existing or install new ADA Ramps using Cost-in-Tact panels</td>
<td>EA</td>
<td>8</td>
<td>$1,600.00</td>
<td>$12,800.00</td>
</tr>
<tr>
<td>Install Retro ADA panel on existing sidewalk ramps/Amor-Tile</td>
<td>EA</td>
<td>3</td>
<td>$200.00</td>
<td>$600.00</td>
</tr>
<tr>
<td>Pavement Markings</td>
<td>LF</td>
<td>0.5</td>
<td>$9,000.00</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>Full depth street patch, 8&quot; base, surface included in item #1</td>
<td>SY</td>
<td>100</td>
<td>$40.00</td>
<td>$4,000.00</td>
</tr>
</tbody>
</table>

$206,298.00
2% Inspection Cost
TOTAL
$210,423.96

**Wy. Co. - 47th Street (S. 65th St. to S. 55th St.)**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asphalt overlay APWA 6-01</td>
<td>Tons</td>
<td>1,132</td>
<td>$70.00</td>
<td>$79,240.00</td>
</tr>
<tr>
<td>Milling 1.5&quot;-2&quot; in depth (all surfaces)</td>
<td>SY</td>
<td>10,050</td>
<td>$1.20</td>
<td>$12,060.00</td>
</tr>
<tr>
<td>*Curb &amp; Gutter Remove and Replace, reinforced (All types)</td>
<td>LF</td>
<td>0</td>
<td>$30.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>*Remove and Replace Concrete Sidewalk (4&quot;)</td>
<td>LF</td>
<td>0</td>
<td>$32.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>*R/R existing or install new ADA Ramps using Cost-in-Tact panels</td>
<td>EA</td>
<td>0</td>
<td>$1,600.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Pavement Markings</td>
<td>LF</td>
<td>0.5</td>
<td>$9,000.00</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>Full depth street patch, 8&quot; base, surface included in item #1</td>
<td>SY</td>
<td>100</td>
<td>$40.00</td>
<td>$4,000.00</td>
</tr>
</tbody>
</table>

$99,800.00
2% Inspection Cost
TOTAL
$101,796.00

*Unified Government has elected to not replace any curb or sidewalk and ADA ramps have been previously installed at intersections

TOTAL PROJECT COSTS

$312,219.96
Every two years, KDOT undertakes their “Local Consult Process”. This process includes regional meetings around the state where local governments share their priorities for state-level investments and funding. KDOT also uses the process to gain feedback on state-wide initiatives. These meetings are quite important and do have influence on KDOT funding priorities. Public Works is preparing for the 2014 Local Consult, which we anticipate to occur in the fall (no schedule is yet published). Staff will present the position paper offered to KDOT at the last consult held in 2012 and give a short presentation. We will then solicit initial input from the Committee. It is important that we communicate both project-level priorities and policy-level positions. This is a first presentation of the topic intended to begin the discussion.

Action Requested:
Does not proceed to full commission – for committee only

Budget Impact: (if applicable)

Amount: $
Source:

Included In Budget
Other (explain)  No direct impact. Influences future KDOT investments
October 1, 2012

Jerry Younger, P.E.
Deputy Secretary and State Transportation Engineer
Kansas Department of Transportation
700 S.W. Harrison Street
Topeka, KS 66603-3754

Dear Mr. Younger:

Wyandotte County and Kansas City, Kansas have long stood at the gateway to Kansas and the cross-roads to interstate commerce. The partnership between the US and KDOT over decades have resulted in us hosting five major interstate highways (I-70, I-670, I-35, I-635, and I-435) and many other important U.S. and State routes serving travelers, industry, and cross-country commerce.

These facilities are aging and require constant attention. Before continued investment in new capacity at the outskirts of well-developed areas, we believe KDOT should have a heavy focus on system preservation, major upgrades, and improvements to key choke points.

The attached list highlights nine important projects in and near the County that we ask KDOT to give great emphasis. Four (4) of these are major investments, and five (5) others are medium-sized projects that provide key benefits in safety, mobility, and economic redevelopment. Many of these priorities have been identified by the MARC Kansas STP/BR committee (letter attached) as being among the Kansas-side transportation priorities.

Our lead priority is the completion of all 3 phases of the Lewis and Clark Viaduct on I-70, including the flattening of the I-70 curves for safety. Along with the US-69 crossing of the Missouri River, the viaduct is a key to sustaining the vitality of our industrial base.

Phase 4 of the K-7/I-70 Interchange is of importance to our community, and will bring that multi-phase project to a reasonable resting point. Further work on the interchange should be based on demonstrated actual traffic demands, and be responsive to the concerns of communities along the corridor, including Bonner Springs.

The I-35 corridor from 75th Street north to State Line is another key asset. While there is little if any room to add lanes, the active and smart management of the lanes available, along with investment in key areas like the I-35/I-635 interchange ought to be high priorities for the entire region. We also believe investments in the I-635 and I-70 corridors allow for an alternate route for the congested I-35 northern corridor.

We also wish to remind KDOT of the UG’s commitment to implementing the recommendations of our joint study in the I-435/I-70/Village West area. The City is moving forward with design of the SPUI or alternative at Village West and State Ave. and we look forward to being able to fund it in the future – at which time we hope to see the state move quickly to design and construct the DDI on I-435 at State Ave.
Other projects are listed, and each we believe is well-known to KDOT staff. These are modest proposals, intended to encourage re-investment in systems already in place, and which support the vitality of our core community.

In the 2010 T-Works round, 3 phases of the I-70/K-7 interchange were funded – the only one to be included in Wyandotte County. We greatly appreciate the investment KDOT has made to this corridor, which has advocates from many counties. We should make continued progress – though in a manner conducive to the needs of communities along the corridor. We use this opportunity, however, to emphasize that the needs of Kansas City, Kansas and Wyandotte County taxpayers are much broader than the K-7 corridor at our western-border. KDOT should also be careful that further construction on the K-7 corridor in Johnson, Leavenworth and Wyandotte Counties be responsive to real needs, and not be so hasty as to induce sprawl. We strongly urge KDOT to use future funding rounds to continue reinvestment in the core areas of our County.

We appreciate this opportunity to consult with you on future KDOT programs and to make our case that support for infrastructure in Wyandotte County and Kansas City, Kansas is a vote for wise reuse of existing historical investments.

Sincerely,

Robert Roddy
Robert Roddy, Public Works Director

Bill Heatherman
Bill Heatherman, County Engineer

Attachment
Large Projects

1. Lewis and Clark Viaduct (I-70 from Downtown, over the Kansas River): All 3 phases, including the flattening of the substandard I-70 curves.

2. Missouri River Bridge Replacement at US-69 (MoDOT lead)

3. K-7 and I-70 Interchange, through Phases 4. (Further work on Phase 5 and beyond should be dependent upon actual traffic reaching thresholds, and in cooperation with the needs of communities along the corridor, particularly Bonner Springs.)

4. I-35 Northern Leg, 75th Street North to the State Line (Johnson and Wyandotte Co.) - Demand and Active Lane Management Options (per recent I-35 “Moving Forward” proposals and with proper considerations for fair access)

Medium-Sized Projects

1. State Avenue and Village West Interchange (SPUI) & I-435 and State Avenue Interchange (DDI)

2. Lamar Avenue Bridge at I-35 and associated Railroad Overpass.

3. Reconfigure I-70 and I-635 Southbound Ramp for Safety

4. I-70 and Turner Diagonal Reconstruction and Land-Use Reclamation

5. Reconfigure I-35 and I-635 Interchange – Interim Improvements (in Johnson County)
Staff Request for Commission Action

Tracking No. 140216

□ Revised
□ On Going

Type: Standard
Committee: Public Works and Safety Committee

Date of Standing Committee Action: 6/16/2014
(If none, please explain):

Proposed for the following Full Commission Meeting Date: Confirmed Date: 6/19/2014 6/19/2014

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

<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>6/5/2014</td>
<td>bheatherman</td>
<td>573-5400</td>
<td>bheatherman@wycokck.</td>
<td></td>
<td>Public Works</td>
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</table>

Item Description:
Merriam Lane, 10th to 24th Street – Funding Adjustment

Funding authority for the Merriam Lane project needs to increase to reflect final estimates and contingencies. Local funding requirement has increased to $6.1M from original $4.8 estimate – to be met through an increase in both general debt and stormwater debt. This is a federal aid job administered through KDOT with $4.2 M in federal grant. Construction begins this summer. The funding increase will be accommodated with a $500,000 increase to general obligation debt for streets, and an $800,000 increase to the existing stormwater utility funding, most to the 2014 budget year. Approval is required by the June 19th Commission to secure the KDOT low bid and begin construction as needed. At the meeting, staff will provide the formal resolutions required and an analyses of impact to other budget items.

Action Requested:
To be provided at meeting

Publication Required

Budget Impact: (if applicable)

Amount: $1,300,000
Source: General Fund Debt ($500k); Stormwater Debt ($800k)

□ Included In Budget
✓ Other (explain) Revision required.
RESOLUTION NO. ______________

A RESOLUTION AMENDING RESOLUTION NO. R-78-11
AUTHORIZING CERTAIN STREET AND SIDEWALK
IMPROVEMENTS, AND PROVIDING FOR THE MANNER OF PAYING
FOR THE SAME.

WHEREAS, the Unified Government is authorized and empowered pursuant to Charter
Ordinance No. CO-03-09 and Article 12, Section 5(a) of the Constitution of the State of Kansas,
to issue general obligation bonds for the purpose of paying for street improvements; and

WHEREAS, on November 17, 2011, the Unified Government adopted Resolution
R-78-11 authorizing the Merriam Lane, 10th to 24th Street Program CMIP 1292
improvements, as more fully described therein; and

WHEREAS, on November 21, 2013, the Unified Government adopted Resolution R-
115-13 increasing the estimated cost of the improvements and the amount of general obligation
bonds and/or temporary notes to be issued for the improvements; and

WHEREAS, it is again necessary to amend Resolution No. R-78-11 to increase the
estimated cost of the improvements and the amount of general obligation bonds and/or
temporary notes to be issued for the improvements, as provided herein.

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

Section 1. That Section 2 of Resolution No. R-78-11 is hereby amended to read as
follows:

Section 2. For the purpose of providing funds for the Improvements, all as approved by
the governing body, the Unified Government hereby authorizes the issuance of its general
obligation bonds pursuant to Article 12, Section 5(a) of the Constitution of the State of
Kansas and Charter Ordinance No. CO-03-09, in an amount not in excess of $4,100,000,
plus capitalized interest and costs of issuance. Temporary Notes of the Unified
Government are hereby authorized to be issued from time to time by resolution in an
amount not to exceed the amount of general obligation bonds herein authorized.

Section 2. The Unified Government expects to make capital expenditures in connection
with the Improvements and intends to reimburse itself for such expenditures with the proceeds of
general obligation bonds and/or temporary notes in an amount not to exceed $4,100,000, plus
capitalized interest and costs of issuance. Any general obligation bonds and/or temporary notes
issued under the authority of this Resolution may be used to reimburse expenditures made on or
after the date that is 60 days before the date of adoption of this Resolution pursuant to U.S.
Section 3. Resolution No. R-78-11, as amended by this Resolution, is hereby ratified and confirmed, and shall remain in full force and effect. This Resolution shall supersede Resolution No. R-115-13.

Section 4. This Resolution shall take effect and be in full force immediately after its adoption by the governing body.

THIS RESOLUTION WAS PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF ______________________, 2014, AND APPROVED BY THE MAYOR.

(SEAL) ______________________________
Mayor/CEO

ATTEST:

_______________________________
Unified Government Clerk
A RESOLUTION AMENDING RESOLUTION NO. R-108-13
AUTHORIZING CERTAIN STORM WATER UPGRADES AND
PROVIDING FOR THE MANNER OF PAYING FOR THE SAME.

WHEREAS, the Unified Government is authorized and empowered pursuant to Charter Ordinance No. CO-03-09 and Article 12, Section 5(a) of the Constitution of the State of Kansas, to issue general obligation bonds for the purpose of paying for storm water improvements; and

WHEREAS, on November 21, 2013, the Unified Government adopted Resolution R-108-13 authorizing MERRIAM LANE, 10th to 24th STREET STORM WATER UPGRADES CMIP 963-5315 improvements to, as more fully described therein; and

WHEREAS, it is necessary to amend Resolution R-108-13 to increase the estimated cost of the Improvements and the amount of general obligation bonds and/or temporary notes to be issued for the Improvements, as provided herein.

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

Section 1. That Section 2 of Resolution No. R-108-13 is hereby amended to read as follows:

Section 2. For the purpose of providing funds for the Improvements, all as approved by the governing body, the Unified Government hereby authorizes the issuance of its general obligation bonds pursuant to Article 12, Section 5(a) of the Constitution of the State of Kansas and Charter Ordinance No. CO-03-09, in an amount not in excess of $2,000,000 plus capitalized interest and costs of issuance. Temporary Notes of the Unified Government are hereby authorized to be issued from time to time by resolution in an amount not to exceed the amount of general obligation bonds herein authorized.

Section 2. The Unified Government expects to make capital expenditures in connection with the Improvements and intends to reimburse itself for such expenditures with the proceeds of general obligation bonds and/or temporary notes in an amount not to exceed $2,000,000 plus capitalized interest and costs of issuance. Any general obligation bonds and/or temporary notes issued under the authority of this Resolution may be used to reimburse expenditures made on or after the date that is 60 days before the date of adoption of this Resolution pursuant to U.S. Treasury Regulation §1.150-2.

Section 3. Resolution No. R-108-13, as amended by this Resolution, is hereby ratified and confirmed, and shall remain in full force and effect.
Section 4. This Resolution shall take effect and be in full force immediately after its adoption by the governing body.

THIS RESOLUTION WAS PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____ DAY OF ______________________, 2014, AND APPROVED BY THE MAYOR.

(SEAL) ______________________________________ Mayor/CEO

ATTEST:

______________________________________________
Unified Government Clerk