



Agenda - Final

Transportation, Infrastructure and Operations Committee

Quinton Lucas, Chair
Teresa Loar, Vice Chair
Eric Bunch, Vice Chair
Katheryn Shields
Melissa Robinson
Kevin O'Neill

Wednesday, May 10, 2023

9:00 AM

26th Floor, Council Chamber

<https://us02web.zoom.us/j/84530222968>

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

Aviation

230358 Sponsor: Director of the Aviation Department

Authorizing a \$12,668,032.00 contract with Ideker, Inc. for the 62230568 - Construct Taxiway L project at the Charles B. Wheeler Downtown Airport; and authorizing a maximum expenditure of \$13,934,835.20.

Attachments: [230358 Signed Goal](#)
[CREO Signed CUP - 20.07% DBE](#)
[230358 Docket Memo](#)
[230358-CUP Summary 62230568](#)

230359 Sponsor: Director of the Aviation Department

Authorizing a \$279,361.16 Change Order No. 2 to a contract with Comanche Construction, Inc., for the KCI Landside Structural Rehab project at KCI Airport for a total contract amount of \$2,405,846.91; authorizing the Director of Aviation to increase the contract by a contingency amount of \$27,936.17; and authorizing a maximum expenditure under this Change Order of \$307,297.33.

Attachments: [230359-Signed Goal - Per City Code 210991 FICB Signature](#)
[N-A](#)
[230359 Docket Memo](#)
[230359 Revised CUP Summary 62220553](#)

Public Works

230381 Sponsor: Director of the Public Works Department

Authorizing Amendment No. 2 with Hanson Professional Services, Inc., in the amount of \$522,511.36 for design services for the Swope Park Industrial Flyover Bridge project, for a total contract amount of \$1,372,489.54.

Attachments: [230381 Docket Memo](#)
[89005580-DP Serv-Swope Park Industrial Flyover Bridge-HR](#)
[D Approval 20190731050457 0763](#)
[89005580-B2G](#)
[230381-Revised CUP Summary 89005580](#)

230396 Sponsor: Director of the Public Works Department

Estimating revenue and appropriating funds in the amount of \$5,000,000.00 to the Capital Improvement Grant Fund from a Federal Surface Transportation Program (STP) Grant; estimating revenue and appropriating funds in the amount of \$8,503,140.09 to the Capital Improvement Grant Fund from Platte County, Missouri for the N.W. Waukomis Drive Complete Streets Project 89008260; estimating revenue and appropriating funds in the amount of \$447,705.12 to the Capital Improvement Grant Fund from the Platte County Road and Bridge Tax Fund; authorizing the Director of Public Works to execute Cooperative and Escrow Agreements with Platte County, Missouri; authorizing a \$12,596,318.30 contract with Radmacher Brothers Excavating Co., Inc.; and authorizing and encumbering a 15% contingency for construction and recognizing this ordinance as having an accelerated effective date.

Attachments: [230396 Docket Memo](#)
[Ordinance 230396-CUP Summary-89008260](#)

Water Services

[230369](#) Sponsor: Director of the Water Services Department

Authorizing a \$1,230,000.00 design professional services contract with Lamp Rynearson, Inc., for the Relief Sewer: Dykes Branch Interceptor project.

Attachments: [230369 Docket Memo](#)
[230369 Approved Goal Request](#)
[230369 Signed Goal](#)
[230369-CUP Summary-1659](#)

[230390](#) Sponsor: Director of the Water Services Department

Amending Chapter 60, Code of Ordinances, entitled Sewers and Sewage Disposal, by repealing Sections 60-2, 60-3, 60-112, 60-116, 60-117, 60-121, 60-122, 60-125, 60-126, 60-128, 60-142, 60-143, 60-155, 60-157, 60-160, 60-161, 60-181, 60-183, 60-194, and enacting in lieu thereof new sections of like number and subject matter; and establishing an effective date.

Attachments: [230390 Docket Memo](#)

[230391](#) Sponsor: Director of the Water Services Department

Authorizing the Director, Deputy Director, Chief Engineering Officer and Chief Financial Officer of the Water Service Department to act as the City's designated authorized representative for participation by the City through its Water Services Department in the Missouri State Revolving Fund Program, the Land and Water Conservation Fund Program and any additional funding programs in accordance with state requirements administered by the Missouri Department of Natural Resources; and recognizing this ordinance as having an accelerated effective date.

Attachments: [230391 Docket Memo](#)

[230385](#) Sponsor: Councilmember Andrea Bough, Mayor Quinton Lucas and Councilmember Eric Bunch

RESOLUTION - Declaring the City of Kansas City a Safe Haven for Gender-Affirming Healthcare through adoption of a Gender-Affirming Healthcare Policy.

Attachments: [230385 No Fact Sheet](#)

[230395](#) Sponsor: Mayor Quinton Lucas; Councilmember Ryana Parks-Shaw

Establishing the Small Business Task Force in recognition of the Small Business Administration's National Small Business Week, April 30 2023-May 6, 2023; directing the Small Business Task Force to develop a comprehensive plan by October 2025 for the funding and development of small businesses within the City; and empowering the Small Business Task Force to engage with the community in order to develop said comprehensive development plan.

Attachments: [230395 No Fact Sheet](#)

[230400](#) Sponsor: Councilmember Eric Bunch

Directing the City Manager to implement installation of bike lanes on Emanuel Cleaver II Boulevard from Troost Avenue to Main Street; and waiving a requirement of Ordinance 210966.

Attachments: [230400 No Fact Sheet](#)

[230404](#) Sponsor(s): Councilmembers Teresa Loar, Heather Hall and Kevin O'Neill

Amending Committee Substitute for Ordinance No. 220529, passed on June 20, 2022, by repealing Condition 31 of the Ordinance which required certain access improvements which were roundabouts on N.W. Cookingham Drive on both sides of Interstate 29; directing the City Manager to identify the funding to install these improvements since these improvements are needed due to existing traffic growth in the area, including growth from the new KCI Airport; and directing the City Manager to report back to Council within 30 days with the plan for funding these improvements and the process and schedule for constructing these improvements.

Attachments: [230404 No Fact Sheet](#)

[230405](#) Sponsor(s): Mayor Quinton Lucas; Councilmembers Kevin O'Neill, Ryana Parks-Shaw, and Andrea Bough

Appropriating \$1,500,000.00 from the Unappropriated Fund Balance in the Public Safety Sales Tax to the Kansas City Detention Center Campus account; authorizing a contract in the amount of \$375,000.00 to a design professional services agreement with TreanorHL to begin site selection and initial design for a mental health and rehabilitation services facility; directing the City Manager to establish a partnership agreement with the County; designating requisitioning authority; recognizing Civil Rights and Equal Opportunity Department goals; and recognizing this ordinance as having an accelerated effective date.

Attachments: [230405 Docket Memo](#)

City Manager

[230401](#) Sponsor(s): Councilmembers; Kevin O'Neill, Andrea Bough and Ryana Parks-Shaw

Amending Chapter 3, Code of Ordinances, by repealing Section 3-431, "Setting Goals for Individual Contracts" and enacting in lieu thereof a new section of like number and subject matter regulating the application of numeric MBE/WBE goals on certain projects leased for development or receiving economic development incentives or tax abatement.

Attachments: [230401 Docket Memo](#)

[230402](#) Sponsor(s): Councilmembers; Kevin O'Neill, Andrea Bough and Ryana Parks-Shaw

Authorizing the City Manager to execute a Contract, Wage, and Labor Addendum with Velvet Tech Services, LLC and authorizing City officials to execute additional documents, including a supplemental lease and supplemental trust indenture, in connection with Project Velvet.

Attachments: [230402 Docket Memo](#)

RE-REFERRED

[230315](#) Sponsor: Director of Public Works Department

Reducing an appropriation in the amount of \$2,842,818.83 in the General Obligation Series 2018 and 2021 Q1 Bond Funds and appropriating \$2,842,818.83 from the Unappropriated Fund Balance in the General Obligation Series 2018 and 2021 Q1 Bond Funds to the North Green Hills Road Reconstruction Project account;; authorizing execution of a \$16,411,574.28 contract with Leavenworth Excavating for the project; and recognizing this ordinance as having an accelerated effective date.

Attachments: [230315 Docket Memo](#)
[230315 Signed Goal Per City Code](#)
[210991 FICB N-A 20211222172121 8880 \(2\)](#)
[230315-CUP Summary-89008087-Leavenworth](#)

HELD IN COMMITTEE

City Manager

[230265](#) Sponsor: City Manager

Authorizing the City Manager to negotiate and execute a sale and development agreement in accordance with the terms described herein with Kansas City Southern and Americo for the sale and development of the City-owned properties located at 1200 and 1210 Broadway Boulevard.

Attachments: [230265 Docket Memo](#)

Aviation

[230278](#) Sponsor: Director of the Aviation Department

Appropriating \$1,971,481.00 from the Unappropriated Fund Balance of the Aviation Fund; and authorizing a \$12,421,575.00 contract with Siemens Industry, Inc., for operations and maintenance service of low voltage systems in the single terminal facility at Kansas City International Airport.

Attachments: [230278 Docket Memo](#)
[230278 Signed Goal](#)

Health Department

[230300](#) Sponsor: Director of the Health Department

Providing for submission to the qualified voters of the City for their approval at an election called for Tuesday, August 8, 2023, the question of amending Chapter 34, Code of Ordinances, entitled "Health and Sanitation," by enacting a new Article XX, entitled "Childcare Facilities;" authorizing and directing the City Clerk to notify the responsible election authorities of this election; and date.

Attachments: [230300 Docket Memo](#)

Public Works

[230322](#) Sponsor: Director of Public Works Department

Estimating and appropriating the amount of \$665,526.58 from the Capital Improvements Fund; authorizing execution of a contract with Transystems Corporation, in the amount of \$665,526.58 for construction inspection services for the N.W. Waukomis Drive Complete Streets Project from N.W. Englewood Road to NW 68th Street and establishing an effective date.

Attachments: [230322 Docket Memo](#)
[Ordinance 230322-CUP Summary CS230065](#)

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Transportation, Infrastructure and Operations issues.

2. Closed Session

- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
- Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

3. Those who wish to comment on proposed ordinances can email written testimony to public.testimony@kcmo.org. Comments received will be distributed to the committee and added to the public record by the clerk.

The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at www.kcmo.gov
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBlg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: http://kansascity.granicus.com/ViewPublisher.php?view_id=2

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary, and she will give you the equipment. Upon returning the equipment your license will be returned.

Adjournment



File #: 230358

ORDINANCE NO. 230358

Sponsor: Director of the Aviation Department

Authorizing a \$12,668,032.00 contract with Ideker, Inc. for the 62230568 – Construct Taxiway L project at the Charles B. Wheeler Downtown Airport; and authorizing a maximum expenditure of \$13,934,835.20.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Aviation is hereby authorized to execute a contract with Ideker, Inc. for construction services for Project No. 62230568 – Construct Taxiway L at the Charles B. Wheeler Downtown Airport for \$12,668,032.00 from funds appropriated herein. A copy of the contract is on file in the Aviation Department.

Section 2. That the sum of \$13,934,835.20 is hereby appropriated from the Unappropriated Fund Balance of the Aviation Fund to the following account:

24-8300-627270-611060-62230568	Construct Taxiway L CBW	\$13,934,835.20
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Section 3. That the Director of Aviation is hereby authorized to amend and increase this contract by a contingency amount not to exceed \$1,266,803.20 from funds appropriated herein.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Charlotte Ferns
Senior Associate City Attorney

**Civil Rights & Equal Opportunity Department
Economic Equity & Inclusion
Contract Goals Request**

Date: 11-3-22
Form Prepared By: Sara Hurst

Contract/Project Number: 62230568	Project Name: Construct Taxiway L
Owning Department: Aviation	Project Manager: Mike Waller

Funding: City State Federal CO-OP Grant: Other:

Project Requirements: M/WBE DBE Section 3 N/A

Tax Incentive: LCRA TIF PIEA N/A Other:

Prevailing Wage: Yes No

Davis-Bacon: Yes No

Presenting to Council¹: Yes No

Construction Employment Program: Yes: Workforce employment goals are 10% minority hours & 2% female hours. This project is estimated at over 800 work hours and over \$300,000.
 NO: This project is estimated at less than \$300,000 and no more than 800 work hours.

Estimated Number of Project Days: 181	Anticipated Solicitation Date: 12-13-22
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Contract Type:

Construction Design-Build Design Professional Professional Services

General Service Concession Other Goods & Services Non-Municipal Agency

Co-Operative Revenue Sharing Facilities Maintenance/Repair/Renovation

Other:

Description of Contract (Provide Details):

Construction phase services for partial parallel Taxiway L at the Charles B. Wheeler Downtown Airport (MKC).

Pursuant to RSMo. Section 610.021(11) & (12) documents related to bids will not be made available until bids are completed.

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR GENERAL SERVICES DEPARTMENT (PROCUREMENT) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No

Waiver being applied? Yes No Type: _____

According to CREO Annual Goal Manual, the Goals for this project are:

_____ % MBE	_____ % WBE	_____ % DBE
-------------	-------------	-------------

Electronic Record? Yes No

GSD Signature: _____ Date: _____

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No N/A

The following Goals are approved for this Project:

_____ % MBE	_____ % WBE	20.07 % DBE
-------------	-------------	-------------

No Goals are set for this Project Waiver Approved Waiver Denied

Reason for Wavier: _____

Electronic Record? Yes No

CREO Signature: *Andy Adkins* Date: 11/8/2022
124960329678445...





Project Number-62230568
62230568 - Construct Taxiway L

CREO Document Upload:#1

Subject: CUP/LOI Document Upload | Contract 62230568
Initiator: Hurst, Sara
Date Created: 02.15.2023 11:28AM
Department: Aviation

Process Information

Document Type: CUP/LOI
Date Submitted: 02.15.2023
Date Received:
Contract Number: 62230568
Prime Contractor: IDEKER INC
Amount of Project: 12668032.00
%MBE
%WBE
%DBE 20

Special Instructions:

**Civil Rights & Equal Opportunity Department
Economic Equity & Inclusion
Contractor Utilization Plan Approval Form**

Date: 2-16-23
Form Prepared By: Sara Hurst

Contract/Project Number: 62230568	Developer/Prime: Ideker, Inc.
Project Name: Construct Taxiway L	Contact Information: 816-364-4783
Final Contract Value: \$12,668,032.00	Address: 4614 South 40th St., St. Joseph, MO 64503

Funding: City State Federal CO-OP Grant: Other:

Project Requirements: M/WBE DBE Section 3 N/A

Tax Incentive: LCRA TIF PIEA N/A Other:

Prevailing Wage: Yes No

Davis-Bacon: Yes No

Construction Employment Program: Yes: Workforce goals are 10% Minority & 2% Women. There are over 800 Workforce hours and project cost is \$300,000 or more.
 No: Workforce hours are less than 800 and project cost is less than \$300,000.

Contract Goals: 20.07%	Contractor Utilization Plan Achievement: 20.13%
Self-Perform: ____%	Self-Perform: ____%
MBE: ____%	MBE: ____%
WBE: ____%	WBE: ____%
Non-certified firms: ____%	Non-certified firms: ____%

Contract Type:

Construction Design-Build Design Professional Professional Services

General Service Concession Other Goods & Services Non-Municipal Agency

Co-Operative Revenue Sharing Facilities Maintenance/Repair/Renovation

Other:

Additional Information:

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

The Contractor Utilization Plan is:

Approved Disapproved

_____% MBE _____% WBE 20.07 % DBE

The Request for Good Faith Efforts Waiver is:

Approved Disapproved Not Applicable

Appeal Sent to FICB or Incentive Agency? Yes _____ FICB _____ Incentive Agency No

CREO Signature: *Andy Adkins* Date: 3/24/2023

Comments:



Inter-Departmental Communication

Date: March 23, 2023

To: Mayor Quinton Lucas, Chair: Transportation, Infrastructure & Operations Committee

From: Andrea Dorch, Director of Civil Rights and Equal Opportunity

Subject: Docket Memo

CONTRACTOR: Ideker, Inc.
Address: 4614 South 40th Street
St. Joseph, MO. 64503
Contract #: 62230568- Construct Taxiway (L)
Contract Amount: \$12,668,032.00
DBE Goal: 20.07%
Total DBE Achieved: 20.13%

DBE SUBCONTRACTORS:

Name: Pine Valley Contracting
Address: 13586 Cameron Road
Excelsior Springs, MO. 64024
Scope of Work: Erosion Control, Sod, Aggregate Base
Dollar Amount: \$750,000.00
Ownership: Pamela Kirkpatrick
Structure: Caucasian Female Code 27

Name: Clymore Trucking
Address: 530 Route 291
Independence, MO. 64056
Scope of Work: Trucking
Dollar Amount: \$500,000.00
Ownership: Debra Clymore
Structure: Caucasian Female Code 27

Name: PH Trucking
Address: 11512 State Highway U
Rogersville, MO. 65742
Scope of Work: Trucking
Dollar Amount: \$400,000.00
Ownership: Patricia Hill
Structure: Native American Female Code 73
Code 15

Name: Parrish & Sons Construction
Address: 800 East 101st Terrace Suite 230
Kansas City MO. 64131
Scope of Work: Pipe work, Edge drains, Earthwork
Dollar Amount: \$600,000.00
Ownership: Fahteema Parrish
Structure: African-American Female Code 19

Name: Dye Electric
Address: 1601 East 18th Street Suite 204
Kansas City MO. 64108
Scope of Work: Electrical
Dollar Amount: \$300,000.00
Ownership: Brandon Dye
Structure: African-American Male Code 15

Comments: This project is being federally funded or reimbursed, therefore it is categorized as DBE. The city of Kansas City, MO. DBE goal is currently 20.07.



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing a \$12,668,032.00 contract with Ideker, Inc. for the 62230568 – Construct Taxiway L project at CBW Downtown Airport; authorizing a maximum expenditure of \$13,934,835.20.

Discussion

THE MWDBE CREO CUP WAS APPROVED FOR 20.07 % DBE. The intent of this project is to construct an extension of Taxiway L between the Runway 3 end and Taxiway D. Construction of Taxiway L will assist in mitigating the FAA-designated Hot Spots along Taxiway D with the objective of minimizing and/or eliminating runway incursions. Development of Taxiway L will also provide a more efficient and direct route from the west aprons to the runway environment. Finally, the project includes the reconstruction of a portion of Taxiway F located west of Runway 3-21 to the aircraft apron.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

Account No. 24-8300-627270-611060-62230568

3. How does the legislation affect the current fiscal year?

Cost for FY2023-2024 is \$13,934,835.20.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

There is no known future fiscal impact.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No



City of Kansas City, Missouri

Docket Memo

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

None

Service Level Impacts

This project will promote the use of Charles B. Wheeler Downtown Airport (MKC).



City of Kansas City, Missouri

Docket Memo

Other Impacts

1. What will be the potential health impacts to any affected groups?

KCAD has reviewed the Priorities in the Kansas City Community Health Improvement Plan (KC-CHIP) and does not identify any negative impacts.

2. How have those groups been engaged and involved in the development of this ordinance?

The Community within the Kansas City, Missouri area has been consistently engaged and involved with the Aviation Department Capital Improvement Program, which contributes to this ordinance.

3. How does this legislation contribute to a sustainable Kansas City?

Routine rehabilitation and expansion of infrastructure at the Charles B. Wheeler Downtown Airport (MKC) is vital to the continuous operation of the Airport and the city's economic vitality

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Yes

Inter-Departmental Communication

230358

Date: March 23, 2023

To: Mayor Quinton Lucas, Chair: Transportation, Infrastructure & Operations Committee

From: Andrea Dorch, Director of Civil Rights and Equal Opportunity

Subject: CUP Summary #: 230358

CONTRACTOR: Ideker, Inc.
Address: 4614 S. 40th St.
St. Joseph, MO. 64503
Contract # 62230568 - Construct Taxiway (L)
Contract Amount: \$12,668,032.00
DBE Goal 20.07%
Total DBE Achieved: 20.13%

DBE SUBCONTRACTORS:

Name: Pine Valley Contracting, Inc.
Address: 13586 Cameron Rd.
Excelsior Springs, MO. 64024
Scope of Work: Erosion Control / Sodding / Aggregate Base
Dollar Amount: \$750,000
Ownership: Pamela Kirkpatrick
Structure: Caucasian Female Code 27

Name: Clymore Trucking Co., Inc.
Address: 530 S. Route 291
Independence, MO. 64056
Scope of Work: Hauling
Dollar Amount: \$500,000
Ownership: Debra Clymore
Structure: Caucasian Female Code 27

Name: PH Trucking
Address: 11512 State Highway U
Rogersville, MO. 65742
Scope of Work: Hauling
Dollar Amount: \$400,000
Ownership: Patricia Hill
Structure: Native American Female Code 73
Code 15

Name: Parrish & Sons Construction, LLC
Address: 800 E. 101st Terrace, Suite 230
Kansas City, MO. 64131
Scope of Work: Pipe Work / Edge Drains / Earthwork
Dollar Amount: \$600,000
Ownership: Fahteema Parrish
Structure: African-American Female Code 19

Name: Dye Electric, LLC
Address: 1601 E. 18th St., Suite 204
Kansas City, MO. 64108
Scope of Work: Electrical
Dollar Amount: \$300,000
Ownership: Brandon Dye
Structure: African-American Male Code 15

Comments:

Federally funded or reimbursed DBE project. The city of Kansas City, MO. DBE goal is currently 20.07.



File #: 230359

ORDINANCE NO. 230359

Sponsor: Director of the Aviation Department

Authorizing a \$279,361.16 Change Order No. 2 to a contract with Comanche Construction, Inc., for the KCI Landside Structural Rehab project at KCI Airport for a total contract amount of \$2,405,846.91; authorizing the Director of Aviation to increase the contract by a contingency amount of \$27,936.17; and authorizing a maximum expenditure under this Change Order of \$307,297.33.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Aviation is hereby authorized to execute Change Order No. 2 with Comanche Construction, Inc. for 62220553 - KCI Landside Structural Rehab project at KCI adding \$279,361.16 for a total contract amount of \$2,405,846.91.

Section 2. That the Director of Aviation is hereby authorized to amend and increase this contract by a contingency amount of \$27,936.17.

Section 3. That the Director of Aviation is hereby authorized to expend \$307,297.33 from previously appropriated funds in Account No. 24-8300-627270-B-62220553, KCI Landside Structural Rehab, to satisfy the cost of this contract.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Charlotte Ferns
Senior Associate City Attorney



MBE/WBE/DBE Contract Goals Request

Date: October 14, 2021
 To: Itzel Galarza, Civil Rights & Equal Opportunity Department
 From: Sara Hurst, Aviation Department
 Mallie Koehler, Project Manager

Project Number 62220553	Project Name Landside Structural Rehab	
Contract ID Number 62220553		Solicitation Date: 12/31/2021
Estimated Project Duration: 150 Days		

Note: Click the box to select

<input checked="" type="checkbox"/> FICB PREVAILING WAGE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Contract Category:	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input checked="" type="checkbox"/> Concession
Type:	<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Amendment No.	
Funding:	<input checked="" type="checkbox"/> City(MBE/WBE)	<input type="checkbox"/> Federal (DBE)	<input type="checkbox"/> State (DBE)
	<input type="checkbox"/> Other:	<input type="checkbox"/> Grant#	
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2		<input checked="" type="checkbox"/> List of Required Crafts attached - Page 3	

Description of work:

This project will involve repairs to the deck, superstructures, and substructures of the Paris St., Bern St., Terminal B inbound and outbound, and Terminal C inbound and outbound bridges. This project also involves the rehabilitation of existing cast-in-place retaining walls located at Terminal B and C.

cc: Jade Liska, Deputy Director of Aviation - Planning and Engineering

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT USE ONLY:	
<input type="checkbox"/> No Goals are set for this Project; OR	
<input checked="" type="checkbox"/> The following Goals are approved for this Project <u>7</u> % MBE <u>7</u> % WBE	
Civil Rights & Equal Opportunity Department	DocuSigned by: Date: 11/9/2021

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY²		<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
Per City Code #210991 N/A		Date: _____		
FOR GRANT AGENCY USE ONLY³		<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
_____		Date: _____		

¹ DBE Programs apply to specific federal or state grant requirements.
² For Projects subject to prevailing wage requirements only.
³ Federal and state grant agreements may require granting agency approval of contract goals.



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing a \$279,361.16 Change Order No. 2 to a contract with Comanche Construction, Inc. for the KCI Landside Structural Rehab project at KCI Airport for a total contract amount of \$2,405,846.91; authorizing the Director of Aviation to increase this contract Change Order by a contingency amount of \$27,936.17; and authorizing a maximum expenditure under this Change Order of \$307,297.33.

Discussion

The MWDBE CREO CUP was approved for 4.7% MBE and 4% WBE Participation. The intent of the change order is to add additional material quantities due to large overages resulting from unexpected field conditions after the bridge deck was removed.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

Account No. 24-8300-627270-B-62220553

3. How does the legislation affect the current fiscal year?

\$307,297.33

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

There is no known future fiscal impact.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No



City of Kansas City, Missouri

Docket Memo

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

220227

Service Level Impacts

This project will provide a safe environment at the airport for both employees and passengers.



City of Kansas City, Missouri

Docket Memo

Other Impacts

1. What will be the potential health impacts to any affected groups?

Aviation Engineering has reviewed the Priorities in the Kansas City Community Health Improvement Plan (KC-CHIP) and does not identify any negative impacts .

2. How have those groups been engaged and involved in the development of this ordinance?

The Community within the Kansas City, Missouri area has been consistently engaged and involved with the Aviation Department Master Plan, which contributes to this ordinance.

3. How does this legislation contribute to a sustainable Kansas City?

Continuous reconstruction of infrastructure at Kansas city International Airport is vital to the continuous operation of the Airport and the city's economic vitality.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Yes

Inter-Departmental Communication

Revised-230359

Date: May 9, 2023

To: Mayor Quinton Lucas; Chair: Transportation, Infrastructure & Operations Committee

From: Edwina Jones; Interim Director Civil Rights & Equal Opportunity Department

Subject: Revised CUP Summary for Amendment 2 #: 62220553

CONTRACTOR: Comanche Construction, Inc.
Address: 1900 E. 123rd St.
Olathe, KS 66061
Contract # 62220553 – KCI Landside Structural Rehab, Amendment 2
Contract Amount: \$2,405,846.91 (\$279,361.16 on Amendment 2)
MBE Goal 6%
WBE Goal: 5%
Total MBE Achieved: 5%
Total WBE Achieved: 4%

MBE SUBCONTRACTORS:

Name: Tenoch Construction, Inc.
Address: 912 Scott Ave
Kansas City KS 66105
Scope of Work: Protective Coatings
Dollar Amount: 5%
Ownership: Sonya Segura-Ulrich
Structure: Hispanic-American Female Code: 20

WBE SUBCONTRACTORS:

Name: Streetwise, Inc.
Address: 13501 Arrington Rd,
Grandview, MO 64030
Scope of Work: Traffic Control
Dollar Amount: 2%
Ownership: Shawna Hettinger
Structure: Caucasian Female Code 13

WBE SUBCONTRACTORS:

Name: Realm Construction, Inc.
Address: 604 SE Industrial Dr.
Blue Springs, MO 64014
Scope of Work: Bearing Rehabilitations / Concrete Slope
Protection Flume
Dollar Amount: 2%
Ownership: Linda Taylor
Structure: Caucasian Female Code 27

Comments:

Original Contract Amount: \$1,919,514.00
Amendment 1: \$ 206,971.75
Current Contract Amount: \$2,126,485.75
Proposed Amendment 2: \$ 279,361.16
Proposed Contract Amount: \$2,405,846.91

According to B2G, the prime contractor is currently achieving the following participation on the contract:

Dollars paid to prime contractor by City to date: \$1,398,541.15
Dollars paid to MBE by prime contractor to date: \$108,491.90 for 8% MBE.
Dollars paid to WBEs by prime contractor to date: \$72,116.40 for 5% WBE.



File #: 230381

ORDINANCE NO. 230381

Sponsor: Director of the Public Works Department

Authorizing Amendment No. 2 with Hanson Professional Services, Inc., in the amount of \$522,511.36 for design services for the Swope Park Industrial Flyover Bridge project, for a total contract amount of \$1,372,489.54.

WHEREAS, on November 13, 2019, Council passed Ordinance No. 190487 authorizing a design contract with Hanson Professional Services, Inc. for the Swope Park Industrial Flyover Bridge project in the amount of \$666,727.42; and

WHEREAS, on March 21, 2021, Council passed Ordinance No. 210154 authorizing an amendment to the existing contract in the amount of \$183,250.76; and

WHEREAS, Amendment No. 2 is needed to compensate the design professional for additional work; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute Amendment No. 2 in the amount of \$522,511.36 with Hanson Professional Services, Inc. for additional design services for Project No. 89005580 – Swope Park Industrial Flyover Bridge project; from funds previously appropriated to the AL-3623-898054-B-89005580 account for a total contract amount of \$1,372,489.54. A copy of the amendment is on file in the Public Works Department.
..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Dustin E. Johnson
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Public Works

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing Amendment No. 2 with Hanson Professional Services, Inc., in the amount of \$522,511.36 for design services for the Swope Park Industrial Flyover Bridge project, for a total contract amount of \$1,372,489.54.

Discussion

This ordinance authorizes a second amendment to an existing design contract with Hanson Professional Services for additional design tasks related to the construction of the Swope Park Industrial Area Flyover Bridge.

This amendment will allow completion of existing tasks related to the Phase 1 construction of the same project (embankment for the bridge), coordination with the Union Pacific Railroad, and continued coordination through Phase 2 construction (construction of the flyover bridge).

At the time of the original contract award, CREO set participation goals on the contract at fourteen (14%) MBE and ten (10%) WBE participation. The contract amendment continues to comply with those goals.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

GO Bond Question 2 – Flood Control

3. How does the legislation affect the current fiscal year?

Ordinance spends money currently allocated to the project account

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

No

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No



City of Kansas City, Missouri

Docket Memo

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

190487, 210154

Service Level Impacts



City of Kansas City, Missouri

Docket Memo

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?

Not applicable

2. How have those groups been engaged and involved in the development of this ordinance?

Not applicable

3. How does this legislation contribute to a sustainable Kansas City?

This contract amendment helps ensure that sustainable elements that are included in the bridge design are maintained through the construction of the bridge in accordance with the plans provided.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Yes



MBE/WBE/DBE Contract Goals Request

Date: December 3, 2018
 To: Jai'esha Releford, Human Relations Department
 From: Chad Thompson, Project Manager - Public Works Department

Project Number: 89005580				Project Name: DP Services - Swope Park Industrial Flyer Over Bridge		
Contract ID Number				Estimated Cost: (cost breakdown attached) \$650,000.00		Solicitation Date: Waiver
Estimated Project Duration:						

Note: Click the box to select

→ FICB		PREVAILING WAGE:		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Contract Category:	<input type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency			
	<input checked="" type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease			
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)			
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession			
Type:	<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Amendment No.				
Funding:	<input checked="" type="checkbox"/> City(MBE/WBE)	<input type="checkbox"/> Federal (DBE)	<input type="checkbox"/> State (DBE)			
	<input type="checkbox"/> Other:	<input type="checkbox"/> Grant#				
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.					<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2		<input type="checkbox"/> List of Required Crafts attached - Page 3				

Description of work:

Provide brief description of the type of services being performed.

cc: Darrell Everette, Keely Golden, Carla Hardin (General Services)

FOR HUMAN RELATIONS DEPARTMENT USE ONLY:		
<input type="checkbox"/> No Goals are set for this Project; OR	<input checked="" type="checkbox"/> The following Goals are approved for this Project	
	14 % MBE	10 % WBE OR % DBE
Human Relations Department		Date: 12/26/18
FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY²		
	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved <input type="checkbox"/> N/A
	Date	
FOR GRANT AGENCY USE ONLY³		
	<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved <input type="checkbox"/> N/A
	Date	

¹ DBE Programs apply to specific federal or state grant requirements.
² For Projects subject to prevailing wage requirements only.
³ Federal and state grant agreements may require granting agency approval of contract goals.

Compliance Audit: Audit Summary for Total Contract

- Main
 - View
 - Settings
 - Subs
 - Docs
 - Change Orders & Task Orders
 - Alerts
 - Comments
 - Messages
 - Closeout
- Compliance Audit List
 - Compliance Audit Summary
 - Compliance Audit FY
 - Reviews
 - Site Visits
 - Reports

CS200029: CS200029-Swope Park Industrial (Flyover Bridge - 89005580) Status: **Open**
 Prime: Hanson Professional Services Inc. Current Award: **\$849,978**
 11/7/2019 - 12/31/2023 Goal: **28.40%** Total Paid: **\$833,115**
% Credit: **25.88%** For Credit: **\$215,593**

Compliance Audit Summary - Total Contract

	Current Award	#	Award Percent	Payments	#	Payments Percent	Difference (Payments - Award)
Prime Contract	\$849,978.18			\$833,115.09			
For Credit	\$241,393.80	3 subs	28.400%	\$215,593.02	3 subs	25.878%	2.522% below goal
Goal Types							
For Credit to MBE Goal	\$133,446.57	2 subs	15.700%	\$122,338.52	2 subs	14.684%	1.016% below goal
For Credit to WBE Goal	\$107,947.23	1 sub	12.700%	\$93,254.50	1 sub	11.193%	1.507% below goal
Contract Progress	98% <div style="width: 98%; height: 15px; background-color: #0056b3;"></div>						
For Credit Progress	89% <div style="width: 89%; height: 15px; background-color: #e31a1c;"></div>						







Award values may not match due to differences between overall contract goal and subcontractor assignments.

Not Meeting Goal Letter

Prime Contractor - Total Contract

Prime Contractor	Cert	Inc in Goal	Contracted % Paid %	Paid TO Prime Prime's Share
Hanson Professional Services Inc. Eric Stump estump@hanson-inc.com P 816-941-2178, F 816-943-4029	Info Payments Profile Email	No	No 71.61% 74.12%	\$833,115 \$617,522

Subcontractors - Total Contract (3 subcontractors)

Subcontractor	Cert	Type	Inc in Goal	Contracted % Paid %	Contracted \$ Paid \$	For Credit \$
1 Hg Consult, Inc. Earl Harrison eharrison@hgcons.com P 816-918-1114, F 816-256-5153	Info Payments Profile Email	 Sub	 100% MBE	13.89% 11.30%	\$118,065 \$94,173	\$94,173
1 Tech. Services to Go, Inc. DBA TSI Geotechnical, Inc. Denise Hervey xxdhervey@tsi-engineering.com P 314-644-3134, F 314-644-3135	Info Payments Profile Email	 Sub	 100% MBE	1.77% 3.38%	\$15,040 \$28,165	\$28,165
1 TREKK Design Group, LLC Kimberly Robinett krobinett@trekllc.com P 816-874-4655, F 816-874-4665	Info Payments	 Sub	 100% WBE	12.73% 11.19%	\$108,190 \$93,255	\$93,255

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Inter-Departmental Communication

230381

Date: May 9, 2023

To: Mayor Quinton Lucas Chair: Transportation, Infrastructure & Operations Committee

From: Edwina Jones; Interim Director, Civil Rights & Equal Opportunity Department

Subject: Revised CUP Summary for Amendment 2 #: 230381

CONTRACTOR: Hansen Professional Services, Inc.
Address: 1001 E. 101st Terrace, Suite 120
Kansas City, MO 64131
Contract # 89005580 – DP Swope Park Industrial Area
Flyover Bridge, Amendment 2
Contract Amount: \$849,978.18 (\$522,511.36 on Amendment 2)
MBE Goal 14%
WBE Goal: 10%
Total MBE Achieved: 15%
Total WBE Achieved: 10%

MBE SUBCONTRACTORS:
Name: Hg Consult, Inc.
Address: 9111 NE 79th St.
Kansas City, MO 64158
Scope of Work: Environmental Site Assessment
Dollar Amount: 11%
Ownership: Harrison, Earl Jr.
Structure: African-American Male Code 15

MBE SUBCONTRACTORS:
Name: Tech Services to Go, Inc. dba TSi Geotechnical
Address: 8248 NW 101st Terrace, #5
Kansas City, MO 64153
Scope of Work: Geotechnical Investigation
Dollar Amount: 4%
Ownership: Hervey, Denise
Structure: African-American Female Code 19

WBE SUBCONTRACTORS:

Name: Trekk Design Group, LLC
Address: 1411 E. 104th St.
Kansas City, MO 64131
Scope of Work: Civil Engineering Design
Dollar Amount: 10%
Ownership: Robinett, Kimberly
Structure: Caucasian Female Code 27

Comments:

Original Contract Amount: \$666,727.42
Amendment 1: \$183,250.76
Current Contract Amount: \$849,978.18
Proposed Amendment 2: \$522,511.36
Proposed Contract Amount: \$1,372,489.54

According to B2G, the prime contractor is currently achieving the following participation:

Dollars paid to prime contractor by City to date: \$833,115.09
Dollars paid to MBEs by prime contractor to date: \$122,338.52 for 15% MBE.
Dollars paid to WBE by prime contractor to date: \$93,254.50 for 11% WBE.



File #: 230396

ORDINANCE NO. 230396

Sponsor: Director of the Public Works Department

Estimating revenue and appropriating funds in the amount of \$5,000,000.00 to the Capital Improvement Grant Fund from a Federal Surface Transportation Program (STP) Grant; estimating revenue and appropriating funds in the amount of \$8,503,140.09 to the Capital Improvement Grant Fund from Platte County, Missouri for the N.W. Waukomis Drive Complete Streets Project 89008260; estimating revenue and appropriating funds in the amount of \$447,705.12 to the Capital Improvement Grant Fund from the Platte County Road and Bridge Tax Fund; authorizing the Director of Public Works to execute Cooperative and Escrow Agreements with Platte County, Missouri; authorizing a \$12,596,318.30 contract with Radmacher Brothers Excavating Co., Inc.; and authorizing and encumbering a 15% contingency for construction and recognizing this ordinance as having an accelerated effective date.

WHEREAS, on April 2, 2013, the voters of Platte County approved a county wide sales tax for 10 years for the purpose of financing transportation related projects, including, but not limited to, roads, bridges, drainage structures and sidewalk; and

WHEREAS, on July 14, 2016, City Council passed Ordinance 160514, authorizing a Cooperative Agreement with Platte County, Missouri for County construction projects on City roadways, whereby the City would fund and complete the design and right of way acquisition on joint projects and the County would pay for the construction of the improvements; and

WHEREAS, it is in the best interest of all the residents of Platte County and of the City to use apportion for the proceeds from this tax to finance the construction of certain improvements to NW Waukomis Drive from NW Englewood to N.W. 68th Street; and

WHEREAS, the proposed improvements will connect the residents east of Waukomis Drive to Line Creek Trail, Line Creek Community Center, and Line Creek Elementary School with bike lanes and sidewalks; and will reduce traffic congestion and address safety concerns in front of Line Creek Elementary; and

WHEREAS, the County secured a \$5,000,000.00 FHWA Surface Transportation Program grant STP-3451 (402) from the Missouri Highways and Transportation Commission to improve Waukomis Drive from Englewood Road to just north of N.W. 62nd Street to a two/three-lane street with on-street bicycle lanes and sidewalks; and

WHEREAS, Platte County will contribute \$7,760,000.00 to the Project to provide: construction funding to match the federal grant, construction observation, city staff costs during construction including project management and materials lab testing, construction contingency and reimbursement the City for bidding and construction phase services of Design Professional Contract with Walter P. Moore in the amount of \$112,660.00 pursuant on available contingency funds at construction completion and the City of Kansas City, Missouri oversees the project's construction; and

WHEREAS, N.W. 72nd Street and N. Green Hills (Ordinance 200731) were completed in cooperation with Platte County and funds for those projects held in escrow accounts can be transferred to the Project; and

WHEREAS, Platte County provides a portion of their Road & Bridge Tax to Cities in the County and funds are available to assist with completing the N.W. Waukomis Complete Streets reconstruction between N.W. Englewood Blvd. to just north of N.W. 62nd Street; and

WHEREAS, bids were opened on January 10, 2023 and work will include the roadway reconstruction to current urban standards and replacement of the KCI Water Transmission Main; NOW THEREFORE

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. The revenue in the following account of the Capital Improvement Grant Fund is estimated in the following amount for a Federal Surface Transportation Grant STP 3451(402):

24-3091-895112-477777-89008260	Federal STP Grant	\$5,000,000.00
--------------------------------	-------------------	----------------

Section 2. That funds are hereby appropriated from the Unappropriated Fund Balance in the Capital Improvements Grant Fund:

24-3091-895112-B-89008260	N.W. Waukomis Dr.	\$5,000,000.00
---------------------------	-------------------	----------------

Section 3. The revenue in the following account of the Capital Improvement Grant Fund is estimated in the following amount for the contribution from Platte County, Missouri:

24-3091-895912-481900-89008260	Platte County	\$7,760,000.00
--------------------------------	---------------	----------------

Section 4. That funds are hereby appropriated from the Unappropriated Fund Balance in the Capital Improvement Grant Fund:

24-3091-895912-B-89008260	N.W. Waukomis Dr.	\$7,760,000.00
---------------------------	-------------------	----------------

Section 5. That the appropriation in the following account of the Capital Improvements Sales Tax Fund is reduced by the following amount:

24-3090-895912-B-89008230	N.W. 72nd Street	\$241,489.63
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Section 6. That the sum of \$241,489.63 is hereby appropriated from the Unappropriated Fund Balance of the Capital Improvements Sales Tax Fund to the following account:

24-3090-129998-X-903091 Transfer to Capital Improvement Grand Fund \$241,489.63

Section 7. The revenue in the following account of the Capital Improvement Grant Fund is estimated in the following amount from Platte County funds from the N.W. 72nd Street escrow account:

24-3091-120000-503090 Transfer from Capital Improvements Fund \$241,489.63

Section 8. The revenue in the following account of the Capital Improvement Grant Fund is estimated in the following amount from Platte County funds from the N.W. 72nd Street escrow account:

24-3091-895912-481900-89008260 Platte County \$182,685.03

Section 9. That funds are hereby appropriated from the Unappropriated Fund Balance in the Capital Improvement Grant Fund:

24-3091-895912-B-89008260 N.W. Waukomis Dr. \$424,174.66

Section 10. That the appropriation in the following account of the Capital Improvements Sales Tax Fund is reduced by the following amount:

24-3090-895912-B-89008207 N. Green Hills Rd. \$318,965.43

Section 11. That the sum of \$318,965.43 is hereby appropriated from the Unappropriated Fund Balance of the Capital Improvements Sales Tax Fund to the following account:

24-3090-129998-X-903091 Transfer from Capital Improvement Grant Fund \$318,965.43

Section 12. The revenue in the following account of the Capital Improvement Grant Fund is estimated in the following amount from Platte County funds from the N. Green Hills escrow account:

24-3091-120000-503090 Transfer from Capital Improvement Fund \$318,965.43

Section 13. That funds are hereby appropriated from the Unappropriated Fund Balance in the Capital Improvement Grant Fund:

24-3091-895912-B-89008260 N.W. Waukomis Dr. \$318,965.43

Section 14. That revenue in the following account of the Capital Improvement Grant Fund is estimated in the following amount from the Road & Bridge Tax – Platte Co.:

24-3091-120000-480170	Platte County	\$447,705.12
-----------------------	---------------	--------------

Section 15. That the sum of \$447,705.12 is hereby appropriated from the Unappropriated Fund Balance of the Capital Improvement Grant Fund to the following account:

24-3091-895912-B-89008260	N.W. Waukomis Dr.	\$447,705.12
---------------------------	-------------------	--------------

Section 16. That the Director of Public Works is hereby authorized to execute Cooperative Agreement with Platte County for Project No. 89008260 for the N.W. Waukomis Drive Complete Streets Reconstruction from N.W. Englewood Blvd. to just north of N.W. 62nd Street from funds hereby appropriated from the following account:

24-3091-895912-B-89008260	N.W. Waukomis Dr.	\$7,760,000.00
---------------------------	-------------------	----------------

A copy of the agreement is on file in the office of the Director of Public Works.

Section 17. That the Director of Public Works is hereby authorized to execute Escrow with Platte County for Project No. 89008260 for the N.W. Waukomis Complete Streets Reconstruction from N.W. Englewood Blvd. to just north of N.W. 62nd Street. A copy of the agreement is on file in the office of the Director of Public Works

Section 18. That the Director of Public Works is hereby authorized to execute a construction contract in the amount of \$12,596,318.30 with Radmacher Brothers Excavating Co., Inc. for Project No. 89008260 for the N.W. Waukomis Complete Streets Reconstruction from N.W. Englewood Blvd. to just north of N.W. 62nd Street from funds hereby and previously appropriated from the following accounts:

24-3091-895112-B-89008260	N.W. Waukomis Dr.	\$ 5,000,000.00
24-3091-895912-B-89008260	N.W. Waukomis Dr.	<u>7,596,318.30</u>
	TOTAL:	\$12,596,318.30

A copy of the agreement is on file in the office of the Director of Public Works.

Section 19. That the Director of Public Works is designated the requisitioning authority for accounts 3091-895112 and 3091-895912.

Section 20. That the Director of Public works is authorized to encumber a 15% contingency for construction.

Section 21. That the Missouri Department of Transportation, to assure fair representation by socially and economically disadvantaged groups, established for this project twelve (12) percent representation by Disadvantaged Business Enterprises.

Section 22. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(B) of the City Charter and shall take effect in accordance with Section 503 of the City Charter.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Dustin E. Johnson
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Public Works

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Estimating revenue and appropriating funds in the amount of \$5,000,000.00 to the Capital Improvement Grant Fund from a Federal Surface Transportation Program (STP) Grant; estimating revenue and appropriating funds in the amount of \$8,503,140.09 to the Capital Improvement Grant Fund from Platte County, Missouri for the NW Waukomis Drive Complete Streets Project 89008260; estimating revenue and appropriating funds in the amount of \$447,705.12 to the Capital Improvement Grant Fund from the Platte County Road and Bridge Tax Fund; authorizing the Director of Public Works to execute Cooperative and Escrow Agreements with Platte County, Missouri; authorizing a \$12,596,318.30 contract with Radmacher Brothers Excavating Co, Inc.; designating requisitioning authority; and authorizing and encumbering a 15% contingency for construction and recognizing this ordinance as having an accelerated effective date.

Discussion

The proposed improvements to Waukomis Drive from Englewood Road to just North of NW 62 Street will include new asphalt pavements, concrete curbs, underground storm sewer, sidewalks, multiuse trail, on-street bike lanes, raised medians, left turn lanes at intersections, waterline relocations, roundabout at NW 62nd Street/NW 60th Street, street lighting, and bridge replacement at Old Maid's and East Fork Line Creek stream crossings. These improvements will connect the residents east of Waukomis Drive to Line Creek Trail, Line Creek Community Center, and Line Creek Elementary School and will reduce traffic congestion and address safety concerns in front of Line Creek Elementary.

Platte County voters approved a county wide sales tax on April 2, 2013 for 10 years for the purpose of financing transportation related projects, including, but not limited to, roads, bridges, drainage structures and sidewalk.

On July 14, 2016, City Council passed Ordinance 160514, authorizing a Cooperative Agreement with Platte County, Missouri for County construction projects on City roadways, whereby the City would fund and complete the design and right of way acquisition on joint projects and the County would pay for the construction of the improvements



City of Kansas City, Missouri

Docket Memo

Platte County secured a \$5,000,000 FHWA Surface Transportation Program grant STP-3451 (402) from the Missouri Highways and Transportation Commission and it is programmed for this project.

Platte County will contribute \$7,760,000.00 to the Project to provide: construction funding to match the federal grant, construction observation, city staff costs during construction including project management and materials lab testing, construction contingency and reimbursement the City for bidding and construction phase services and the City of Kansas City, Missouri oversees the project’s construction.

Pursuant to the agreement with Platte County, remaining funds on earlier joint projects will roll to the next project. Both NW 72nd Street and N Green Hills were completed in cooperation with the County and funds for those projects, currently held in escrow accounts, will be transferred to the Project.

Bids were opened on January 10, 2023 and work will include the roadway reconstruction to current urban standards as well as replacement of the KCI Water Transmission Main.

MoDOT has established a DBE goal of 12%. DBE sub-contractors include Thorne & Sons (6%), JA Lillig Excavating (1.2%), Welch Silt Fence & Erosion Control (1.3%), GSC Lighting (1.6%), Grey Diamond LLC (1.3%)

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

Federal funds, Funds from Platte County

3. How does the legislation affect the current fiscal year?

Funds are from a federal grant, Platte County, and the Road & Bridge Tax – Platte Co.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

This legislation impacts FY 2023-24. Funds are from a federal grant, Platte County and from the Road & Bridge Tax – Platte Co.



City of Kansas City, Missouri

Docket Memo

- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

Project is funded with a \$5,000,000 Federal Surface Transportation Grant and Platte County Funds.

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-



City of Kansas City, Missouri

Docket Memo

Prior Legislation

Public Works initiated design of the Waukomis corridor thru a contract with Walter P Moore as authorized by Ordinance 141077. Ordinances 180097 and 210192 authorized contract amendment to move thru final design and construction documents.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?

This legislation will increase access to sidewalks and walking trails for residents, allowing for greater opportunity for physical activity

2. How have those groups been engaged and involved in the development of this ordinance?

An open house public hearing was held at Line Creek Elementary School at 5801 NW Waukomis Drive in Kansas City, MO on Thursday April 28, 2016 between 7:00 p.m. and 8:00 p.m. The maps, plats and other detailed information were made available at <http://data.kcmo.org>. Written statements and exhibits were made a part of the public hearing transcript if received within ten days of the hearing. A project website and staff contact information was made available on the City's website

3. How does this legislation contribute to a sustainable Kansas City?

Click or tap here to enter text.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Yes

Inter-Departmental Communication

Date: May 5, 2023

To: Mayor Quinton Lucas; Chair: Transportation, Infrastructure & Operations Committee

From: Edwina Jones; Interim Director; Civil Rights & Equal Opportunity Department

Subject: CUP Summary #: 230396

CONTRACTOR: Radmacher Brothers Excavating Co., Inc.
Address: 2201 N. 7 Highway, Suite B
Pleasant Hill, MO 64080
Contract #: CS230055 / 89008260 / STP-3451 (402) – NW
Waukomis Dr. from Englewood to NW 62nd St.
Contract Amount: \$12,596,318.30
DBE Goal 12%
Total DBE Achieved: 12%

DBE SUBCONTRACTORS:

Name: Thorne & Son Asphalt Paving Co.
Address: 11705 E. 350 Highway, Suite D
Raytown, MO 64138
Scope of Work: Asphalt Paving
Dollar Amount: \$836,536
Ownership: Thorne, Bernice
Structure: Caucasian Female Code: 27

DBE SUBCONTRACTORS:

Name: JA Lillig Excavating, Inc.
Address: 1615 E. 173rd St.
Belton, MO 64012
Scope of Work: Excavating
Dollar Amount: \$147,657
Ownership: Lillig, Kristi
Structure: Caucasian Female Code: 27

DBE SUBCONTRACTORS:

Name: Welch Silt Fence & Erosion Control, LLC
Address: 3003 Cantrell Rd.
Harrisonville, MO 64701
Scope of Work: Landscaping / Erosion Control
Dollar Amount: \$168,029
Ownership: Welch, Danielle
Structure: Caucasian Female Code:27

DBE SUBCONTRACTORS:

Name: Gil's Sales Co., Inc. dba GSC Lighting & Supply
Address: 16506 Cornerstone Dr.
Belton, MO 64012
Scope of Work: Electrical / Lighting Materials Supplier
Dollar Amount: \$200,592 (\$334,320 X 60%)*
Ownership: Pena-Roberts, Anna
Structure: Hispanic-American Female Code:20

DBE SUBCONTRACTORS:

Name: Grey Diamond, LLC
Address: 16722 S. Hadsell Rd.
Pleasant Hill, MO 64080
Scope of Work: Hauling
Dollar Amount: \$160,000
Ownership: Barker, Debra
Structure: Caucasian Female Code:27

Comments:

*Note: Suppliers are credited at 60% of materials' cost.



File #: 230369

ORDINANCE NO. 230369

Sponsor: Director of the Water Services Department

Authorizing a \$1,230,000.00 design professional services contract with Lamp Rynearson, Inc., for the Relief Sewer: Dykes Branch Interceptor project.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the Water Services Department is authorized to execute Contract No. 1659 in the amount of \$1,230,000.00 with Lamp Rynearson, Inc., for the Relief Sewer: Dykes Branch Interceptor project, Project No. 81000990. A copy of the contract is on file in the office of Water Services.

Section 2. That the Director of Water Services Department is authorized to expend up to \$1,230,000.00 from Account No. 24-8110-807769-611040-81000990, Overflow Control Program, to satisfy the cost of this contract.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Mark P. Jones
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Water Services

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing a \$1,230,000.00 Design Professional Services contract with Lamp Rynearson, Inc., for the Relief Sewer: Dykes Branch Interceptor project.

Discussion

Reason for Contract

In 2010 the City of Kansas City, Missouri entered into a Consent Decree with the United States Environment Protection Agency (EPA) to reduce the volume and frequency of overflows from the City's sewer system. The City's Smart Sewer Program is currently in year 13 of a 25-year implementation period. The purpose of this Design Professional Services agreement is to provide increased sanitary sewer conveyance capacity for the Dykes Branch Interceptor along Ward Parkway from 89th Street to Wornall Drive and extending east of Wornall Drive along Dykes Branch Creek to approximately Walnut Street. The capacity improvements will provide a higher level of service to convey the 5-year wet-weather flow event with no overflows as required by the Consent Decree.

Design Professional Services Agreement Description

The scope of work to be provided under the agreement includes the following design services to provide the necessary conveyance capacity for the Dykes Branch Interceptor sewer system:

- Alternatives evaluation to determine whether to upsize existing sewers or provide parallel sewers.
- Hydraulic analysis to select proper size of the new sewers.
- Review of the condition of the existing sewers and manholes to determine rehabilitation required.
- Preparation of preliminary and final construction contract documents for the selected alternative.

The term of the design phase agreement will be 365 days.

Solicitation

The Request for Proposals/Qualifications for the Relief Sewer: Dykes Branch Interceptor project was advertised in accordance with the City's requirements on October 17, 2022. Three proposals were received on November 10, 2022.



City of Kansas City, Missouri

Docket Memo

Consultant Selection/Subcontracting Participation

Lamp Rynearson, Inc. was selected for this project in accordance with Code of Ordinance Section 3-31(b)(1) Citywide Selection with subcontracting participation of 11% MBE and 11% WBE.

Other Proposals Received

Other proposals received included:

- Tetra Tech
- Veenstra & Kimm

Estimated Project Cost

The City's estimated cost for this project is \$1,230,000.00

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

24-8110-807769-611040-81000990 = \$1,230,000.00

Overflow Control Program

3. How does the legislation affect the current fiscal year?

Work on this project will begin in FY24. Invoices will be submitted by the Design Professional on a monthly basis.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Funds encumbered in the current fiscal year will be disbursed over subsequent fiscal years as design proceeds as necessary. Work on the project is anticipated to be complete within 365 calendar days from Notice to Proceed.



City of Kansas City, Missouri

Docket Memo

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-



City of Kansas City, Missouri

Docket Memo

Prior Legislation

None

Service Level Impacts

This project will improve the performance, capacity, and reliability of the City's sanitary sewer system and improve water quality by reducing sewer overflows to streams and waterways within the project area.

Other Impacts

1. What will be the potential health impacts to any affected groups?

The project will contribute to health impacts by reducing the volume and frequency of sanitary sewer overflows and increasing the water quality of the City's waterways.

2. How have those groups been engaged and involved in the development of this ordinance?

Stakeholders along the project route will be engaged for public input during the design phase via public meetings and individual stakeholder meetings.

3. How does this legislation contribute to a sustainable Kansas City?

This project helps promote environmental quality and economic vitality.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes. CREO KC established 11% MBE and 11% WBE goals on this project on August 11, 2022 through its CREO KC Annual Goal Program, which is for a period of June 2022 through June 2023.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Yes. The Contractor Utilization Plan, Letters of Intent to Subcontract and Timetable documents were submitted to CREO KC for review on April 18, 2023, and was approved on April 19, 2023 with 11% MBE and 11% WBE participation.

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

**Civil Rights & Equal Opportunity Department
Economic Equity & Inclusion
Contract Goals Request**

**Date: 7/21/2022
Form Prepared By: Dave Hauser**

Contract/Project Number: 1659/81000990		Project Name: Relief Sewer: Dykes Branch Interceptor	
Owning Department: Water Services Dept		Project Manager: Dave Hauser	
Funding:	<input checked="" type="checkbox"/> City	<input type="checkbox"/> State	<input type="checkbox"/> Federal
	<input type="checkbox"/> CO-OP	<input type="checkbox"/> Grant:	<input type="checkbox"/> Other:
Project Requirements:	<input checked="" type="checkbox"/> M/WBE	<input type="checkbox"/> DBE	<input type="checkbox"/> Section 3
	<input type="checkbox"/> N/A		
Tax Incentive:	<input type="checkbox"/> LCRA	<input type="checkbox"/> TIF	<input type="checkbox"/> PIEA
	<input type="checkbox"/> N/A	<input type="checkbox"/> Other:	
Prevailing Wage:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Davis-Bacon:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Presenting to Council ¹ :	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Construction Employment Program:	<input type="checkbox"/> Yes: Workforce employment goals are 10% minority hours & 2% female hours. This project is estimated at over 800 work hours and over \$300,000 <input checked="" type="checkbox"/> No: Project is estimated at less than \$300,000 and no more than 800 work hours.		
Estimated Number of Project Days: 365		Anticipated Solicitation Date: 8/30/2022	

Note: Click the box to select

Contract Type:

<input type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input checked="" type="checkbox"/> Design Professional	<input type="checkbox"/> Professional Services
<input type="checkbox"/> General Service	<input type="checkbox"/> Concession	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Non-Municipal Agency
<input checked="" type="checkbox"/> Co-Operative	<input type="checkbox"/> Revenue Sharing	<input checked="" type="checkbox"/> Facilities Maintenance/Repair/Renovation	
<input type="checkbox"/> Other:			

Description of Contract (Provide Details): The Dykes Branch Interceptor Relief Sewer Project is to design approximately 5,100 linear feet of 10-inch to 36-inch parallel relief sewers near 92nd Street and State Line road parallelling Ward Parkway to Bannister Road and to Grand Ave. This project is to reduce sanitary sewer overflows in accordance with the City's Federal Consent Decree. Additional cross connections between existing sewer and new relief sewer will be evaluated for consideration. The Design Professional shall perform collection system characterization of the existing sewers and manholes, along with analysis and further review of system connectivity information, flow monitoring data and hydraulic modeling results that will be provided to them from KC Water. The Design Professional shall develop and evaluate alternative solutions and perform preliminary and final design engineering services of the final recommended and approved alternative to provide the required conveyance capacity without any sanitary sewer overflows. The alternatives evaluation will consider relief sewer size, location, quantity and most economical location of cross connections between existing sewers and new relief sewers. Bidding Phase services will also be included as part of these Design Professional services.

Pursuant to RSMo. Section 610.021(11) & (12) documents related to bids will not be made available until bids are completed.

FOR GENERAL SERVICES DEPARTMENT (PROCUREMENT) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No

Waiver being applied? Yes No Type: _____

According to CREO Annual Goal Manual, the Goals for this project are:

11	11	%WBE	%DBE
----	----	------	------

Electronic Record? Yes No

DocuSigned by:
GSD Signature: Corey Burness Date: 8/11/2022
C083C75FA6AB4DD...

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No N/A

The following Goals are approved for this Project:

		%WBE	%DBE
--	--	------	------

No Goals are set for this Project: Waiver Approved Waiver Denied

Reason for Waiver: _____

Electronic Record? Yes No

CREO Signature _____ Date: _____



¹ Contractor Utilization Plan (CUP) MUST be submitted to CREO prior to being posted on docket for review & approval from Council.
CREO 01 EEI Contract Goals Request REV. 7-8-2022

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

**Civil Rights & Equal Opportunity Department
Economic Equity & Inclusion
Contract Goals Request**

**Date: 7/21/2022
Form Prepared By: Dave Hauser**

Contract/Project Number: 1659/81000990		Project Name: Relief Sewer: Dykes Branch Interceptor	
Owning Department: Water Services Dept		Project Manager: Dave Hauser	
Funding:	<input checked="" type="checkbox"/> City	<input type="checkbox"/> State	<input type="checkbox"/> Federal
	<input type="checkbox"/> CO-OP	<input type="checkbox"/> Grant:	<input type="checkbox"/> Other:
Project Requirements:	<input checked="" type="checkbox"/> M/WBE	<input type="checkbox"/> DBE	<input type="checkbox"/> Section 3
	<input type="checkbox"/> N/A		
Tax Incentive:	<input type="checkbox"/> LCRA	<input type="checkbox"/> TIF	<input type="checkbox"/> PIEA
	<input type="checkbox"/> N/A	<input type="checkbox"/> Other:	
Prevailing Wage:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Davis-Bacon:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Presenting to Council ¹ :	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Construction Employment Program:	<input type="checkbox"/> Yes: Workforce employment goals are 10% minority hours & 2% female hours. This project is estimated at over 800 work hours and over \$300,000 <input checked="" type="checkbox"/> No: Project is estimated at less than \$300,000 and no more than 800 work hours.		
Estimated Number of Project Days: 365		Anticipated Solicitation Date: 8/30/2022	

Note: Click the box to select

Contract Type:

<input type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input checked="" type="checkbox"/> Design Professional	<input type="checkbox"/> Professional Services
<input type="checkbox"/> General Service	<input type="checkbox"/> Concession	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Non-Municipal Agency
<input checked="" type="checkbox"/> Co-Operative	<input type="checkbox"/> Revenue Sharing	<input checked="" type="checkbox"/> Facilities Maintenance/Repair/Renovation	
<input type="checkbox"/> Other:			

Description of Contract (Provide Details): The Dykes Branch Interceptor Relief Sewer Project is to design approximately 5,100 linear feet of 10-inch to 36-inch parallel relief sewers near 92nd Street and State Line road parallelling Ward Parkway to Bannister Road and to Grand Ave. This project is to reduce sanitary sewer overflows in accordance with the City's Federal Consent Decree. Additional cross connections between existing sewer and new relief sewer will be evaluated for consideration. The Design Professional shall perform collection system characterization of the existing sewers and manholes, along with analysis and further review of system connectivity information, flow monitoring data and hydraulic modeling results that will be provided to them from KC Water. The Design Professional shall develop and evaluate alternative solutions and perform preliminary and final design engineering services of the final recommended and approved alternative to provide the required conveyance capacity without any sanitary sewer overflows. The alternatives evaluation will consider relief sewer size, location, quantity and most economical location of cross connections between existing sewers and new relief sewers. Bidding Phase services will also be included as part of these Design Professional services.

Pursuant to RSMo. Section 610.021(11) & (12) documents related to bids will not be made available until bids are completed.

FOR GENERAL SERVICES DEPARTMENT (PROCUREMENT) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No

Waiver being applied? Yes No Type: _____

According to CREO Annual Goal Manual, the Goals for this project are:

11	11	%WBE	%DBE
----	----	------	------

Electronic Record? Yes No

DocuSigned by:
GSD Signature: Corey Burness Date: 8/11/2022
C083C75FA6AB4DD

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No N/A

The following Goals are approved for this Project:

		%WBE	%DBE
--	--	------	------

No Goals are set for this Project: Waiver Approved Waiver Denied

Reason for Waiver: _____

Electronic Record? Yes No

CREO Signature _____ Date: _____



¹ Contractor Utilization Plan (CUP) MUST be submitted to CREO prior to being posted on docket for review & approval from Council.
CREO 01 EEI Contract Goals Request REV. 7-8-2022

Inter-Departmental Communication

230369

Date: April 19, 2023

To: Mayor Quinton Lucas; Chair: Transportation, Infrastructure & Operations Committee

From: Edwina Jones; Interim Director; Civil Rights & Equal Opportunity Department

Subject: CUP Summary #: 230369

CONTRACTOR: Lamp Rynearson, Inc.
Address: 9001 State Line Rd., Suite 200
Kansas City, MO 64114
Contract #: 1659 / 81000990 – Relief Sewer: Dykes Branch
Interceptor
Contract Amount: \$1,230,000.00
MBE Goal: 11%
WBE Goal: 11%
Total MBE Achieved: 11%
Total WBE Achieved: 11%

MBE SUBCONTRACTORS:

Name: Taliaferro & Browne, Inc.
Address: 1020 E. 8th St.
Kansas City, MO 64106
Scope of Work: Surveying / Easements / Engineering Support
Percentage of Contract:: 8.5%
Ownership: Andebrhan, Hagos
Structure: African-American Male Code: 15

MBE SUBCONTRACTORS:

Name: Tech Services to Go, Inc. dba TSi Geotechnical
Address: 8248 NW 101st Terrace, #5
Kansas City, MO 64153
Scope of Work: Geotechnical Services
Percentage of Contract: 2.5%
Ownership: Hervey, Denise
Structure: African-American Female Code: 23

WBE SUBCONTRACTORS:

Name: Environmental Advisors & Engineers, Inc.
Address: 19211 W. 64th Terrace
Shawnee, KS 66218
Scope of Work: Utility Coordination / Envision / Engineering Support
Percentage of Contract: 6.2%
Ownership: Biesma, Jill
Structure: Caucasian Female Code:27

WBE SUBCONTRACTORS:

Name: McCurdy Engineers, LLC
Address: 9613 W. 123rd St.
Overland Park, KS 66213
Scope of Work: Traffic Control Engineering / Engineering Support / Meetings
Percentage of Contract: 4.8%
Ownership: McCurdy, Amy
Structure: Caucasian Female Code:27

Comments:



File #: 230390

ORDINANCE NO. 230390

Sponsor: Director of the Water Services Department

Amending Chapter 60, Code of Ordinances, entitled Sewers and Sewage Disposal, by repealing Sections 60-2, 60-3, 60-112, 60-116, 60-117, 60-121, 60-122, 60-125, 60-126, 60-128, 60-142, 60-143, 60-155, 60-157, 60-160, 60-161, 60-181, 60-183, 60-194, and enacting in lieu thereof new sections of like number and subject matter; and establishing an effective date.

WHEREAS, Amending Chapter 60, Code of Ordinances, entitled Sewers and Sewage Disposal, by repealing and amending various sections; and establishing an effective date; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 60 of the Code of Ordinances of Kansas City, Missouri, entitled Sewers and Sewage Disposal, is hereby amended by repealing Sections 60-2, 60-3, 60-112, 60-116, 60-117, 60-121, 60-122, 60-125, 60-126, 60-128, 60-142, 60-143, 60-155, 60-157, 60-160, 60-161, 60-181, 60-183, 60-194, and enacting in lieu thereof new sections of like number and subject matter to read as follows:

Sec. 60-2. Sewer charges for resident users.

There are hereby established charges against every person and for every property, partnership, corporation, association, and other entity within the city limits having an actual or available connection with the city's sanitary sewer system, or discharging sewage, industrial waste, water or other liquid into the system. Charges shall be prorated per day during the billing period. Such charges are to be the sum of service charges, volume and high concentration charges to be computed and levied as follows and as prescribed in Section 60-9:

(1) *Service charges.*

- a. Sanitary sewer. A service charge of \$26.89 per month to cover in part the cost of providing various services, and shall be prorated per day during the billing period and shall apply whether or not any sewage or wastes are actually discharged to the city sewer during the billing period; such charges are to be made each month.

- b. Wastewater discharge permits. Commercial and industrial users shall pay for the cost of the wastewater discharge permitting program as described and authorized in article IV of this chapter. Charges as authorized in article IV of this chapter shall be billed and collected with the commercial or industrial users' normal water and/or sewer billing charges.
- (2) *Volume charges.* A volume charge of \$10.85 per 100 cubic feet (ccf), or a portion thereof, based upon the total volume of water purchased by the customer during the billing period subject to the following adjustments:
- a. Water supplied from separate source. Where water is supplied by a separate and independent source, the sewage volume charge shall be based upon the volume of water used, where such information is available, and computed at the volume charge established herein. Where usage information is not available, the water services department shall determine an appropriate volume of water used and compute it at the volume charge established herein.
 - b. Residential accounts. Except as noted in (2)(a), residential service account (one- and two-family residences) volume charges for the bills generated during the months of May through December shall be based upon water used during the winter period, such winter period being the bills generated during January through April, (these are the billing periods that most closely correspond to the December through March usage); such charges shall be payable with each bill rendered throughout the year. Where residential water services accounts do not have an acceptable history of winter water use, the volume charge for bills generated during the months of May through December shall be the volume charge established herein, or \$65.10 per month, whichever is the lesser.
 - c. Commercial and industrial water accounts with diverted water uses. Commercial and industrial water accounts are all water service accounts other than residential accounts (one- and two-family dwellings) as defined in 60-2 (2)(b). Diverted water uses (Sewer Allowance Credit (SAC) and Sewer Metering Accounts) are those where a significant portion of the water purchased is used in a manner that is not returned to the sanitary sewer system. Examples include: Evaporation, Irrigation and Water to Product.

Categories within the diverted water uses include: Car Washes, Laundries, Evaporation (Coolers / Chillers / Cooling Towers), Irrigation, Water-to-Product (where a significant portion of the water purchased is used in manufactured products such as ice, canned goods or beverages) and Other (where a significant portion of the water purchased is consumed in some manner during the industrial process) or Sewer Metering.

An application and the appropriate fee must be submitted prior to any sewer use volume adjustment. The application fee is to pay for site review, plan review, and installation inspection.

The application fee for each category is as follows:

Car Washes and Laundries = \$250

Evaporation and Irrigation and Ownership Change = \$600

Water to Product and Other and Sewer Metering = \$1,250

The director of the water services department or the director's representative shall make the determinations of fact as to the amount of water which is diverted and shall have the authority to adjust the sewer use volume billed on the basis of the facts ascertained. The SAC or Sewer Metering Account will be effective upon the date of the director's signature for approval.

Discharges to the storm sewer system are not allowed except per Chapter 61 and are not allowed to participate in the diverted water sewer use volume adjustment program.

- (3) *Commercial and industrial water accounts with high concentration discharges.* Commercial and industrial water accounts shall include all water service accounts other than one- and two-family dwellings. High concentration discharges are those in which the BOD (biochemical oxygen demand), SS (suspended solids), and/or O&G (oil and grease) concentrations are in excess of the maximum concentration of these components in normal sewage as defined in article IV of this chapter. In addition to other sewer service and volume charges, a surcharge, as established by the formulae defined and set forth in article IV of this chapter, shall be levied on high concentration discharges received from any customer under this section.

For surcharge rate formulae calculation purposes, the following rates are hereby established:

RB (surcharge per pound of excess BOD) = \$0.495

RS (surcharge per pound of excess SS) = \$0.225

RG (surcharge per pound of excess O&G) = \$0.249

The director of water services is hereby authorized to promulgate regulations to develop various groups and classes to facilitate the equitable distribution of surcharge fees among like groups of customers.

- (4) *Definition.* Month or monthly, as used in this section, shall refer to a time period of approximately 30 days.

Sec. 60-3. Sewer charges for nonresident users.

(a) *Charges.* There are hereby established charges against every person, partnership, corporation, association, and other entity outside the city limits having a connection with the city's sanitary sewer system or discharging sewage, industrial waste, water or other liquids into the city's sewer system. All charges billed shall be prorated per day during the billing period. Such charges are to be the sum of service charges and volume charges to be computed and charged as follows:

- (1) Metered connections with municipalities and political subdivisions. Bulk flows through a metered interconnection with a municipality or other political subdivision shall be charged and pay a rate of \$4.02 per 100 cubic feet (ccf), or portion thereof, with no service charges.
- (2) Unmetered connections with municipalities and other political subdivisions. Bulk flows through an unmetered interconnection with a municipality or other political subdivision shall be charged and pay a rate of \$5.93 per 100 cubic feet (ccf), or portion thereof, of actual water consumption for all residential, commercial and industrial customers, and shall also pay a service charge of \$17.15 per month for each such customer.
- (3) Unmetered connections with municipalities and other political subdivisions; no water consumption records. Where actual water consumption records are not available, bulk flows from a municipality or political subdivision through an unmetered interconnection shall pay a sewer charge of \$59.29 per month per dwelling unit or equivalent dwelling unit.
- (4) Individual non-resident customers billed directly by the city. Individual non-resident customers billed directly by the city shall pay a service charge of \$37.87 per month, plus a volume charge of \$14.70 per 100 cubic feet (ccf), or portion thereof.
- (5) Accounts with high concentration discharges. High concentration discharges are those in which the BOD (biochemical oxygen demand), SS (suspended solids), and/or O&G (oil and grease) concentrations are in excess of the maximum concentration of these components in normal sewage as defined in article IV of this chapter. In addition to other sewer service and volume charges, a surcharge, as established by the formulae defined and set forth in article IV of this chapter, shall be levied on high concentration discharges received from any non-resident user.

For surcharge rate formulae calculation purposes, the following rates are hereby established:

RB (surcharge per pound of excess BOD) = \$0.553

RS (surcharge per pound of excess SS) = \$0.244

RG (surcharge per pound of excess O&G) = \$0.266

The director is hereby authorized to develop various groups and classes to facilitate the equitable distribution of surcharge fees among like groups of customers.

- (1) Commercial and industrial water accounts with diverted water uses. Diverted water uses (Sewer Allowance Credit (SAC) and Sewer Metering Accounts) are those where a significant portion of the water purchased is used in a manner that is not returned to the sanitary sewer system. Examples include: Evaporation, Irrigation and Water to Product.

Categories within the diverted water uses include: Car Washes, Laundries, Evaporation (Coolers / Chillers / Cooling Towers), Irrigation, Water-to-Product (where a significant portion of the water purchased is used in manufactured products such as ice, canned goods or beverages) and Other (where a significant portion of the water purchased is consumed in some manner during the industrial process) or Sewer Metering.

An application and the appropriate fee must be submitted prior to any sewer use volume adjustment. The application fee is to pay for site review, plan review, and installation inspection.

The application fee for each category is as follows:

Car Washes and Laundries = \$250

Evaporation and Irrigation = \$600

Water to Product and Other and Sewer Metering = \$1,250

The director of the water services department or the director's representative shall make the determinations of fact as to the amount of water which is diverted and shall have authority to adjust the sewer use volume billed on the basis of the facts ascertained. The SAC or Sewer Metering Account will be effective upon the date of the director's signature for approval.

Discharges to the storm sewer system are not allowed except per Chapter 61 and are not allowed to participate in the diverted water sewer use volume adjustment program.

(b) *Definition.* "Month" or "monthly," as used in this section shall refer to a time period of approximately 30 days.

(c) *Applicability.* This section may not be applicable where arrangements for sewer service and sewer service charges are established by an existing or future contract or cooperative agreement.

Sec. 60-112. Definitions and rules of construction.

(a) *Definitions.* Unless the context specifically indicates otherwise, the meaning of terms used in this article shall be as follows:

Act means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251 et seq.

Authorized representative of an industrial user means:

- (1) If the industrial user is a corporation, authorized representative shall mean:
 - a. the president, secretary, treasurer, or a vice president of the corporation in charge of a principal business function, or any other person who performs policy or decision-making functions for the corporation; or
 - b. the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) If the industrial user is a partnership or sole proprietorship, authorized representative shall mean a general partner or proprietor, respectively;
- (3) If the industrial user is a federal, state or local governmental facility, authorized representative shall mean a director or the highest official appointed or designated to oversee the operation and performance of the activities of the governmental facility, or his designee;
- (4) The individuals described in paragraphs a through c above may designate another authorized representative if the authorization is submitted in writing to the director and the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or who has overall responsibility for environmental matters for the industrial user.

Batch means a quantity of wastewater, physically separated from all other quantities of wastewater for the purpose of treatment and/or discharge.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement to prevent or reduce pollution of waters. BMPs also include treatment requirements, operating procedures, and practices to control industry site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. In general, BMPs are management and operational procedures intended to prevent pollution from entering a facility's waste stream or reaching a discharge point.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of matter under standard laboratory conditions in five days at 20 degrees centigrade, expressed in milligrams per liter (mg/l).

Building sewer means the extension from the building drain to the city sewer or other place of disposal.

Categorical pretreatment standard or categorical standard means any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act which apply to a specific category of industrial users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405—471.

Chemical oxygen demand (COD) means a measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater. It is expressed as the amount of oxygen consumed by a chemical oxidant in a specified test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with biochemical oxygen demand (BOD).

City means the City of Kansas City, Missouri.

City sewer means a sewer owned or controlled by the city.

Combined sewer means a sewer receiving both surface runoff and wastewater.

Combined wastestream formula means a method defined in 40 CFR 403.6(e) to derive alternative discharge limits. Such alternative discharge limits may apply where process effluent regulated by any categorical pretreatment standard is mixed prior to treatment with wastewaters other than those generated by the regulated process.

Commercial or industrial wastes means the waterborne wastes from commercial and/or industrial establishments as distinct from sanitary wastewater. This shall not include any discharge to the POTW through an interconnection pursuant to an interjurisdictional agreement as described in division 10 of this article.

Commercial user means industrial user.

Composite sample means a combination of individual samples collected over a designated period of time.

Code of Federal Regulations (CFR) means regulations as issued by the United States Government. References to sections of CFR shall be in accordance with the latest revisions unless specifically stated otherwise.

Code of State Regulations (CSR) means regulations as issued by the Missouri State Government. References to sections of CSR shall be in accordance with the latest revisions unless specifically stated otherwise.

Daily maximum means an effluent limitation that specifies the total mass or average concentration of pollutants that may be discharged in a calendar day.

Day means a period of normal operation not to exceed 24 hours.

Department means the water services department of Kansas City, Missouri.

Director means the director of the water services department of the city, or his authorized deputy, agent or representative.

Discharge means material directly or indirectly released to the POTW; or the act of releasing material directly or indirectly to the POTW.

Effluent means the "end of process" liquid wastes from an industrial process which ultimately are discharged.

Environmental Protection Agency (EPA) means the United States Environmental Protection Agency.

Garbage means solid food wastes from the preparation, cooking and disposing of food, together with incidental admixtures, and from the handling, storage and sale of produce.

Grab sample means a sample which is taken on a one-time basis without regard to the flow rate of the sampled stream and without consideration of time.

Hazardous waste means any material, regardless of amount, which would be defined as a hazardous waste under the Missouri Hazardous Waste Management Law, Chapter 260, Environmental Control, sections 260.350 to 260.430 RSMo or the federal Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq., or their implementing regulations if it were not discharged to the POTW.

Industrial user means any person discharging pollutants into a POTW from any non-domestic source.

Instantaneous maximum allowable discharge limit means the maximum concentration of a pollutant allowed to be discharged at any time, independent of the discharge rate and duration of the sampling event.

Interference means inhibition or disruption of the POTW, its treatment processes or operations, or its sludge processes, use or disposal which results in violation (including an increase in the magnitude or duration of a violation) of the city's NPDES permit or prevents wastewater sludge use or disposal in compliance with any federal, state or local law, regulation or permit.

Medical waste means isolation wastes, infectious agents, human blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis waste or any other materials or items commonly used or associated with medical care.

New Source means any building, structure, facility or installation from which there is or may be a Discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Clean Water Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, *provided that*:

- (1) the building, structure, facility or installation is constructed at a site which no other source is located; or
- (2) the building, structure, facility or installation totally replaces the process or production equipment that cause the discharge of pollutants at an existing source; or
- (3) the production of wastewater generating process of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

Non-significant categorical industrial user means an Industrial User subject to categorical Pretreatment Standards that the director has found never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and:

- (1) the industrial user, prior to city's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements; and
- (2) the industrial user annually submits the certification statement required in Section 60.160(b), together with any additional information necessary to support the certification statement; and

- (3) the industrial user never discharges any untreated concentrated wastewater.

Normal sewage means wastewater which contains not over 250 milligrams per liter (mg/l) of suspended solids, not over 250 milligrams per liter (mg/l) of BOD, not over 30 milligrams per liter (mg/l) of oil and grease and which does not contain any of the materials or substances listed in section 60-121 of this article in excess of allowable amounts specified in said section.

NPDES permit means national pollutant discharge elimination system permit issued by the Missouri Department of Natural Resources or EPA.

Oil and grease means any material recovered as a substance soluble in an organic extracting solvent as specified by Standard Method 5520 of "Standard Methods for the Examination of Water and Wastewater," 18th edition, 1992 or the latest revision thereto. Oil and grease is composed primarily of fatty matter from animal and vegetable sources and from hydrocarbons of petroleum origin. The concentration of oil and grease of petroleum hydrocarbon origin can be determined using Standard Method 5520F. The concentration of oil and grease of animal and vegetable origin is hereby defined as the difference between the total and the petroleum hydrocarbon oil and grease concentrations.

pH means a measure of the acidity or alkalinity of a substance, expressed in standard units.

Pass through means a violation of any requirement of the city's NPDES permit, including an increase in the magnitude or duration of a violation, caused by a discharge or combination of discharges.

Person means any individual, partnership, co-partnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision or any agency, board, department or bureau of the state or federal government, or any other legal entity whatever, which is recognized by law as the subject of rights and duties or their legal representatives, agents or assigns.

Pollutant means anything discharged into the POTW which causes any alteration of chemical, physical, biological, or radiological integrity of water including, but not limited to dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

Pretreatment means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical or biological processes, by process changes, or by other means, but not by

diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard or requirement.

Pretreatment requirement means any substantive or procedural requirement related to pretreatment imposed on an industrial user, other than a Categorical pretreatment standard or Pretreatment standard.

Pretreatment standard means any regulation which applies to industrial users and contains pollutant discharge limits promulgated by EPA in accordance with the Act. This term includes prohibitive discharge limits pursuant to 40 CFR 403.5.

Properly shredded garbage means garbage that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in the city sewers, with no particle greater than one-half inch in any dimension.

Publicly owned treatment works (POTW) means a "treatment works" as defined by Section 212 of the Act (33 USC 1292), which is owned by the city. This definition includes the sewer system and any other devices or systems used in the collection, storage, treatment, testing, monitoring, recycling and reclamation of wastewater or industrial wastes and any conveyances which convey wastewater to a treatment plant.

Receiving stream means any natural watercourse into which treated or untreated wastewater is discharged.

Sanitary wastewater means those wastes which are comparable to wastes which originate in residential units and contain only human excrement and wastes from kitchen, laundry, bathing and other household facilities.

Sanitary sewer means a sewer which carries wastewater and to which storm, surface and ground waters are not normally admitted.

Sewer means a pipe or a conduit for carrying wastewater.

Significant industrial user means any industrial user which:

- (1) Is subject to categorical pretreatment standards; or
- (2) Purchases, uses, or discharges an average of 25,000 gallons per day or more of water; or
- (3) Discharges a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the wastewater treatment plant serving the said industrial user; or
- (4) Accepts waste from another location outside the facility's boundaries for treatment, storage or disposal; or

- (5) Is designated as significant by the director on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operations, for violating this article or for violating pretreatment standards or requirements.

Slug discharge means any discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary discharge with any pollutant released at a flow rate and/or concentration which has a reasonable potential to cause interference, pass-through, or violation of the criteria or applicable discharge standards of this Chapter.

Standard laboratory methods means sampling and analytical techniques promulgated by EPA in 40 CFR Part 136.

State means the State of Missouri, including its agencies, and specifically the department of natural resources.

Storm sewer, storm drain means a sewer which normally carries only storm and surface waters and drainage.

Stormwater means any flow resulting from any form of natural precipitation including stormwater runoff, snowmelt runoff, surface runoff, and drainage.

Suspended solids (nonfilterable residue) means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering.

Toxic pollutants means those substances listed in regulations promulgated by EPA under the provisions of Section 307 (33 USC 1317) of the Act.

User means any person who discharges, causes or permits discharge into the city's POTW.

Waste treatment facility means any commercial facility accepting industrial wastes from another location outside the facility's boundaries for treatment, storage or disposal.

Wastewater or sewage means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and stormwaters as may be present, whether treated or untreated.

Wastewater treatment plant (WWTP) or treatment plant means the portion of the POTW designed to provide treatment of wastewater.

(b) Rules of construction. Unless the context specifically indicates otherwise, the construction of terms used in this article shall be as follows:

- (1) "Shall" is mandatory; "may" is permissive or discretionary.
- (2) The singular shall be construed to include the plural and the plural shall include

the singular as indicated by the context.

- (3) The masculine shall be construed to include the feminine.

Sec. 60-116. Sample collection.

(a) The reports required in sections 60-152, 60-154, 60-155, and 60-161 must be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data are representative of conditions occurring during the reporting period. Except as indicated in subsection (b) and (c) of this section or unless time-proportional composite sampling or grab sampling is authorized by the director, industrial users shall collect wastewater samples using 24-hour flow proportional composite collection techniques. Where time-proportional composite sampling or grab sampling is authorized by the director, the samples must be representative of the discharge. The decision to allow the alternative sampling must also be documented in the industrial user file for that facility or facilities. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during 24-hour period may be comprised prior to analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the composting procedures as documented in approved EPA methodologies may be authorized by the director, as appropriate. In addition, grab samples may be required to show compliance with instantaneous discharge limits.

(b) Samples for oil and grease, temperature, pH, cyanide, phenols, toxicity, sulfides, and volatile organic compounds shall be obtained using grab sample collection techniques.

(c) For sampling required in support of baseline monitoring and 90-day compliance reports required in sections 60-152 and 60-154, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist. For facilities for which historical sampling data are available, the director may authorize a lower minimum. For reports required in sections 60-155 and 60-161, the director shall require the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

(d) All wastewater samples shall be representative of the industrial user's effluent or discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of an industrial user to keep its monitoring facility or facilities clean and in good working order shall not be grounds for the industrial user to claim that sample results are unrepresentative of its discharge or effluent.

Sec. 60-117. Record keeping.

(a) Industrial users shall make available for inspection and copying by the director all records and information required by the director or by provisions of this article.

(b) Industrial users shall maintain records of all information resulting from any sampling or monitoring required pursuant to this article, any additional records of all information obtained pursuant to monitoring activities independent of such requirements including documentation associated with Best Management Practices, including time, date, place and method of sampling and analysis, personnel involved and the results of such activities, material safety data sheets, incoming hazardous waste manifest, outgoing hazardous waste manifests, analytical reports, production records, purchase records, reports submitted to regulatory agencies, and other related records, for a period of at least three years.

(c) The period for maintaining records shall be automatically extended for the duration of any litigation concerning compliance with this article, or where an industrial user has been specifically notified of a longer retention period by the director.

Sec. 60-121. Wastes prohibited in sewers.

(a) *General Prohibitions.* Any discharge which alone or in combination with other discharges causes pass through or interference. A discharge may not be considered to have caused pass through or interference if it was otherwise in compliance with this article and any wastewater discharge permit issued hereunder.

(b) *Specific Prohibitions.* No person shall cause, permit, or allow discharge to the POTW of the following materials, substances, or wastes:

- (1) Any solid, liquid or gas which by reason of its nature and/or quantity creates a fire or explosive hazard in the POTW including, but not limited to, wastestreams with a closed cup flashpoint less than or equal to 150 degrees Fahrenheit using the test method specified in 40 CFR 261.21.
- (2) Any wastewater having a pH less than 6.0 or greater than 11.0.
- (3) Any garbage except properly shredded garbage.
- (4) Any solid or viscous materials in amounts or concentrations which cause obstruction of the flow in the POTW, or solids greater than one-half inch in any dimension. Examples of such materials include, but are not limited to, ashes, wax, paraffin, cinders, sand, mud, straw, shavings, metal, glass, rags, lint, feathers, tars, plastics, wood and sawdust, grass clippings, paunch manure, hair and fleshings, entrails, lime slurries, beer and distillery slops, grain processing wastes, grinding compounds, acetylene generation sludge, chemical residues, asphalt residues, acid residues, residues from refining or processing fuel or lubricating oil, and food processing bulk solids.
- (5) Any oil and grease of animal or vegetable origin in excess of 150 mg/l.
- (6) Any petroleum oil, nonbiodegradable cutting oil, or products of mineral oil

origin, in amounts that will cause interference or pass through.

- (7) Any corrosive, noxious or malodorous material or substance which, either singly or by reaction with other wastes, is capable of causing damage to the POTW or creating a public nuisance or hazard, or preventing entry into the POTW's facilities for maintenance and repair.
- (8) Any concentrated dyes or other materials which are either highly colored or could become highly colored by reacting with other discharges.
- (9) Any material or substance not specifically mentioned in this section which is in itself corrosive, irritating to human beings or animals, toxic or noxious, or which by interaction with other wastes could produce undesirable effects, including deleterious action on the POTW's facilities or operations, hazards to humans or animals, or adverse effect(s) upon the receiving stream.
- (10) Any sludges, screenings, or other residues from the pretreatment of industrial wastes.
- (11) Any medical wastes, except as specifically authorized by the director.
- (12) Any wastewater having a temperature greater than 150 degrees Fahrenheit or which will inhibit biological activity in the POTW or which will cause the temperature at the treatment plant influent to exceed 104 degrees Fahrenheit.
- (13) Any septic tank sludge or any other trucked or hauled pollutants, except at discharge points designated by the director in accordance with section 60-125.
- (14) Any wastewater containing any radioactive waste or isotopes except as specifically approved by the director in compliance with applicable state and federal statutes and regulations.
- (15) Any stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, condensate, deionized water, noncontact cooling water, or unpolluted industrial wastewater unless authorized by the director.
- (16) Any material or combination of materials which results in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause worker health and/or safety problems.
- (17) Any discharge containing detergents, surface active agents, or other substances which cause excessive foaming in the POTW.
- (18) Any discharge which contains any of the following substances in excess of the following daily maximum and/or instantaneous maximum total concentrations. These restrictions apply at the point where the wastewater is discharged to the

POTW:

Arsenic* 1.80 mg/l
Benzene 0.50 mg/l
Cadmium* 1.00 mg/l
Chromium* 5.00 mg/l
Copper* 5.10 mg/l
Cyanide* 2.00 mg/l
Ethylbenzene 1.00 mg/l
Lead* 5.00 mg/l
Mercury* 0.05 mg/l
Nickel* 20.00 mg/l
Phenols 5.00 mg/l
Silver* 5.00 mg/l
Sulfate 500 mg/l
Toluene 1.00 mg/l
Xylene 1.00 mg/l
Zinc 10.10 mg/l
PCB's 0.01 mg/l
Total toxic organics (TTOs) as defined by 40 CFR 433.11(e) shall not exceed 5.0 mg/l at any time.

*All other provisions of this article notwithstanding, no industrial user shall discharge this pollutant in an amount exceeding five percent of the average daily loading (in pounds per day) of this pollutant at the receiving WWTP without the express written consent of the director.

- (19) Any discharge or effluent which violates the limitations imposed by a wastewater discharge permit issued under the provisions of this article, or categorical standard, including equivalent concentration limits based on a mass or production-based categorical standard and concentration limits derived in accordance with the combined wastestream formula.

Sec. 60-122. Additional limitations.

Industrial Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter 1, Subchapter N, Parts 405-471. When necessary to protect or to prevent adverse effects on the POTW, its treatment processes, receiving stream, sludge treatment or disposal processes, to provide for worker health and safety, to impose categorical standards, or to address similar concerns of other jurisdictions providing sewer service to the city, the director may:

- (1) Impose mass limitations in addition to or in place of concentration limitations provided for in this article or in any applicable categorical pretreatment standards;

- (2) Establish more stringent standards or requirements for discharge to the POTW in wastewater discharge permits;
- (3) Establish limits on the effluent from specific industrial processes or pretreatment systems in wastewater discharge permits;
- (4) Issue wastewater discharge permits to industrial users setting out special requirements for discharge to the POTW. In no case shall a permit waive compliance with a categorical pretreatment standard or allow any discharge which could cause pass through or interference, except that the director may establish a reasonable time frame for compliance with this article;
- (5) Require treatment to reduce the BOD, suspended solids, and/or oil and grease concentrations in a discharge to levels more closely approaching those of normal sewage; and/or
- (6) Establish additional temporary standards for substances not specifically mentioned in section 60-121. Such temporary standards shall be effective for a period not to exceed 120 days.

Sec. 60-125. Hauled waste.

(a) The department may provide treatment and disposal services for hauled wastes, including septic tank sludge, contents of cesspools and privy vaults, and other nonhazardous wastes generated in Kansas City, Missouri or the metropolitan area. The director shall have the authority to determine:

- (1) Whether the wastes are compatible with treatment plant operations and to approve or deny the discharge of wastes to the POTW;
- (2) The location, method and allowable times for discharge of such wastes to the POTW;
- (3) Requirements for documentation of the origin, type, and characteristics of all hauled wastes discharged to the POTW.

(b) Waste haulers using the treatment and disposal services of the department shall be in compliance with all applicable bonding and licensing requirements imposed by the city and the state and shall comply with the determinations made by the director under subsection (a) of this section.

(c) Hauled wastes must comply with all applicable requirements, including those in any applicable pretreatment standard and any established by or pursuant to sections 60-121 and 60-122 of this article.

(d) The director shall have authority to establish and collect fees for the reception and

treatment of hauled wastes and to publish said fees as set forth by division 9 of this article.

The following fees are applicable:

Residential and Commercial Septic Tanks - \$0.06/gallon or \$10 minimum

Portable Toilets -) \$0.09/gallon or \$10 minimum

Other approved and accepted hauled waste – the director will have the authority to determine the cost to treat and charge accordingly.

(e) The director shall have the authority to suspend or terminate treatment and disposal services provided to a waste hauler for violations of rules and regulations applicable to waste haulers promulgated pursuant to section 60-162.

Sec. 60-126. Accidental/slug discharge control plans.

(a) The director may require reasonable safeguards to prevent discharge or leakage of any material stored in areas served by, or draining into, the POTW which could create a fire or an explosion hazard in the POTW or in any other way have a deleterious effect upon the POTW's facilities or treatment processes, or constitute a hazard to human beings or animals or the receiving stream.

(b) The director shall evaluate whether each significant industrial user needs an accidental discharge/slug discharge control plan or other action to control slug discharges. The director may require any user to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges. This plan shall, in addition to satisfying the requirements under 40 CFR 403.8, including at least the following:

- (1) Description of discharge practices, including non-routine batch discharges;
- (2) Description and location of stored chemicals;
- (3) Procedures for immediately notifying the POTW of any accidental or slug discharge or any discharge which violates section 60-121 of this article and for providing a written report of such discharge within five days of its occurrence. Such report shall be submitted in accordance with section 60-157 of this article;
- (4) Procedures for permanently posting a notice in a conspicuous place in a common area of the industrial user's premises advising employees whom to call in the event of a discharge described in subsection (a) of this section. Employers shall ensure that all employees who may cause or suffer such a discharge to occur are advised of the emergency notification procedure; and
- (5) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, measures for containing materials, and/or measures and equipment for emergency responses.

Secs. 60-128. Conversion to Concentration limits.

The director may convert the mass limits of the categorical Pretreatment Standards of 40 CFR Parts 414, 419 and 455 to concentration limits for purposes of calculating limitations applicable to individual industrial users. The conversion is at the discretion of the director.

Sec. 60-142. Application signatories and certification.

(a) All wastewater discharge permit applications must contain the certification statement as described in section 60-160 and be signed by the authorized representative of the industrial user.

(b) All wastewater discharge permit applications must contain the appropriately signed and certified "designation of authorized representative" form.

(c) A facility determined to be a Non-Significant Categorical Industrial User by the Director pursuant to section 60-112(a) must annually submit the signed certification statement in Section 60-160(b).

Sec. 60-143. Wastewater discharge permit contents.

(a) Wastewater discharge permits may include such conditions as are reasonably deemed necessary by the director to prevent pass through or interference, protect the water quality of the receiving stream, protect worker health and safety, facilitate sludge management and disposal, protect ambient air quality of the POTW, or protect against damage to the POTW.

(b) Wastewater discharge permits may contain, but need not be limited to, the following conditions and may contain a schedule for compliance with said conditions:

- (1) A statement of the wastewater discharge permit duration, which in no event shall exceed five years;
- (2) A statement that the wastewater discharge permit is not transferable;
- (3) Discharge and/or effluent limits including Best Management Practices applicable to the permittee and the permittee's processes, based on applicable standards in federal, state, or local laws and regulations and interjurisdictional agreements;
- (4) Self-monitoring, sampling, reporting, notification, and record keeping requirements. These requirements shall include parameters to be monitored, sampling location, sampling frequency, and sample type based on federal, state, or local statutes or regulations and/or interjurisdictional agreements. These requirements may also include provisions for increased self-monitoring activities in the event of violations;

- (5) A statement of applicable civil, criminal, and administrative penalties for violation of discharge or effluent standards and requirements, and any applicable compliance schedule;
- (6) Requirements to control sludge discharges, if determined by the director to be necessary;
- (7) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- (8) Limits on the instantaneous, daily and monthly average and/or maximum concentration, mass, or other measure of identified wastewater pollutants or properties;
- (9) Requirements for the installation of pretreatment technology or construction of appropriate containment devices designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
- (10) Requirements for development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
- (11) Requirements for development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- (12) The unit charge or schedule of industrial user charges and fees for the management of the wastewater discharged to the POTW;
- (13) Requirements for installation and maintenance of inspection, monitoring and sampling facilities and equipment;
- (14) Requirements for periodic submittal of all incoming and outgoing hazardous waste manifests;
- (15) Other conditions as deemed appropriate by the director to ensure compliance with this article, and state and federal laws, rules, and regulations.

Sec. 60-155. Periodic compliance reports.

(a) Any significant industrial user shall, at a frequency determined by the director but in no case less than every six months, submit a report indicating the concentration in its effluent and/or discharge of all pollutants which are limited by such pretreatment standards and/or pretreatment requirements, and the measured or estimated average and maximum daily flows for the reporting period. Where required by the pretreatment standard or the director, the significant industrial user shall also report the mass of each regulated pollutant in the discharge and/or in the

effluent from each regulated process and the production rate of each regulated process. This report must be signed and certified in accordance with section 60-160.

(b) All wastewater samples must be collected in accordance with section 60-116.

(c) If an industrial user subject to reporting requirements of this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the director, the results of this monitoring shall be included in the report.

(d) In cases where the Pretreatment Standard requires compliance with a Best Management Practice (or pollution prevention alternative), the industrial user shall submit documentation required by the director or the Pretreatment Standard necessary to determine the compliance status of the industrial user. At the discretion of the director and in consideration of such factors as local high or low flow rates, holidays, budget cycles, etc., the director may modify the months during with the above reports are to be submitted.

Sec. 60-157. Reports of potential problems.

(a) Any industrial user which has an accidental discharge, a discharge of a nonroutine, episodic nature, a non-customary batch discharge, or a slug discharge which may cause potential problems for the POTW (including a violation of the prohibited discharge standards in section 60-121 of this article), shall immediately telephone and notify the director of the incident. This notification shall include the location of discharge, source, material(s) involved, concentration and volume, if known, and corrective actions taken by the industrial user.

(1) Within five days following such discharge, the industrial user shall, unless waived by the director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the industrial user to prevent similar future occurrences. Such notification shall not relieve the industrial user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the industrial user of any fines, civil penalties, or other liability which may be imposed by this article.

(2) Each failure to notify the director of a discharge described in subsection (a) of this section shall be deemed a separate violation of this article.

(b) Significant Industrial Users are required to notify the director immediately of any changes at its facility affecting the potential for a Slug Discharge.

Sec. 60-160. Signatories and certification.

(a) Except as provided in subsection (b) below, all reports and applications submitted pursuant to the requirements of this article must contain the following certification statement and be signed by the authorized representative of the industrial user.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

(b) A facility determined to be a Non-Significant Categorical Industrial User by the director pursuant to 60-112(a) must annually submit the following certification statement signed in accordance with the signatory requirements in 60-112(a). This certification must accompany an alternative report required by the director:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from _____, ____ to _____, ____ [month, day, year]:

- (a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in 60-112(a);
- (b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and
- (c) The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

Sec. 60-161. Reports from nonsignificant industrial users.

All industrial users which are not significant industrial users shall provide appropriate reports to the director as required by the director. If an industrial user monitors any regulated pollutant at the appropriate sampling location more frequently than required by the director, the results of this monitoring shall be included in the report.

Sec. 60-181. Publication of industrial users in significant noncompliance.

The director shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the city's POTW, a list of the industrial users which, during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall

mean one or more of the following:

- (1) Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of wastewater measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits;
- (2) Technical-review criteria (TRC) violations, defined here as those in which 33 percent or more of wastewater measurements taken for each pollutant parameter during a six-month period equals or exceeds the product of the numeric pretreatment standard or requirement including instantaneous limits multiplied by the applicable TRC. The TRC for BOD, TSS, fats, oils and grease is 1.4. For all other parameters except pH, the criteria is 1.2;
- (3) Any other discharge violation of a pretreatment standard or requirement as defined by 40 CFR 403.31(1) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the director believes has caused, or has the potential to cause, alone or in combination with other discharges, interference or pass through, or to endanger the health or welfare of city personnel or the general public;
- (4) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the city's exercise of emergency authority to halt or prevent such a discharge;
- (5) Failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or an enforcement order for starting construction, completing construction, or attaining final compliance;
- (6) Failure to provide within 45 days after the due date, any required reports, including baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (7) Failure to accurately report noncompliance;
- (8) Any other violation(s), which may include a violation of Best Management Practices, which the director determines will adversely affect the operation or implementation of the local pretreatment program.

Sec. 60-183. Civil Remedies; Suit additional to other remedies.

(a) The director shall have the authority to adopt rules and regulations not otherwise inconsistent with anything herein to carry out the provisions of this article, including an enforcement response plan. The enforcement response plan shall include fines assessed on a per-violation basis as follows:

<u>Nature of Violation</u>	<u>Administrative Fine</u>
Failure to file a report 45 days or more past due date	\$1,000
pH violation	\$500
Discharge Violation	
does not exceed Technical Review Criteria	\$500
exceeds Technical Review Criteria	\$1,000
Violations which place Industrial User in Significant Non-Compliance	\$2,000
Falsification of Records/Reports	\$5,000
Delay of Entry beyond 15 minutes	\$1,000
Denial of Entry	\$5,000
Denial of access to files	\$2,000

NOTE: Administrative Fines are subject to modification of the discretion of the director.

(b) In addition to any and all remedies provided in the Charter and this chapter, the city shall have the power to bring suit against any person who has violated an order of the director or who has failed to comply with any provisions of this article, and the orders, rules, regulations and permits issued hereunder, to seek a civil penalty of not less than \$1,000.00 but not more than \$5,000.00 per day per violation. In addition to the civil penalty imposed herein, the city shall be entitled to an award for the damage (including restoration) caused by said violation or failure to comply. Each calendar day in which a violation continues shall be considered a separate offense subject to the penalty provided herein.

- (1) Ten percent of the amount of the judgment shall be added as attorney's fees in every proceeding brought under this chapter, to be added and collected in the same manner as other costs in the case.
- (2) In addition to the penalties, damages, and attorney's fees provided herein, the city may recover, court costs, court reporters' fees and other expenses of litigation against the person found to have violated this article or the orders, rules, regulations and permits issued hereunder.

Sec. 60-194. Hauled waste fees.

Fees for receiving and treating hauled wastes, as allowed under section 60-125 of this article, shall be as established by the director and published as "billing policy for waste generators and haulers". This policy shall be updated annually to reflect and recover the actual costs of providing this service. Current Fees are as follows:

<i>Residential and Commercial Septic</i>	<i>\$0.06/Gal or \$10 Minimum</i>
<i>Portable Toilets</i>	<i>\$0.09/Gal or \$10 Minimum</i>

Any other approved & accepted Waste – director has the authority to determine the cost to treat and shall charge accordingly.

Section 3. This ordinance shall become effective on June 1, 2023.

..end

Approved as to form:

Nicole Rowlette
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Water Services

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Amends Chapter 60, Sewers and Sewage Disposal, by updating language on diverted water uses where a significant portion of the water purchased is used in a manner that is not returned to the sanitary sewer system. This would include uses such as evaporation, irrigation, and water to product. In addition, this ordinance updates rates associated with industrial hauled wastes and updates language related to the Industrial Pretreatment Program, per Federal and State requirements.

Discussion

The Clean Water Act requires EPA through the Missouri Department of Natural Resources (MODNR) to issue water quality permits that define the quality of treated water from wastewater treatment plants to the receiving stream. These are renewed every five years. As a condition of the permits, the Sewer Ordinance is periodically updated. This is based on testing analytical data and best practices. The changes to the Sewer Ordinance require approval by the Council prior to final approval from MODNR. Changes occur as a result of internal and consultant review. The changes can be summarized as follows:

1. Local Discharge Limit Review. Sampling is conducted in the system to track various parameters and their concentrations. No changes to the existing limits are required. One parameter, sulfate, was added. Sulfates are the class of compounds including hydrogen sulfide, which at high levels can cause collection system pipes to deteriorate rapidly.
2. Incorporation of the Streamlining Rule. This revises several provisions of the ordinance as a result of changes to the Federal and follow-on state rules in the General Pretreatment Regulations (40 CFR Part 403). The sewer ordinance requires industrial dischargers to use treatment and best management practices to reduce or eliminate the discharge of harmful pollutants to sanitary sewers. The rule was implemented to reduce the overall regulatory burden on industrial users and owners such as the City and still provide the same level of environmental protection.
3. Other changes are of a housekeeping nature; ensure consistency with the NPDES regulations and/or to correct typographical errors; to update fines and fees; and to update the Hauled Sewage and Diverted Water Uses subsections.



City of Kansas City, Missouri

Docket Memo

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

Fees collected from hauling industrial wastes.

3. How does the legislation affect the current fiscal year?

It will yield additional revenue in FY2024 for hauled wastes that will cover the cost of hauling industrial waste.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

The fees adjusted for hauled wastes and diverted water uses will generate revenue to cover the costs associated with these items.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

These industrial hauled waste and diverted water use application fees will generate revenue to cover the cost of managing these items.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No

2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

N/A

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?



City of Kansas City, Missouri

Docket Memo

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

No prior legislation. This ordinance updates language in Chapter 60, specifically 60-2(2)©, 60-112, 60-116, 60-117, 60-121, 60-122, 60-125, 60-126, 60-128, 60-142, 60-143, 60-155, 60-157, 60-160, 60-161, 60-181, 60-183, 60-194.

Service Level Impacts

N/A

Other Impacts

1. What will be the potential health impacts to any affected groups?
None
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
Enables Water Services Department to collect appropriate revenue for managing hauled wastes and diverted water uses.



City of Kansas City, Missouri

Docket Memo

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



File #: 230391

ORDINANCE NO. 230391

Sponsor: Director of the Water Services Department

Authorizing the Director, Deputy Director, Chief Engineering Officer and Chief Financial Officer of the Water Service Department to act as the City's designated authorized representative for participation by the City through its Water Services Department in the Missouri State Revolving Fund Program, the Land and Water Conservation Fund Program and any additional funding programs in accordance with state requirements administered by the Missouri Department of Natural Resources; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, pursuant to the terms of the Missouri Clean Water Law, Chapter 640, Revised Statutes of Missouri, the State of Missouri has authorized the making of loans and/or grants to authorized applicants to aid in the construction of specific public projects; and

WHEREAS, the Missouri Department of Natural Resources administers the Missouri State Revolving Fund Program for loans under the Missouri Clean Water Law; and

WHEREAS, the Missouri Department of Natural Resources administers the Land and Water Conservation Fund Program for grants; and

WHEREAS, Kansas City intends to file applications with the Missouri Department of Natural Resources for funds for certain public improvement projects from time to time; and

WHEREAS, the Missouri Department of Natural Resources requires the City designate individuals authorized to execute Missouri State Revolving Fund Program and Land and Water Conservation Fund Program documents on behalf of Kansas City, Missouri, NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That, on behalf of the City, the Director, Deputy Director, Chief Engineering Officer and Chief Financial Officer of the Water Services Department are hereby authorized to file applications with the Missouri Department of Natural Resources, State Revolving Fund Program under the Missouri Clean Water Law (Chapter 640, RSMo), the Land and Water Conservation Fund Program and any additional funding programs administered by the Missouri Department of Natural Resources for loans and grants directed to furnish such information as the

Missouri Department of Natural Resources may reasonably request in connection with applications which are herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by law or regulation, and to receive payment on behalf of the applicant.

Section 2. That this ordinance, relating to the design, repair, maintenance of construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with Section 503, City Charter.

..end

Approved as to form:

Mark P. Jones
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Water Services

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing the Director, Deputy Director, Chief Engineering Officer and Chief Financial Officer of the Water Service Department to act as the City’s designated authorized representative for participation by the City through its Water Services Department in the Missouri State Revolving Fund Program, the Land and Water Conservation Fund Program and any additional funding programs in accordance with state requirements administered by the Missouri Department of Natural Resources; and recognizing this ordinance as having an accelerated effective date.

Discussion

Pursuant to the terms of the Missouri Clean Water Law, Chapter 640, Revised Statutes of Missouri, the State of Missouri has authorized the making of loans and/or grants to authorized applicants to aid in the construction of specific public projects.

The Missouri Department of Natural Resources administers the Missouri State Revolving Fund Program for loans under the Missouri Clean Water Law.

The Missouri Department of Natural Resources also administers the Land and Water Conservation Fund Program for grants.

Kansas City intends to file applications with the Missouri Department of Natural Resources for funds from for certain projects from time to time.

The Missouri Department of Natural Resources requires the City designate individuals authorized to execute Missouri State Revolving Fund Program documents on behalf of Kansas City, Missouri.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

No fiscal impact



City of Kansas City, Missouri

Docket Memo

- 4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

No fiscal impact

- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies

Prior Legislation

Ordinance No. 031283, which was passed by City Council on December 18, 2003, authorized the Director of Public Works to act as the City's representative to accept grants and execute grant



City of Kansas City, Missouri

Docket Memo

agreements that aid in the development of Missouri transportation issues in accordance with the Federal Highway Administration's Surface Transportation Program, the Federal Aid Urban Program, the Federal-Aid Highway Act, the Congestion Mitigation and Air Quality Act, the Surface Transportation Program Enhancement Funds Program, the Transportation Community and System Presentation Program, and any additional federally-funded programs administered by the Missouri Department of Transportation (MoDOT).

The Missouri Department of Natural Resources, similarly to the MoDOT, requires an official designation by the City of the person to be responsible for the acceptance of grants and execution of grant agreements. This proposed ordinance is similar to the one done for MoDOT, but will be requesting this for the Water Services Department's grant application submittal for the Service Line Inventory Program.

Service Level Impacts

Improved access to state and federal grants and low interest loans for the completion of public improvement projects to improve the water, wastewater and stormwater utilities.

Other Impacts

1. What will be the potential health impacts to any affected groups?

N/A

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

It allows for the Water Services Department to pursue grants, low interest loans and other funding sources to complete projects benefiting the water, wastewater and stormwater utilities.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



File #: 230385

RESOLUTION NO. 230385

Sponsor: Councilmember Andrea Bough, Mayor Quinton Lucas and Councilmember Eric Bunch

RESOLUTION - Declaring the City of Kansas City a Safe Haven for Gender-Affirming Healthcare through adoption of a Gender-Affirming Healthcare Policy.

WHEREAS, as of the date of this legislation, Missouri law does not restrict access to gender-affirming healthcare or ban insurance exclusions for gender-affirming healthcare; and

WHEREAS, in 2023, members of the Missouri state legislature have introduced a record number of bills criminalizing access to gender affirming healthcare across Missouri; and

WHEREAS, some of the states bordering Missouri have proposed bills restricting or criminalizing access to gender-affirming healthcare and passed other legislation limiting the rights of transgender youth, and local clinics and advocates have heard from families living all over the continental United States who are considering moving away to access gender-affirming healthcare for their children; and

WHEREAS, other states may adopt or expand laws that impose criminal punishment, civil liability, administrative penalties, or professional sanctions on health care professionals who provide gender-affirming healthcare and on persons who seek, receive, or assist another in receiving gender-affirming healthcare in the City of Kansas City; and

WHEREAS, gender-affirming healthcare has been proven to be evidence-based, medically necessary, and lifesaving by the American Medical Association, the American Academy of Child and Adolescent Psychiatry, the American Academy of Pediatricians, the Endocrine Society, the American Psychiatric Association, and the World Professional Association for Transgender Health, amongst other institutions; and

WHEREAS, studies have shown that gender transition, including access to gender-affirming healthcare, improves the overall wellbeing of transgender people and that access to gender-affirming healthcare for youth is associated with better mental health outcomes and lower risks of suicide; and

WHEREAS, over 94 percent of LGBTQ+ youth surveyed by the Trevor Project in late 2021 said recent politics have negatively impacted their mental health, and 93 percent of transgender and nonbinary youth surveyed by the Trevor Project in 2022 said they have worried

about transgender people being denied access to gender affirming medical care due to state or local laws; and

WHEREAS, multiple healthcare institutions across the country, including in Missouri, have scaled back or have considered scaling back gender-affirming healthcare services in response to legal challenges, perception of legal risk, harassment, or threats of violence; and

WHEREAS, a large number of the institutions providing gender-affirming healthcare in the State of Missouri are located in Kansas City, and local advocates already report long waitlists and difficulty accessing medically necessary gender-affirming healthcare; and

WHEREAS, the City of Kansas City has consistently declared its commitment to furthering transgender equity and supporting its growing transgender community; and

WHEREAS, healthcare professionals providing as well as persons seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare in the City of Kansas City should be protected from attempts to impose criminal punishment, civil liability, administrative penalties, or professional sanctions based on the laws of other states when gender-affirming healthcare is lawful in the State of Missouri and meets standards for good professional practice; and

WHEREAS, a majority of U.S. adults agree that transgender minors should have access to gender-affirming care; and

WHEREAS, it is necessary and appropriate to exercise the authority vested in the City of Kansas City Charter, including the coordinated and integrated direction, supervision, and control of all City of Kansas City departments, boards, commissions, and other agencies, to protect healthcare professionals and persons lawfully seeking, receiving, and assisting another individual in seeking or receiving of gender-affirming healthcare in the City of Kansas City; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Mayor and Council hereby declare the City of Kansas City a Safe Haven for Gender-Affirming Healthcare.

Section 2. That the City of Kansas City hereby adopts the following Gender-Affirming Healthcare Policy:

1. City personnel shall not criminally prosecute or impose administrative penalties on an individual or organization for providing, seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare.
2. In the event any law or regulation is passed in the State of Missouri which imposes criminal punishment, civil liability, administrative penalties, or professional sanctions, on an individual or organization for providing, seeking,

receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare, City personnel shall make enforcement of said law or regulation their lowest priority.

3. City personnel shall not enforce laws of other jurisdictions that impose criminal punishment, civil liability, administrative penalties, or professional sanctions, on an individual or organization for providing, seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare and shall decline any request to stop, arrest, detain, continue to detain, or transfer into out-of-state custody individuals on the basis of such conduct being criminalized, penalized, or prosecuted in said jurisdiction.
4. Except as required by lawful authority, City personnel shall not respond to any request for information from another jurisdiction if the request is related to that jurisdiction's laws, rules, or regulations imposing criminal punishment, civil liability, administrative penalties, or professional sanctions, on an individual or organization for providing, seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare.
5. Except as required by lawful authority, City personnel shall not enforce or facilitate the collection of any judgment of another jurisdiction to the extent the judgment arises out of a cause of action in that jurisdiction based on providing, seeking, receiving, or assisting another individual who is seeking or receiving gender-affirming healthcare.
6. That the Kansas City, Missouri Police Department is hereby encouraged to adopt a similar Gender-Affirming Healthcare Policy.

..end

**No Fact Sheet
for
Res.
230385**



File #: 230395

ORDINANCE NO. 230395

Sponsor: Mayor Quinton Lucas; Councilmember Ryana Parks-Shaw

Establishing the Small Business Task Force in recognition of the Small Business Administration’s National Small Business Week, April 30 2023–May 6, 2023; directing the Small Business Task Force to develop a comprehensive plan by October 2025 for the funding and development of small businesses within the City; and empowering the Small Business Task Force to engage with the community in order to develop said comprehensive development plan.

WHEREAS, the United States Small Business Administration has celebrated National Small Business Week for over fifty (50) years for their economic and workforce contributions; and

WHEREAS, the City of Kansas City, Missouri (“City”) recognizes the importance of small businesses and the critical impact of special events like Super Bowl Parades, the 2023 NFL Draft, and the upcoming 2026 World Cup on their businesses; and

WHEREAS, small businesses in the City are a critical part of our thriving community, and Kansas Citians can continue to support local small businesses by shopping small and investing in our entrepreneurs; and

WHEREAS, the City seeks to build an inclusive ecosystem that allows for the efficient development and flow of authentically diverse talent, information, and resources for entrepreneurs to find what they require at each stage of growth, and to build policies that aim to ensure such growth; and

WHEREAS, the City intends to build policies that aim to ensure that all people, regardless of their personal characteristics and background, have an opportunity to start and run their own business in Kansas City; and

WHEREAS, pursuant to Code of Ordinances sections 2-721 through 2-723, the City intends to create a Small Business Task Force for the purpose of developing and retaining small business within the City as described herein; and

WHEREAS, one of the primary goals of the Small Business Task Force is to obtain an understanding of the small, diverse businesses that exist locally to provide the necessary funding, programming, technical assistance, and other support services to create an inclusive entrepreneurial ecosystem in Kansas City; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That a Small Business Task Force is hereby established. The Small Business Task Force shall consist of no fewer than five (5) and no more than nine (9) members to be appointed by the Mayor, with the advice and recommendation of the executive director of The Office of Small Business, KC BizCare, within ninety (90) days of this Ordinance's effective date, in which membership shall consist of at least one person from each of the following categories:

- a. Small business owner(s) within the City who employ fifty (50) or fewer employees;
- b. Representative(s) from a minority/BIPOC led Entrepreneurial Support Organization ("ESO") within the City;
- c. Local or regional member(s) of the Business Chamber of Commerce;
- d. Representative(s) of small business professional services organizations and providers;
- e. Representative(s) of small business advocacy groups;
- f. Local and regional policy makers and public administrators

Section 2. That, to accomplish its responsibilities for developing a strategic plan to guide the City in the equitable development, funding, and retention of small businesses within the City, the Small Business Task Force is empowered to establish sub-committees and engage others to assist with fulfilling the duties of the task force, which shall include:

- a. Estimating revenue received by the City from small businesses with 50 or fewer employees;
- b. Collecting and interpreting data from the small business census;
- c. Evaluating the effectiveness of efforts of local agencies and ESOs in the development of small business within the City;
- d. Reviewing the City's code of ordinances, policies, and best practices, and recommending mutually beneficial amendments in conjunction with the City Council;
- e. Reporting entrepreneurial initiatives to the City from outside interest groups, including the National League of Cities;

- f. Making recommendations to the City Council regarding methods of support for small businesses.

Section 3. That the Small Business Task Force shall submit a preliminary report to the City Council no later than February 1, 2024, and a final report no later than October 31, 2025. The preliminary report shall include data from stakeholder input and small business census/surveys, and provide recommendations to the Council regarding the best methods for the City to support small business development; the final report shall be a comprehensive strategic plan which outlines the City's long-term equitable development and funding plan for the development and retention of small businesses within the City.

..end

Approved as to form:

Samuel E. Miller
Assistant City Attorney

**No Fact Sheet
for
Ord.
230395**



File #: 230400

ORDINANCE NO. 230400

Sponsor: Councilmember Eric Bunch

Directing the City Manager to implement installation of bike lanes on Emanuel Cleaver II Boulevard from Troost Avenue to Main Street; and waiving a requirement of Ordinance 210966.

WHEREAS, the City Council recognizes that bicycle lanes are important to a healthy community; and

WHEREAS, collaboration with and support from neighborhood associations and residents is a critical step prior to the installation of bicycle lanes; and

WHEREAS, Ordinance 220318 authorized the implementation of the Year One Bicycle Implementation Plan; and

WHEREAS, the Public Works Department is currently engaging with the community in planning Year 2 of the Bicycle Implementation Plan; and

WHEREAS, Ordinance 210966 provides a process whereby Council and public input is provided in planning and implementing new bike lanes; and

WHEREAS, Section 4 of Ordinance 210966 directs the City Manager or designee to provide an education and feedback period with the registered neighborhood association in which the bicycle lane(s) is proposed to be installed at least 90 days prior to the installation; and

WHEREAS, immediate installation of bike lanes along Cleaver II Boulevard is appropriate given the need for a bike-specific connection between bike facilities on Gillham Road and the Country Club Right of Way; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is directed to implement installation of bike facilities along Emmanuel Cleaver II Boulevard from Troost Avenue to Main Street.

Section 2. That Section 4 of Ordinance 210966 be waived so that installation of bike facilities on Emmanuel Cleaver II Boulevard may begin without the required 90-day period of education and feedback from neighborhood associations.

..end

Approved as to form:

Dustin E. Johnson
Associate City Attorney

**No Fact Sheet
for
Ord.
230400**



File #: 230404

ORDINANCE NO. 230404

Sponsor(s): Councilmembers Teresa Loar, Heather Hall and Kevin O’Neill

Amending Committee Substitute for Ordinance No. 220529, passed on June 20, 2022, by repealing Condition 31 of the Ordinance which required certain access improvements which were roundabouts on N.W. Cookingham Drive on both sides of Interstate 29; directing the City Manager to identify the funding to install these improvements since these improvements are needed due to existing traffic growth in the area, including growth from the new KCI Airport; and directing the City Manager to report back to Council within 30 days with the plan for funding these improvements and the process and schedule for constructing these improvements.

WHEREAS, on June 20, 2022, the City Council passed Committee Substitute for Ordinance No. 220529 (the “Ordinance”), rezoning the property located at the northwest corner of N. Ambassador Drive and N.W. Cookingham Drive to District B3-3 and approving a development plan on about 86 acres that also served as the preliminary plat to allow for the construction of a commercial development known as the Ambassador Building development; and

WHEREAS, Condition No. 31 of the Ordinance required that the developer make certain access improvements to N.W. Cookingham Road;

WHEREAS, it has become apparent since the Ordinance was enacted that these improvements are not required because of the Ambassador development but due to natural growth in the area, especially due to the increased traffic with the new KCI Airport;

WHEREAS, the City Council desires to remove Condition No. 31 from the Ambassador Building development plan approval due to the unfair burden placed on the Ambassador Building development and to direct the City Manager to identify funding for these improvements due to existing traffic growth in the area; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Committee Substitute for Ordinance No. 220529, passed June 20, 2022, is hereby amended by repealing Condition No. 31 contained in Section B.

Section B. That all other sections and conditions of Committee Substitute for Ordinance No. 220529 not repealed shall remain in full force and effect.

Section C. That the City Manager is hereby directed to identify funding for installation of the N.W. Cookingham Road access and related improvements and to proceed with completing these improvements to N.W. Cookingham Road.

Section D. That the City Manager is hereby directed to report back to City Council within thirty (30) days of the passage of the Ordinance with the plan for funding these improvements and the process and schedule for constructing the improvements.

..end

Approved as to form:

Sarah Baxter
Senior Associate City Attorney

**No Fact Sheet
for
Ord.
230404**



File #: 230405

ORDINANCE NO. 230405

Sponsor(s): Mayor Quinton Lucas; Councilmembers Kevin O’Neill, Ryana Parks-Shaw, and Andrea Bough

Appropriating \$1,500,000.00 from the Unappropriated Fund Balance in the Public Safety Sales Tax to the Kansas City Detention Center Campus account; authorizing a contract in the amount of \$375,000.00 to a design professional services agreement with TreanorHL to begin site selection and initial design for a mental health and rehabilitation services facility; directing the City Manager to establish a partnership agreement with the County; designating requisitioning authority; recognizing Civil Rights and Equal Opportunity Department goals; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, proceeds of the City’s Public Safety Sales Tax are to be used for the purpose of a standalone fund adopted specifically for the purchase and maintenance of capital assets related to Kansas City Police Department activities; and

WHEREAS, Council has directed staff to proceed with developing a mental health and rehabilitation services facility as well as a modern detention center campus and collaborate with Jackson County; and

WHEREAS, staff is advancing those efforts with these funds and advancing the Detention Center Campus project; and

WHEREAS, Council has directed staff to initiate the design of the Detention Center Campus project; and

WHEREAS, the initial design contract with TreanorHL is needed to compensate the designer for the work to complete the design; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the sum of \$1,500,000.00 is appropriated from the Unappropriated Fund Balance in the Public Safety Sales Tax to the following account in the Capital Improvements Fund:

24-2320-898023-B-89023001	Kansas City Detention Center Campus	\$1,500,000.00
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Section 2. That the City Manager is hereby authorized to execute the design professional services agreement with TreanorHL in the amount of \$375,000.00 from funds appropriated to the 24-2320-898023-B-89023001 account for Project No. 89023001 – Kansas City Detention and Rehabilitation Center Campus project. A copy of the contract is on file in the Public Works Department.

Section 3. That the City Manager and the Director of Public Works is hereby designated requisitioning authority for Account No. 24-2320-898023.

Section 4. That the City Manager is authorized to enter into a partnership agreement with Jackson County within 45 days.

Section 5. That the Civil Rights and Equal Opportunity Department, to assure fair representation by socially and economically disadvantaged groups, approved for the above contract, a fourteen (14%) percent representation by Minority Owned Businesses and fourteen (14%) percent representation by Women Owned Businesses.

Section 6. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter in that it appropriates money and shall take effect in accordance with that section.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Dustin E. Johnson
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Manager's Office

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Appropriating \$1,500,000.00 from the Unappropriated Fund Balance in the Public Safety Sales Tax to the Kansas City Detention Center Campus account; authorizing a contract in the amount of \$375,000.00 to a design professional services agreement with TreanorHL to begin site selection and initial design for a mental health and rehabilitation services facility; directing the Manager to establish a partnership agreement with the County; designating requisitioning authority; recognizing Civil Rights and Equal Opportunity Department goals; and recognizing this ordinance as having an accelerated effective date.

Discussion

This ordinance is to appropriate funding to advance the design and site purchase, development and/or remediation of the Kansas City Detention Center Campus. This ordinance will also approve the initial design contract with TreanorHL.

City Council has directed the Staff to complete and assessment of a modern detention facility/campus (Resolution 191028) and to collaborate as much as possible with Jackson County (Resolution 220574). Staff has continued both of those efforts. These funds will allow for are continuation of the campus design efforts with the recently selected design team lead by TreanorHL as well as accelerated the coordination efforts with Jackson County.

The design contract with TreanorHL will complete site evaluation, conceptual & operational models, initial staffing models, conceptual plan development and potential land acquisition review. The initial contract does not require Council approval, but is being presented to City Council as part of this ordinance due to the sensitive nature of this project. All future design amendments will necessitate Council approval. The design contract will meet the CREO goal requirements of 14% minority business enterprise and 14% women owned business enterprise participation.

The funding will also advance the coordination with Jackson County by allowing for the City to potentially purchase property or advance the remediation of adjacent City owned site and the site improvements.

Fiscal Impact

- 1. Is this legislation included in the adopted budget? Yes No
- 2. What is the funding source?

Unappropriated Fund Balance of the Public Safety Sales Tax



City of Kansas City, Missouri

Docket Memo

3. How does the legislation affect the current fiscal year?

This ordinance will not have a net impact on the current year.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

This is a one-time appropriation and will have no direct fiscal impact for future fiscal years.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No. This ordinance transfers existing funds from Unappropriated Fund Balance of the Public Safety Sales Tax

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Recent budget hearings

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth



City of Kansas City, Missouri

Docket Memo

- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

Resolution 191028 - Directed the Acting City Manager to execute a contract for a jail needs assessment
 Resolution 220574 – Negotiate with Jackson County and Colaborate Efforts.

Service Level Impacts

None – This is a fiscal transfer and contract authorization.

Other Impacts

1. What will be the potential health impacts to any affected groups?
 No. This is a fiscal transfer and contract authorization,
2. How have those groups been engaged and involved in the development of this ordinance?
 No. This is a fiscal transfer and contract authorization,
3. How does this legislation contribute to a sustainable Kansas City?
 No. This is a fiscal transfer and contract authorization, The design contract will include a future LEED Gold certification.
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled “Civil Rights”)?
 Yes. This design contract will include 14% Minority Business Enterprise and 14% Women Business Enterprise goals.
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled “Contracts and Leases”)?
 Yes



File #: 230401

ORDINANCE NO. 230401

Sponsor(s): Councilmembers; Kevin O’Neill, Andrea Bough and Ryana Parks-Shaw

Amending Chapter 3, Code of Ordinances, by repealing Section 3-431, “Setting Goals for Individual Contracts” and enacting in lieu thereof a new section of like number and subject matter regulating the application of numeric MBE/WBE goals on certain projects leased for development or receiving economic development incentives or tax abatement.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 3, Code of Ordinances, is hereby amended by repealing Section 3-431, “Setting Goals for Individual Contracts” and enacting in lieu thereof a new section of like number and subject matter to read as follows:

Sec. 3-431. Setting goals for individual contracts.

(a) Except for goals to be established by the applicable board as provided in sections 3-450, goals shall be established for individual contracts by the director, as determined pursuant to this section. Goals shall be applied to the total dollar value of the contract, unless otherwise authorized by the director.

(b) Individual contract goals shall be flexible and are to be determined on a contract-by-contract basis. In determining whether goals should be established for an individual contract or in setting the specific goal for an individual contract, the following shall be considered:

- (1) The scope of work; and
- (2) The number and types of qualified MBEs and WBEs available to perform such work, or portions of it; and
- (3) Whether the contract can be structured to create potential opportunities for qualified MBEs and WBEs to participate as subcontractors, service providers and/or suppliers; and
- (4) The level of participation of certified MBEs and WBEs in similar contracts awarded by other city departments and incentive agencies, and on local projects awarded by the state and federal governments in the previous and current fiscal years; and

- (5) The city department's or incentive agency's progress toward meeting its annual MBE/WBE goals and its expectations as to how future contracts will be used toward meeting such goals; and
 - (6) The potential dollar amount of the contract.
- (c) When goals for individual contracts are set, they shall be set as follows:
- (1) For all city and incentive agency professional service and goods and services contracts with an estimated cost of more than \$160,000, by the fairness in professional services and goods board, upon the recommendation of the director, as provided in section 3-450.

(d) When goals are established for a contract, such goals shall be stated in any invitation for bid or request for proposals. No invitation for bid or request for proposals shall be released until goals have been requested and set in accordance with subsection (b) of this section, or until the city department or incentive agency soliciting the contract has been notified by the director that goals will not be established. If the goals are to be set by a board and such board shall have failed to meet for any reason within thirty calendar days from the date upon which such board shall have last convened, then the invitation for bid or request for proposals may be released with the goals as recommended by the director and an addendum thereto shall be issued setting forth the goals once established by the board.

(e) For contracts other than construction contracts and contracts for projects leased for development or receiving economic development incentives or tax abatement as described in section 3-425, the director is authorized to require a bidder or proposer to make good faith efforts to achieve MBE/WBE participation without setting a numeric MBE/WBE goal on the solicitation as long as the director could have set an MBE/WBE goal based on the factors in section 3-431(b).

..end

Approved as to form:

Emalea Black
Associate City Attorney

City of Kansas City, Missouri



Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Amending Chapter 3 Section 3-431 of the Code of Ordinances relating to the application of numeric MBE/WBE goals on certain projects leased for development or receiving economic development incentives or tax abatement.

Discussion

There is no fiscal impact for this legislation

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

No

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No

City of Kansas City, Missouri



Docket Memo

2. This fund has a structural imbalance.

Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

Service Level Impacts

None

Other Impacts

1. What will be the potential health impacts to any affected groups?

N/A

2. How have those groups been engaged and involved in the development of this ordinance?

City of Kansas City, Missouri



Docket Memo

N/A

3. How does this legislation contribute to a sustainable Kansas City?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



File #: 230402

ORDINANCE NO. 230402

Sponsor(s): Councilmembers; Kevin O'Neill, Andrea Bough and Ryana Parks-Shaw

Authorizing the City Manager to execute a Contract, Wage, and Labor Addendum with Velvet Tech Services, LLC and authorizing City officials to execute additional documents, including a supplemental lease and supplemental trust indenture, in connection with Project Velvet.

WHEREAS, the City of Kansas City, Missouri, a constitutional charter city and municipal corporation of the State of Missouri (the "City") is authorized pursuant to the provisions of Article VI, Section 27(b) of the Missouri Constitution, as amended, and Sections 100.010 to 100.200, inclusive, of the Revised Statutes of Missouri, as amended, and the City of Kansas City Charter (collectively, the "Act"), to issue its revenue bonds for carrying out a project or projects under the Act, such revenue bonds to be paid solely from revenue received from such project, and to enter into leases of certain property associated with the project to be financed with the proceeds of such revenue bonds with any person, firm or corporation; and

WHEREAS, on April 29, 2021, the City adopted Ordinance No. 210313 approving an Industrial Development Plan for the Golden Plains Technology Park (the "Plan") involving two projects for industrial development under Chapter 100 of the Missouri Revised Statutes, Project Diode and Project Velvet (the "Project"); and

WHEREAS, in Ordinance No. 210313, City Council authorized the City to issue and sell its Taxable Industrial Revenue Bonds (Golden Plains Technology Park Project), in one or more series, in a maximum aggregate principal amount not to exceed \$103,796,000,000.00; and

WHEREAS, in Ordinance No. 210313, City Council also authorized the City to enter into a trust indenture, lease agreement, purchase agreement, supplemental lease, and supplemental trust indenture with Velvet Tech Services, LLC ("Developer") for Project Velvet to authorize abatement of taxes and exemption of sales taxes for construction materials as authorized therein; and

WHEREAS, Ordinance No. 210313 further authorized the Mayor, Director of Finance, the City Treasurer and other officials, agents and employees of the City as required, to take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of Ordinance No. 210313 and to carry out, comply with and perform the duties of the City with respect to the previously authorized documents; and

WHEREAS, on December 22, 2021, the City and the Developer entered into a trust indenture and lease agreement effectuating Ordinance No. 210313 through the issuance of \$7,200,000,000.00 of taxable revenue bonds; and

WHEREAS, the City and the Developer intend to enter into a supplemental lease and supplemental trust indenture to govern the issuance of additional authorized taxable revenue bonds to fund additional development authorized under the Plan and Ordinance No. 210313; and

WHEREAS, City Code imposes several obligations on Chapter 100 leases, including but not limited to, the Affirmative Action program in Code Chapter 3, Art. IV, Div. 1, the MBE/WBE program in Code Chapter 3, Art. IV, Div. 2, the Construction Workforce Program in Code Chapter 3, Art. IV, Div.3, non-discrimination as provided in Code § 38-103, no gratuities or kickbacks as provided in Code § 3-30, and criminal records in employment restrictions in Code § 38-104; and

WHEREAS, City Council wishes to specifically memorialize some of the relevant City Code obligations applicable to Project Velvet for ease of administration; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That City Council affirms the determinations and authorizations made in Ordinance No. 210313.

Section 2. That the City Manager is authorized to enter into a Contract, Wage, and Labor Addendum with Velvet Tech Services, LLC. A copy of the Contract, Wage, and Labor Addendum in substantial form is attached hereto and is on file in the City Manager's office.

Section 3. That the Mayor, City Manager, Director of Finance, Director of Civil Rights and Equal Opportunity, City Treasurer and other officials, agents and employees of the City as required, are hereby authorized and directed to take such further actions, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of Ordinance No. 210313 and the Contract, Wage, and Labor Addendum, including the supplemental lease and supplemental trust indenture and the issuance of additional taxable revenue bonds.

..end

Approved as to form:

Emalea Black
Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing the City Manager to execute a Contract, Wage, and Labor Addendum with Velvet Tech Services, LLC and authorizing City officials to execute additional documents, including a supplemental lease and supplemental trust indenture, in connection with Project Velvet.

Discussion

Memorializing the contracting program and civil rights code requirements that are applicable to Project Velvet.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

No

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No

Office of Management and Budget Review
(OMB Staff will complete this section.)

City of Kansas City, Missouri



Docket Memo

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
-
-

Prior Legislation

N/A

Service Level Impacts

N/A

Other Impacts

1. What will be the potential health impacts to any affected groups?

N/A

City of Kansas City, Missouri



Docket Memo

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Yes



File #: 230315

[COMMITTEE SUBSTITUTE FOR] ORDINANCE NO. 230315

Sponsor: Director of Public Works Department

Reducing an appropriation in the amount of \$2,842,818.83 in the General Obligation Series 2018 and 2021 Q1 Bond Funds and appropriating \$2,842,818.83 from the Unappropriated Fund Balance in the General Obligation Series 2018 and 2021 Q1 Bond Funds to the North Green Hills Road Reconstruction Project account;; authorizing execution of a \$16,411,574.28 contract with Leavenworth Excavating for the project; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, North Green Hills Road was constructed in the 1940's as a rural two-lane road with eleven-foot lanes and narrow gravel shoulders, and as the area has urbanized this does not meet City standards for safe horizontal and vertical geometry and forces pedestrians who are accessing employment and transit service along North Barry Road to walk on the narrow gravel shoulders or in the street, and

WHEREAS, N.W. 68th Street reconstruction was recently completed under budget and funding is available to assist with completing the North Green Hills Road reconstruction and the proposed improvements are a two/three lane street reconstruction with sidewalks and a sidewalk trail, and will complete reconstruction of Green Hills Road between N.W. 68th Street and Barry Road as outlined in the 2006 N.W. Waukomis Drive/North Green Hills Improvement study; and

WHEREAS, bids were opened on January 10, 2023 and work will include the roadway reconstruction to current urban standards and replacement of the KCI Water Transmission Main; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the sum of \$2,842,818.83 is hereby reduced in the GO Bond 2021 and 2018 Q1 Funds:

AL-3521-898012-B-89008842	N.W. 68th Street Reconstruction	\$2,838,318.07
AL-3518-898012-B-89008842	N.W. 68th Street Reconstruction	<u>4,500.76</u>
	TOTAL:	\$2,842,818.83

Section 2. That the sum of \$2,842,818.83 is hereby appropriated from the Unappropriated Fund Balance to the following account of the GO Bond 2021 and 2018 Q1 Funds:

AL-3521-898012-B-89008087	North Green Hills Road Reconstruction	\$2,838,318.07
AL-3518-898012-B-89008087	North Green Hills Road Reconstruction	<u>4,500.76</u>
	TOTAL:	\$2,842,818.76

Section 3. That the Director of Public Works is hereby authorized to execute a construction contract in the amount of \$16,411,574.28 contract with Leavenworth Excavating Inc for Project Nos. 89008087 and 80001799, North Green Hills Road Reconstruction - N.W. 78th Street to Barry Road from funds hereby appropriated from the following accounts:

AL-3521-898012-B-89008087	North Green Hills Road Reconstruction	\$ 2,838,318.07
AL-3518-898012-B-89008087	North Green Hills Road Reconstruction	4,500.76
AL-3522-898012-B-89008087	North Green Hills Road Reconstruction	7,575,951.53
23-3090-898012-B-89008087	North Green Hills Road Reconstruction	457,953.92
23-3090-898201-B-89008087	North Green Hills Road Reconstruction	12,584.00
23-8010-807701-B-80001799	North Green Hills Watermain Phase 2	<u>5,522,266.00</u>
	TOTAL:	\$16,411,574.28

A copy of the contract is on file in the office of the Director of Public Works.

Section 4. That this ordinance, relating to the design, repair, maintenance or construction of a public improvement, is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(D) of the City Charter and shall take effect in accordance with Section 503, City Charter.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Dustin E. Johnson
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Public Works

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Reducing an appropriation in the amount of \$2,842,818.83 in the General Obligation Series 2018 and 2021 Q1 Bond Funds and appropriating \$2,842,818.83 from the Unappropriated Fund Balance in the General Obligation Series 2018 and 2021 Q1 Bond Funds to the North Green Hills Road Reconstruction project account;; waiving certain requirements of Section 3-455, Code of Ordinances in connection with the submittal of the contractor utilization plan; authorizing execution of a \$16,072,885.85 contract with Pyramid Contractors, Inc. for the project; and recognizing this ordinance as having an accelerated effective date.

..

Discussion

North Green Hills Road was constructed in the 1940's as a rural two-lane road with eleven-foot lanes and narrow gravel shoulders. As the area has developed, it no longer meets the needs of the traveling public nor does it meet current City standards for safe horizontal and vertical geometry. It also lacks accommodations for bicycles and pedestrians and forces pedestrians who are accessing employment and transit service along Barry Road to walk on the narrow gravel shoulders or in the street.

NW 68th Street reconstruction was recently completed under budget and funding is available to address a shortfall in funding to award the construction contract with the North Green Hills Road reconstruction. The proposed improvements are a two/three lane street reconstruction with sidewalks and a sidewalk trail and will complete reconstruction of Green Hills Road between NW 68th Street and Barry Road as outlined in the 2006 NW Waukomis Drive/North Green Hills Improvement study.

Bids were opened on January 10, 2023 and work will include the roadway reconstruction to current urban standards and replacement of the KCI Water Transmission Main in coordination with the Water Services Department.

MBE/WBE goals have been established at 15% / 7%. Pyramid Contractors, Inc's contractor utilization plan includes MBE firm Redford Construction to construct the water line at 30% and WBE firm Julius Kaaz Construction to construct the Concrete Flatwork at 7%.

Fiscal Impact

- 1. Is this legislation included in the adopted budget? Yes No
- 2. What is the funding source?



City of Kansas City, Missouri

Docket Memo

3518 – GO Bond 3518 Q1; 3521 - GO Bond 2021 Q1 , 3522 - GO Bond 2022 Q1, 3090 - Capital Improvements.Roadways CD2, 8010 Fund - Water Main Relocation

3. How does the legislation affect the current fiscal year?

Encumbers funds previously appropriated. No impact to current fiscal year

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

The new roadway will reduce current pavement maintenance costs. New assets including trail, sidewalk and retaining wall will minimally increase ongoing maintenance costs.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No

2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):



City of Kansas City, Missouri

Docket Memo

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

Ordinances 140180 and 170854 authorized contract amendments with Walter P. Moore for the design of N Green Hills from NE 78th to Barry Road. Ordinances 210540 & 211113 authorized condemnation of private property interests for public use on this project.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?
This legislation will increase access to sidewalks and walking trails for residents, allowing for greater opportunity for physical activity
2. How have those groups been engaged and involved in the development of this ordinance?
Ongoing public outreach throughout design - 2 or 3 general public meetings and multiple meetings on site with individual property owners
3. How does this legislation contribute to a sustainable Kansas City?
The project replaces open ditches with a more environmentally, sustainable underground stormwater system, encourages non-vehicular transportation with a sidewalk and trail, and includes an energy efficient LED lighting system.



City of Kansas City, Missouri

Docket Memo

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Yes



MBE/WBE/DBE Contract Goals Request

Date: December 16, 2021
 To: Andrea Dorch, Civil Rights & Equal Opportunity Department
 From: Katy Steinbacher, Public Works Department

Project Number	Project Name	
89008087	N Green Hills Rd., 78th Street to Barry Rd.	
Contract ID Number	Estimated Cost: (cost breakdown attached)	Solicitation Date:
	\$ 8,029,775.00	Bid
Estimated Project Duration: 20 months		

Note: Click the box to select

<input checked="" type="checkbox"/> FICB PREVAILING WAGE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
Contract Category:	<input checked="" type="checkbox"/> Construction	<input type="checkbox"/> Design-Build	<input type="checkbox"/> Non-Municipal Agency
	<input type="checkbox"/> Design Professional	<input type="checkbox"/> Other Goods & Services	<input type="checkbox"/> Lease
	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Facilities Maintenance/Repair	<input type="checkbox"/> Tenant (MBE/WBE)
	<input type="checkbox"/> Other (Enter Type):		<input type="checkbox"/> Concession
Type:	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment No.		
Funding:	<input checked="" type="checkbox"/> City(MBE/WBE) <input type="checkbox"/> Federal (DBE) <input type="checkbox"/> State (DBE)		
	<input type="checkbox"/> Other: <input type="checkbox"/> Grant#		
Construction Workforce Goals: Are the estimated construction labor hours greater than 800 and the estimated cost greater than \$300,000? If yes, complete "Required Crafts" Worksheet and include total number of hours in Description of Work.			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Estimated Cost Breakdown attached - Page 2		<input checked="" type="checkbox"/> List of Required Crafts attached - Page 3	

Description of work:

This project continues improvements to N. Green Hills Rd., connecting to the current project being constructed south of this location. It will widen and re-grade the vertical curves along N. Green Hills Rd. to address safety concerns; will add sidewalk and multi-use path to support pedestrian and bicycle traffic; and include underground stormwater collection and conveyance and LED lighting to increase environmental sustainability.

cc: _____

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT USE ONLY:	
<input type="checkbox"/> No Goals are set for this Project; OR	
<input checked="" type="checkbox"/> The following Goals are approved for this Project	15 % MBE 7 % WBE OR _____ % DBE
Civil Rights & Equal Opportunity Department	DocuSigned by: Date: 12/22/2021

FOR FAIRNESS IN CONSTRUCTION BOARD USE ONLY ²		<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A
Per City Code #210991 N/A		_____		
		Date		
FOR GRANT AGENCY USE ONLY ³		<input type="checkbox"/> Approved	<input type="checkbox"/> Disapproved	<input type="checkbox"/> N/A

		Date		

¹ DBE Programs apply to specific federal or state grant requirements.

² For Projects subject to prevailing wage requirements only.

³ Federal and state grant agreements may require granting agency approval of contract goals.

Based on availability analysis and historical data.

Project Number 89008087
N. Green Hills Road, 78th Street to Barry Road
12/20/2020

Summary of Estimated Construction Costs

Roadway Construction	\$ 2,312,775.00
Concrete Sidewalk & Trail	\$ 250,000.00
Reinforced Concrete Box Construction	\$ 567,000.00
Big Block Retaining Wall Construction	\$ 1,700,000.00
Water Transmission Main Installation	\$ 3,200,000.00
Total Construction Cost	\$ 8,029,775.00

Inter-Departmental Communication

230315

Date: May 9, 2023

To: Mayor Quinton Lucas, Chair: Transportation, Infrastructure & Operations Committee

From: Edwina Jones; Interim Director; Civil Rights & Equal Opportunity Department

Subject: Docket Memo #: 230315

CONTRACTOR: Leavenworth Excavating & Equipment Co., Inc.
 Address: 5037 S. 4th St.
 Leavenworth, KS 66048
 Contract # 89008087 – N. Green Hills Rd. Improvements
 Contract Amount: \$16,411,574.28
 MBE Goal 15%
 WBE Goal: 7%
 Total MBE Achieved: 30%
 Total WBE Achieved: 7%

MBE SUBCONTRACTORS:
 Name: Redford Construction, Inc.
 Address: 17322 S. State Route 291
 Pleasant Hill, MO 64080
 Scope of Work: 6" / 36" Water Mains
 Dollar Amount: \$4,985,600
 Ownership: Redford, Stan
 Structure: Native American Male Code 17

WBE SUBCONTRACTORS:
 Name: Julius Kaaz Construction Co., Inc.
 Address: 716 Cherokee St.
 Leavenworth, KS 66048
 Scope of Work: Concrete Flatwork
 Dollar Amount: \$1,140,000
 Ownership: Kaaz, Jody
 Structure: Caucasian Female Code 27

Comments:
 The goals for this project were set based on the previous goal setting methodology (per City Code #210991) and the project was delayed.



File #: 230265

ORDINANCE NO. 230265

Sponsor: City Manager

Authorizing the City Manager to negotiate and execute a sale and development agreement in accordance with the terms described herein with Kansas City Southern and Americo for the sale and development of the City-owned properties located at 1200 and 1210 Broadway Boulevard.

WHEREAS, the City of Kansas City, Missouri owns the parcels of real property located at 1200 and 1210 Broadway Boulevard in Kansas City, Jackson County, Missouri (the “Properties”); and

WHEREAS, the City issued a public Request for Proposals (“RFP”) on September 9, 2022, soliciting proposals for the purchase and development of the Properties; and

WHEREAS, the City received three responses to the RFP; and

WHEREAS, the City’s selection committee reviewed all proposals submitted in response to the RFP and recommended the proposal submitted by Kansas City Southern and Americo (“Co-Developers”); and

WHEREAS, the City and the Co-Developers wish to enter into a sale and development agreement to allow for the redevelopment of the Properties, which shall incorporate certain terms described herein; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Selection Committee’s recommendation to accept the proposal submitted by Kansas City Southern and Americo (“Co-Developers”) for the sale and redevelopment of the properties located at 1200 and 1210 Broadway Boulevard in Kansas City, Jackson County, Missouri, is hereby accepted.

Section 2. That the City Manager or designee is hereby authorized to negotiate and execute a sale and development agreement with the Co-Developers, or their affiliates, substantially in accordance with the following Term Sheet outlined in Exhibit A, attached hereto and incorporated herein, and to execute such amendments from time to time as he may deem advisable and are consistent with the objectives of this ordinance.

..end

Approved as to form:

Abigail Judah
Assistant City Attorney

City of Kansas City, Missouri



Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Mayor/Council's Office

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Authorizing the City Manager to negotiate and execute a sale and development agreement in accordance with the terms described herein with Kansas City Southern and Americo for the sale and development of the City-owned properties located at 1200 and 1210 Broadway Boulevard.

Discussion

The fiscal impact of this legislation is indeterminable at this time.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No

City of Kansas City, Missouri



Docket Memo

2. This fund has a structural imbalance.

Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?

City of Kansas City, Missouri



Docket Memo

N/A

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



File #: 230278

ORDINANCE NO. 230278

Sponsor: Director of the Aviation Department

Appropriating \$1,971,481.00 from the Unappropriated Fund Balance of the Aviation Fund; and authorizing a \$12,421,575.00 contract with Siemens Industry, Inc., for operations and maintenance service of low voltage systems in the single terminal facility at Kansas City International Airport.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the Aviation Department is hereby authorized to execute Contract No. 6222100050 in the amount of \$12,421,575.00 with Siemens Industry, Inc., for operations and maintenance service of low voltage systems in the single terminal facility at Kansas City International Airport. The expenditure of funds for the second through fifth years are subject to appropriation of funds.

Section 2. That the amount of \$1,971,481.00 is appropriated from the Unappropriated Fund Balance of the Aviation Fund to the following account:

23-8300-622310-B-611016	Building Security Maintenance	\$1,971,481.00
-------------------------	-------------------------------	----------------

Section 3. That the Director of the Aviation Department is authorized to expend an amount not to exceed \$12,421,575.00 to satisfy the costs of the contract without further Council approval, subject to the appropriation of funds.

..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Charlotte Ferns
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Aviation

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Appropriating \$1,971,481 from the Unappropriated Fund Balance of the Aviation Fund; and authorizing a \$12,421,575 contract with Siemens Industry, Inc. for operations and maintenance service of low voltage systems in the single terminal facility at Kansas City International Airport.

Discussion

This contract with Siemens Industry, Inc. will provide for operations and maintenance service of low voltage systems in the single terminal facility at Kansas City International Airport.

The contract began on February 13, 2023 and shall end no later than February 14, 2028. The maximum amount that City shall pay Contractor under this Contract shall not exceed twelve million four hundred twenty one thousand five hundred seventy five dollars (\$12,421,575) as follows:

Year 1	February 13, 2023 – February 14, 2024	\$1,971,481
Year 2	February 15, 2024 – February 14, 2025	\$2,400,221
Year 3	February 15, 2025 – February 14, 2026	\$2,432,432
Year 4	February 15, 2026 – February 14, 2027	\$2,654,088
Year 5	February 15, 2027 – February 14, 2028	\$2,721,614

Sole Brand Procurement was approved on 11/1/22. CREO initially assigned 10%MBE and 10%WBE goals to this project on 12/6/22. The Contractor Utilization Plan was approved with ___%MBE and ___%WBE goals on 3/__/23.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

The Funding Source will be the Unappropriated Fund Balance of the Aviation Fund.

3. How does the legislation affect the current fiscal year?

The first year began on or about February 13, 2023 and will end February 14, 2024.



City of Kansas City, Missouri

Docket Memo

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Year 1	February 13, 2023 – February 14, 2024	\$1,971,481
Year 2	February 15, 2024 – February 14, 2025	\$2,400,221
Year 3	February 15, 2025 – February 14, 2026	\$2,432,432
Year 4	February 15, 2026 – February 14, 2027	\$2,654,088
Year 5	February 15, 2027 – February 14, 2028	\$2,721,614

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

Legislation provides for routine and preventative maintenance of City owned equipment in the single terminal facility.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No
2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

N/A

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth



City of Kansas City, Missouri

Docket Memo

- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

N/A

Service Level Impacts

This Contract supports the Aviation Department's goal to provide efficient and satisfactory services and facilities for passengers and visitors.

Other Impacts

1. What will be the potential health impacts to any affected groups?
There are no known potential health impacts to any affected group.
2. How have those groups been engaged and involved in the development of this ordinance?
N/A
3. How does this legislation contribute to a sustainable Kansas City?
This Contract supports our goal to maintain and improve the Airport's infrastructure to assure that Kansas City International Airport operates in a safe and efficient manner.
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?
Yes.
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?
Yes.

**Civil Rights & Equal Opportunity Department
Economic Equity & Inclusion
Contract Goals Request**

Date: 10/28/2022
Form Prepared By: Jill Ronk

Contract/Project Number: 6222100050	Project Name: Low Voltage Systems at KCI
Owning Department: Aviation	Project Manager: Ian Redhead
Funding: <input checked="" type="checkbox"/> City <input type="checkbox"/> State <input type="checkbox"/> Federal <input type="checkbox"/> CO-OP <input type="checkbox"/> Grant: <input type="checkbox"/> Other:	
Project Requirements: <input checked="" type="checkbox"/> M/WBE <input type="checkbox"/> DBE <input type="checkbox"/> Section 3 <input type="checkbox"/> N/A	
Tax Incentive: <input type="checkbox"/> LCRA <input type="checkbox"/> TIF <input type="checkbox"/> PIEA <input type="checkbox"/> N/A <input type="checkbox"/> Other:	
Prevailing Wage: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Davis-Bacon: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Presenting to Council ¹ : <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Construction Employment Program: <input type="checkbox"/> Yes: Workforce employment goals are 10% minority hours & 2% female hours. This project is estimated at over 800 work hours and over \$300,000 <input checked="" type="checkbox"/> No: This project is estimated at less than \$300,000 and no more than 800 work hours.	
Estimated Number of Project Days: 5+ years	Anticipated Solicitation Date: Requesting Waiver

Note: Click the box to select

Contract Type:

Construction Design-Build Design Professional Professional Services
 General Service Concession Other Goods & Services Non-Municipal Agency
 Co-Operative Revenue Sharing Facilities Maintenance/Repair/Renovation
 Other:

Description of Contract (Provide Details): Operations and maintenance service agreement with SIEMENS to uphold warranty obligation for purchased sole brand low voltage systems in the new single terminal facility. Due to the sensitive nature and physical location of the systems, agreement will require Airport security badging. A more detailed summary of scope of service is attached and detailed contractor proposal is available upon request from KCAD. Please note that due to the proprietary nature of this system, KCAD is currently seeing a procurement waiver for this agreement.

Aviation is not seeking for goals to be waived for this contractor. We simply need goals to be assigned so that contractor can respond with CUP and/or request a waiver by submitting LOIs and Good Faith Efforts. The only waiver Aviation seeks for this contract at this time is a sole source procurement waiver since it is a part of the new terminal project. Aviation does not seek to waive M/WBE goals at this time. It is very possible that Siemens could use subcontractors but a goal needs to be established before that information can be provided.

Pursuant to RSMo. Section 610.021(11) & (12) documents related to bids will not be made available until bids are completed.

This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).

FOR GENERAL SERVICES DEPARTMENT (PROCUREMENT) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No

Waiver being applied? Yes No Type: _____

According to CREO Annual Goal Manual, the Goals for this project are:

_____ % MBE	_____ % WBE	_____ % DBE
-------------	-------------	-------------

Electronic Record? Yes No

GSD Signature: _____ Date: _____

FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:

Reviewed CREO Annual Goal Manual? Yes No N/A

The following Goals are approved for this Project:

10 % MBE	10 % WBE	_____ % DBE
----------	----------	-------------

No Goals are set for this Project: Waiver Approved Waiver Denied

Reason for Waiver: _____

Electronic Record? Yes No

CREO Signature  Date: 12/6/2022



¹ Contractor Utilization Plan (CUP) must be submitted to CREO prior to being posted on docket for review & approval from Council.
CREO 01 EEI Contract Goals Request REV. 10-26-2022

The Prime should make good faith efforts to achieve the stated goals whenever subcontracting opportunities arise. When self-performance is used in lieu of contracting, the Prime must document the same in order to be compliant with the program.



File #: 230300

ORDINANCE NO. 230300

Sponsor: Director of the Health Department

Providing for submission to the qualified voters of the City for their approval at an election called for Tuesday, August 8, 2023, the question of amending Chapter 34, Code of Ordinances, entitled "Health and Sanitation," by enacting a new Article XX, entitled "Childcare Facilities;" authorizing and directing the City Clerk to notify the responsible election authorities of this election; and date.

WHEREAS, by creating and implementing a local ordinance, the Health Department will have the capability to conduct inspections of these facilities to ensure that children are cared for in a safe and healthful environment; and

WHEREAS, the new Chapter 34, Article XX would not only allow for inspections to focus on areas like disease prevention, safe food handling, safe storage of toxic agents, cleaners, and medication, it would also focus on Elijah's law; and

WHEREAS, Elijah's law is the incorporation of preventing, recognizing, and responding to life-threatening anaphylactic reactions for children in childcare facilities. This law is named after 3-year-old Elijah Silvera from New York City who was given a grilled cheese sandwich despite having a known severe dairy allergy. Elijah went into anaphylaxis and died in November of 2017. The implementation of Elijah's law into a local ordinance could provide potentially life-saving measures to prevent further tragedies; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. **ELECTION CALLED.** That an election is called on Tuesday, August 8, 2023 for the purpose of submitting to the qualified voters of the City the question of enacting a childcare facility inspection ordinance.

Section 2. **BALLOT TITLE.** The ballot title shall be:

QUESTION ____
(Childcare Facility Inspection Program)

Shall the City of Kansas City create a childcare facility inspection program to protect the public health, safety and welfare in childcare facilities by enacting and enforcing minimum health and safety standards and be authorized to establish the

following fees to be paid by the facility owner or owner’s agent for permitting, inspecting and regulating childcare facilities?

Application Fee. A fee of fifty (\$50.00) dollars for each childcare facility due at time of submission of the initial application for the permit.

Annual Permit Fee to operate, Reinstatement Fees for the reinstatement of any permits that have been suspended, and Reinspection Fees based upon the number of active children registered with the facility.

Active Childcare	Annual Permit Fee	Reinspection Fee	Reinstatement Fee
0-50 Children	\$157.00	\$75.00	\$75.00
51-100 Children	\$220.00	\$100.00	\$100.00
101-200 Children	\$282.00	\$120.00	\$120.00
201-300 Children	\$376.00	\$120.00	\$120.00
300 + Children	\$564.00	\$150.00	\$150.00
Home Childcare	\$125.00	\$75.00	\$75.00

Late fee. A fee of fifty (\$50.00) dollars for each childcare facility shall be assessed per month for fees not paid when due.

Adjustment of Fees. Authority to adjust the above listed fees annually to reflect the change in the consumer price index (CPI) for all items/all urban consumers/Kansas City, Missouri-Kansas, published by the United States Department of Labor, Bureau of Labor Statistics. The City is also authorized to make cumulative adjustments for those years in which fees were not previously adjusted.

YES NO

Section 3. **NOTICE TO ELECTION AUTHORITIES BY CITY CLERK.** That following passage of this ordinance the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, on or before May 30, 2023, which shall be the authority of each election authority of the City to submit the question to the electors of Kansas City and to give public notice as provided by law.

Section 4. **Notice of Election.** That the notice of election shall read as follows:

NOTICE OF ELECTION

KANSAS CITY, MISSOURI

Notice is hereby given that the City of Kansas City has called an election to be held in said City on Tuesday, August 8, 2023 between the hours of 6:00 a.m. and 7:00 p.m., at which election all qualified voters residing withing Kansas City, Missouri will be given the opportunity to vote.

The official ballot will be in substantially the following form:

OFFICIAL BALLOT
CITY OF KANSAS CITY
QUESTION ____
(Childcare Facility Inspection Program)

Shall the City of Kansas City create a childcare facility inspection program to protect the public health, safety and welfare in childcare facilities by enacting and enforcing minimum health and safety standards and be authorized to establish the following fees to be paid by the facility owner or owner’s agent for permitting, inspecting and regulating childcare facilities?

Application Fee. A fee of fifty (\$50.00) dollars for each childcare facility due at time of submission of the initial application for the permit.

Annual Permit Fee to operate, Reinstatement Fees for the reinstatement of any permits that have been suspended, and Reinspection Fees based upon the number of active children registered with the facility.

Active Childcare	Annual Permit Fee	Reinspection Fee	Reinstatement Fee
0-50 Children	\$157.00	\$75.00	\$75.00
51-100 Children	\$220.00	\$100.00	\$100.00
101-200 Children	\$283.00	\$120.00	\$120.00
201-300 Children	\$377.00	\$120.00	\$120.00
300 + Children	\$565.00	\$150.00	\$150.00
Home Childcare	\$126.00	\$75.00	\$75.00

Late fee. A fee of fifty (\$50.00) dollars for each childcare facility shall be assessed per month for fees not paid when due.

Adjustment of Fees. Authority to adjust the above listed fees annually to reflect the change in the consumer price index (CPI) for all items/all urban consumers/Kansas City, Missouri-Kansas, published by the United States

Department of Labor, Bureau of Labor Statistics. The City is also authorized to make cumulative adjustments for those years in which fees were not previously adjusted.

___ YES ___ NO

[Instructions to voters will be supplied by the election authorities]

A full and complete copy of the ordinance submitting the above proposition to the electorate is on file in the office of City Clerk of Kansas City, Missouri where it is open for inspection and copying.

The polling places for the election will be [insert list of polling places in last publication only].

=====

A full and complete copy of this ordinance, submitting the above proposition to the electorate is on file in the office of the City Clerk of Kansas City, Missouri where it is open for inspection and copying.

The polling places for the election will be [insert list of polling places in last publication only].

=====

I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, Revised Statutes of Missouri.

Given under my hand and the official seal of the City of Kansas City, Missouri, this ___ day of _____, 20__.

(SEAL)

MARILYN SANDERS
City Clerk, City of Kansas City, Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk of the City of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

Notary Public _____

My commission expires: _____

Section 5. **ENACTMENT OF ORDINANCE.** That contingent upon the approval of the voters a new Article XX, Chapter 34, Code of Ordinances, entitled "Childcare Facilities," is enacted to read as follows:

**ARTICLE XX.
CHILDCARE FACILITIES**

DIVISION 1: GENERALLY.

Sec 34-875. Purpose and Intent of Article.

The purpose of the Childcare Inspection Program is to protect the public health, safety and welfare in childcare operations through the establishment of minimum health and safety standards. This article:

- (1) establishes minimum standards that may include:
 - (a) basic utilities and facilities;
 - (b) ventilation and heating;
 - (c) safety from fire;
 - (d) safe and sanitary maintenance of all childcare facilities; and
 - (e) life-saving measures;
- (2) provides for the registration and permitting for childcare facilities; and
- (3) provides for administration and enforcement.

Sec. 34-876. Definitions.

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

Caregiver is the facility director, childcare provider, or other childcare staff whether they are paid or volunteering.

Childcare is the care of a child away from their own home for any part of the day or night.

Childcare facility means any residence, building, group of buildings, structure, establishment, place, or places of business where care is provided for children not related to the childcare provider for any part of the twenty-four (24) hour day.

Childcare Provider or Provider is the person(s) permitted or required to be permitted in order to establish, conduct, or maintain a childcare facility. This person(s) shall have the following rights and responsibilities:

- (1) Ultimate responsibility for making and implementing decisions regarding the operation of the facility and;
- (2) Ultimate financial control of the operation of the facility.

Code, when used in the context of this article, refers to both this article and the *Rules and Regulations Handbook* for childcare facilities in Kansas City, Missouri.

Daycare is a synonymous term for childcare.

Director is the director of the Kansas City, Missouri Health Department or his or her designee.

Employee means the permit holder, person in charge, childcare employee, person having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or other person working in a childcare facility.

Health hazard violation means a violation when in noncompliance, is more likely than other violations to contribute to injury, illness, or environmental health hazards.

Law means applicable local, state, and federal statutes, regulations, and ordinances.

Non-health hazard violation means a violation that poses a lesser threat to health and safety, but negatively affects health, and if left unaddressed, could become a health hazard violation.

Permit means a permit issued by the Director that authorizes a person to operate a childcare facility.

Permit Holder means the entity that 1) is legally responsible for the operation of the childcare facility such as the owner, the owner's agent, or other person; and 2) possesses a valid permit to operate a childcare facility.

Person means an association, corporation, individual, firm, partnership, other legal entity, government, governmental subdivision or agency.

Premises is a house(s), dwelling(s), or building(s) and its adjoining land.

Regulatory Authority means the Director of Health or his or her authorized representative.

Re-inspection means an inspection conducted by the director to ensure corrective action is taken by fee permit holder subsequent to a previous inspection where noncompliance or violations of this article were found.

Related is any of the following relationships by marriage, blood, or adoption between the provider and the children in care: parent, grandparent, great-grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, niece, nephew, or first cousin.

Summer Day camp is a program operated from May to September by a person or organization with the primary function of providing a summer recreational program for children no younger than five (5) years of age and providing no day care for children younger than five (5) years of age in the same building or in the same outdoor play area.

DIVISION 2. APPLICATION AND PERMITTING PROCESS

Sec. 34-877. Permit Required.

A person may not offer childcare services without a valid childcare permit issued by the Director. All entities now or hereafter owning, operating, or managing a childcare facility, shall obtain a childcare permit for each childcare facility from the Director. The Director shall issue the permit only after the applicant has submitted the application in its entirety with required documentation.

The Provisions of this article do not apply to any person who has been duly appointed guardian by a court of competent jurisdiction of the person of the child or children, or the person who has legal custody of the child or children;

Sec. 34-878. Conditions on Permits.

The Director is authorized and directed to endorse on the childcare permit such conditions and requirements which in their best judgement and discretion are necessary for the protection of the health and safety of the childcare facilities in Kansas City and which carry out the scope, purpose, and intent of this article. Such conditions and requirements shall conform as closely as possible to the rules and regulations promulgated by the Director but shall not be so strictly construed as to cause hardship upon any applicant.

Sec. 34-879. Duties of Permit Holder.

Upon receipt of a permit issued by the Director, in order to retain the permit, the permit holder shall:

- (1) Comply with all provisions of this article and the rules and regulations promulgated by the Director, as such provisions, rules and regulations may be amended from time to time, and also each and every condition and requirement

endorsed upon such permit or any renewal thereof issued, as such conditions and requirements may be amended by the Director;

- (2) Immediately notify the Director if a life-threatening violation may exist because of an emergency such as a fire, flood, extended interruption of electrical or water service, sewage backup, gross unsanitary occurrence or condition, or other circumstance that may endanger health;
- (3) Subject to subsection Section 34-883, allow representatives of the Director access to the childcare facility for inspections, emergencies, and when a life-threatening violation may exist;
- (4) Comply with directives of the Director including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives issued by the Director in regard to the permit holder's childcare facility, or in response to community emergencies;
- (5) Accept notices issued and served by the Director according to law;
- (6) Be subject to the regulatory, civil, injunctive, and criminal remedies authorized in law for failure to comply with this article or a directive of the Director, including time frames for corrective actions specified in inspection reports, notices, orders, warnings, and other directives.

Sec. 34-880. Qualifications and Responsibilities of Applicant.

To qualify for a permit, the applicant shall:

- (1) Be an owner of the childcare facility, or owner's agent who is responsible for the operation of the childcare facility;
- (2) Comply with the requirements of this article;
- (3) Agree to allow representatives of the Director access to the childcare facility for the purpose of inspections made pursuant to this article;
- (4) Pay the applicable permit fees at the time the application is submitted.

Sec. 34-881. Denial of Application for Permit; Notice.

If an application for a permit or permit renewal to operate is denied, the Director shall provide the applicant with a notice that includes:

- (1) The specific reasons and Code or regulations citations, if any, for the permit denial;

- (2) The actions, if any, that the applicant must take to qualify for a permit; and
- (3) Notice of the applicant's right of appeal and the process and time frames for appeal.

Sec. 34-882. Fees.

- (1) *Fee Schedule.* All fees shall be paid in accordance with the current fee schedule. The below fees are the fees current at the time of passage.

Active Childcare	Initial Application Fee	Annual Permit Fee	Reinspection Fee	Reinstatement Fee
0-50 Children	\$50.00	\$157.00	\$75.00	\$75.00
51-100 Children	\$50.00	\$220.00	\$100.00	\$100.00
101-200 Children	\$50.00	\$283.00	\$120.00	\$120.00
201-300 Children	\$50.00	\$377.00	\$120.00	\$120.00
300 + Children	\$50.00	\$565.00	\$150.00	\$150.00
Home Childcare	\$50.00	\$126.00	\$75.00	\$75.00

- (2) *Initial application fee.* A fee of \$50.00 for each childcare facility is due at time of submission of the initial application for the permit.
- (3) *Annual permit fee.* All permits are annual permits and shall be valid from January 1 through December 31. The fee is due at the time of submission of the initial or renewal application for a permit, which shall be on or before December 31.
- (4) *Payment of fee.* All fees must be paid when due by the permit holder.
- (5) *Late fee.* A \$50.00 fee shall be assessed per month for fees not paid when due.
- (6) *Permit renewals.* Permit holders that have not paid fees within 90 days of the date due may be subject to permit suspension until all fees have been paid.
- (7) *Re-inspection Fee:* The regulatory authority shall assign a fee when a re-inspection is assigned based on the number of children.
- (8) *Reinstatement fees.* For properties that have had a permit suspended following action taken by a provision of this article, a reinstatement fee shall be assessed to reinstate the permit.

- (9) *CPI adjustments.* The Director shall have the authority to annually adjust all fees in this article to reflect an increase equal to an increase in the consumer price index (all items/all urban consumers/Kansas City, Missouri-Kansas) published by the United States Department of Labor, Bureau of Labor Statistics. The authorization for the Director to annually increase fees shall be cumulative and the failure of the Director to raise fees in any one year shall not waive the Director's authority to cumulatively raise fees by the consumer price index for missed years. The adjustments, if made, shall be made by the Director of Health in conjunction with the adoption of the annual budget of the city.
- (10) *Renewals.* The Director will renew an existing permit once the permit fee has been received by the Director regardless of whether an inspection has occurred. Suspended permits shall not be renewed until all conditions that warranted the suspension are abated. Revoked permits cannot be renewed.
- (11) *Refunds.* There shall be no refund of any fee paid pursuant to this section.
- (12) *Remaining Funds for Elijah's Law.* One hundred percent (100%) of any funds remaining after administrative program expenses shall be allocated to support the efforts of Elijah's Law, including the purchase, distribution, and education of epinephrine auto injectors to facilities and/or any other childcare safety initiatives, as determined by the Director.

**DIVISION 3.
INSPECTIONS AND ENFORCEMENT**

Sec. 34-883. Inspections.

- (1) *Inspection and reporting required.* The Director shall cause periodic inspections to be made of all childcare facilities regulated under this article to ensure that the holder of the operating permit issued under this article is complying with its provisions, the rules and regulations promulgated by the Director, as they may be amended from time to time, and the conditions and requirements set forth in the operating permit issued for the particular facility for which the permit was issued or renewed.
- (2) The person operating a childcare facility shall, upon the request of the Director and after proper identification, permit access to all parts of the facility at any reasonable time for the purpose of inspecting and shall exhibit a copy of records or information to check or show compliance with these regulations.
- (3) *Allowed access at reasonable times after due notice.* After the Director presents official credentials and provides notice of the purpose of, and an intent to conduct an inspection, the person in charge shall allow the Director to determine if the childcare facility is in compliance with this Code by allowing access to the facility, allowing inspection, and providing information and records specified in

this Code and to which the Director is entitled according to law, during the childcare facility's hours of operation and other reasonable times.

- (4) *Refusal; notification of right to access; final request for access.* If a person denies access to the Director, the Director shall:
 - a. Inform the person that the permit holder is required to allow access to the Director as specified under this Code;
 - b. Access is a condition of the acceptance and retention of a childcare facility permit to operate; and
 - c. If access is denied, an order issued by the appropriate authority allowing access, hereinafter referred to as an inspection order, may be obtained according to law; and
 - d. Make a final request for access.
- (5) *Refusal; reporting.* If after the Director presents credentials and provides notice, explains the authority upon which access is requested, and makes a final request for access, the person in charge continues to refuse access, the Director shall provide details of the denial of access on an inspection report form.
- (6) *Inspection order to gain access.* If denied access to a childcare facility for an authorized purpose, the Director may:
 - a. Issue, or apply for the issuance of, an inspection order to gain access as provided in law; or
 - b. Issue permit summary suspension order.

Sec. 34-884. Inspection Frequency Interval.

- (1) The Director shall inspect a childcare facility at intervals averaging 12 months.
- (2) The Director may inspect more frequently than 12-month averages based on:
 - a. Past performance, for nonconformance with Code;
 - b. Past performance, for numerous or repeat violations of Code;
 - c. Past performance, for repeat complaints; or
 - d. Type of operation.

Sec. 34-885. Non-health-hazardous or non-life-threatening Violations; Opportunity to Correct.

During an inspection, if the Director discovers that a permit holder has failed to comply with this article or the rules and regulations established by the Director, and the violation is not life-threatening or a potentially serious health hazard, they shall:

- (1) Inform the permit holder, their agent, or employee in writing that violation(s) exist;
- (2) Allow the permit holder an opportunity to correct the violations within a reasonable period, as determined by the Director; and,
- (3) Re-inspect the childcare facility to determine if the violation(s) still exist.

Sec. 34-886. Health-hazardous violations; Opportunity to Correct.

During an inspection, if the Director discovers that a permit holder has failed to comply with this article or the rules and regulations established by the Director, and the violation is a health hazardous violation, they shall:

- (1) Inform the permit holder, their agent, or employee in writing that violation(s) exist;
- (2) Allow the permit holder an opportunity to correct the violations within a reasonable period, as determined by the Director; and,
- (3) Re-inspect the childcare facility to determine if the violation(s) still exist.

Sec. 34-887. Life-threatening Violations; Opportunity to Correct.

During an inspection, if the Director discovers that a permit holder has failed to comply with this article or the rules and regulations established by the Director, and the violation is life-threatening, they shall:

- (1) Inform the permit holder or their agent, or employee in writing that a violation exists;
- (2) Allow the permit holder to immediately correct cited violations and eliminate the existing life-threatening violation; or
- (3) Suspend the permit and/or immediately lock, secure or close the area of violation;
- (4) Re-inspect the childcare facility to determine if the violation still exists;

- a. In lieu of permit suspension after considering the nature of the potential hazard involved and the complexity of the corrective action needed, the Director may specify a longer time frame for the permit holder to correct health hazardous or life-threatening violations.

Sec. 34-888. Notice of Suspension; Conditions Warranting Action.

- (1) *Suspension.* The Director may summarily suspend a facility's permit by providing written notice of the summary suspension to the permit holder or person in charge, without prior warning, notice of hearing, or a hearing if and when:
 - a. The Director determines through inspection or other means as specified in the Rules and Regulations Handbook, that an actual or imminent health hazard exists;
 - b. Operations, facilities, or equipment in the childcare facility fail to comply with conditions specified in the Rules and Regulations Handbook;
 - c. The permit holder does not comply with regulations specified in this ordinance or the Rules and Regulations Handbook; or
 - d. Interference with the Director in the performance of his or her duties has occurred.
- (2) *Term of suspension; reinstatement of permit.* A summary of suspension shall remain in effect until the conditions cited in the notice of suspension no longer exist and their elimination has been confirmed by the Director through re-inspection and other means as appropriate. The Director may initiate any one of, or a combination of compliance methods that include but are not limited to:
 - a. Holding a regulatory conference with the provider or the person in charge;
 - b. Placing the childcare facility on probation;
 - c. Setting conditions for continued operation of the childcare facility by the permit holder, during the probation period.
- (3) *Time frame for reinstatement.* After receiving a written request from the permit holder stating that the conditions cited in the summary suspension order no longer exist, the Director shall conduct a reinstatement inspection of the childcare facility for which the permit was summarily suspended within two business days, which means two days during which the Director's office is open to the public.

Sec. 34-889. Revocation; Conditions Warranting Action.

- (1) The Director may revoke a childcare facility's permit after providing the permit holder an opportunity for a hearing if:
 - a. Serious and repeated violation(s) of any requirement of this ordinance according to the Rules and Regulations Handbook have occurred;
 - b. Repeated interference with, or assault upon the Director in the performance of their duty; or
 - c. Permit holder fails to comply with a permit suspension order.
- (2) *Revocation procedure; reinstatement of permit.* Before revocation, the Director shall notify, in writing, the permit holder of the specific reason(s) why the permit is to be revoked. The notice will state:
 - a. The permit was revoked at the end of ten calendar days following the notice unless a written request for a hearing is filed with the Director by the permit holder within such a ten-day period;
 - b. If a request for a hearing is not filed by the permit holder within the ten-day period, the revocation of the permit becomes final;
 - c. Any person whose childcare facility permit has been revoked by the Director, after a period of six months, may make written application for a new permit and request a hearing with the Director to determine whether a new permit will be issued; and,
- (3) Director may adopt and use a permit revocation process different than specified under provisions of this ordinance.

Sec. 34-890. Elijah's Law—Allergy Safety and Emergency

Childcare facilities must take concrete steps to manage food allergies for the children in their care. This includes, but is not limited to, developing emergency protocols, having communication plans for discussing food allergies with parents or guardians, having plans for preventing exposure and maintaining a current supply of epinephrine auto-injectors in accordance with the regulations issued by the Director.

Sec. 34-891. Duties of the Director.

The Director shall have the duty and responsibility of enforcing the provisions of this article and the rules and regulations promulgated by them, or any amendments in requirements or conditions of any permit issued under this article; and, in addition thereto, shall keep records of all operating permits issued or renewed and any changes thereof, prepare a form of application for such permit, cause an inspection of the premises to be made at any reasonable time of any permit holder, make any amendments to the conditions and requirements either before or after an

operating permit is issued, or do any other matter or thing necessary to carry out the intent, purpose and scope of this article and the rules and regulations promulgated under this article.

Sec. 34-892. Authority to Prescribe Additional Rules and Regulations.

- (1) *Scope of authority.* The Director shall formulate rules and regulations that will include provisions for food allergies and anaphylaxis policies and procedures, in alignment with Elijah’s Law, inspection process, method, and guidelines. Such rules, regulations, and policies shall be filed with the city clerk, and, when so filed, shall be in effect as part of this ordinance. Such rules may be modified or superseded by other rules and regulations filed by the Director from time to time.

- (2) *Scope of regulations.* The Director shall have power and authority to make provisions in such rules and regulations for health, sanitation and adequate childcare facility standards as such rules and regulations may appertain to each and every person required to be a holder of a permit under this article; and such provisions, conditions or requirements shall be subject to modification, deletions, additions or other changes or alterations as to any person required to be a holder of a permit as the Director may find and determine at any time.

Sec. 34-893—Sec. 34-899. Reserved.

Section 6. **Effective Date.** Due to the effectiveness of this article occurring after the regular permit year begins, the effective date of this new Article XX shall be January 1, 2024.

..end

Approved as to form:

Joseph A. Guarino
Senior Associate City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Health

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Providing for submission to the qualified voters of the City for their approval at an election called for Tuesday, August 8, 2023, the question of amending Chapter 34, Code of Ordinances, entitled "Health and Sanitation," by enacting a new Article XX, entitled "Childcare Facilities;" authorizing and directing the City Clerk to notify the responsible election authorities of this election; and date.

Discussion

Previously, all childcare inspections have been conducted through a contract with the Missouri Department of Health and Senior Services (MODHSS). On average, there are around 400 permitted childcare facilities operating in Kansas City, Missouri.

By creating and implementing a local ordinance, the Health Department will have the capability to conduct inspections of these facilities to ensure that children are cared for in a safe and healthful environment. This ordinance would not only allow for inspections to focus on areas like disease prevention, safe food handling, safe storage of toxic agents/cleaners/medication, it would also focus on Elijah's law.

Elijah's law is the incorporation of preventing, recognizing, and responding to life-threatening anaphylactic reactions for children in childcare facilities. This law is named after 3-year-old Elijah Silvera from New York City who was given a grilled cheese sandwich despite having a known severe dairy allergy. Elijah went into anaphylaxis and died in November of 2017. The implementation of Elijah's law into a local ordinance could provide potentially life-saving measures to prevent further tragedies.

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

TBD

3. How does the legislation affect the current fiscal year?

No fiscal impact



City of Kansas City, Missouri

Docket Memo

- 4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

Will provide revenue in future years. See attachment - Childcare Revenue Est. 2023.

- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

Generate revenue

Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund. Yes No
- 2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

City of Kansas City, Missouri

Docket Memo

Prior Legislation

Click or tap here to enter text.

Service Level Impacts

This is a fee-funded program, not bearing any additional fiscal impact on the City's tax dollars or Health Levy. Inspections have been and are currently conducted under a contract with the Missouri Department of Health and Senior Services. Staff are already trained to conduct sanitation inspections.

Other Impacts

1. What will be the potential health impacts to any affected groups?

By creating a local childcare ordinance, the Health Department will be able to permit, inspect, and respond to complaints on childcare facilities within the City. The potential health impacts on the children attending these facilities can be life-saving (Elijah's Law) and will ensure a healthy and safe environment for receiving care and those working the facilities.

2. How have those groups been engaged and involved in the development of this ordinance?

N/A.

3. How does this legislation contribute to a sustainable Kansas City?

This ordinance not only creates a safe and healthy environment for all childcare facilities in Kansas City, it creates a ripple effect that affects the health of Kansas Citians as a whole. By providing a safe and healthy childcare environment, parents are able to confidently drop their children off and not miss days of work. Less days missed at work, means more stable income within the household, and the benefits multiply vastly.

Additionally, having a safe and healthy environment for all childcare facilities within the City will promote health and wellness for not only the children attending

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



File #: 230322

ORDINANCE NO. 230322

Sponsor: Director of Public Works Department

Estimating and appropriating the amount of \$665,526.58 from the Capital Improvements Fund; authorizing execution of a contract with Transystems Corporation, in the amount of \$665,526.58 for construction inspection services for the N.W. Waukomis Drive Complete Streets Project from N.W. Englewood Road to NW 68th Street and establishing an effective date.

WHEREAS, on April 2, 2013, the voters of Platte County approved a county wide sales tax for 10 years for the purpose of financing transportation related projects, including, but not limited to, roads, bridges, drainage structures and sidewalk; and

WHEREAS, on July 14, 2016, City Council passed Ordinance 160514, authorizing a Cooperative Agreement with Platte County, Missouri for County construction projects on City roadways, whereby the City would fund and complete the design and right of way acquisition on joint projects and the County would pay for the construction of the improvements; and

WHEREAS, it is in the best interest of all the residents of Platte County and of the City to use apportion for the proceeds from this tax to finance the construction of certain improvements to N.W. Waukomis from Englewood to N.W. 68th Street; and

WHEREAS, the proposed improvements will connect the residents east of Waukomis Drive to Line Creek Trail, Line Creek Community Center, and Line Creek Elementary School with bike lanes and sidewalks; and will reduce traffic congestion and address safety concerns in front of Line Creek Elementary; and

WHEREAS, Platte County provides a portion of their Road & Bridge Tax to Cities in the County and funds are available to assist with completing the N.W. Waukomis Drive Complete Streets reconstruction between N.W. Englewood Blvd. to just north of N.W. 62nd Street; and

WHEREAS, bids were opened on January 24, 2023 and work will include the roadway reconstruction to current urban standards and replacement of the KCI Water Transmission Main; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That revenue is estimated in the following account of the Capital Improvement Sales Tax Fund in the following amount:

24-3090-120000-480170	Road& Bridge Tax – Platte Co.	\$665,526.28
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Section 2. That the sum of \$665,526.58 is hereby appropriated from the Unappropriated Fund Balance of the Capital Improvement Sales Tax fund to the following account:
24-3090-895912-B-89008260 N.W. Waukomis Drive \$665,526.58

Section 3. That the Director of Public Works is hereby authorizing to execute a contract with Transystems Corporation, in the amount of \$665,526.58 for construction inspection services for the N.W. Waukomis Drive Project No. 89008260 from N.W. Englewood Road to N.W. 68th Street.

Section 4. That the Director of Public Works is hereby designated as requisitioning authority for Account No. 24-3090-895912-B-89008260.

Section 5. That this ordinance shall have an effective date of May 1, 2023.
..end

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Tammy L. Queen
Director of Finance

Approved as to form:

Dustin E. Johnson
Assistant City Attorney



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Public Works

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

Executive Summary

Estimating and appropriating the amount of \$665,526.58 from the Capital Improvements Fund; authorizing execution of a contract with Transystems Corporation, in the amount of \$665,526.58 for construction inspection services for the NW Waukomis Drive Complete Streets project from NW Englewood Road to NW 68th Street and establishing an effective date.

Discussion

WHEREAS, on April 2, 2013, the voters of Platte County approved a county wide sales tax for 10 years for the purpose of financing transportation related projects, including, but not limited to, roads, bridges, drainage structures and sidewalk; and

WHEREAS, on July 14, 2016, City Council passed Ordinance 160514, authorizing a Cooperative Agreement with Platte County, Missouri for County construction projects on City roadways, whereby the City would fund and complete the design and right of way acquisition on joint projects and the County would pay for the construction of the improvements; and

WHEREAS, it is in the best interest of all the residents of Platte County and of the City to use a portion for the proceeds from this tax to finance the construction of certain improvements to N.W. Waukomis from Englewood to NW 68th Street; and

WHEREAS, the proposed improvements will connect the residents east of Waukomis Drive to Line Creek Trail, Line Creek Community Center, and Line Creek Elementary School with bike lanes and sidewalks; and will reduce traffic congestion and address safety concerns in front of Line Creek Elementary; and

WHEREAS, bids were opened on January 24, 2023 and work will include the roadway reconstruction to current urban standards and replacement of the KCI Water Transmission Main; NOW THEREFORE

MBE/WBE goals have been established at 14% & 14%. Transystems Contractor Utilization Plan includes MBE firm PARS Consulting Engineers, Inc at 14% and VSM Engineerin, LLC at 14%.



City of Kansas City, Missouri

Docket Memo

Fiscal Impact

1. Is this legislation included in the adopted budget? Yes No

2. What is the funding source?

Funds from Platte County, Missouri Road and Bridge Tax

3. How does the legislation affect the current fiscal year?

Appropriating from the Unappropriated Fund Balance of the Capital Improvements Fund in FY 2023-24.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

The new roadway will reduce current pavement maintenance costs. New assets including trail, sidewalk and curb will minimally increase ongoing maintenance costs

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

Project is funded with a \$5,000,000 Federal Surface Transportation Grant and Platte County Funds.

Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund. Yes No

2. This fund has a structural imbalance. Yes No

Additional Discussion (if needed)

Click or tap here to enter text.

Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?



City of Kansas City, Missouri

Docket Memo

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
-
-

Prior Legislation

Public Works initiated design of the Waukomis corridor thru a contract with Walter P Moore as authorized by Ordinance 141077. Ordinances 180097 and 210192 authorized contract amendments to move thru final design and construction documents.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

1. What will be the potential health impacts to any affected groups?

This legislation will increase access to sidewalks and walking trails for residents, allowing for greater opportunity for physical activity

2. How have those groups been engaged and involved in the development of this ordinance?

An open house public hearing was held at Line Creek Elementary School at 5801 NW Waukomis Drive in Kansas City, MO on Thursday, April 28, 2016 between 7:00 p.m. and 8:00 p.m. The maps, plats and other detailed information were made available at <http://data.kcmo.org>. Written statements and exhibits were made a part of the public hearing transcript if received within ten days of the hearing. A project website and staff contact information was made available on the City's website.



City of Kansas City, Missouri

Docket Memo

3. How does this legislation contribute to a sustainable Kansas City?

The project replaces open ditches with a more environmentally, sustainable underground stormwater system, encourages non-vehicular transportation with a sidewalk and trail, and includes an energy efficient LED lighting system

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Yes

Inter-Departmental Communication

Date: April 25, 2023

To: Mayor Quinton Lucas; Chair: Transportation, Infrastructure & Operations Committee

From: Edwina Jones; Interim Director; Civil Rights & Equal Opportunity Department

Subject: CUP Summary #: 230322

CONTRACTOR: TranSystems Corporation
Address: 2400 Pershing Rd., Suite 400
Kansas City, MO 64106
Contract #: CS230065 / 89008620 – NW Waukomis Rd.
from Englewood to NW 62nd St.
Contract Amount: \$665,526.58
MBE Goal: 14%
WBE Goal: 14%
Total MBE Achieved: 14%
Total WBE Achieved: 14%

MBE SUBCONTRACTORS:
Name: Pars Consulting Engineers, Inc.
Address: 14109 Cambridge Lane
Leawood, KS 66224
Scope of Work: Construction Phase Services
Contract Amount: \$81,832.30
Ownership: Hamidpour, Rafie
Structure: Asian-American Male Code: 18

WBE SUBCONTRACTORS:
Name: VSM Engineering, LLC
Address: 8008 N Chatham Ave.
Kansas City, MO 64151
Scope of Work: Construction Phase Services
Contract Amount: \$81,832.30
Ownership: McCaw, Valerie
Structure: Caucasian Female Code: 27

Comments: