

AGENDA
CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING
ROELAND PARK
Roeland Park City Hall 4600 W 51st Street, Roeland Park, KS 66205
June 1, 2020 6:00 PM

- | | | |
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| <ul style="list-style-type: none"> • Mike Kelly, Mayor • Trisha Brauer, Council Member • Benjamin Dickens, Council Member • Jan Faidley, Council Member • Jennifer Hill, Council Member | <ul style="list-style-type: none"> • Jim Kelly, Council Member • Tom Madigan, Council Member • Claudia McCormack, Council Member • Michael Rebne, Council Member | <ul style="list-style-type: none"> • Keith Moody, City Administrator • Jennifer Jones-Lacy, Asst. Admin. • Kelley Nielsen, City Clerk • John Morris, Police Chief • Donnie Scharff, Public Works Director |
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Admin

Brauer
Hill

Finance

McCormack
Madigan

Safety

Rebne
Faidley

Public Works

Kelly
Dickens

Pledge of Allegiance

A. Instructions on Logging into Meeting Remotely

Roll Call

Modification of Agenda

I. Citizens Comments

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. Comments about items that appear on the agenda will be taken as each item is considered. Citizens Are Requested To Keep Their Comments Under 5 Minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be accommodated within the time available. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

II. Consent Agenda

Consent agenda items have been studied by the Governing Body and will be acted on in a single motion. If a Council member requests a separate discussion on an item, it can be removed from the consent agenda and placed on new business for further consideration.

A. Appropriations Ordinance #951

- B. Council Minutes May 18, 2020
- C. Resolution 678 Approving Special Purpose Sales Tax Ballot Language

III. Business From the Floor

A. Applications / Presentations

- 1. Introduce Chris Verbrugge
- 2. The Voter Project's - City to City Challenge

IV. Mayor's Report

V. Workshop and Committee Reports

VI. Reports of City Liaisons

VII. Unfinished Business

- A. Approve Extending Vertical Construction and Final Completion Deadlines for Sunflower Medical

VIII. New Business

- A. Approve Material Testing Agreement with Kaw Valley Engineering for Roe Blvd Project

IX. Ordinances and Resolutions:

- A. Resolution 677 to Approve 2021 to 2025 CARS Program
- B. Ordinance 996 A Policy Prohibiting Conversion Therapy

X. Workshop Items:

XI. Reports of City Officials:

Welcome to this meeting of the City Council of Roeland Park. Below are the Procedural Rules of Council

The City Council encourages citizen participation in local governance processes. To that end, and in compliance with the Kansas Open meetings Act (KSA 45-215), you are invited to participate in this meeting. The following rules have been established to facilitate the transaction of business during the meeting. Please take a moment to review these rules before the meeting begins.

- A. **Audience Decorum.** Members of the audience shall not engage in disorderly or boisterous conduct, including but not limited to; the utterance of loud, obnoxious, threatening, or abusive language; clapping; cheering; whistling; stomping; or any other acts that disrupt, impede, or otherwise render the orderly conduct of the City Council meeting unfeasible. Any member(s) of the audience engaging in such conduct shall, at the discretion of the Mayor (Chair) or a majority of the Council Members, be declared out of order and shall be subject to reprimand and/or removal

from that meeting. Please turn all cellular telephones and other noise-making devices off or to "silent mode" before the meeting begins.

- B. **Public Comment Request to Speak Form.** The request form's purpose is to have a record for the City Clerk. Members of the public may address the City Council during Public Comments and/or before consideration of any agenda item; however, no person shall address the Council without first being recognized by the Mayor (Chair). Any person wishing to speak, whether during Public Comments or on an agenda item, shall first complete a Public Comment or Request to Speak form and submit this form to the City Clerk before the Mayor (Chair) calls for Public Comments or calls the particular agenda item
1. **Public Comment on Non-Agenda Items.** The Agenda shall provide for public comment about matters that are within the jurisdiction of the City but are not specifically listed on the Agenda. A member of the public who wishes to speak under Public Comments must fill out a Public Comment Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls for Public Comments.
 2. **Public Comment on Agenda Items.** Public comment will be accepted on Agenda items. A member of the public, who wishes to speak on an Agenda item, including items on the Consent Agenda, must fill out a Request to Speak form and submit it to the City Clerk before the Mayor (Chair) calls the Agenda item.
- C. **Purpose.** The purpose of addressing the City Council is to communicate formally with the Council regarding matters that relate to Council business or citizen concerns within the subject matter jurisdiction of the City Council. Persons addressing the City Council on an agenda item shall confine their remarks to the matter under consideration by the Council.
- D. **Speaker Decorum.** Each person addressing the City Council, shall do so in an orderly, respectful, dignified manner and shall not engage in conduct or language that disturbs, or otherwise impedes the orderly conduct of the Council meeting. Any person, who so disrupts the meeting shall, at the discretion of the Mayor (Chair) or a majority of the Council Members present, be subject to removal from that meeting.
- E. **Time Limit.** In the interest of fairness to other persons wishing to speak and to other individuals or groups having business before the City Council, each speaker shall limit comments to five minutes. If a large number of people wish to speak, this time may be shortened by the Mayor (Chair) so that the number of persons wishing to speak may be

accommodated within the time available.

- F. **Speak Only Once.** Second opportunities for the public to speak on the same issue will not be permitted unless mandated by state or local law. No speaker will be allowed to yield part or all of his/her time to another, and no speaker will be credited with time requested but not used by another.
- G. **Addressing the Council.** Comment and testimony are to be directed to the Mayor (Chair). Dialogue between and inquiries from citizens at the lectern and individual Council Members, members of staff, or the seated audience is not permitted. Council Members seeking to clarify testimony or gain additional information should direct their questions through the Mayor (Chair). Always speak from the microphone to ensure that all remarks are accurately and properly recorded. Only one speaker should be at the microphone at a time. Speakers are requested to state their full name, address and group affiliation, if any, before delivering any remarks.
- H. Agendas and minutes can be accessed at www.roelandpark.org or by contacting the City Clerk

The City Council welcomes your participation and appreciates your cooperation. If you would like additional information about the City Council or its proceedings, please contact the City Clerk at (913) 722.2600.

Item Number: Pledge of Allegiance- -A.
Committee 6/1/2020
Meeting Date:



City of Roeland Park

Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: Instructions on Logging into Meeting Remotely
Item Type:

Recommendation:

See instructions to log in below.

Details:

The City Council Meeting will be held remotely. Below are instructions for joining the meeting by phone, online or both.

Roeland Park City Council Meeting and Workshop

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/RoelandParkCouncil/roeland-park-city-council-meeting-and-workshop>

You can also dial in using your phone.

United States (Toll Free): 1 877 568 4106

Access Code: 719-374-005

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/719374005>

Please use these tips while listening in:

- 1) Please be sure to mute yourself.
- 2) We recommend logging in a couple minutes early to test the app. The meeting will be recorded.

3) If you're able to, joining the meeting through the online portal is best so you can see the screen and listen in. If you have trouble with audio, you can call in as well as use the web-based meeting app.

4) We will allow public comment at the beginning of the Council Meeting. If you would like to make a public comment, please log or call into the meeting five minutes early so we can get your name and call on you when it's time to make a public comment. If you are logged in online, you can also make your request to speak known using the chat function in the app.

5) Unless called upon or requesting to speak, we ask that audience members abstain from speaking or adding commentary to the chat function so we can maintain an orderly and efficient meeting.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: Consent Agenda- II.-A.
Committee 6/1/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: **Appropriations Ordinance #951**

Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description
□ Appropriations Ordinance #951

Type
Cover Memo

The City of Roeland Park, Kansas

4600 West Fifty-First Street

Roeland Park, Kansas 66205

City Hall (913) 722-2600 – Fax (913) 722-3713

Thursday, May 28, 2020

Appropriation Ordinance -06/01/2020 - #951

An Ordinance making Appropriation for the payment of certain claims. Be it ordained by the Governing Body of the City of Roeland Park, Kansas:

Section 1: That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of the respective funds in the City Treasury the sum required for each claim.

Section 2: This Ordinance shall take effect and be in force from and after its passage. Passed and approved this 1st day of June, 2020.

Attest:

City Clerk

Mayor

Total Appropriation Ordinance

\$

228,572.31

Appropriation Ordinance -06/01/2020 - #951

Vendor	Dept	Acct #	Description	Invoice Description	Check /EFT Date	Amount	Chk #	Check Amount
Vendor	Dept	Account	Account Description	Reference	Date	Distribution Amount	Check #	Check Amount
ABC Embroidery, LLC	102	5308.102	Clothing & Uniforms	4747	05/20/20	64.40	70762	64.40
All Copy Products, Inc.	101	5214.101	Other Contracted Services	68059428	05/27/20	322.50	70790	645.00
All Copy Products, Inc.	102	5214.102	Other Contracted Services	68059428	05/27/20	322.50		
Alumatech Manufacturing INC.	220	5404.220	Furnishings & Appliances	A9353	05/20/20	20,859.00	70763	20,859.00
American Fidelity Assurance	101	2052.101	Supplemental Insurance Payable	D161387	05/27/20	1,153.06	70791	1,153.06
Anderson Rental	101	5217.101	Public Art	2242332	05/20/20	70.31	70764	70.31
Arrowhead Forensics	102	5307.102	Other Commodities	124834	05/20/20	166.45	70765	166.45
Bob Allen Ford, Inc.	102	5260.102	Vehicle Maintenance	3620725732	05/20/20	2,626.68	70766	2,626.68
Breeden Holdings, LLC	102	5260.102	Vehicle Maintenance	1055736	05/27/20	26.00	70792	26.00
Buck Roofing & Construction LLC	290	5210.290	Maintenace And Repair Building	35688	05/20/20	1,755.00	70767	1,755.00
CCMFOA Of Kansas	105	5206.105	Travel Expense & Training	2020 Dues	05/27/20	75.00	70793	75.00
Constellation Newenergy- Gas Div	220	5289.220	Natural Gas	2897147	05/20/20	45.83	70768	45.83
Duranotic Door, LLC	290	5210.290	Maintenace And Repair Building	207101	05/20/20	2,306.00	70769	2,306.00
Environmental Systems Research	106	5305.106	Dues, Subscriptions, & Books	93828065	05/27/20	400.00	70794	400.00
ETC Institute	101	5214.101	Other Contracted Services	27745	05/27/20	868.75	70795	868.75
Evergy	101	5201.101	Electric	Multiple 5/22/20	05/27/20	1,430.67	70796	1,864.30
Evergy	106	5201.106	Electric	Multiple 5/22/20	05/27/20	433.63		
Fabric Print Inc.	290	5308.290	Clothing & Uniforms	2527629	05/27/20	60.00	70797	60.00
Galls, LLC	102	5308.102	Clothing & Uniforms	15575611	05/20/20	3.29	70770	3.29
Government Finance Officers Assc	105	5305.105	Dues, Subscriptions, & Books	2064246	05/20/20	170.00	70771	170.00
GT Distributors - Austin	102	5308.102	Clothing & Uniforms	INV0765961	05/27/20	94.44	70798	380.33
GT Distributors - Austin	102	5308.102	Clothing & Uniforms	INV0765962	05/27/20	170.77		
GT Distributors - Austin	102	5308.102	Clothing & Uniforms	INV0765963	05/27/20	115.12		
Jake's Lawn & Landscape, LLC.	106	5214.106	Other Contracted Services	4164	05/20/20	1,305.00	32545	1,305.00
Jake's Lawn & Landscape, LLC.	106	5214.106	Other Contracted Services	4175	05/27/20	1,340.00	70799	1,340.00
JarMac Inc.	101	5217.101	Public Art	DMA5005	05/20/20	2,500.00	70773	2,500.00
Johnson County Park & Recreation	220	5201.220	Electric	1/20-4/20	05/20/20	1,581.09	70774	1,581.09
Kansas Gas Service	101	5289.101	Natural Gas	Multiple 5/12/20	05/20/20	186.89	70775	376.34
Kansas Gas Service	106	5289.106	Natural Gas	Multiple 5/12/20	05/20/20	189.45		
Lamp, Rynearson & Assoc., Inc.	270	5209.270	Professional Services	320001010000004	05/20/20	8,142.78	70776	38,924.64
Lamp, Rynearson & Assoc., Inc.	300	5421.300	Street Maintenance	320001020000004	05/20/20	3,200.01		
Lamp, Rynearson & Assoc., Inc.	290	5425.290	Other Capital Outlay	320001030000001	05/20/20	15,259.65		
Lamp, Rynearson & Assoc., Inc.	300	5472.300	R Park Development Plan	319001040000014	05/20/20	5,251.20		
Lamp, Rynearson & Assoc., Inc.	300	5472.300	R Park Development Plan	319001060000005	05/20/20	7,071.00		
LBA A/C, Heating & Plumbing	101	5210.101	Maintenance & Repair Building	37115856	05/27/20	435.00	70800	435.00
The Legal Record	101	5204.101	Legal Printing	L85823	05/27/20	77.00	70801	77.00
LE Upfitter	102	5308.102	Clothing & Uniforms	7990	05/20/20	131.50	70777	131.50

Lexington Plumbing & Heating Co.	290	5210.290	Maintenace And Repair Building	97927	05/20/20	1,080.00	70778	1,080.00
Lippert Mechanical Service Corp	220	5210.220	Maintenance & Repair Building	S12065124	05/20/20	240.80	70779	240.80
Carlton Logan	103	4410.103	Fine	106508 Refund	05/27/20	325.00	70802	325.00
Midwest Pool Management	220	5223.220	Pool Management Fee	23186	05/27/20	4,000.00	70803	4,000.00
Midwest Public Risk	107	5126.107	Health/Dental/Vision Insurance	6/20	05/27/20	41,909.56	70804	41,909.56
David A Mootz	290	5206.290	Travel Expense & Training	1/20-5/20 Miles	05/20/20	76.07	70780	76.07
Moss Printing	103	5301.103	Office Supplies	13582	05/20/20	65.00	70781	65.00
Municipal Services Team	101	5214.101	Other Contracted Services	342215 5/13/20	05/27/20	196.35	70805	196.35
Wex Bank	106	5302.106	Motor Fuels & Lubricants	65283659	05/26/20	169.92	32550	169.92
Principal Life Insurance Co.	107	5130.107	City Paid Life/ST Disability	0001 5/17/20	05/27/20	990.41	70806	990.41
Purchase Power	101	5205.101	Postage & Mailing Permits	7903 5/20/20	05/27/20	201.00	70807	201.00
Wex Bank	102	5302.102	Motor Fuels & Lubricants	65125413	05/27/20	1,257.94	32551	1,257.94
Wex Bank	106	5302.106	Motor Fuels & Lubricants	65450038	05/26/20	439.70	32549	439.70
Recovery Tow Service	101	4265.101	Business Occupational Licenses	5/20/20	05/27/20	145.00	70808	145.00
Staples	101	5301.101	Office Supplies	8058342420	05/20/20	73.87	70783	73.87
Staples	101	5301.101	Office Supplies	8058400507	05/27/20	93.95	70809	93.95
Strasser True Value	106	5318.106	Tools	356425	05/27/20	76.88	70810	76.88
Terminix Processing Center	106	5214.106	Other Contracted Services	396542678	05/20/20	59.00	70784	59.00
US BANK	510	5203.510	Printing & Advertising	Jones-Lacy 5/20	05/15/20	104.00	32544	3,055.28
US BANK	105	5206.105	Travel Expense & Training	Jones-Lacy 5/20	05/15/20	(524.11)		
US BANK	106	5206.106	Travel Expense & Training	Scharff 5/20	05/15/20	297.00		
US BANK	106	5206.106	Travel Expense & Training	Vandenbos 5/20	05/15/20	(575.00)		
US BANK	290	5206.290	Travel Expense & Training	Vandenbos 5/20	05/15/20	99.00		
US BANK	101	5210.101	Maintenance & Repair Building	Mootz 5/20	05/15/20	47.64		
US BANK	220	5210.220	Maintenance & Repair Building	Mootz 5/20	05/15/20	206.99		
US BANK	102	5219.102	Meeting Expense	Morris 5/20	05/15/20	132.50		
US BANK	220	5229.220	Permits	Nichols 5/20	05/15/20	370.00		
US BANK	101	5256.101	Committee Funds	Nielsen 5/20	05/15/20	9.99		
US BANK	103	5301.103	Office Supplies	Morris 5/20-2	05/15/20	142.00		
US BANK	101	5305.101	Dues, Subscriptions, & Books	Jones-Lacy 5/20	05/15/20	110.00		
US BANK	102	5307.102	Other Commodities	Morris 5/20	05/15/20	89.50		
US BANK	102	5307.102	Other Commodities	Morris 5/20	05/15/20	1,660.00		
US BANK	102	5308.102	Clothing & Uniforms	Morris 5/20	05/15/20	68.78		
US BANK	102	5308.102	Clothing & Uniforms	Morris 5/20-2	05/15/20	181.50		
US BANK	102	5308.102	Clothing & Uniforms	Morris 5/20-2	05/15/20	450.00		
US BANK	102	5308.102	Clothing & Uniforms	Morris 5/20-2	05/15/20	54.56		
US BANK	102	5308.102	Clothing & Uniforms	Morris 5/20-2	05/15/20	90.00		
US BANK	220	5318.220	Tools	Nichols 5/20	05/15/20	8.76		
US BANK	220	5318.220	Tools	Nichols 5/20	05/15/20	32.17		
Water District No 1 of Johnson Co	101	5287.101	Water	Multiple 5/21/20	05/27/20	53.14	70811	305.59
Water District No 1 of Johnson Co	106	5287.106	Water	Multiple 5/21/20	05/27/20	180.12		
Water District No 1 of Johnson Co	220	5287.220	Water	Multiple 5/21/20	05/27/20	72.33		
Waters Edge Aquatic Design	300	5473.300	RPAC Improvements	10026	05/20/20	33,270.00	70785	33,270.00

WCA Waste Corporation	115	5272.115 Solid Waste Contract	990000660150	05/20/20	43,173.82	70786	43,173.82
KPERS	101	2040.101 KPERS Accrued Employee	5/21/20	05/21/20	2,340.10		2,340.10
KPERS	101	2050.101 Insurance Withholding Payable	5/21/20	05/21/20	187.36		187.36
KPERS	107	5123.107 KPERS City Contribution	5/21/20	05/21/20	3,748.08		3,748.08
KP&F	101	2045.101 KP&F Employee Withholding Payab	5/21/20	05/21/20	2,203.09		2,203.09
KP&F	101	2050.101 Insurance Withholding Payable	5/21/20	05/21/20	66.37		66.37
KP&F	107	5131.107 KP&F City Contribution	5/21/20	05/21/20	6,757.20		6,757.20
Miller Management Systems, LLC	101	5214.101 Other Contracted Services	Recurring EFT	05/20/20	1,855.00		1,855.00
					\$	228,572.31	

Item Number: Consent Agenda- II.-B.
Committee 6/1/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: **Council Minutes May 18, 2020**

Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description

□ Council Minutes May 18, 2020

Type

Cover Memo

**CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, May 18, 2020 6:00 P.M.**

- | | | |
|--|---|--|
| <ul style="list-style-type: none">○ Mike Kelly, Mayor○ Trisha Brauer, Council Member○ Benjamin Dickens, Council Member○ Jan Faidley, Council Member○ Jennifer Hill, Council Member | <ul style="list-style-type: none">○ Jim Kelly, Council Member○ Tom Madigan, Council Member○ Claudia McCormack, Council Member○ Michael Rebne, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Jennifer Jones-Lacy, Asst. Admin.○ Kelley Nielsen, City Clerk○ John Morris, Police Chief○ Donnie Scharff, Public Works Director |
|--|---|--|

Admin

Brauer
Hill

Finance

McCormack
Madigan

Safety

Rebne
Faidley

Public Works

Kelly
Dickens

(Roeland Park Council Meeting Called to Order at 6:09 p.m.)

Pledge of Allegiance

Mayor called the City Council meeting to order and led everyone in the Pledge of Allegiance)

Roll Call

City Clerk Nielsen called the roll. CMBR McCormack was absent. Staff members present were City Administrator Moody, Assistant City Administrator Jones-Lacy, Public Works Director Scharff, Police Chief Morris, City Clerk Nielsen, and City Attorney Alex Felzien.

Mayor Kelly said they appreciate the public comments and thoughts from residents and community members. He instructed those on the phone to comment when they would like to speak to be recognized.

Modification of Agenda

There were no modifications to the agenda.

Public Hearing

Public Hearing for 2021 CDBG Project Application

Staff has recommended submitting an application for Community Development Block Grant (CDBG) funding for ADA improvements at the Community Center and at the Aquatics Center.

Mayor Kelly said he did not receive any requests from anyone wanting to provide public comment regarding the project application.

City Administrator Moody said they have completed the application for ADA improvements at the Community Center and Aquatics Center. In the alternative, they have identified a possible mill and overlay project. Their last two CDBG applications have been for street mill and overlay projects, but they do believe the ADA application is a good project and would better address the county's strategies better than

the mill and overlay project. The application is reflective of about a \$225,000 project. The City would provide \$25,000 and the application would bring them to the maximum \$200,000 that CDBG would award for a particular project. This application will preclude them from being able to apply for funds next year. City Administrator Moody said it is a good project and he would support applying for the ADA improvements at the Community Center and the Aquatics Center for CDBG funding in 2021.

CMBR Faidley clarified that they will not be submitting two applications and asked if there would be funding for the Delmar Street project through other sources. City Administrator Moody said the Delmar Street project is not listed on the Capital Improvement Program and neither are the ADA improvements. One of the compelling components reflected in the CDBG application is there has not been sufficient local resources identified to complete either of the projects. He noted they could apply in the future for the Delmar project with their next opportunity to submit a CDBG application in 2023.

Mayor Kelly said the ADA improvements would help with the spirit of universal design, Community for All Ages, and all abilities, which are things that Roeland Park adheres towards and he added his support for the project application.

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO SUBMIT AN APPLICATION FOR CDBG FUNDING FOR ADA IMPROVEMENTS AT THE COMMUNITY CENTER AND AQUATICS CENTER.
(MOTION CARRIED 7-0)

I. Citizens Comments

There were no public comments.

II. Consent Agenda

- A. Appropriations Ordinance #950
- B. May 4, 2020 Council Minutes
- C. Approve Solid Waste Service Contract Extension with MARC
- D. Approve Annual Cooperative Agreement with Johnson County for Stormwater Best Management Practices Program

MOTION: CMBR REBNE MOVED AND CMBR KELLY SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (MOTION CARRIED 7-0.)

III. Business from the Floor

- A. Applications / Presentations

- 1. Parks Committee Update

City Clerk Nielsen said the Parks Committee Update is a written report attached in the packet and is available to the public online.

IV. Workshop and Committee Reports

There were no reports given.

V. Reports of City Liaisons

A. Aquatic Center Advisory Committee

Mayor Kelly said there are minutes in the packet from the Aquatics Center Advisory Committee. As a member of that committee, CMBR Madigan stated he had no further information to supplement that report.

VI. Unfinished Business

There was no Unfinished Business discussed.

VII. New Business

A. Elimination of Criminal History Question from Employment Application

MOTION: CMBR DICKENS MOVED AND CMBR FAIDLEY SECONDED TO ELIMINATE THE INQUIRY OF CRIMINAL HISTORY ON EMPLOYMENT APPLICATIONS FOR THE CITY OF ROELAND PARK. (MOTION CARRIED 7-0)

B. Adopt Solid Waste Assessment for 2021

Mayor Kelly said the assessment would be \$200 based on the analysis discussed previously at Workshop and further information is available in the agenda packet. He thanked staff for their work with the partner cities as well as WCA in being able to negotiate a very advantageous rate for the City.

MOTION: CMBR KELLY MOVED AND CMBR BRAUER SECONDED TO APPROVE THE SOLID WASTE SERVICE ASSESSMENT FOR 2021. (MOTION CARRIED 7-0)

C. Special Purpose Sales Tax Renewal Ballot Language

Mayor Kelly said the Governing Body previously discussed this topic and provided direction to City staff to put the item on the November ballot. They also discussed the ballot language, whether or not there would be inclusion of a corresponding mill levy reduction, as well as when the tax change would become effective.

City Administrator Moody explained the four examples of ballot language for the special purpose sales tax as outlined in the agenda packet.

- Extends the current quarter of a cent sales tax for ten years, which is set to expire 3/31/23.
- Terminates the existing quarter cent sales tax on 12/31/20, and imposes a half-cent sales tax beginning 1/1/21 and ending 12/31/31.
- Terminates the existing quarter cent sales tax on 12/31/21, and imposes a half cent sales tax in concert with a mill reduction taking effect 1/1/22 and ending 12/31/32.
- Renews the existing quarter cent sales tax through 12/31/25, and then imposes a half cent special purpose City Retailers' sales tax levy through 3/31/33.

The election office has said they will accept the language of one of the four options proposed for the November ballot.

The mill reduction tied to a sales tax increase would not take effect until the 2022 budget due to the results of the November 2020 election, following the August 2020 deadline for certifying the 2021 mill levy.

Also attached in the packet is a graph that shows the annual revenue generated from 2.5 mills compared to the annual revenue generated from the quarter cent sales tax. Based on a two-mill reduction (Example 3), they would see a net increase in 2021 of about \$173,000. If they were only to increase the sales tax, then they would likely see an increase of \$375,000.

CMBR Faidley asked what the purpose or strategy is to hop in before the end of ten years, and if this could be viewed as counter to what the citizens had voted on.

Mayor Kelly said they have an opportunity to continue the work the citizens asked them to complete by implementing a tax or renewing it. By providing the citizens an opportunity either to confirm or to change their course of action through a vote is the most democratic way to decide how best they fund certain assets of the City. He appreciates that they explored the opportunity of tying the renewal or increase of a sales tax with a mill levy reduction. He said he appreciates everyone's comments, but added that it is complicated. Mayor Kelly added he agrees with the idea of utilizing the tax as is and is ready for budget discussions regarding the reduction of the mill levy.

Mayor Kelly also views utilizing an increase in the sales tax will put them more on par with their peer communities and gives them an opportunity to improve the assets in the community that helps them thrive. He noted the Delmar Street project mentioned earlier in the CDBG discussion and the lack of funding. He said that 42 percent of the streets in Roeland Park are in a poor or worse condition based on their PCI (Pavement Condition Index) in that a surface treatment would not be appropriate. He said the Governing Body has adopted the pay-as-you-go option to improvements. He said that they run the risk of allowing some of their greatest assets to deteriorate. This tax structure gives them an opportunity to dedicate funds towards infrastructure and capital improvements.

CMBR Hill said she intends to vote to lower the mill; however she feels that tying it to the tax question complicates things for their residents, which is something that they do not want. She felt they could be more efficient in just voting for the small tax increase.

CMBR Rebne asked if they have made a comparison of sales tax in relation to property tax assessment. He noted that 70 percent of sales made locally are from Roeland Park residents. He asked if they had information on whether Roeland Park residents spend more on sales tax than they do on property tax. City Administrator Moody said the poll factor of 1.3 is an indication that they are receiving more sales tax revenue than what an average city would experience if only their residents bought items within their city and is 30 percent higher than an average city, which is significant. He said there is a calculation in the packet where they tried to come up with how much from residents outside the City contributed to sales tax.

CMBR Madigan said he was surprised they moved immediately on Option 2 without polling the Council to see what was favored. He wanted to state that he was in favor of Option 1 or 4. He also reiterated what he has said previously in that to raise the taxes on the people right now will be a non-issue to the voters. He said they should just leave it lay and come back when everything is settled and they have a better chance of getting it passed.

City Administrator Moody said the percentage of sales taxes between residents and non-residents seems to be 75 percent residents and 25 percent non-residents and is in the Additional Information section in the packet. In response to CMBR Rebne's question, City Administrator Moody said he is gathering data on the single-family cost of living comparison and hopes to present that to the Council. A Roeland Park family of four with a house value of \$240,000 would have a total property of about \$3,700 and their total sales tax, assuming they buy everything in Roeland Park, would be \$2,200.

CMBR Rebne said he was looking for information on the potential changes and how that would affect someone's income to raise sales tax or maintain the mill levy.

CMBR Dickens stated he was in favor of Option 2 and that simplifying the question and removing the mill levy will make it easier to have the discussion with their neighbors.

Mayor Kelly said they need to be clear with the residents that the funds will be well accounted for and utilized to improve infrastructure and capital improvements in ways that otherwise would require them to purchase bonds. He believes at the end of the day the residents will see they provide good service and this will allow them to continue to do so.

MOTION: CMBR HILL MOVED AND CMBR DICKENS SECONDED TO ADOPT OPTION NUMBER 2 OF THE BALLOT LANGUAGE CONCERNING THE QUARTER CENT SPECIAL PURPOSE SALES TAX ON THE NOVEMBER 2020 BALLOT. (MOTION CARRIED 6-1 WITH CMBR MADIGAN VOTING NO.)

VII. Ordinances and Resolutions

A. Ordinance 995 Adopting Solar Ready Requirements

MOTION: CMBR FAIDLEY MOVED AND CMBR HILL SECONDED TO ADOPT ORDINANCE 985 ADOPTING SOLAR READY REQUIREMENTS. (MOTION CARRIED 6-1 WITH CMBR KELLY VOTING NO.)

B. Resolution 676 Adopting Carbon Emission Reduction Goals

Mayor Kelly thanked Ms. Jones-Lacy for all the hard work that she has done with Dynamhex and for putting together the resolution.

CMBR Kelly said he wanted to discuss the possibility of changing the use of the name "Dynamhex" to "approved contractor." He would prefer not to have a company's name in the resolution in case they change contractors in the future.

CMBR Faidley said if they use the statistics compiled by Dynamhex it needs to be clear who did the work.

City Attorney Felzien said it is important to use the name Dynamhex where they state the results that they came up with such as how they determined the total carbon emissions City-wide. To provide the most coverage it is important to leave the name in.

Ms. Jones-Lacy added that Dynamhex is the only company that provides this type of service and there is not currently another alternative, not to say that there could not be in the future. Dynamhex is unique in the service that they offer. She would not have a problem removing their name in some of the clauses but the estimates are attributable to them and she believes they should be included.

CMBR Kelly wanted to make the wording change in Section 2 to City contractors in the event anyone else comes to the City and has ideas that it is not limited to one specific contractor.

CMBR Rebne said he likes the resolution and they are making on this goal to meet the Paris Climate Agreement carbon reduction by 28 percent and he is happy to live in a place that is doing that. He would like to propose adding one more statement to the resolution that gets at the collaboration between Roeland Park and neighboring cities, particularly with those more vulnerable populations across County Line, Kansas City, and Missouri and Wyandotte County, in particular. His amendment would include:

“Whereas, Roeland Park recognizes that climate change will continue to have a disproportionate effect on vulnerable populations and, therefore, seeks to utilize partnerships with neighboring communities to address compelling regional climate needs and issues of equity in obtaining clean air and water.”

Mayor Kelly said CMBR Rebne is correct in that those most vulnerable to a changing climate are already those that are most vulnerable in society and it is proven from data from the National Climate Assessment, the IPCC (Intergovernmental Panel on Climate Change) and from various papers throughout the world. He added that Climate Action KC is putting a climate action plan together along with partners on the national and international level. Also addressed is the equity issue, and they will also tackle that at a regional level because of the transboundary nature of air and water and efforts that can be made to reduce emissions such as those from public transportation or infrastructure.

CMBR Hill said she appreciates CMBR Rebne’s motion and believes it is a noble one, but does have concerns as municipal leaders that they could be overstepping their boundaries to begin discussing what they will do in other communities.

CMBR Dickens wanted to echo the comments of Mayor Kelly and CMBR Hill.

CMBR Rebne said his intent is not to speak for another community and his suggestion was for defining the intentions of the Roeland Park community in terms of reaching across the city or county border and working as a partnership and looking at the way their own air and water impacts people across the border.

CMBR Hill said it is one thing for a group of people in the community to decide they can fix something in another community and that it could come across as offensive that others might think that they as the Governing Body have the answers.

CMBR Madigan said this is a resolution and not an ordinance and did not see any problem with adding CMBR Rebne’s amendment.

MOTION: CMBR KELLY MOVED AND CMBR REBNE SECONDED TO AMEND THE RESOLUTION TO REMOVE THE NAME “DYNAMHEX” AND CHANGED TO “CLIMATE ACTION KC PLAYBOOK AND CITY CONTRACTORS” WHERE APPLICABLE IN SECTION 2 OF THE RESOLUTION LANGUAGE. (MOTION 5-2 WITH CMBR HILL AND CMBR BRAUER VOTING NO.)

MOTION: CMBR REBNE MOVED AND CMBR MADIGAN SECONDED TO AMEND THE RESOLUTION TO ADD THE PREFATORY CLAUSE STATEMENT READ INTO THE RECORD AS THE FIFTH WHEREAS CLAUSE. (MOTION CARRIED 5-1-1 WITH CMBR DICKENS VOTING NO AND CMBR HILL ABSTAINING.)

MOTION: CMBR REBNE MOVED AND CMBR FAIDLEY SECONDED RESOLUTION 656, ADOPTING CARBON EMISSION REDUCTION GOALS AS AMENDED. (MOTION CARRIED 7-0)

IX. Workshop Items

No Workshop items were presented.

X. Reports of City Officials

A. Weekly COVID 19 Update

Ms. Jones-Lacy said the update is in the packet and provides links to the Governor's order. It also includes additional steps Johnson County is taking as well as what is happening at City Hall.

City Administrator Moody said there could be some dates changes that will affect the City's reopen plan based on the State's reopen plan. They will send out those revisions if necessary.

City Administrator Moody gave an update on the Roe 2020 project noting that cones and traffic control devices are starting to appear on Roe Boulevard. Miles Excavation is beginning to mobilize and set up. They also had a neighborhood meeting with the property owners last week. It was recorded and available for review.

Phase 1 and Phase 2 are both underway at R Park.

Police Chief Morris said on May 7 there was a meeting between the city officials and staff from Fairway, Westwood, and Roeland Park. With the current conditions of COVID-19, the majority consensus was not to hold the annual Fourth of July fireworks event.

XI. Adjourn

MOTION: CMBR FAIDLEY MOVED AND CMBR REBNE SECONDED TO ADJOURN. (MOTION CARRIED 7-0)

(Roeland Park City Council Meeting Adjourned at 7:19 p.m.)

Kelley Nielsen, City Clerk

Mike Kelly, Mayor

Item Number: Consent Agenda- II.-C.
Committee 6/1/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 5/28/2020
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Resolution 678 Approving Special Purpose Sales Tax Ballot Language**
Item Type: Resolution

Recommendation:

The Johnson County Election Office has requested the City provide them a Resolution approving the ballot language for the sales tax question. The attached resolution reflects the language approved by the Council at the May 18, 2020 meeting, it was prepared by the City Attorney.

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

According to Kansas State's records: <https://www.ksrevenue.org/pdf/citypullfactorfy19.pdf>
Roeland Park has a pull factor of 1.31. This would indicate the percentage of purchases coming from residents is 76% (1 divided by 1.31) which would make the percentage by non residents 24%. This is the approach that Merriam uses to determine what percent of their total sales comes from residents vs nonresidents. Without access to the pull factor for individual retailers within Roeland Park this is the best estimate available for the amount of sales tax contributed from non-residents.

"City Trade Pull Factor (CiTPF) is a quotient of retail trade captured by the city compared to the

state, called the City Trade Pull Factor (CiTPF). The City Trade Pull Factor is computed by dividing the per capita sales tax of a city by the statewide per capita sales tax. CiTPF values greater than 1.00 indicates that local businesses are pulling in trade from beyond their home city border. A CiTPF value less than 1.00 indicates more trade is being lost than pulled in, that residents are shopping outside the city. This is a simple and well-known measure of the relative strength of the retail business community."

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
 Resolution 678	Cover Memo

RESOLUTION NO. 678

A RESOLUTION SUBMITTING LANGUAGE ON THE NOVEMBER 3, 2020 BALLOT

WHEREAS, the City of Roeland Park, Kansas desires to replace the currently levied one-quarter of one percent (0.25%) special purpose City Retailers' Sales Tax with a new one-half of one percent (0.50%) special purpose City Retailers' Sales Tax; and

WHEREAS, the Governing Body of Roeland Park, Kansas desires to submit the ballot language identified below to the electors of Roeland Park, Kansas on the November 3, 2020 ballot.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

SECTION 1. The Governing Body of Roeland Park, Kansas submits the following language to be placed on the November 3, 2020 ballot by the Johnson County Election Commission:

“Shall the City of Roeland Park, Kansas be authorized to terminate the current one-quarter of one percent (0.25%) special purpose City Retailers' Sales Tax currently levied and to stop collection as of 12/31/2020, and to levy a new one-half of one percent (0.50%) special purpose City Retailers' Sales Tax and to use the revenue from the new City Retailers' Sales Tax for public infrastructure projects, including buildings with such tax to take effect on 1/1/21 and to end on 12/31/30; such tax shall be levied pursuant to K.S.A. 12-187, et seq.?”

SECTION 2. This Resolution shall take effect on June __, 2020.

PASSED by the City Council the __ day of June 2020.

APPROVED by the Mayor.

Mike Kelly, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer, City Attorney

Item Number: Applications/Presentations- A.-1.
Committee 6/1/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Introduce Chris Verbrugge**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

Item Number: Applications/Presentations- A.-2.
Committee 6/1/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date:

Submitted By:

Committee/Department:

Title: **The Voter Project's - City to City Challenge**

Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description

▣ City to City Challenge

Type

Cover Memo

THE **voter**
NETWORK

The logo features the text "THE voter NETWORK" in a blue serif font. The word "THE" is in all caps and smaller. "voter" is in a larger, bold font with a lowercase 'v'. "NETWORK" is in all caps and smaller. Two yellow horizontal lines are positioned above and below the word "voter". A yellow five-pointed star is located at the end of the upper yellow line. The logo is set against a white background with a blue diagonal line above it and a blue patterned area below it.



A ONE-STOP VOTING SHOP

Making it easy to be an active voter

THE VOTER NETWORK PROGRAMS & TOOLS:

PEER-DRIVEN PROGRAMS



Voter to Voter

KNOW YOUR ELECTED OFFICIALS



KSRepresent.org -- *coming soon!*

FIND OUT WHO IS ON YOUR BALLOT
AND MAKE A PLAN TO VOTE



KSBallot.org



The problem



VOTER TURNOUT IS INCONSISTENT, EVEN WITHOUT A PANDEMIC



- Nearly 50% of registered KS voters don't vote, or vote regularly
- Studies show that common GOTV tactics and messages **aren't moving nonvoters**
- Strangers are less likely to motivate people to vote



So what?

THE INACTIVE VOTER EFFECT



- When our electorate doesn't represent reality, policy decisions are made **without input** from the people who are often most impacted by
- Nonvoters are more likely to have poor health outcomes

The solution:

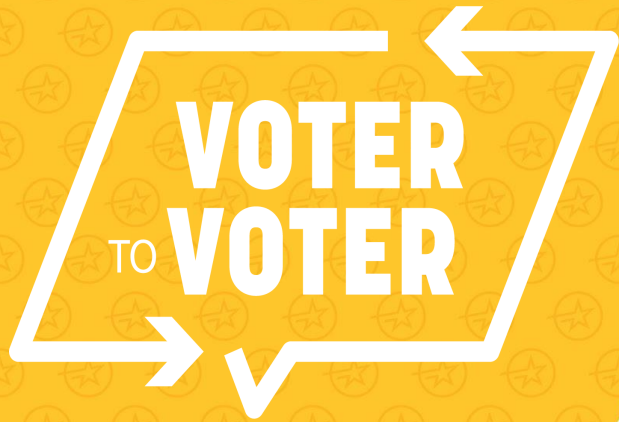


YOU!

With a little help from your friends.

- Leveraging pre-existing relationships **substantially outperforms** contact by strangers in voter turnout models
- People who vote are more likely to have more positive health outcomes, be civically engaged, interact with their neighbors, and volunteer

VOTER TO VOTER
IS NONPARTISAN.
INNOVATIVE.
EFFECTIVE.
THINK ABOUT IT AS
PEER PRESSURE
WITH A PURPOSE.



TURNING OUR FRIENDS INTO A MOVEMENT

We're asking people to form Teams comprised of volunteer Ambassadors who each agree to make sure 5 or 10 people they know go vote.

TEAMS: These could be book clubs, sunday school classes, work buddies, city councils etc.

AMBASSADORS: We aim for 10+ volunteers per team and we call them all Ambassadors.

VOTERS: Our Ambassadors choose which friends, or family members to talk to. We don't collect personal data on these voters, or contact them!





Our Online Tool

43% of registered Kansans have voted in one or fewer of the past four elections!

We built Voter to Voter's online tool to help our Teams and Ambassadors identify these voters from among the people they know, with public data, real-time results, and concrete tasks.

Our **Propensity Score**, which rates voters on a scale from zero to four, is calculated from the Secretary of State's voter data based on their participation in four recent elections:

November 2019	City/School Board Election
November 2018	Midterm General Election
August 2018	Midterm Primary Election
November 2016	Presidential Election

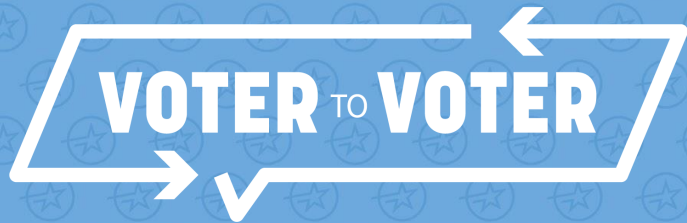
VOTER^{TO} VOTER

2018 Results

**82%
Turnout!**

LOW PROPENSITY VOTERS DID BETTER THAN WE EXPECTED

	PRIMARY TURNOUT	IN VOTV	GENERAL TURNOUT	IN VOTV
ALL	27%	60%	56%	82%
0/4	4%	41%	20%	66%
1/4	11%	36%	52%	81%



Supporting Our Teams

**YOU'D NEVER LET GRANDMA
PICK YOUR PLAYLIST, DON'T LET
HER PICK YOUR GOVERNMENT.
USE **KSBALLOT.ORG** TO PICK YOUR
OWN PLAYLIST BEFORE NOV. 5TH.**

Voter-friendly information for
all Kansans. Vote **Nov 5th!**



AN APP WON'T SOLVE TURNOUT BY ITSELF

- The Voter Network Organizers are in regular contact with Team Leaders and Ambassadors
- We host weekly, online trainings and host forums where teams can connect
- Every week during GOTV we'll send emails with copy-and-paste scripts to use + template social media graphics to share with your networks
- Printable handouts will be available on thevoternetwork.org website



The logo for KSballot.org is displayed on a yellow diagonal banner. The text 'KSballot.org' is written in a bold, dark blue, sans-serif font.

KSballot.org

A small yellow circular icon containing a white five-pointed star is located in the top right corner of the slide.

EVERYTHING ON YOUR BALLOT, IN ONE PLACE

Enter your address and see what's on your ballot.

You'll also be able to:

- Read up on a candidate's positions and find links to their social media accounts and websites
- Find your election day polling site and locations where you could vote early
- **Make a plan to vote, create your sample ballot, and sign up for reminders**



TEAM STATS

175 Teams - 750 Ambassadors - 8,800 Voters

Alliance for a Healthy Kansas * Asbury United Methodist Church
Climate and Energy Project * Congregation Beth Torah * Donnelly College
Education First * El Centro * Kansas National Education Association
Kansas Rural Center * KCK Women's Chamber * Kansas City Indian Center
League of Women Voters * Northeast Johnson County Chamber
F. L. Schlagle High School * Unified Government Health Department
Vibrant Health Clinics * Village Presbyterian Church

Voter to Voter City Challenge



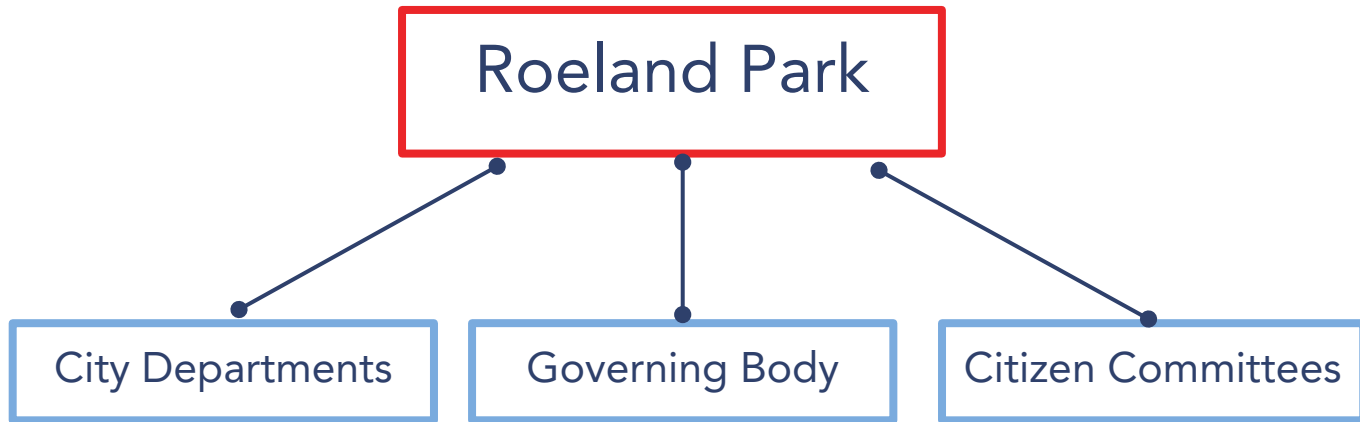
HOW ABOUT SOME FRIENDLY COMPETITION?

Which cities can:

- Show an increase in turnout over the 2016 election?
- Recruit community stakeholders and volunteer Ambassadors to the effort?
- Motivate new and low propensity voters to participate in November?

INVITE PARTNERS

We'll train new teams and Ambassadors



Questions?



Item Number: Unfinished Business- VII.-A.
Committee 6/1/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/24/2020
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Approve Extending Vertical Construction and Final Completion Deadlines for Sunflower Medical**
Item Type: Agreement

Recommendation:

Staff recommends approving the extension per the attached agreement amendment.

Details:

Sunflower has requested the City consider extending their "vertical construction start date" from May 25 to June 25. The extension is driven by sanitary sewer design changes necessitated by actual sanitary sewer line elevations differing from what was reflected on their plans. This is a reasonable request, as built plans are rarely available for older utility installations such as those crossing this property. This amendment will also change the completion date by the same number of days (they have 1 year from the start of vertical construction to complete construction. Steve Mauer has reviewed the agreement and has prepared an amendment to the sale agreement that would afford this change.

Financial Impact

Amount of Request: N/A	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
 3rd Amendment to Land Sale Agreement	Cover Memo

**THIRD AMENDMENT
TO
LAND PURCHASE AND DEVELOPMENT AGREEMENT**

This THIRD AMENDMENT TO LAND PURCHASE AND DEVELOPMENT AGREEMENT ("Amendment") is entered into effective as of June __, 2020, by and between HELIANTHUS REAL ESTATE GROUP, LLC, a Kansas limited liability company ("Buyer"), as successor-in-interest to SMG Investments, LLC, a Kansas limited liability company ("SMG"), and the CITY OF ROELAND PARK, KANSAS (the "Seller"), a municipal corporation duly organized and existing under the laws of the state of Kansas (collectively referred to herein as the "Parties"), constitutes an amendment to the Land Purchase and Development Agreement.

RECITALS:

A. Buyer and Seller entered into the Land Purchase and Development Agreement (the "Agreement") dated July 3, 2019.

B. SMG assigned to Buyer, and Buyer assumed from SMG, all the rights and obligations of SMG as buyer under the Agreement by that certain Assignment and Assumption of Land Purchase and Development Agreement dated December 2, 2019.

C. Seller and Buyer have previously amended Section 3.5 of the Agreement to extend the date by which Buyer must commence vertical construction on the Property.

D. Seller and Buyer desire to further amend the Agreement to extend the date by which Buyer must commence vertical construction on the Property.

D. All capitalized terms not otherwise defined herein shall have the meaning assigned to them in the Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed as follows:

1. **Section 3.5.** Section 3.5 of the Agreement is hereby deleted in its entirety and replaced with the following:

Construction Schedule: Buyer shall, no later than June 25, 2020, commence vertical construction, i.e. pour footings and foundations, and thereafter, shall diligently prosecute to completion within twelve (12) months of the commencement of vertical construction, the construction, improvement, equipping,

and completion of the Project, subject to events of Force Majeure (as hereafter defined). Progress reported based on this time schedule will be made by Buyer at least monthly to the City Administrator during construction.

IN WITNESS WHEREOF, Buyer executes this Amendment as of June ____, 2020.

Buyer:

HELIANTHUS REAL ESTATE GROUP, LLC
a Kansas limited liability company

By: SMG Investments, LLC,
a Kansas limited liability company

Its: Manager

By: _____

IN WITNESS WHEREOF, Seller executes this Amendment as of June ____, 2020.

Seller:
THE CITY OF ROELAND PARK, KANSAS,

Mike Kelly, Mayor

ATTEST:

Kelley Nielsen, City Clerk

Approved as to Form:

City Attorney, Steven E. Mauer

Item Number: New Business- VIII.-A.
Committee 6/1/2020
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 5/21/2020
Submitted By: Donnie Scharff
Committee/Department: Public Works
Title: **Approve Material Testing Agreement with Kaw Valley Engineering for Roe Blvd Project**
Item Type: Agreement

Recommendation:

Approve material testing services agreement with Kaw Valley Engineering for the Roe Blvd construction project in the estimated amount of \$41,390

Details:

Staff issued a request for proposals for the material testing services for the Roe Blvd Project. Proposals were sent to 5 firms. Two proposals were received. Below are the testing firms that the proposals were sent to.

- Kaw Valley Engineering
- Alpha-Omega Geotech, Inc
- Geotechnology, Inc
- Intertek KC Construction Project Services
- KTI Construction Services

Kaw Valley Engineering & Geotechnology, Inc responded to the request. Pricing for each firm is below.

- Kaw Valley Engineering - \$41,390
- Geotechnology, Inc - \$50,410

Kaw Valley will provide testing services for materials such as aggregates, soils, concrete, ect.. The project's current budgeted amount for the material testing services is \$105,213. Kaw Valley's proposal is estimated at \$41,390. The cost difference reflects the material testing budget coming in \$63,823 under budget, however the agreement is based off of unit pricing and may change

somewhat with the actual construction conditions.

Financial Impact

Amount of Request: \$41,390	
Budgeted Item?	Budgeted Amount: \$105,213
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
 Kaw Valley Engineering Agreement & Proposal	Cover Memo

Agreement for Construction Material Testing Services

ROELAND PARK, KS ROE BOULEVARD - JOHNSON DRIVE TO COUNTY LINE (KDOT PROJECT 46 N-0661-01)

This Agreement is made and entered into this _____ day of _____, 2020, by and between the City of Roeland Park, Kansas, hereinafter "City", and Kaw Valley Engineering, Inc., hereinafter "Service Provider."

I. Scope of Services and Cost Therefore

The Service Provider shall perform construction material testing services (the "Services") to the City's full satisfaction and in accordance with the Proposal attached hereto and incorporated by reference:

EXHIBIT A: Proposal

The Service Provider shall be paid for this work an amount not to exceed Forty One Thousand Three Hundred and Ninety Dollars (\$41,390.00).

II. Term

The term of this Agreement is for one year commencing on the date set forth above.

III. Changes to Scope of Services

This Agreement may be amended to provide for additions, deletions, and revisions in the Scope of Services outlined in the Proposal. Prior to commencing any additional services, Service Provider must submit a proposal outlining the additional services to be provided. Service Provider shall be compensated based upon the submitted unit prices for the additional services which shall be approved through a written Supplemental Agreement.

IV. Completion of Project

To meet the City's specific needs, certain defined deliverables, activities, and dependencies have been included in the Proposal. Execution of this Agreement constitutes agreement of the parties on the deliverables and activities in the Proposal. Once these pre-agreed deliverables and metrics have been satisfied, City and Service Provider agree that the project is complete. Provisions of Insurance and Indemnification will survive completion of the project and termination of the Agreement.

V. Payment Terms

City will make payment to Service Provider on a unit price basis as shown in the Proposal. It is understood and agreed that estimated quantities of items for unit price work are not guaranteed and payment will be based on actual quantities used for the period. City will make payment to Service Provider within thirty (30) days after receipt of each undisputed invoice.

VI. Termination

Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City to terminate this Agreement, in whole or in part, with or without cause, subject to written notice to Service Provider. If the City terminates the Agreement prior to completion of Services, City shall compensate Service Provider for all Services satisfactorily

completed to date of its receipt of the termination notice. Compensation shall not include anticipatory profit or consequential damages, neither of which will be allowed.

VII. Dispute Resolution

City and Service Provider agree that disputes relative to the Services performed should first be addressed by good faith negotiations between the parties. If direct negotiations fail to resolve the dispute, the party initiating the claim that is the basis for the dispute shall be free to take such steps as it deems necessary to protect its interests; provided, however, that notwithstanding any such dispute Service Provider shall proceed with the Services as per this Agreement as if no dispute existed; and provided further that no dispute will be submitted to arbitration without the parties' express written consent.

VIII. Independent Contractor

Service Provider is an independent contractor and as such neither Service Provider nor its personnel are agents or employees of the City.

IX. Subcontractors

Service Provider shall not subcontract out any work under this Agreement without written approval of the City. If Service Provider subcontracts services under this Agreement, they shall not be relieved of their liability hereunder thereby. Services performed by any subcontractor hired by Service Provider will not result in any additional cost to City. Service Provider must notify the City of any proposed subcontractors and the City shall have the right of approval thereof. Service Provider agrees to the insurance requirements concerning the use of subcontractors as specified herein

X. Indemnification

Service Provider agrees to defend, indemnify and hold harmless the City and its agents and/or employees from any and all claims, settlements, and judgments including but not limited to those for bodily injury, physical property damage and/or death arising out of Service Provider or any of its agents, servants, employees' or subcontractors performance or failure to perform under this Agreement. Neither acceptance of the completed Services, payment, nor termination of this Agreement shall release Service Provider of its obligation under this paragraph.

XI. Insurance Requirements

A. General: Service Provider shall secure and maintain, throughout the duration of this contract, insurance (on an occurrence basis unless otherwise agreed to) of such types and in at least such amounts as required herein. Service Provider shall provide certificates of insurance and renewals thereof on forms acceptable to the City. The City shall be notified by receipt of written notice from the insurer at least thirty (30) days prior to material modification or cancellation of any policy listed on the Certificate.

B. Notice of Claim Reduction of Policy Limits: Service Provider, upon receipt of notice of any claim in connection with the contract, shall promptly notify the City, providing full details thereof, including an estimate of the amount of loss or liability.

Service Provider shall monitor and promptly notify the City of any reduction in limits of protection afforded under any policy listed in the Certificate (or otherwise required by the contract) if the Service Provider's limits of protection shall have been impaired or reduced to such extent that the limits fall below the minimum

amounts required herein. Service Provider shall promptly reinstate the original limits of liability required hereunder and shall furnish evidence thereof to the City.

- C. Commercial General Liability: The Commercial General Liability insurance coverage that is to be provided by Service Provider shall comply with appropriate section. Such insurance shall specifically insure the contractual liability assumed by Service Provider under SECTION IX of this CONTRACT.

Limits –

General Aggregate:	\$2,000,000
Products / Completed Operations Aggregate:	\$2,000,000
Personal & Advertising Injury:	\$1,000,000
Each Occurrence:	\$1,000,000

Policy MUST include the following conditions:

NAME CITY OF ROELAND PARK, KS AS “ADDITIONAL INSURED”

- D. Automobile Liability: Policy shall protect the Service Provider against claims for bodily injury and/or property damage arising from the ownership or use of any owned, hired and/or non-owned vehicle.

Limits (Same as Commercial General Liability) -

Combined Single Limits, Bodily Injury and Property Damage - Each Accident:

Policy MUST include the following condition:

NAME CITY OF ROELAND PARK, KS AS “ADDITIONAL INSURED”

- E. Workers' Compensation: This insurance shall protect the Service Provider against all claims under applicable state workers' compensation laws. Service Provider shall also be protected against claims for injury, disease or death of employees which, for any reason, may not fall within the provisions of workers' compensation law. The policy limits shall not be less than the following:

Workers' Compensation:	Statutory
Employer's Liability:	
Bodily Injury by Accident	\$100,000 each accident
Bodily Injury by Disease	\$500,000 policy limit
Bodily Injury by Disease	\$100,000 each employee

- F. Industry Ratings: The City will only accept coverage from an insurance carrier who offers proof that it:

1. Is authorized to do business in the State of Kansas;
2. Carries a Best's policy holder rating of A- or better; and
3. Carries at least a Class VIII financial rating, or
4. Is a company mutually agreed upon by the City and Service Provider.

- G. Professional Liability: Service Provider shall maintain throughout the duration of this Agreement Professional Liability Insurance in an amount of not less than One Million Dollars (\$ 1,000,000.00) and shall provide the City with certification thereof. Professional Liability is acceptable on a claims made basis.

- H. Subcontractors' Insurance: If part of the Agreement is to be sublet, Service

Provider shall either:

1. Cover all subcontractors in its insurance policies, or
2. Require each subcontractor not so covered to secure insurance which will protect subcontractor against all applicable hazards or risks of loss as and in the minimum amounts designated.

Whichever option is chosen, Service Provider shall indemnify and hold harmless the City as to any and all damages, claims or losses, including attorney's fees, arising out of the acts or omissions of its subcontractors.

XII. Prohibition Against Contingent Fees

Service Provider warrants that it has not employed or retained any person, firm, or corporation, other than a bona fide employee working solely for Service Provider, to solicit or secure the awarding of this Agreement based upon an arrangement that the person, firm or corporation would receive any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award of this Agreement. For the breach or violation of the foregoing provision, the City shall have the right to terminate the Agreement without liability and, at its discretion to deduct from the contract price, or otherwise recover the full amount of such fee, commission, percentage, gift or consideration.

XIII. Miscellaneous Provisions

- A. Parties hereto agree that neither shall assign or transfer their interest in this Agreement without the written consent of the other and further agree that this Agreement binds the parties, their successors, trustees, assignees and legal representatives.
- B. Any modification of this Agreement or additional obligation assumed by either party in connection herewith shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.
- C. It is understood and agreed that the written terms and provisions of this Agreement shall supersede all prior verbal and written statements of any and every official and/or other representative of the City and Service Provider and such statements shall not be effective or be construed as entering into, or forming a part of, or altering in any way whatsoever, the written Agreement. In the event that the City issues a purchase order, work order, invoice or similar document relating to Services performed, such purchase order or similar document shall be for the City's administrative purposes only and will not supplement, supersede, modify or affect any of the terms and conditions set forth herein.
- D. This Agreement is entered into under and pursuant to and is to be construed and enforceable in accordance with, the laws of the State of Kansas. The waiver of or failure to enforce any term or condition of this Agreement shall not be construed as a waiver of any other term or condition. If any provision is held to be unenforceable by a court or other tribunal, the enforceability of the other provisions shall not be affected.
- E. Should any provision of this Agreement be determined to be void, invalid, unenforceable or illegal for whatever reason, such provision shall be null and void; provided, however, that the remaining provisions of this Agreement shall be unaffected thereby and shall continue to be valid and enforceable.

XIV. Execution of Agreement

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their authorized officials on the day and year first above written.

City of Roeland Park, Kansas

Keith Moody, City Administrator

ATTEST:

Kelley Nielsen, City Clerk

Kaw Valley Engineering, Inc.



Michael R. Osbourn, President

Exhibit A



City of Roeland Park
Material Testing Services
Roe Boulevard – Johnson Drive to County Line
KDOT Project 46 N-0661-01
Roeland Park, Kansas
Due 5 p.m., May 15, 2020





KAW VALLEY ENGINEERING, INC.

Office: 913.894.5150

Fax: 913.894.5977

Web: www.kveng.com

Address: 14700 West 114th Terrace
Lenexa, KS 66215

May 13, 2020

C20P0618

City of Roeland Park
4600 W. 51st Street
Roeland Park, Kansas 66205

per pro

Daniel G. Miller, PE
Lamp Rynearson, Inc.
9001 State Line Rd., Ste. 200
Kansas City, Missouri 64114

**RE: City of Roeland Park, Kansas – Roe Boulevard – Johnson Drive to County Line
KDOT Project 46 N-0661-01
Material Testing Request for Proposals**

Dear Mr. Miller:

Kaw Valley Engineering is pleased to provide this response to the Request for Proposal for Material Testing Services for the above referenced project (the "RFP"). It has been a pleasure to work with Lamp Rynearson and the City of Roeland Park in the past. We thank you for this opportunity and for trusting Kaw Valley Engineering with your projects.

Repeat clients are the mainstay of Kaw Valley Engineering. Garnering repeat business means we must understand, meet and exceed customer expectations every day. Kaw Valley Engineering's technicians and engineers accomplish this day to day by meeting clients' required schedules while maintaining the flexibility to provide assistance on short notice. This reliable core of repeat contracts includes testing and geotechnical engineering for Roeland Park, Overland Park, Olathe, Shawnee and Prairie Village, Kansas; and Independence and Parkville, Missouri. Additionally, we maintain certification to provide special inspections for Kansas City, Missouri.

Qualifications of the Project Engineer

Kaw Valley Engineering's technicians and engineers are known for their technical skills and in-depth knowledge of local municipal requirements. The following experienced staff will serve as Project Engineers:

Michael Osbourn, PE
Jeffrey Frantzen, PhD, PE

Glenn Schouten, PE
Johnson Lee, PE

Firm's Experience Working on Projects Under KDOT Administration

Kaw Valley Engineering testing personnel will be available for field-testing with twelve (12) hours' notice. Laboratory and field testing will be performed in accordance with the appropriate ASTM, AASHTO, KDOT or EPA methodology. We have an AASHTO R-18 accredited laboratory which will be used to support field operations and a fully-equipped soils and materials laboratory.

KDOT Certified Personnel, Experience, and Qualifications

Kaw Valley Engineering has offices located in Lenexa, Junction City, Salina, Emporia and Wichita, Kansas, and Kansas City, Missouri. With approximately 130 associates, our crews and professionals can be found providing services throughout the central region of the United States.

Our team of professionals includes:

Discipline	Total
KDOT Certified Construction Testers/Inspectors	32
Geologists, Geotechnical Engineers (Licensed in Multiple States)	4
Professional Engineers (Licensed in Multiple States)	15
American Welding Society Certified Inspectors	3
Engineers in Training	5
Professional Surveyors	11

Excerpts from Kaw Valley Engineering's most recently completed KDOT Form 1050 are included in the **KDOT Qualifications** tab.

Scheduling

The coordination phone number to set up testing is (913) 894-5150. The desired timeframe for setting up testing and observation activities is twenty-four (24) hours.

Conclusion

Kaw Valley Engineering is truly grateful to Lamp Rynearson and the City of Roeland Park for giving us the opportunity to build and maintain this relationship. Following is our continued pledge to you:

- Be responsible for ensuring your project is being constructed in accordance with the requirements of the plans and specifications.
- Maintain a daily record of contractor activity and the day's happenings on the job site.
- Responsible for all test samples and making sure they are carefully handled, protected and reported to contractor without delay.
- Report unacceptable work to the City representative allowing potential problems to be corrected prior to becoming expensive and time-consuming. Our inspectors are on the project to ensure the quality of construction and compliance with the workmanship and materials specified.
- Anticipate problems in advance.

Finally, the price proposal is attached

Kaw Valley Engineering looks forward to working with Lamp Rynearson and the City of Roeland Park on this project. We thank you for the opportunity to present our credentials for your consideration.

If you have any questions, please feel free to contact me by phone at (913) 894-5150, or by email at MikeO@kveng.com.

Respectfully submitted,
KAW VALLEY ENGINEERING, INC.

A handwritten signature in blue ink, appearing to read "Mike R Osbourn", written in a cursive style.

Michael R. Osbourn, PE
Principal

Attachments



MICHAEL OSBOURN, PE
Principal

Years Experience:

Total: 35 | With Current Firm: 26

Education:

BS, Civil Engineering, Kansas State University, 1985

Professional Registration:

Registered Professional Engineer: Alabama (2011, #32342-E), Georgia (2011, #PE 036493); Kansas (1990, #11676); Missouri (1992, #025456); Nebraska (Pending); North Carolina (2013, #040064); Oklahoma (2001, #20201); South Carolina (2011, # 29368); Tennessee (2006, #00110928); Texas (2008, #101468)

Professional Memberships & Affiliations:

American Public Works Association; American Society of Civil Engineers; Kansas City Engineer's Club

Continuing Education:

Advanced Project Management (Zweig White); DPIC Contract Review and Revision; DPIC Mediation in the Construction Industry; KCE Project Management Seminar; KVE Annual Survey Seminar; KVE ADA Training Course; Fair Housing & Accessibility

Professional Record:

Mike has 34 years of professional experience, which includes extensive experience in both civil and geotechnical engineering. He has provided civil design and geotechnical expertise for various projects throughout the Midwest, including the Kansas City metropolitan area. Mike's uniquely diverse experience can provide you insight into site design elements in conjunction with geotechnical aspects of your project. Mike is serving as principal for both civil design and geotechnical projects at Kaw Valley Engineering. General project types include residential subdivisions, multi-family housing additions, commercial development, and institutional facilities.

Relevant Experience:

US-69 and 159th Street Interchange, Overland Park, Kansas

Project Manager responsible for providing construction materials testing services for the construction of auxiliary lanes, ramps, bridges, and MSE walls for an interchange at US-69 and 159th Street.

College Boulevard Widening (Pflumm Road to US-69), Overland Park, Kansas

Project Principal responsible for providing on-call construction inspection and materials testing for the widening College Boulevard from four lanes to six between US-69 Highway and Pflumm Road (approximately 9,800 feet). Kaw Valley Engineering provided materials testing and inspection services for structural concrete and concrete paving, asphalt paving and earthwork inspections.

103rd Street & Connell Drive Flood Control Project, Overland Park, Kansas

Principal responsible for the geotechnical engineering elements of this project that involved a 3-span bridge and 80' span pedestrian bridge. The channel was upgraded with expanding retaining walls and new bank abutment. Services include field drilling and logging services; laboratory testing; analysis and recommendations; and bridge foundations, existing structures, and bank abutment.

On-Call Construction Inspection, Materials Testing and Geotechnical Services Contract, Overland Park, Kansas

Project Principal responsible for providing geotechnical engineering, drilling, and laboratory testing in addition to construction inspection and materials testing including concrete, asphalt and soil for road, utility and bridge construction. Kaw Valley Engineering has provided these services to the City of Overland Park since 2007.

Cedar Creek Waste Water Treatment Plant in Olathe, Kansas

Project Geotechnical Engineer for addition to existing facility. Features include pumping stations, pipelines, clarifiers, BNR basins and extraneous flow basins.



GLENN SCHOUTEN, PE
Project Manager

Years Experience:

Total: 27 | With Current Firm: 6

Education:

BS, Civil Engineering, Iowa State University, 1994

Professional Registration:

Registered Professional Engineer: Kansas (2004, #17962);
Missouri (2005, #2005029627)

Professional Memberships & Affiliations:

American Public Works Association; American Society of Civil
Engineers; American Council of Engineering Companies
(ELP Graduate)

Professional Record:

Glenn has wide-ranging experience in the engineering and construction industry. He has spent significant time involved with all phases of pavement life cycles from initial design to construction and preservation. Glenn has extensive experience in identification of pavement distresses and root causes and development of repair/rehabilitation plans that can be used to extend the service life of the pavements. He has proven experience in preparation of scope of work and cost proposals, review of field data and reports prepared by junior staff, management of project budgets, management of subcontractors, and preparation of technical reports.

Relevant Experience:

US-69 and 159th Street Interchange, Overland Park, Kansas

Provided engineering oversight of field materials testing and construction observation staff during construction of new highway interchange. The project was under the joint jurisdiction of the Kansas Department of Transportation and the City of Overland Park scope included new bridges, ramps, MSE retaining walls and mainline pavement widening.

2015 Sampling and Testing Services, Lenexa, Kansas

Engineer in responsible charge of on-call materials testing contract with the City of Lenexa, Kansas. Through this contract, Kaw Valley Engineering provides the City's Public Works and Parks departments with construction materials sampling and testing services on projects ranging from single tests to large infrastructure additions.

On-Call Construction Materials Testing Services, Parkville, Missouri

Project Manager responsible for on-call construction materials testing services for various projects throughout the City of Parkville. Services include soil, subgrade, concrete and asphalt testing services in accordance with the APWA-KC Metro Chapter's construction materials testing standards and the City's adopted regulations and policies.

On-Call Materials Testing Services, Lee's Summit, Missouri*

Managed on-call materials testing services for the City's public works and capital improvement projects from 2005 to 2014. Project assignments varied from construction of large public structures and roadway improvements to "one-and-done" materials testing for maintenance activities.

On-Call Materials Testing Services, Belton, Missouri*

Provided materials testing services on-call for the City's capital improvement projects including roadway improvements and utility installation. Major project included the reconstruction of 163rd Street and Y Highway.

On-Call Materials Testing Services, Prairie Village, Kansas*

Provided materials testing services on-call for any of the City's capital improvement projects during the 2005, 2006, and 2008 construction seasons.

**Projects completed prior to joining the Kaw Valley Engineering team.*



JEFFREY FRANTZEN, PHD, PE

Senior Materials Engineer

Years Experience:

Total: 43 | With Current Firm: 13

Education:

PhD, Civil Engineering, University of Kansas, 1998
MS, Civil Engineering, Kansas State University, 1990
BS, Civil Engineering, University of Nebraska, 1977

Professional Registration:

Registered Professional Engineer: Kansas (1982, #9146);
Missouri (2009, #2009025513)

Professional Memberships & Affiliations:

Society for Experimental Mechanics; ASTM International

Professional Record:

Dr. Frantzen has more than 42 years of experience in geotechnical and materials engineering. His current responsibilities involve pavement design, concrete, asphalt, and aggregate materials engineering, and general geotechnical engineering work.

Dr. Frantzen maintains experience in Superpave and Marshall methods of asphalt mix design and ACI and Shilstone methods of concrete mix design. He has experience with AASHTO, Asphalt Institute, PCA, FAA, and PCASE methods of pavement design for asphalt and concrete pavements. He is also actively involved in routine and advanced materials and geotechnical testing at the Lenexa laboratory.

Dr. Frantzen co-authored a large portion of the Kansas Department of Transportation's Geotechnical Manual, a manual that is still in use today.

Relevant Experience:

US-69 and 159th Street Interchange, Overland Park, Kansas

Pavement/ Geotechnical Engineer responsible for providing on-call geotechnical services for the construction of auxiliary lanes, ramps, bridges, and MSE walls for an interchange at US-69 and 159th Street.

US-69/I-435 Interchange Reconstruction, Overland Park, Kansas

Geotechnical investigation and design of approach embankments, retaining walls, and foundations for the reconstruction of US-69 between 119th Street and I-35 and Pflumm and Metcalf (KDOT Project (KDOT Project 69-46 K-8251)). Services included: wall investigation for Bridge 408; foundation investigation for Bridges 395-400; foundation investigation for retaining walls 2052-53, 2055, and 2032-33; follow-up slope stability investigation for Bridges 396 and 399; geotechnical investigation for retaining walls 219, 221-223, and 225-227; foundation investigation for retaining walls 2020, 2022, 2024, 2026-28, and 2057; geotechnical investigation for retaining walls 2013, 2016, 2025, 2047, 2048, 2049, 2086, and 2087; and settlement investigation for Ramp 435E-69S; and Ramp 435E-College.

On-Call Construction Inspection, Materials Testing and Geotechnical Services Contract, Overland Park, Kansas

Project Engineer responsible for review of inspection, materials testing, and geotechnical engineering services including concrete, asphalt and soils for road, utility and bridge construction.

On-Call Construction Materials Testing and Geotechnical Services Contract, Olathe, Kansas

Project Engineer responsible for review of materials testing and geotechnical engineering services of concrete, asphalt and soil for municipal buildings, roads and utilities provided to the City of Olathe, Kansas.



JOHNSON LEE, PE

Materials Engineer

Years Experience:

Total: 22 | With Current Firm: 20

Education:

MS, Civil Engineering, University of Kansas, 1998

BS, Civil Engineering, University of Kansas, 1996

Professional Registration:

Registered Professional Engineer: Kansas (2004, #18159);
Missouri (2011, #2011027854)

KDOT Certified Construction Inspector: AGF, SOF, CF

MoDOT Certified AT, CS, PI, TSR, BT

ACI Field Aggregate Technician: Grade I

Professional Record:

Johnson has over 15 years of engineering experience, with extensive experience in field and laboratory construction materials testing, construction inspection, and geotechnical drilling operations. His duties include concrete, soils, and asphalt testing, special inspection services in accordance with IBC and BOCA requirements.

Relevant Experience:

US-69 and 159th Street Interchange, Overland Park, Kansas

Materials Engineer responsible for construction materials testing of new highway interchange. The project was under the joint jurisdiction of the Kansas Department of Transportation and the City of Overland Park scope included new bridges, ramps, MSE retaining walls and mainline pavement widening.

On-Call Construction Inspection, Materials Testing and Geotechnical Services Contract, Overland Park, Kansas

Engineering Technician responsible for providing on-call construction inspection and materials testing on various projects for aggregate, soils, asphalt, and concrete. Kaw Valley Engineering has provided these services to the City of Overland Park since 2007.

159th Street (Switzer Road to Quivira Road), Overland Park, Kansas

Performed materials testing of asphalt, concrete, and soil for street expansion.

On-Call Materials Testing and Geotechnical Services Contract, Olathe, Kansas

Engineering Technician responsible for on-call materials testing for various projects for aggregate, soils, asphalt, and concrete. Kaw Valley Engineering has provided these services to the City of Olathe since 1998.

159th Street & Highway 169, Olathe, Kansas

Performed materials testing of asphalt, concrete, and soil for street expansion.

2014 Overlay, Independence, Missouri

Performed materials testing of asphalt and concrete for street overlay.

2014 Chip and Seal Design, Olathe, Kansas

Performed laboratory testing of materials samples for chip and seal design associated with annual maintenance program.

US Disciplinary Barracks, Fort Leavenworth, Kansas

Engineering Technician for construction staking and materials testing for the construction of the disciplinary barracks at Fort Leavenworth, Kansas.

Service Category No. 241 – Construction Inspection and Testing

(See page 9 and “Blue Book” <http://www.ksdot.org/bureaus/divengdes/prequal/default.asp> for category requirements/description)

Relevant Projects: List five (5) projects and adequately describe the Service category work, completed within the last 5 years, which best illustrate the firm’s experience in this category. List the employee name(s) and the firm when the service was performed. Projects may be listed on all appropriate service categories. **Use one page for each Service Category requested on page 9.**

PROJECT NUMBER AND YEAR COMPLETED	NAME OF EMPLOYEE AND FIRM (PRIME or SUB)	OWNER, REFERENCE NAME, and PHONE NO.	LOCATION, DESCRIPTION, LENGTH TYPE OF STUDY OR CONSTRUCTION (FIRM’S ROLE)	CONSULTING FEE (\$1,000’s)
A13D6451 21 U-0181-01 2014 (1)	Ron Johnson Ray Corbett Kaw Valley Engineering	City of Abilene, Kansas	2014 Buckeye KLINK, City of Abilene, Kansas Design of traffic control plan and details for two-way traffic carried through this mill/overlay project on K-15’s 4-lane typical section from downtown Abilene north to Old Highway 40.	23
A05D2248 31 C-4243-01 2014 (2)	Ron Johnson Curtis Barr Kaw Valley Engineering	KDOT	McNeal Road Bridge, Geary County, Kansas Bridge replacement with a 53’ Reinforced Concrete Rigid-Frame Haunched Slab bridge with 24’ roadway and 320 feet of approach grading and gravel surfacing.	67
A14I7119 085 U-2119-01 2015 (3)	Curtis Barr Ron Johnson Kaw Valley Engineering	KDOT	Greeley Avenue Bridge, City of Salina, Kansas Bridge replacement with a 43’ Reinforced Concrete Rigid-Frame Haunched Slab bridge with 32’ roadway and 250’ of approach grading and concrete surfacing.	85
A10D4619 2016 (4)	Ron Johnson Ray Corbett Kaw Valley Engineering	Dickinson County, Kansas	1900 Avenue / Holland Creek, Dickinson County, Kansas Bridge replacement with a 45’-60’-45’ Reinforced Concrete Haunched Slab bridge with 28’ roadway and 400 feet of approach grading and asphalt surfacing.	28
A16I7672 106 KA 7213-01 2016 (5)	Ron Johnson Lance Boyer Kaw Valley Engineering	KDOT	US-77 Mill & Overlay, Geary County, Kansas 2” Mill and asphalt overlay of 16 miles of 2-lane rural highway from south of Junction City to K-4.	214

Service Category No. 311 – Geotechnical Engineering Services

(See page 9 and “Blue Book” <http://www.ksdot.org/bureaus/divengdes/prequal/default.asp> for category requirements/description)

Relevant Projects: List five (5) projects and adequately describe the Service category work, completed within the last 5 years, which best illustrate the firm’s experience in this category. List the employee name(s) and the firm when the service was performed. Projects may be listed on all appropriate service categories. **Use one page for each Service Category requested on page 9.**

PROJECT NUMBER AND YEAR COMPLETED	NAME OF EMPLOYEE AND FIRM (PRIME or SUB)	OWNER, REFERENCE NAME, and PHONE NO.	LOCATION, DESCRIPTION, LENGTH TYPE OF STUDY OR CONSTRUCTION (FIRM’S ROLE)	CONSULTING FEE (\$1,000’s)
(1) C13G7547 2018	Michael Osbourn Jessica Nixon James Barry Jeffrey Frantzen Kaw Valley Engineering	Overland Park, Kansas	Metcalf Avenue – 159th to 167th, Overland Park, Kansas Geotechnical services for Metcalf Avenue between 159th Street and 167th Street. The project will widen and reconstruct the two-lane section into a four-lane roadway while adding an enclosed drain, gutter and curb, sidewalk, a trail and street lighting.	40
(2) C14G7765 2018	Michael Osbourn Jessica Nixon James Barry Kaw Valley Engineering	Overland Park, Kansas	Quivira Road – 151st to 159th, Overland Park, Kansas Geotechnical services for Quivira Road between West 151st Street and West 159th Street associated with the City of Overland Park Project TH-0495. Improvements included widening and reconstructing a concrete two-lane roadway divided with a raised median into a four-lane roadway.	12
(3) C17G9428 2018	Michael Osbourn Jessica Nixon Jeffrey Frantzen Kaw Valley Engineering	Wolfe Creek Nuclear Operating Systems	Heavy Haul Roadway, Burlington, Kansas Testing on subgrade samples and an analysis of the adequacy of the proposed 15-inch thick reinforced concrete pavement of the Heavy Haul Roadway. A stress analysis of the impact of the 269 ton spent fuel cask transporter driving over the existing buried utilities was also conducted.	48
(4) A05D2248 31 C-4243-01 2014	Jeffrey Frantzen James Barry Kaw Valley Engineering	Geary County, Kansas	McNeal Road Bridge, Geary County, Kansas Bridge replacement with a 53’ Reinforced Concrete Rigid-Frame Haunched Slab bridge with 24’ roadway and 320 feet of approach grading and gravel surfacing.	16
(5) A10D4619 2016	Jeffrey Frantzen James Barry Kaw Valley Engineering	Dickinson County, Kansas	1900 Avenue / Holland Creek, Dickinson County, Kansas Bridge replacement with a 45’-60’-45’ Reinforced Concrete Haunched Slab bridge with 28’ roadway and 400 feet of approach grading and asphalt surfacing.	13

Service Category No. 312 – Materials Laboratory Testing Services

(See page 9 and “Blue Book” <http://www.ksdot.org/bureaus/divengdes/prequal/default.asp> for category requirements/description)

Relevant Projects: List five (5) projects and adequately describe the Service category work, completed within the last 5 years, which best illustrate the firm’s experience in this category. List the employee name(s) and the firm when the service was performed. Projects may be listed on all appropriate service categories. **Use one page for each Service Category requested on page 9.**

PROJECT NUMBER AND YEAR COMPLETED	NAME OF EMPLOYEE AND FIRM (PRIME or SUB)	OWNER, REFERENCE NAME, and PHONE NO.	LOCATION, DESCRIPTION, LENGTH TYPE OF STUDY OR CONSTRUCTION (FIRM’S ROLE)	CONSULTING FEE (\$1,000’s)
(1) A18T8680 Ongoing	Lance Boyer Kaw Valley Engineering	Fort Riley, Kansas	Henry Drive Repairs, Fort Riley, Kansas Surveying, design and testing on road that is the main entry-point to Fort Riley.	10
(2) A15D7296 40B-31 U-0294-01 2017	Lance Boyer Kaw Valley Engineering	City of Junction City, Kansas	2017 KLINK, City of Junction City, Kansas Surveying, testing, and design for sidewalk and resurfacing project.	25
(3) A13D6451 21 U-0181-01 2014	Ron Johnson Ray Corbett Kaw Valley Engineering	City of Abilene, Kansas	2014 Buckeye KLINK, City of Abilene, Kansas 3200 feet of mill and overlay on K-15 from downtown Abilene north to Old Highway 40.	4
(4) A05D2248 31 C-4243-01 2014	Ron Johnson Curtis Barr Kaw Valley Engineering	Geary County, Kansas	McNeal Road Bridge, Geary County, Kansas Bridge replacement with a 53’ Reinforced Concrete Rigid-Frame Haunched Slab bridge with 24’ roadway and 320 feet of approach grading and gravel surfacing.	14
(5) A14D7119 085 U-2119-01 2015	Curtis Barr Ron Johnson Kaw Valley Engineering	KDOT	Greeley Avenue Bridge, City of Salina, Kansas Bridge replacement with a 43’ Reinforced Concrete Rigid-Frame Haunched Slab bridge with 32’ roadway and 250’ of approach grading and concrete surfacing.	8

Personnel: List the number of personnel within your office. Multi-registered personnel should be counted only in their primary discipline.
Clerical personnel should be included in "Administrative". Other disciplines should be entered in the closest discipline.

DISCIPLINE	BLACK		HISPANIC		AMERICAN INDIAN OR ALASKAN NATIVE		ASIAN OR PACIFIC ISLANDER		TOTAL MINORITIES		NON- MINORITY GROUP		TOTAL	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Administrative		3								3	6	12	6	15
Architects														
CADD Operators / Eng. Tech / Detailers							1		1		39	8	40	8
Certified Photogrammetrist														
Certified Value Eng. Specialists														
Civil Engineers											20		20	
Commercial Divers, Licensed														
Economists														
Electrical Engineers														
Environmental Engineers														
Estimators														
Geologists, Geotechnical Engineers							1		1		8	1	9	1
Hydrologists														
Landscape Architects														
Mechanical Engineers														
Planners: Urban / Regional														
Sanitary Engineers														
Structural Engineers														
Surveyors		1								1	25		25	1
Traffic Engineers											2		2	
TOTAL		4					2		2	4	100	21	102	25

Total number of employees' 127

The Certified Inspection and Testing (CIT) Training program has been established to provide the required training and certifications for those individuals responsible for performing inspection and testing functions on KDOT construction projects. Additional information about the CIT program can be obtained at: ksdot.org and KSUCIT.com. Please list the name, certification number and expiration date (mm/yy) for the various categories. See Policy and Procedure Manual at the above noted web site for the Certified Inspection and Testing Training Program for the classification Acronyms.

	Testing Certifications (Expiration Dates)								QC/QA			
		EIT (Environmental Inspector)	EMT (Environmental Manager)	BI	API	CPI	STR	MSA	TCI	CTB	CONC	ASPH
Name	Cert. #											
Abell, Tyler	5038											
Birney, Nathan	4614	5/3/2019		1/26/2021	1/28/2021	1/29/2021	1/27/2021				03/23/22	02/02/22
Bishop, Scott	1427			2/27/2023	3/1/2023	3/2/2023	2/28/2023					
Bond, Zachary	5439											
Boyer, Lance	2709	3/29/2019	3/29/2019	11/16/2023	11/16/2023	11/16/2023	11/16/2023				03/27/24	03/11/20
Bryant, Randy	5348	5/3/2019		2/16/2023	2/16/2023	2/16/2023	2/16/2023					03/07/23
Bucl, Colborne	5427			3/26/2024	3/28/2024	3/29/2024	3/27/2024				03/27/24	
Burns, Curtis	1950	5/3/2019		11/12/2020	11/12/2020	1/15/2021	11/12/2020				12/9/2021	2/2/2022
Collins, Michael	5095			3/4/2019	3/6/2019	3/7/2019	3/5/2019				1/21/2021	2/5/2020
Corbett, Raymond	775			2/16/2023	12/16/2023		3/12/2021					
Dalton, Richard	2747			5/4/2021	3/12/2021	5/7/2021	5/4/2021					
Haney, Shayne	5213			3/26/2024	3/28/2024	3/29/2024	3/27/2024					
Hazlett, Nathan	3518			3/12/2021								
Johnson, Daniel	5355											
Johnson, Ronald	508	5/3/2019	5/3/2019	1/20/2023	2/16/2023	1/20/2023	1/20/2023				04/16/21	02/05/20
Kabus, Robert	5519			2/22/2022	2/24/2022	2/25/2022	2/23/2022				2/10/2020	3/11/2020
LaRue, Steven	1847											
Lee, Johnson	1846											
Leeds, Richard	1728											
Miller, Gregory	5356											
Mueller, Edwin	3153			2/22/2022	2/24/2022	2/25/2022	2/23/2022				3/23/2022	2/2/2022
Newmeyer, Jake	5103			1/25/2022	1/27/2022	1/28/2022	1/26/2022					
Scripter, Daniel	3205			1/29/2024	1/31/2024	2/1/2024	1/30/2024					
Shepherd, Christopher	5094			1/25/2022	1/27/2022	1/28/2022	1/26/2022					
Thompson, Arne	4906			4/5/2022	1/26/2023	4/8/2022	4/6/2022					

The Certified Inspection and Testing Training (CIT²) program has been established to provide the required training and certifications for those individuals responsible for performing inspection and testing functions on KDOT construction projects. Additional information about the CIT² program can be obtained at: kdot1.ksdot.org/public/kdot/burmatres/CIT2.htm (case sensitive). Please list the name, certification number and expiration date (mm/yy) for the various categories. See Policy and Procedure Manual at the above noted web site for the Certified Inspection and Testing Training Program for the classification Acronyms.

		Testing Certifications (Expiration Dates)							
Name	Cert. #	AGF	AGL	ACI-CF	HCP-ACI-CS	PO	SF	SOF	NUC
Corbett, Raymond	775			11/13/20					
Dalton, Richard	2747	03/03/21	03/31/21	08/04/19	04/28/21	04/09/23	02/10/22	03/12/20	04/30/20
Haney, Shayne	5213	2/2/2022		5/4/2020			1/26/2023	12/16/2021	3/4/2022
Hazlett, Nathan	3518								5/3/2024
Johnson, Daniel	5355	01/07/21		12/11/19		04/09/23	02/27/20	01/14/21	02/10/20
Johnson, Ronald	508	11/03/21		03/27/19		10/21/21	02/14/24	11/18/21	11/16/23
Kabus, Robert	5519								02/28/24
LaRue, Steven	1847	11/7/2019	1/17/2024	1/7/2021	2/8/2023	4/9/2023	12/5/2019	10/30/2019	12/20/2022
Lee, Johnson	1846	12/17/2019	1/27/2022	2/27/2019	11/10/2021	4/21/2019	2/13/2020	2/27/2020	3/26/2019
Leeds, Richard	1728			5/4/2020					2/10/2021
Miller, Gregory	5356			02/10/20					12/20/22
Mueller, Edwin	3153	11/7/2023	3/13/2024	10/18/2022				2/15/2023	12/20/2022
Newmeyer, Jake	5103	03/04/20		03/09/23				03/13/19	02/12/19
Scripter, Daniel	3205				4/10/2024				5/3/2024
Shepherd, Christopher	5094	11/03/21	03/05/19	03/27/20			02/13/20	04/22/21	02/10/23
Thompson, Arne	4906	3/24/2020		11/18/2022				3/24/2022	2/28/2024
Corbett, Raymond	775	4/7/2020						4/30/2020	
Dalton, Richard	2747	1/8/2019	1/22/2020	2/10/2020			2/27/2020	5/1/2020	4/2/2020
Haney, Shayne	5213			11/13/20					
Hazlett, Nathan	3518								02/28/24
Johnson, Daniel	5355	12/7/2022	1/26/2023	5/3/2021	2/9/2022		2/13/2020	3/24/2022	2/11/2022
Johnson, Ronald	508								
Kabus, Robert	5519	12/8/2021		4/9/2021	4/28/2021		2/27/2020	3/7/2024	3/2/2023
LaRue, Steven	1847	11/07/23			04/18/23			01/31/24	02/28/24
Lee, Johnson	1846	3/9/2022		2/20/2020				4/22/2021	4/2/2021
Leeds, Richard	1728			11/13/20					
Miller, Gregory	5356	03/03/21	03/31/21	08/04/19	04/28/21	04/09/23	02/10/22	03/12/20	04/30/20
Mueller, Edwin	3153	2/2/2022		5/4/2020			1/26/2023	12/16/2021	3/4/2022
Newmeyer, Jake	5103								5/3/2024
Scripter, Daniel	3205	01/07/21		12/11/19		04/09/23	02/27/20	01/14/21	02/10/20
Shepherd, Christopher	5094	11/03/21		03/27/19		10/21/21	02/14/24	11/18/21	11/16/23
Thompson, Arne	4906								02/28/24

EXHIBIT A

PROPOSAL

Roeland Park - Roe Ave from Johnson Drive to County Line (KDOT 46 N-0661-01)
Lamp Rynearson

TO: CITY OF ROELAND PARK, KS

The undersigned proposes to provide Construction Material Testing Services as indicated below and in accordance with the Proposal Instructions, Specifications, and Agreement.

Description	Unit	Approx. Quantity	Unit Price	Total Price
Material Source Testing				
Moisture/Density-ASTM D698 with Atterberg Limits D4318	Each	2	175.00	350.00
Compaction Curve (proctor) (soil & aggregate)	Each	2	200.00	400.00
Compaction of Earthwork				
Field Density Test (KT-13 ro KT-51)	Each	25	40.00	1,000.00
Moisture Test (KT-11)	Each	25	15.00	375.00
Aggregates - Aggregate Base Course				
Field Density Test	Each	10	40.00	400.00
Moisture Test	Each	10	0.00	-
Sieve Analysis of aggregate (KT-02)	Each	10	100.00	1,000.00
Plasticity Test (KT-10)	Each	10	75.00	750.00
Aggregates - Aggregate Backfill for Trenches				
Field Density Test (KT-13 ro KT-51)	Each	8	40.00	320.00
Moisture Test (KT-13 or KT-51)	Each	8	0.00	-
Sieve Analysis of aggregate (KT-02)	Each	2	100.00	200.00
Portland Cement Concrete				
Slump (KT-21)	Each	75	10.00	750.00
Unit Weight (KT-31)	Each	75	10.00	750.00
Air Content (KT-18, 19 or 20)	Each	75	10.00	750.00
Temperature (KT-17)	Each	75	10.00	750.00
Cylinder Preparation (4/Set) (includes round trip transportation, 1 hour on-site tech. time, sample pickup, and lab curing) (KT 22 or 76)	Set	50	230.00	11,500.00
Cylinder Test (4/Set) (KT-22 or 76)	Set	50	52.00	2,600.00
Field Cured Cylinders (KT-22 or 76)	Each	40	13.00	520.00
Asphaltic Concrete Testing - mix verification of bituminous mixture during construction				
Determination of Verified Mix Design Parameters and Superpave Characteristics in accordance with OP ILC Specifications, including belt sample.	Each	14	450.00	6,300.00
Coring - 3 - 4" I.D. cores & patching holes (with specified material) (One Set)	Each	14	425.00	5,950.00
Core Density ASTM D2726 (per Set)	Each	14	50.00	700.00
Density of Bituminous Concrete in Place by Nuclear Methods ASTM D2950 (4/set)	Set	14	100.00	1,400.00
Sample Pick Up for Asphalt Testing (includes 3 hours tech. time and round trip transportation)	Each	34	125.00	4,250.00
Standby Time for sample pickup	Hour	0	75.00	-

EXHIBIT A

Other				
Standby Time (excludes standby time for asphalt testing)	Hour	5	75.00	375.00
Project Meeting Attendance	Hour	0	150.00	--
TOTAL PROPOSAL \$			41,390.00	

1. Sampling for tests are included in the unit price for the test.
2. It is understood that the above services are to be purchased by the City on an "as needed" basis and no guarantee of quantity is intended. Also, the undersigned understands the quantities shown in this proposal are estimates only and the City reserves the right to add or subtract from these amounts.
3. In submitting this quote, the undersigned declares he/she is the only person interested in said quote; that it is made without any connection with any person or persons making another quote for the same service; and that the quote is in all respects fair and without collusion, fraud, or misrepresentation.

DATED in Lenexa, Kansas, this 13th of May, 2020

Kaw Valley Engineering, Inc.

Business Name

Signature

Michael R. Osbourn

Printed Name

Principal

Title

14700 W 114th Terrace, Lenexa, Kansas 66215

Complete Address

(913) 894-5150

Telephone Number

MikeO@kveng.com

Email Address

Item Number: Ordinances and Resolutions:- IX.-
A.
Committee Meeting Date: 6/1/2020



City of Roeland Park
Action Item Summary

Date: 5/19/2020
Submitted By: Donnie Scharff, Director of Public Works
Committee/Department: Public Works
Title: **Resolution 677 to Approve 2021 to 2025 CARS Program**
Item Type: Resolution

Recommendation:

Approve Resolution 677 , a resolution approving the proposed 2021-2025 Five Year program under the County Assistance Road System (CARS).

Details:

Staff has worked with our engineer to develop the City's 5-year plan for large street maintenance projects through the CARS program. A breakdown of these projects per year is as follows:

2021 - Roe Blvd, County Line to 48th St
2022 - Elledge Drive, Roe Lane to County Line Road
- 53rd St, Mission Rd to Reinhard Dr.(shared with Fairway)
2023 - Nall Avenue, 51st to 58th
- 55th Street, Roe Blvd to Shawnee Mission Parkway (Shared with Fairway)
2024 - Mission Rd, 47th St to 53rd St(Shared with Westwood)
2025 - 53rd St, Buena Vista to Reinhardt Dr. & Buena Vista-Shawnee Mission Parkway tp 53rd St(Shared with Fairway)

All projects are placed in the City's 5-year CIP accordingly.

Financial Impact

Amount of Request: 0	
Budgeted Item?	Budgeted Amount: 0
Line Item Code/Description: 0	

Additional Information

How does item relate to Strategic Plan?

n/a

How does item benefit Community for all Ages?

n/a

ATTACHMENTS:

Description	Type
📎 2021-2025 CARS Program Submittal	Cover Memo
📎 Resolution 677	Cover Memo



City of Roeland Park

4600 W. 51st Street
Roeland Park, KS 66205
913-722-2600

May 7th, 2020

Mr. Kent Lage, P.E.
Urban Services Manager
Johnson County Public Works
1800 W Hwy 56
Olathe, Kansas 66061

**RE: 2021-2025 CARS
Report Roeland Park,
Kansas**

Dear Kent:

Enclosed please find the 2021-2025 County Assistance Road System (CARS) report for The City of Roeland Park for inclusion in the Capital Improvements Program (C.I.P).

Thank you for your time on this matter and as always, please contact me with any questions or concerns at (913) 722-5435.

Sincerely,

Donnie Scharff
Director of Public Works
City of Roeland Park, Kansas

May 5, 2020

Keith Moody
City Administrator
City of Roeland Park
4600 W. 51st Street
Roeland Park, KS 66205

**RE: 2021-2025 CARS Report
Roeland Park Kansas**

Dear Keith,

Enclosed please find the 2021-2025 County Assistance Road System (CARS) report that can be used to submit to Johnson County for inclusion in the CARS program.

The project information was obtained from surveys and design efforts for 2021 projects, JOCO AIMS Mapping System, inspection and historic knowledge of the projects. The engineer's estimates of probable costs were taken from estimates of project quantities and previous contractor bids.

You may contact me with any questions, or if you need additional information.

Sincerely,

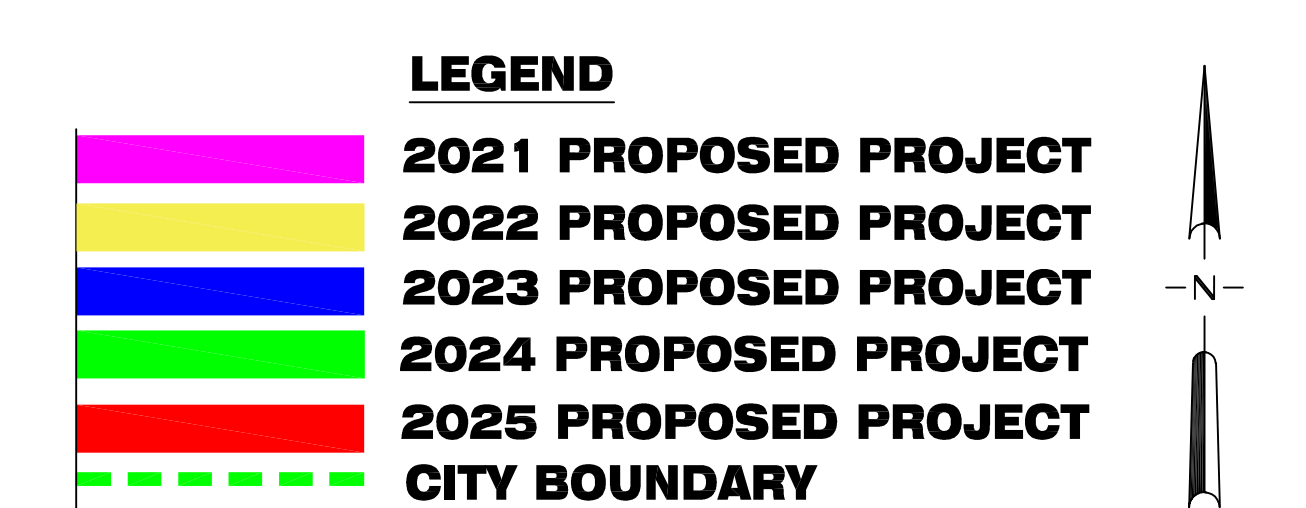
Larkin Lamp Rynearson



Daniel G. Miller, P.E.
Civil Design Group Leader

email c: Project File

Donnie Scharff, Public Works Director



2021 - 2025 CARS PROGRAM PROPOSED PROJECT LOCATIONS ROELAND PARK, KANSAS

CARS Form A
2021-2025 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project.

Return by May 7, 2020

Submitting City: _____ **City Priority Ranking** _____

Project Location: _____

Joint Project With: _____ **Administrating City:** _____

Contact Name & Title: _____

Estimated Project Schedule: Start Date (mo/yr): _____ **Completion Date (mo/yr):** _____

Current Average Daily Traffic (ADT): _____ **Year (_____)** **Accident History (Prior 3 Years):** _____

Project Type _____ (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, or System Management)

Current Level of Service (LOS) [System Management Projects Only]: _____

Sufficiency Rating (Bridge Projects): _____ **Pavement Condition:** Good ☐ Fair ☐ Poor ☐

Detailed Description of Existing Facility:

Detailed Description of Project Scope:

Project Cost Information *

1. Design cost: _____
2. Right-of-way acquisition cost: _____
3. Utility relocation cost: _____
4. Construction cost: _____
5. Construction engineering cost: _____
- Total project cost: _____

Calculation of CARS Eligible costs:

- A. Sum item # 4 & 5 above (+) _____
- B. Federal Aid Participation (-) _____
- C. State Aid Participation (-) _____
- D. Other Non-local Participation (-) _____

Subtotal (CARS eligible costs) _____

CARS funding request _____

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: _____ Funding: _____

City Name: _____ Funding: _____

*Program policies require that a licensed professional engineer prepare and seal the 2021 project cost estimates.

CARS Form A
2021-2025 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project.

Return by May 7, 2020

Submitting City: _____ **City Priority Ranking** _____

Project Location: _____

Joint Project With: _____ **Administrating City:** _____

Contact Name & Title: _____

Estimated Project Schedule: Start Date (mo/yr): _____ **Completion Date (mo/yr):** _____

Current Average Daily Traffic (ADT): _____ **Year (_____)** **Accident History (Prior 3 Years):** _____

Project Type _____ (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, or System Management)

Current Level of Service (LOS) [System Management Projects Only]: _____

Sufficiency Rating (Bridge Projects): _____ **Pavement Condition:** Good ☐ Fair ☐ Poor ☐

Detailed Description of Existing Facility:

Detailed Description of Project Scope:

Project Cost Information *

1. Design cost: _____
2. Right-of-way acquisition cost: _____
3. Utility relocation cost: _____
4. Construction cost: _____
5. Construction engineering cost: _____
- Total project cost: _____

Calculation of CARS Eligible costs:

- A. Sum item # 4 & 5 above (+) _____
- B. Federal Aid Participation (-) _____
- C. State Aid Participation (-) _____
- D. Other Non-local Participation (-) _____

Subtotal (CARS eligible costs) _____

CARS funding request _____

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: _____ Funding: _____

City Name: _____ Funding: _____

CARS Form A
2021-2025 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project.

Return by May 7, 2020

Submitting City: _____ **City Priority Ranking** _____

Project Location: _____

Joint Project With: _____ **Administrating City:** _____

Contact Name & Title: _____

Estimated Project Schedule: Start Date (mo/yr): _____ **Completion Date (mo/yr):** _____

Current Average Daily Traffic (ADT): _____ **Year (_____)** **Accident History (Prior 3 Years):** _____

Project Type _____ (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, or System Management)

Current Level of Service (LOS) [System Management Projects Only]: _____

Sufficiency Rating (Bridge Projects): _____ **Pavement Condition:** Good ☐ Fair ☐ Poor ☐

Detailed Description of Existing Facility:

Detailed Description of Project Scope:

Project Cost Information *

1. Design cost: _____
2. Right-of-way acquisition cost: _____
3. Utility relocation cost: _____
4. Construction cost: _____
5. Construction engineering cost: _____
- Total project cost: _____

Calculation of CARS Eligible costs:

- A. Sum item # 4 & 5 above (+) _____
- B. Federal Aid Participation (-) _____
- C. State Aid Participation (-) _____
- D. Other Non-local Participation (-) _____

Subtotal (CARS eligible costs) _____

CARS funding request _____

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: _____ Funding: _____

City Name: _____ Funding: _____

*Program policies require that a licensed professional engineer prepare and seal the 2021 project cost estimates.

CARS Form A
2021-2025 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project.

Return by May 7, 2020

Submitting City: _____ **City Priority Ranking** _____

Project Location: _____

Joint Project With: _____ **Administrating City:** _____

Contact Name & Title: _____

Estimated Project Schedule: Start Date (mo/yr): _____ **Completion Date (mo/yr):** _____

Current Average Daily Traffic (ADT): _____ **Year (_____)** **Accident History (Prior 3 Years):** _____

Project Type _____ (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, or System Management)

Current Level of Service (LOS) [System Management Projects Only]: _____

Sufficiency Rating (Bridge Projects): _____ **Pavement Condition:** Good ☐ Fair ☐ Poor ☐

Detailed Description of Existing Facility:

Detailed Description of Project Scope:

Project Cost Information *

1. Design cost: _____
2. Right-of-way acquisition cost: _____
3. Utility relocation cost: _____
4. Construction cost: _____
5. Construction engineering cost: _____
- Total project cost: _____

Calculation of CARS Eligible costs:

- A. Sum item # 4 & 5 above (+) _____
- B. Federal Aid Participation (-) _____
- C. State Aid Participation (-) _____
- D. Other Non-local Participation (-) _____

Subtotal (CARS eligible costs) _____

CARS funding request _____

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: _____ Funding: _____

City Name: _____ Funding: _____

*Program policies require that a licensed professional engineer prepare and seal the 2021 project cost estimates.

CARS Form A
2021-2025 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project.

Return by May 7, 2020

Submitting City: _____ **City Priority Ranking** _____

Project Location: _____

Joint Project With: _____ **Administrating City:** _____

Contact Name & Title: _____

Estimated Project Schedule: Start Date (mo/yr): _____ **Completion Date (mo/yr):** _____

Current Average Daily Traffic (ADT): _____ **Year (_____)** **Accident History (Prior 3 Years):** _____

Project Type _____ (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, or System Management)

Current Level of Service (LOS) [System Management Projects Only]: _____

Sufficiency Rating (Bridge Projects): _____ **Pavement Condition:** Good ☐ Fair ☐ Poor ☐

Detailed Description of Existing Facility:

Detailed Description of Project Scope:

Project Cost Information *

1. Design cost: _____
2. Right-of-way acquisition cost: _____
3. Utility relocation cost: _____
4. Construction cost: _____
5. Construction engineering cost: _____
- Total project cost: _____

Calculation of CARS Eligible costs:

- A. Sum item # 4 & 5 above (+) _____
- B. Federal Aid Participation (-) _____
- C. State Aid Participation (-) _____
- D. Other Non-local Participation (-) _____

Subtotal (CARS eligible costs) _____

CARS funding request _____

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: _____ Funding: _____

City Name: _____ Funding: _____

CARS Form A
2021-2025 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project.

Return by May 7, 2020

Submitting City: Roeland Park Number 1 Priority (Y/N) 2

Project Location: 55th Street- Roe Blvd. to Shawnee Mission Parkway

Joint Project With: Fairway Administrating City: Fairway

Contact Name & Title: Donnie Scharff – Director of Public Works County Commission District(s) #: 1

Estimated Project Schedule: Start Date (mo/yr): 04/23 Completion Date (mo/yr): 09/23

Current Average Daily Traffic (ADT): 3,755 (2007) Accident History (Prior 3 Years): 4

Project Type: Capacity Major Maintenance Bridge Replacement Bridge Rehabilitation

Route Enhancement

System Management

Current Level of Service (LOS) [System Management Projects Only]: N/A

Sufficiency Rating (Bridge Projects): N/A Pavement Condition: Good ☐ Fair X Poor ☐

Detailed Description of Existing Facility:

Existing two lane pavement with curb and gutter and sidewalk on the north side. Pavement is in fair condition. Curb and Gutter and sidewalk are in fair condition.

Detailed Description of Project Scope:

Mill and Overlay with 2-inch asphalt concrete surface. Replace curb and gutters and sidewalk where needed. Replace full depth pavement where needed.

Project Cost Information *

1. Design Cost:	\$ 30,000.00
2. Right-of-way acquisition cost:	\$ 0.00
3. Utility relocation Cost:	\$ 0.00
4. Construction cost:	\$205,300.00
5. Construction engineering cost:	\$ 20,000.00
Total project cost:	\$ 255,300.00

Calculation of CARS Eligible costs:

A. Sum item # 4 & 5 above	(+)	\$225,300.00
B. Federal Aid Participation	(-)	\$ 0.00
C. State Aid Participation	(-)	\$ 0.00
D. Other Non-local Participation	(-)	\$ 0.00
Subtotal (CARS eligible costs)		\$ 225,300.00
CARS Funding request		\$ 112,650.00

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name:	<u>Roeland Park</u>	Funding:	<u>\$67,573.00</u>
City Name:	<u>Fairway</u>	Funding:	<u>\$45,077.00</u>

*Program policies require that a licensed professional engineer prepare and seal the 2021 project cost estimates.

CARS Form A
2021-2025 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project.

Return by May 7, 2020

Submitting City: _____ **City Priority Ranking** _____

Project Location: _____

Joint Project With: _____ **Administrating City:** _____

Contact Name & Title: _____

Estimated Project Schedule: Start Date (mo/yr): _____ **Completion Date (mo/yr):** _____

Current Average Daily Traffic (ADT): _____ **Year (_____)** **Accident History (Prior 3 Years):** _____

Project Type _____ (Capacity, Major Maintenance, Bridge Replacement, Bridge Rehabilitation, Route Enhancement, or System Management)

Current Level of Service (LOS) [System Management Projects Only]: _____

Sufficiency Rating (Bridge Projects): _____ **Pavement Condition:** Good ☐ Fair ☐ Poor ☐

Detailed Description of Existing Facility:

Detailed Description of Project Scope:

Project Cost Information *

1. Design cost: _____
2. Right-of-way acquisition cost: _____
3. Utility relocation cost: _____
4. Construction cost: _____
5. Construction engineering cost: _____
- Total project cost: _____

Calculation of CARS Eligible costs:

- A. Sum item # 4 & 5 above (+) _____
- B. Federal Aid Participation (-) _____
- C. State Aid Participation (-) _____
- D. Other Non-local Participation (-) _____

Subtotal (CARS eligible costs) _____

CARS funding request _____

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name: _____ Funding: _____

City Name: _____ Funding: _____

*Program policies require that a licensed professional engineer prepare and seal the 2021 project cost estimates.

CARS Form A
2021-2025 Project Application for the
County Assistance Road System (CARS) Program

Submit one form for each project.

Return by May 7, 2020

Submitting City: Roeland Park City Priority Ranking 1

Project Location: 53rd Street- Buena Vista to Reinhardt & Buena Vista- Shawnee Mission Parkway to 53rd St

Joint Project With: Fairway Administrating City: Fairway

Contact Name & Title: Bill Stogsdill – Director of Public Works County Commission District(s) #: 1

Estimated Project Schedule: Start Date (mo/yr): 04/25 Completion Date (mo/yr): 09/25

Current Average Daily Traffic (ADT): 3,500 Accident History (Prior 3 Years): 1

Project Type: Major Maintenance

Current Level of Service (LOS) [System Management Projects Only]: N/A

Sufficiency Rating (Bridge Projects): N/A Pavement Condition: Good ☐ Fair ☒ Poor ☐

Detailed Description of Existing Facility:

53rd St. Existing two-lane pavement with curb and gutter and sidewalk on the north side. Pavement is in fair condition. Curb and gutter and sidewalk are in fair condition. Buena Vista- Existing two lane pavement with curb and gutter on both Sides. Pavement is in fair condition.

Detailed Description of Project Scope:

Mill and Overlay with 2-inch asphalt concrete surface. Replace curb and gutters and sidewalk where needed.

Project Cost Information *

1. Design Cost:	\$ 30,000.00
2. Right-of-way acquisition cost:	\$ 0.00
3. Utility relocation Cost:	\$ 0.00
4. Construction cost:	\$272,030.00
5. Construction engineering cost:	\$ 20,000.00
Total project cost:	\$ 322,030.00

Calculation of CARS Eligible costs:

A. Sum item # 4 & 5 above	(+)	\$292,030.00
B. Federal Aid Participation	(-)	\$ 0.00
C. State Aid Participation	(-)	\$ 0.00
D. Other Non-local Participation	(-)	\$ 0.00
Subtotal (CARS eligible costs)		\$ 292,030.00
CARS Funding request		\$ 146,015.00

(Request cannot exceed 50% of the CARS eligible costs)

Funding participation by other cities:

City Name:	<u>Roeland Park</u>	Funding:	<u>\$69,590.00</u>
City Name:	<u>Fairway</u>	Funding:	<u>\$76,425.00</u>

*Program policies require that a licensed professional engineer prepare and seal the 2021 project cost estimates.

**County Assistance Road Program
2021-2025 Program Summary Sheet
Roeland Park, Kansas
5-5-2020**

Priority	Project Location	Proposed Start/ Finish	Project Type	CARS Route Classification		Construction Cost	Design Cost	Const Eng	Total Project Cost	City Portion	CARS Funding
				Major	Minor						
1	Roe Blvd, County Line to Johnson Drive. Mill and Overlay and Streetscape	4/2021 to 9/2021	Major Maintenance	x		\$545,000	\$15,000	\$20,000	\$580,000	\$297,500	\$282,500
1	Elledge Drive - Roe Lane to County Line (47th Street)	4/2022 to 9/2022	Major Maintenance		x	\$1,162,448	\$139,494	\$81,371	\$1,383,313	\$761,404	\$621,910
2	53 rd Street from Mission Road to Chadwick	5/2022 to 9/2022	Major Maintenance		x	\$146,000	\$25,000	\$10,000	\$181,000	\$103,000	\$78,000
3	Johnson Drive-Lamar Ave to Roe Ave	3/2022 to 10/2022	Major Maintenance	x		\$272,000	\$30,000	\$20,000	\$322,000	\$176,000	\$146,000
1	Nall Avenue – 51st to 58th	4/2023 to 9/2023	Major Maintenance		x	\$790,988	\$105,465	\$48,966	\$945,419	\$525,442	\$419,977
2	55th Street - Roe Blvd to SMPKY	4/2023 to 9/2023	Major Maintenance		x	\$205,300	\$30,000	\$20,000	\$255,300	\$142,650	\$112,650
1	Mission Road (47th St to 53rd St)	4/2024 to 9/2024	Major Maintenance	x		\$189,860	\$18,986	\$15,189	\$224,035	\$121,511	\$102,525
1	53rd Street (Reinhardt Drive to Buena Vista) and Buena Vista (53rd St to Shawnee Mission Parkway)	4/2025 to 9/2025	Major Maintenance	x		\$272,030	\$30,000	\$20,000	\$322,030	\$176,015	\$146,015

**CITY OF ROELAND PARK, KANSAS
RESOLUTION NO 677**

**A RESOLUTION APPROVING THE PROPOSED 2021-2025
FIVE YEAR PROGRAM UNDER THE
COUNTY ASSISTANCE ROAD SYSTEM.**

WHEREAS, the City Engineer has prepared 2021-2025 Five Year Program under the County Assistance Road System (CARS); and

WHEREAS, a copy of the proposed 2021-2025 Five Year Program and supporting documentation is attached hereto as Exhibit “A,” and incorporated herein by reference; and

WHEREAS, the City Council has reviewed the proposed 2021-2025 Five Year Program and supporting documentation and determined that they are acceptable and should be submitted for approval to the Board of County Commissioners;

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

That the proposed 2021-2025 Five Year Program for the County Assistance Road System (CARS), including supportive documentation attached hereto as Exhibit “A” is hereby approved and shall be submitted for approval to the Board of County Commissioners of Johnson County, Kansas.

PASSED by the City Council this 1st day of June, 2020

Mike Kelly, Mayor

ATTEST:

Kelley Nielsen, City Clerk

Item Number: **Ordinances and Resolutions:- IX.-**
 B.
Committee **6/1/2020**
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 5/6/2020
Submitted By: Keith Moody
Committee/Department: Admin.
Title: **Ordinance 996 A Policy Prohibiting Conversion Therapy**
Item Type: Ordinance

Recommendation:

Approve Ordinance 996 prohibiting conversion therapy in the City of Roeland Park.

Details:

Attached is the policy on conversion therapy adopted by the City of Kansas City.

An example ordinance based upon the Kansas City ordinance was developed by the City Attorney and reviewed by the Governing Body on 5/18/20. The Governing Body referred the example ordinance on to the next council meeting for considered adoption, it is attached as ordinance 996.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

From Councilors Madigan, Dickens and Faidley:

Request that council undertake a discussion of a "conversion therapy ban" to protect the physical and psychological well-being of minors in Roeland Park, including but not limited to lesbian, gay, bisexual, transgender and/or questioning youth, from exposure to the serious harms and risks

caused by conversion therapy or reparative therapy by licensed providers.

The ban fits well into our Community for All Ages status and could be considered as a stand-alone ordinance or an amendment to the current city NDO. The amount requested would cover costs to draft legal language similar to a ban passed by the City of Kansas City, MO in 2019.

Conversion Therapy also known as reparative therapy, ex-gay therapy, or sexual orientation and gender identity change efforts, is a range of discredited practices aimed at changing one's sexual orientation or gender identity. Professionals in education, social work, health, mental health and counseling including the American Academy of Child and Adolescent Psychiatry have determined that there is no scientifically valid evidence that supports the practice of conversion therapy. These professionals have determined that there is no evidence that conversion therapy is effective or that an individual's sexual orientation or gender identity can be changed by conversion therapy. They have also determined that conversion therapy is not only ineffective, but is substantially dangerous to an individual's mental and physical well-being and has also been shown to contribute to depression, self-harm, low self-esteem, family rejection, and suicide.

Supporting documents include:

1) Kansas City, MO ordinance 190902

2) Trevor Project Language

3) Kansas House Bill introduced in 2020:

HB2483: http://www.kslegislature.org/li/b2019_20/measures/hb2483/

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
□ Ordinance 996	Cover Memo
□ KCMO Conversion Therapy Policy	Cover Memo
□ Trevor Project Language from Equality KS	Cover Memo

ORDINANCE 996

AN ORDINANCE AMENDING CHAPTER XI OF THE MUNICIPAL CODE OF ROELAND PARK, KANSAS TO ESTABLISH ARTICLE IV “PROHIBITION OF CONVERSION THERAPY”.

WHEREAS, conversion therapy, also known as reparative therapy, ex-gay therapy, or sexual orientation and gender identity change efforts, is a range of discredited practices aimed at changing one’s sexual orientation or gender identity; and

WHEREAS, a national community of professionals in education, social work, health, mental health and counseling including the American Academy of Child and Adolescent Psychiatry have determined that there is no scientifically valid evidence that supports the practice of conversion therapy; and

WHEREAS, such professionals have determined that there is no evidence that conversion therapy is effective or that an individual’s sexual orientation or gender identity can be changed by conversion therapy; and

WHEREAS, such professionals have also determined that conversion therapy is not only ineffective, but is substantially dangerous to an individual’s mental and physical well-being and has also been shown to contribute to depression, self-harm, low self-esteem, family rejection, and suicide; and

WHEREAS, fifteen states, including Washington D.C., have enacted laws or regulations to ban conversion therapy against minors by licensed medical providers, and many bills have been filed in similar states; and

WHEREAS, Kansas City, Missouri recently adopted Ordinance No. 190902 prohibiting the practice of conversion and/or reparative therapy within Kansas City, Missouri; and

WHEREAS, over 1,200 minors reside in Roeland Park, Kansas, and any minor that seeks therapy or treatment to assist them in understanding their individual development of gender identity or their sexual orientation should be free from exposure to the serious harms and risks caused by conversion and/or reparative therapy; and

WHEREAS, the City Council of Roeland Park, Kansas has a responsibility to protect the health, safety and welfare of all people in our community, especially the physical and psychological well-being of minors, including LGBTQ youth.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS.

SECTION 1. Chapter XI, Article 4 “Prohibition of Conversion Therapy” is hereby established to protect the physical and psychological well-being of minors, including but not limited to lesbian, gay, bisexual, transgender and/or questioning youth, from exposure to the serious harms and risks caused by conversion therapy or reparative therapy by licensed providers, and shall read as follows:

Sec. 11-401 Conversion therapy of minors prohibited.

(a) *Policy.* The City of Roeland Park, Kansas has a compelling interest in protecting the physical and psychological well-being of minors, including but not limited to lesbian, gay, bisexual, transgender and/or questioning youth, from exposure to the serious harms and risks caused by conversion therapy or reparative therapy by licensed providers. These provisions are exercises of the police power of the city for the public safety, health and welfare; and its provisions shall be liberally construed to accomplish that purpose.

(b) *Definitions.* As used in this section, the following terms shall have the meaning indicated in this subsection.

1. *Conversion therapy or reparative therapy* means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include counseling that provides support and assistance to a person undergoing gender transition, or counseling that provides acceptance, support and understanding of a person or facilitates a person's coping, social support, and development, including sexual orientation-neutral treatment interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change sexual orientation or gender identity.

2. *Gender identity* means the gender-related identity, appearance, expression, behavior or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated sex at birth.

3. *Minor* means a person less than 18 years of age.

4. *Provider* means any licensed medical or mental health professional including, but not limited to, licensed professional counselors, licensed psychologists, licensed clinical social workers, provisionally licensed professional counselors, provisional and temporary licensed psychologists, licensed and provisionally licensed marital and family therapists, psychiatrists, certified substances abuse counselors, certified school counselors, behavior analysts and any professional licensed under Chapter 65 of the Kansas Statutes.

5. *Sexual orientation* means the preference of practice of homosexuality, heterosexuality, asexuality, and bisexuality, or some combination thereof, by consenting adults, or as perceived by others, but not including sexual preference or practice between an adult and a minor.

(c) *Prohibited practice.* It shall be unlawful for any provider to provide conversion therapy or reparative therapy to a minor if the provider receives compensation in exchange for such services.

(d) *Penalty.* Any person that violates any provision of this section shall be subject to the civil penalty prescribed in Section 11-101 of the municipal code of Roeland Park, Kansas, but in no instance shall a violation of this Article be punishable by imprisonment.

SECTION 2. That it is the City Council of Roeland Park's intent that this Ordinance regulate professional conduct and the manner in which therapeutic treatment is delivered, but does not otherwise prohibit or limit proponents or opponents of conversion therapy to speak about gender or sexual orientation conversion publicly and privately, including to their minors in forms other than therapy.

SECTION 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED by the City Council the 1st day of June 2020. **APPROVED** by the Mayor.

Mike Kelly, Mayor

ATTEST:

Kelley Nielsen, City Clerk

APPROVED AS TO FORM:

Steven E. Mauer

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190902

Amending Chapter 50 of the Code of Ordinances, "Offenses and Miscellaneous Provisions," by enacting a new Section 50-234 in Article VII to protect the physical and psychological well-being of minors, including but not limited to lesbian, gay, bisexual, transgender and/or questioning youth, from exposure to the serious harms and risks caused by conversion therapy or reparative therapy by licensed providers.

WHEREAS, conversion therapy, also known as reparative therapy, ex-gay therapy, or sexual orientation and gender identity change efforts, is a range of discredited practices aimed at changing one's sexual orientation or gender identity; and

WHEREAS, a national community of professionals in education, social work, health, mental health and counseling including the American Academy of Child and Adolescent Psychiatry have determined that there is no scientifically valid evidence that supports the practice of conversion therapy; and

WHEREAS, such professionals have determined that there is no evidence that conversion therapy is effective or that an individual's sexual orientation or gender identity can be changed by conversion therapy; and

WHEREAS, such professionals have also determined that conversion therapy is not only ineffective, but is substantially dangerous to an individual's mental and physical well-being and has also been shown to contribute to depression, self-harm, low self-esteem, family rejection, and suicide; and

WHEREAS, in contrast, the Children's Mercy Hospital in Kansas City, Missouri, provides evidenced-based therapy or treatment to over 300 children annually within its Gender Pathway Services Clinic, providing physical, mental, and social health services to children and their families as they navigate the process of gender identity development, illustrating the need for responsible, scientifically defensible therapy and treatment services; and

WHEREAS, all minors in Kansas City, including the approximately 5,000 LGBTQ individuals under the age of 18 that reside in the city limits, that seek therapy or treatment to assist them in understanding their individual development of gender identity or their sexual orientation should be free from exposure to the serious harms and risks caused by conversion therapy or reparative therapy; and

WHEREAS, fifteen states, including Washington, DC, have enacted laws or regulations to ban conversion therapy against minors by licensed medical providers, and many bills have been filed in similar states, including Missouri's Youth Mental Health Preservation Act; and

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190902

WHEREAS, the City Council of the City of Kansas City, Missouri, has a responsibility to protect the health, safety, and welfare of all people in our community, especially the physical and psychological well-being of minors, including LGBTQ youth; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 50, Code of Ordinances of Kansas City, Missouri, "Offenses and Miscellaneous Provisions," is hereby amended by enacting a new Section 50-234 in Article VII to protect the physical and psychological well-being of minors, including but not limited to lesbian, gay, bisexual, transgender and/or questioning youth, from exposure to the serious harms and risks caused by conversion therapy or reparative therapy by licensed providers, to read as follows:

Sec. 50-234. Conversion therapy of minors prohibited.

(a) *Policy.* The City of Kansas City, Missouri, has a compelling interest in protecting the physical and psychological well-being of minors, including but not limited to lesbian, gay, bisexual, transgender and/or questioning youth, from exposure to the serious harms and risks caused by conversion therapy or reparative therapy by licensed providers. These provisions are exercises of the police power of the city for the public safety, health, and welfare; and its provisions shall be liberally construed to accomplish that purpose.

(b) *Definitions.* As used in this section, the following terms shall have the meaning indicated in this subsection:

- (1) *Conversion therapy or reparative therapy* means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include counseling that provides support and assistance to a person undergoing gender transition, or counseling that provides acceptance, support and understanding of a person or facilitates a person's coping, social support, and development, including sexual orientation-neutral treatment interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change sexual orientation or gender identity.
- (2) *Gender identity* means the gender-related identity, appearance, expression, behavior or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated sex at birth.
- (3) *Minor* means a person less than 18 years old.

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190902

- (4) *Provider* means any licensed medical or mental health professional including, but not limited to, licensed professional counselors, licensed psychologists, licensed clinical social workers, provisional licensed professional counselors, provisional and temporary licensed psychologists, licensed and provisional licensed marital and family therapists, psychiatrists, certified substance abuse counselors, certified school counselors, behavior analysts and any professional licensed under Chapters 334 and 337 of the Revised Statutes of Missouri.
- (5) *Sexual orientation* means the preference or practice of homosexuality, heterosexuality, asexuality, and bisexuality, or some combination thereof, by consenting adults, or as perceived by others, but not including sexual preference or practice between an adult and a minor.

(c) *Prohibited practice.* It shall be unlawful for any provider to provide conversion therapy or reparative therapy to a minor if the provider receives compensation in exchange for such services.

(d) *Penalty.* Any person that violates any provision of this section shall be subject to the civil penalty prescribed in section 1-17 but in no instance shall a violation of this article be punishable by imprisonment.

Section 2. That it is the City Council's intent that this ordinance regulate professional conduct and the manner in which therapeutic treatment is delivered, but does not otherwise prohibit or limit proponents or opponents of conversion therapy to speak about gender or sexual orientation conversion publicly and privately, including to their minors in forms other than therapy.

Approved as to form and legality:



Authenticated as Passed


Quinton Lucas, Mayor


Marilyn Sanders, City Clerk

NOV 14 2019

Date Passed


Matthew Gigliotti
Assistant City Attorney

AN ORDINANCE OF THE [MUNICIPALITY] AMENDING [MUNICIPALITY] MUNICIPAL CODE ### REGARDING MEDICAL AND MENTAL HEALTH PRACTICES, SUCH AS SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS WITH A MINOR.

WHEREAS, research demonstrates that sexual orientation and gender identity change efforts can pose critical health risks to lesbian, gay, bisexual, and transgender persons;

WHEREAS, contemporary science recognizes that being lesbian, gay, bisexual, or transgender is part of the natural spectrum of human identity and is not a disease, disorder, or illness;

WHEREAS, in 2009, the American Psychological Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation concluded that efforts to change sexual orientation and gender identity are unlikely to produce anticipated outcomes and can pose unintended harmful side effects to participants, such as a sense of having wasted time and resources, confusion, shame, guilt, helplessness, hopelessness, loss of faith, decreased self-esteem and authenticity towards others, increased self-hatred and negative perceptions, social withdrawal, a feeling of being dehumanized and untrue to self, depression, increased substance abuse and high-risk sexual behaviors, and suicidality;¹ and

WHEREAS, in 2009, the American Psychological Association also issued a Resolution on Appropriate Affirmative Responses to Sexual Orientation Distress and Change Efforts, that, among other things, advises persons to avoid efforts to change sexual orientation or gender identity that portray homosexuality as a mental illness or developmental disorder, while encouraging psychotherapy, social support, and educational services that provide accurate information on sexual orientation and sexuality, increase family and school support, and reduce rejection of sexual minority youth;² and

WHEREAS, the Substance Abuse and Mental Health Services Administration has concluded that:

1. "Conversion therapy perpetuates outdated views of gender roles and identities as well as the negative stereotype that being a sexual or gender minority or identifying as LGBTQ is an abnormal aspect of human development. Most importantly, it may put young people at risk of serious harm."
2. "Conversion therapy—efforts to change an individual's sexual orientation, gender identity, or gender expression — is a practice that is not supported by credible evidence, and has been disavowed by behavioral health experts and associations."
3. "Same-gender sexual identity, behavior, and attraction are not mental disorders. Same-gender sexual attractions are part of the normal spectrum of sexual orientation. Sexual orientation change in children and adolescents should not be a goal of mental health and behavioral

¹ American Psychological Association, Report of the American Psychological Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation (2009).

² Id. at Appendix A.

interventions.”³;

WHEREAS, a 2018 study by The Family Acceptance Project found the following:

1. Rates of attempted suicide by LGBT young people whose parents tried to change their sexual orientation were more than double (48%) the rate of LGBT young adults who reported no conversion experiences (22%). Suicide attempts nearly tripled for LGBT young people who reported both home-based and out-of-home efforts to change their sexual orientation (63%).
2. High levels of depression more than doubled (33%) for LGBT young people whose parents tried to change their sexual orientation compared with those who reported no conversion experiences (16%) and more than tripled (52%) for LGBT young people who reported both home-based and out-of-home efforts to change their sexual orientation.
3. Sexual orientation change experiences during adolescence by both parents / caregivers and externally by therapists and religious leaders were associated with lower young adult socioeconomic status: less educational attainment and lower weekly income⁴; and

WHEREAS, a 2019 study by The Trevor Project, which surveyed 34,000 LGBTQ youth between the ages of 13-24, found that five percent of respondents reported being subjected to conversion therapy. 42 percent of these LGBTQ youth who underwent conversion therapy reported a suicide attempt in the past year, more than twice the rate of their LGBTQ peers who did not report undergoing conversion therapy. 57 percent of transgender and nonbinary youth who had undergone conversion therapy reported a suicide attempt in the last year⁵; and

WHEREAS, [MUNICIPALITY] has a compelling interest in protecting the physical and psychological well-being of minors, including lesbian, gay, bisexual and transgender youths, and in protecting its minors against exposure to serious harms caused by conversion therapy; and

WHEREAS, the [MUNICIPALITY] desires to prohibit within the Municipality harmful approaches in the mental health field to change sexual orientation or gender identity with minors, including conversion and reparative therapy, finding they lack medical justification, they are ethically unacceptable to health care and human rights principles, there is a correlation with serious risks to minors' health, wellbeing, and lives, and no other means of protecting minors from the harms associated with conversion therapy would be effective; now, therefore,

THE [MUNICIPALITY] ORDAINS:

³ Substance Abuse and Mental Health Services Administration, Ending Conversion Therapy: Supporting and Affirming LGBTQ Youth. HHS Publication No. (SMA) 15-4928. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2015.

⁴ Caitlin Ryan, et al., Parent-Initiated Sexual Orientation Change Efforts With LGBT Adolescents: Implications for Young Adult Mental Health and Adjustment, Journal of Homosexuality, DOI: 10.1080/00918369.2018.1538407 <https://www.tandfonline.com/doi/full/10.1080/00918369.2018.1538407>.

⁵ The Trevor Project. (2019). National Survey on LGBTQ Mental Health. New York, New York: The Trevor Project. <https://www.thetrevorproject.org/wp-content/uploads/2019/06/The-Trevor-Project-National-Survey-Results-2019.pdf>.

Section 1. [MUNICIPALITY] Municipal Code is amended by adding a new chapter ### to read as follows:

CHAPTER ### MEDICAL AND MENTAL HEALTH PRACTICES

Sections

General provisions; purposes.

Prohibition on sexual orientation and gender identity change efforts with a minor.

General provisions; purposes.

Purpose. This Chapter is an exercise of the Municipality's police power for the public safety, health, and welfare; and its provisions shall be liberally construed to accomplish this purpose.

Prohibition on sexual orientation and gender identity change efforts with a minor.

A. *Findings and Intent.* Medical and mental health experts have denounced efforts to change sexual orientation and gender identity as ineffective and unsafe for people, especially minors. These efforts are based on the discredited premise that being non-heterosexual is a mental disorder that can be corrected or cured. It is the intent of the assembly that these unethical conversion treatments that correlate with serious and dangerous harm to the health and well-being of minors be prohibited. Therefore, the assembly finds and declares that a compelling interest exists in protecting the physical and psychological well-being of minors from efforts to change sexual orientation and gender identity within the municipality, and no other means of protecting minors from the harms associated with conversion therapy would be effective.

B. *Definitions.* The following words, terms, and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Minor refers to any person under 18 years of age.

Provider means any person licensed, certified, or registered to provide professional counseling including, but not limited to, behavior analysts, licensed professional counselors, marital and family therapists or associates, physicians or assistants, osteopaths or assistants, registered or practical nurses or assistive personnel, certified nurse aides, physical or occupational therapists or assistants, psychologists or psychological associates, social workers or associates, licensed professional conservators or guardians, naturopaths, or a person who performs counseling as part of the person's professional training.

Sexual orientation or gender identity change efforts, also known as conversion therapy or reparative therapy, means any counseling, practice, or treatment that seek to change a person's sexual orientation or gender identity, including, but not limited to, efforts to change behaviors or gender expression, or reduce or eliminate sexual or romantic attraction or feelings toward a person of the same gender. Sexual orientation or gender identity change efforts do not include counseling that:

- a. Assists a person undergoing gender transition;
- b. Provides acceptance, support, and understanding to the person; or
- c. Facilitates a person's coping, social support, identity exploration, and development, including sexual orientation- and gender identity-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, if such counseling is not conducted with the goal of changing the person's sexual orientation or gender identity.

C. *Prohibition on sexual orientation and gender identity change efforts.* It is unlawful for any provider to provide, apply, or use sexual orientation or gender identity change efforts with a minor.

D. *Private action.* Any person aggrieved, harmed, injured, or suffering loss or damages by the act or omission of another person constituting a violation of the provisions of this section may, following 30 days written notice to the municipal attorney or department, commence and maintain a civil action for injunctive relief authorized by Section ####. In any action under this section, the Municipality, if not a party, may intervene as a matter of right.

E. Violation of this section shall be punishable by a civil penalty in accordance with chapter ####. Each day in violation constitutes a separate offense.

Section 2. [MUNICIPALITY] Municipal Code section ### is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

- Fine schedule.

The fine schedule under this chapter is as follows:

Code Section	Offense	Penalty/Fine
	***	***
###	<u>Providing, applying, or using sexual orientation or gender identity change efforts with a minor</u>	<u>500.00</u>

Section 3. This ordinance shall be effective 30 days after passage and approval by

the Assembly.

PASSED AND APPROVED by the [MUNICIPALITY] Assembly this _____
day of _____, 2020.

Chair

ATTEST:

Municipal Clerk

DRAFT