

**City of Mission
Regular Meeting Agenda
Wednesday, March 15, 2017
7:00 p.m.
Mission City Hall**

If you require any accommodations (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-676-8350 no later than 24 hours prior to the beginning of the meeting.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING

- Public Hearing Concerning the Establishment of a Redevelopment District - Silvercrest at Broadmoor (5665 Foxridge Dr.)

1. SPECIAL PRESENTATIONS

- AAA Traffic Award

2. ISSUANCE OF NOTES AND BONDS

3. CONSENT AGENDA

*NOTE: Information on consent agenda items has been provided to the Governing Body. These items are determined to be routine enough to be acted on in a single motion; however, this does not preclude discussion. **If a councilmember or member of the public requests, an item may be removed from the consent agenda for further consideration and separate motion.***

CONSENT AGENDA - GENERAL

- 3a. [Minutes of the February 15, 2017 City Council Meeting](#) and [February 22, 2017 Reconvened City Council Meeting](#)

CONSENT AGENDA - Finance & Administration Committee

[Finance & Administration Committee Meeting Packet 3-1-17](#)
[Finance & Administration Committee Meeting Minutes 3-1-17](#)

- 3b. Resolution Designating Surplus Property
3c. Street Solicitation Application - Rotary Greater Kansas City Days
3d. Resolution Designating City-Sponsored Festival Events

CONSENT AGENDA - Community Development Committee

[Community Development Committee Meeting Packet 3-1-17](#)
[Community Development Committee Meeting Minutes 3-1-17](#)

COMMUNITY COMMITTEE REPORTS

Approved Minutes from Board and Commission meetings are available on the City of Mission website under the "[Agendas & Minutes](#)" tab.

4. PUBLIC COMMENTS

5. ACTION ITEMS

Planning Commission **Miscellaneous**

6. COMMITTEE REPORTS

Finance & Administration, Ron Appletoft

[Finance & Administration Committee Meeting Packet 3-1-17](#)
[Finance & Administration Committee Meeting Minutes 3-1-17](#)

- 6a. Pre-Development Agreement with EPC Real Estate Group, LLC (6201 Johnson Drive)
- 6b. Resolution Providing Notice of a Public Hearing Concerning Establishment of a Redevelopment District (TIF District) within the City of Mission, EPC Real Estate Group, LLC (near southeast corner Johnson Dr. & Lamar)
- 6c. Contract Award for Compensation and Classification Study

Community Development, Arcie Rothrock

[Community Development Committee Meeting Packet 3-1-17](#)
[Community Development Committee Meeting Minutes 3-1-17](#)

- 6d. Ordinance creating a Capital Improvement Program (CIP) Committee
- 6e. Roeland Park / Mission Interlocal - NE Corner of Johnson Drive/Roe Boulevard
- 6f. Ordinances Amending Chapters 130, 230, and 240 of the Mission Municipal Code relating to the merger of the Tree Board and Parks & Recreation Commission

7. UNFINISHED BUSINESS

8. NEW BUSINESS

- 8a. Ordinance Establishing a Redevelopment District - Silvercrest at Broadmoor (5665 Foxridge Dr.)

9. COMMENTS FROM THE CITY COUNCIL

10. MAYOR'S REPORT

Appointments

11. CITY ADMINISTRATOR'S REPORT

EXECUTIVE SESSION

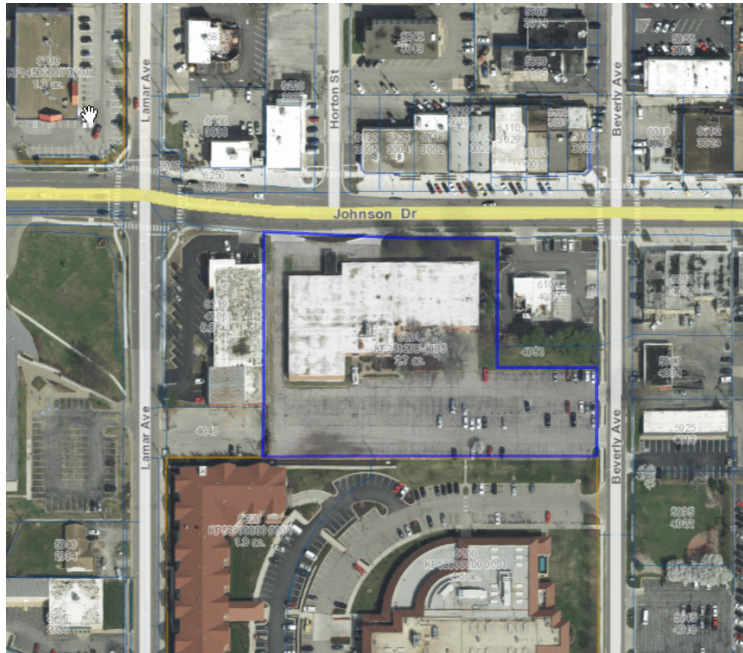
ADJOURNMENT

City of Mission	Item Number:	6a.
ACTION ITEM SUMMARY	Date:	February 22, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: EPC Real Estate Predevelopment Agreement

RECOMMENDATION: Approve the Predevelopment Agreement with EPC Real Estate for consideration of a multi-family mixed use development on 2.7 acres located at 6201 Johnson Drive.



DETAILS: The subject property located at 6201 Johnson Drive is 2.7 acres. The existing building, which was previously used as offices, has been vacant for many years. This property is designated as appropriate for “Downtown District” on the future land use plan map of Mission’s Comprehensive Plan. Downtown District anticipates redevelopment that maintains the existing downtown character by promoting primarily ground floor retail with housing and office uses above. The property is zoned Main Street District 1 which is a zoning district that was created and applied to the property to implement the Comprehensive Plan. The subject

property is surrounded by various retail and service uses, the community center, and senior housing.

The developers indicate that the project presents some unique challenges and added costs which create a project financing gap. As a result, the developers plan to request that the City consider certain incentives in order for the project to move forward.

Historically, when the City considers a project of this nature, we enter into a “Predevelopment Agreement” with the proposed developer. The attached agreement, developed by the City’s Land Use Counsel, includes the following:

- A. Designation of EPC Real Estate as the “Developer of Record” for 4 months (120 days) for this site. During this time, the City may not enter into a final development agreement with another party for the same site.
- B. Development is contingent on satisfactory negotiation of a final development agreement, completion of the planning and zoning entitlement process, agreement on

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	N/A
Available Budget:	N/A

City of Mission	Item Number:	6a.
ACTION ITEM SUMMARY	Date:	February 22, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

- any public improvements and development design.
- C. Nothing in Predevelopment Agreement obligates the City to approve the final development, or any public incentives.
- D. The Developer will establish a \$10,000 fund to reimburse for any City expenses incurred during discussion and review of a final development agreement.

The Developer has submitted a TIF application and we are currently in the process of developing a calendar for both the discussion on incentives, and the planning and zoning entitlement process.

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	N/A
Available Budget:	N/A

PREDEVELOPMENT AGREEMENT

THIS PREDEVELOPMENT AGREEMENT (this “Agreement”) is entered into as of the ____ day of _____, 2017 (the “Effective Date”), between the City of Mission, Kansas, a municipal corporation of the State of Kansas (the “City”) and EPC Real Estate Group, LLC, a limited liability company (the “Developer”) (the City and Developer are hereby collectively referred to as the “Parties”).

RECITALS

A. The parties desire to enter into this Predevelopment Agreement in order to designate the Developer as the exclusive developer during the period hereof for the purpose of implementing a mixed-use, multi-family housing project within the City of Mission and set forth matters that need to be included in any Final Development Agreement. For purposes of this Agreement, the “Project Area” shall be the 2.7 acre parcel located at 6201 Johnson Drive within the City (Johnson County Parcel ID KF251208-4005). Developer currently has the Project Area under contract.

B. The Developer has indicated that they intend to ask the City to consider the use of Tax Increment Financing (“TIF”) and/or other incentives in connection with the project.

C. The City is a municipal corporation duly organized and existing under the laws of the state of Kansas and authorized by K.S.A. 12-1770 *et seq.*, as amended (the “TIF Act”), to provide tax increment financing for certain qualified projects upon compliance with the procedures set forth in the TIF Act and the TIF policy of the City.

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

1. DEVELOPER OF RECORD. The City acknowledges that the risks and costs of preliminary planning activities and other requirements associated with the preparation of a Redevelopment Project Plan under the TIF Act are greater than associated with ordinary development. As an inducement to Developer to assume those costs and undertake those activities set forth herein, the City designates Developer as the exclusive developer of record for Project Area for one hundred and twenty (120) days from the date of this Agreement. During said period of time, as long as this Agreement is in effect, the City agrees that it will not enter into a Final Redevelopment Agreement with any other person or entity, for the implementation of any redevelopment project within the Project Area without the written consent of Developer.

2. TIF APPLICATION. Following the execution of this Agreement, Developer will complete and submit to the City a TIF Application in accordance with the TIF Act, and the TIF Policy of the City.

3. BASIC TERMS OF FINAL DEVELOPMENT AGREEMENT.

The parties agree that before either City or Developer is obligated to proceed with any development within Project Area, a Final Development Agreement, satisfactory to City and Developer in their sole and absolute discretion, must be entered into. Although the specific terms of such Final Development Agreement must be negotiated between the City and Developer, the City and Developer presently believe that such terms must necessarily address, at a minimum, the following matters, to-wit:

A. Determination of Project. The City and Developer must agree on the number of living, retail and office units and the site designs for the development.

B. Agreement on Site Work, Infrastructure and Utilities. The City and Developer must agree on how site work, utilities, street, sidewalk and similar improvements are to be addressed by the development plan. Agreement must also be reached on the method of

financing of these improvements, the distribution of costs for each element and the responsibility for meeting these costs.

C. Agreement on Plans and Specifications. The City and Developer must agree on the plans and specifications of the exterior design of the development.

D. Agreement on Progress Schedule. The City and Developer must agree on a progress schedule by which the redevelopment project will be undertaken and completed.

E. Zoning Changes. The parties shall agree as to how any necessary zoning changes will be addressed. Nothing contained within this Agreement, nor any future agreement, shall be deemed to bind the City, acting in its governmental capacity, to approve any such zoning changes.

F. Other Matters. The Final Development Agreement shall also address any other matters that City and Developer deem appropriate.

4. OBLIGATIONS OF THE PARTIES TO PROCEED.

The obligation of the parties to proceed beyond this Predevelopment Agreement is dependent upon the City and Developer entering into a Final Development Agreement prior to the termination of this Agreement. Nothing contained herein shall (i) obligate the City to create or approve any suggested development (ii) obligate the City to create a TIF District or approve a development plan for Project Area, or (iii) obligate City or Developer to enter into a Final Development Agreement.

5. MISCELLANEOUS.

A. Costs. Each party shall be solely responsible for all costs and expenses incurred by such party in connection with the matters contemplated by this Agreement. Provided, however, that the Developer will reimburse and pay the City for its expenses incurred (“City Expenses”) following execution of this Agreement.

i. In order to ensure the prompt and timely payment of the City Expenses, the Developer will establish a fund (the “Fund”) in the amount of \$10,000 (“Initial Deposit”) by paying such amount to the City contemporaneously with the execution of this Agreement, receipt of which is hereby acknowledged.

ii. City shall provide Developer with a written description of each City Expense containing the name of the party to which the expense will be owed and a reasonable description of the work to be performed or service to be provided. Developer shall have fifteen (15) days after receipt of the City’s notice to approve or deny the expense or request additional detail. In the event Developer fails to respond within the fifteen (15) day period, the expense shall be deemed approved. In the event Developer denies any City Expense, the City and Developer shall attempt in good faith to resolve Developer’s objection thereto; in the event the parties are unable to resolve such objection, City may terminate this Agreement.

iii. On a monthly basis, the City will pay the approved City Expenses from the Fund and will submit to Developer monthly statements itemizing the approved City Expenses paid from the Fund during the preceding month.

iv. In the event the City determines that the total of the City Expenses will exceed the balance in the Fund, the City will submit an itemized statement therefor to the Developer to replenish the Fund so that there is a cash balance available against which additional City Expenses may be applied on a current basis.

v. All statements of approved City Expenses will be payable by Developer within thirty (30) days of receipt thereof.

vi. If economic incentives are extended to Developer for its project, and any City Expenses are eligible for reimbursement through such incentives, the City will not oppose such reimbursement.

vii. All studies, reports, and other work product, other than attorney-client work product, prepared for City and paid out of the Fund shall be provided to Developer at no charge to Developer.

B. Assignability. No party shall assign this Agreement without the written consent of the other parties.

C. Amendments. This Agreement may be supplemented or amended only by written instrument executed by the parties affected by such supplement or amendment.

D. Applicable Law. This Agreement shall be deemed to be entered into in the state of Kansas, and shall be enforceable under the laws of that state.

E. Binding Effect. This Agreement shall inure to the benefit of, and be binding upon the parties hereto, and the permitted successors and assigns of the parties.

F. Non-liability of City Officials and Employees. No member of the governing body, official or employee of the City shall be personally liable to Developer or Owner, or any successor in interest to Developer or Owner, pursuant to the provisions of this Agreement, nor for any default or breach of the Agreement by the City.

G. Not a Partnership. The provisions of this Agreement are not intended to create, nor shall they in any way be interpreted or construed to create, a joint venture, partnership, or any other similar relationship among the parties.

H. Term. The term of this Agreement shall be one hundred and twenty (120) days from the Effective Date.

IN WITNESS WHEREOF, the parties have duly executed this Agreement pursuant to all requisite authorizations as of the date first above written.

CITY OF MISSION, a Kansas municipal corporation

Steve Schowengerdt, Mayor

ATTEST:

Martha Sumrall, City Clerk

EPC REAL ESTATE GROUP, LLC, a limited liability company

By: _____
Name: _____
Title: _____

City of Mission	Item Number:	6b.
ACTION ITEM SUMMARY	Date:	February 21, 2017
ADMINISTRATION	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Resolution providing notice of a Public Hearing concerning establishment of a Redevelopment District (TIF District) within the City of Mission.

RECOMMENDATION: Approve the Resolution calling the Public Hearing for 7:00 p.m. at the April 19, 2017 City Council Meeting.

DETAILS: Over the last several weeks, the Council has been briefed on a mixed use/multi-family project that is being considered for 6201 Johnson Drive. EPC Real Estate has the property under contract, and is proposing to build a 180-unit (+/-) apartment building, with retail and/or office space on the first floor (Johnson Drive frontage), and an associated parking garage. The developers have indicated that they would ask the City to consider establishing a Redevelopment District (TIF District) in connection with the project.

State law requires that the City Council pass a resolution officially calling a public hearing to consider establishing the Redevelopment District. This Resolution must be passed not less than 30 days and not more than 70 days prior to the date of the Hearing. If approved, the Resolution would officially set the hearing date for April 19, 2017 at 7:00 p.m. at the City Council meeting. The Resolution does not commit the City to any other action besides scheduling the hearing and providing required notice.

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	K.S.A. 12-1770 <i>et seq.</i>
Line Item Code/Description:	N/A
Available Budget:	N/A

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MISSION, KANSAS, PROVIDING FOR NOTICE OF A PUBLIC HEARING CONCERNING THE ESTABLISHMENT OF A REDEVELOPMENT DISTRICT WITHIN THE CITY PURSUANT TO K.S.A. 12-1770, *ET SEQ.*, AS AMENDED

WHEREAS, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”), the city of Mission, Kansas (the “City”), is authorized to assist in the development and redevelopment of eligible areas within the City in order to promote, stimulate and develop the general and economic welfare of the State of Kansas and its communities; and

WHEREAS, the City hereby finds and determines it desirable to encourage the development and redevelopment of certain real property generally located south of and along Johnson Drive between Lamar Avenue and Beverly Street within the City and to consider the establishment of a redevelopment district at such location (the “Redevelopment District”); and

WHEREAS, pursuant to the Act, the City must adopt a resolution stating that the City is considering the establishment of the Redevelopment District and include in such resolution notice that a public hearing will be held to consider the establishment of said Redevelopment District;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS, AS FOLLOWS:

1. Notice is hereby given that a public hearing to consider the establishment by the City of the Redevelopment District shall be held at the Mission City Hall, 6090 Woodson St, Mission, Kansas, on April 19, 2017, beginning at 7:00 p.m.

2. The proposed boundaries of the Redevelopment District are set forth in **Exhibit A** attached hereto and incorporated herein by reference. A map depicting the boundaries of the proposed Redevelopment District is attached hereto as **Exhibit B**.

3. A description of proposed District Plan Number 1 for the Redevelopment District and the general description of the proposed buildings, facilities and improvements to be constructed or improved is attached hereto as **Exhibit C** and incorporated herein by reference.

4. A description and map of the proposed Redevelopment District are available for public inspection prior to the public hearing during regular office hours in the Office of the City Clerk, at Mission City Hall, 6090 Woodson St, Mission, Kansas.

5. At the public hearing, the Governing Body of the City will consider findings necessary for the establishment of the proposed Redevelopment District.

6. The City Clerk shall give notice of the public hearing in accordance with the provisions of the Act.

7. The Act authorizes the issuance by the City of bonds to finance all or a portion of the costs of implementing the district plan. Said bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of passage of this Resolution, pursuant to Treasury Regulation §1.150-2 in the maximum principal amount of \$1,000,000.

THIS RESOLUTION IS ADOPTED by the City Council of the City of Mission, Kansas, this 15th day of March, 2017.

CITY OF MISSION, KANSAS

By: _____
Steve Schowengerdt, Mayor

(SEAL)

ATTEST:

By: _____
Martha Sumrall, City Clerk

APPROVED AS TO FORM ONLY:

By: _____
David Martin, City Attorney

EXHIBIT A

PROPOSED BOUNDARIES

Tract 1

THE NORTH 210 FEET OF THE WEST 140 FEET OF THE EAST 825 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12, RANGE 25, IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS EXCEPT THAT PART IN HIGHWAY, STREET OR ROAD.

Tract 2

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4 SE 1/4) OF SECTION 8, TOWNSHIP 12, RANGE 25, IN MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID 1/4 1/4 SECTION 825 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE WEST ALONG SAID NORTH LINE 330 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID 1/4 1/4 SECTION 300 FEET; THENCE WEST PARALLEL TO THE SAID NORTH LINE 167.13 FEET, MORE OR LESS, TO THE WEST LINE OF SAID 1/4 1/4 SECTION; THENCE SOUTH 75 FEET ALONG SAID WEST LINE; THENCE EAST PARALLEL TO SAID NORTH LINE 636.73 FEET, MORE OR LESS, TO A POINT 685 FEET WEST OF THE SAID EAST LINE; THENCE NORTH PARALLEL TO SAID EAST LINE 165 FEET; THENCE WEST PARALLEL TO SAID NORTH LINE 140 FEET; THENCE NORTH 210 FEET TO THE POINT OF BEGINNING, EXCEPT ANY PART TAKEN, USED OR DEDICATED FOR ROADS OR PUBLIC RIGHT OF WAYS.

EXCEPT THAT PART IN JOHNSON DRIVE, AND EXCEPT THAT PART DESCRIBED AS FOLLOWS:

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4 SE 1/4) OF SECTION 8, TOWNSHIP 12, RANGE 25, IN MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID QUARTER SECTION 375 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 167.13 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF SAID QUARTER SECTION, 75 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 167.13 FEET, MORE OR LESS, TO THE WEST LINE OF SAID QUARTER SECTION; THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION 75 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

Tract 3

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4, SE 1/4) OF SECTION 8, TOWNSHIP 12, RANGE 25, IN MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID 1/4, 1/4 SECTION THAT IS S 87° 59' 16" W 824.08' (825' DEED) WEST OF THE NORTHEAST CORNER THEREOF; THENCE S 2° 04' 52" E, PARALLEL TO THE EAST LINE OF SAID 1/4, 1/4 SECTION 60.00' TO A POINT ON THE SOUTH LINE OF JOHNSON DRIVE, AS ESTABLISHED, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THIS TRACT; THENCE CONTINUING ON THE LAST DESCRIBED COURSE 150.00'; THENCE N 87° 59' 16" E, PARALLEL TO SAID NORTH LINE, 140.00' FEET TO A POINT 684.08' (685' DEED) WEST OF SAID EAST LINE OF SAID 1/4, 1/4 SECTION, BEING ALSO ON THE WEST LINE OF BEVERLY AVE., AS ESTABLISHED; THENCE S 2° 04' 52" E ALONG SAID WEST LINE, AND PARALLEL TO THE EAST LINE OF SAID 1/4, 1/4 SECTION, 30.00' TO A POINT 240.00' SOUTH OF SAID NORTH LINE; THENCE S 87° 59' 16" W, PARALLEL TO SAID NORTH LINE, 141.00'; THENCE N 2° 04' 52" W 180.00' TO A POINT ON THE SOUTH LINE OF SAID JOHNSON DRIVE, AS ESTABLISHED, 60.00'

EXHIBIT A (cont.)

PROPOSED BOUNDARIES

SOUTH OF THE NORTH LINE OF SAID 1/4, 1/4 SECTION; THENCE N 87° 59' 16" E ALONG SAID SOUTH LINE, 1.00' TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 4,380 SQUARE FEET, OR, 0.1006 ACRES, MORE OR LESS.

Tract 4

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12, RANGE 25, IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 300 FEET SOUTH AND 25 FEET EAST OF THE NORTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID QUARTER QUARTER SECTION 142.60 FEET; THENCE NORTH 245.08 FEET TO A POINT IN THE SOUTH LINE OF JOHNSON DRIVE; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY LINE OF JOHNSON DRIVE TO A POINT 25 FEET EAST OF THE WEST LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID QUARTER QUARTER SECTION 261.25 FEET TO THE POINT OF BEGINNING, EXCEPT THE EAST 5 FEET OF THE WEST 30 FEET OF THE NORTH 261.25 FEET THEREOF, AND EXCEPT BEGINNING AT A POINT 30 FEET EAST AND 38.75 FEET SOUTH OF THE NORTHWEST COMER OF SAID QUARTER QUARTER SECTION; THENCE EASTERLY ALONG THE SOUTH RIGHT-OF WAY OF JOHNSON DRIVE AS NOW ESTABLISHED, 30 FEET; THENCE SOUTH 5 FEET; THENCE SOUTHWESTERLY 31.6 FEET TO A POINT 30 FEET EAST OF THE WEST LINE OF SAID QUARTER QUARTER SECTION; THENCE NORTH 15 FEET TO THE POINT OF BEGINNING.

Tract 5

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12, RANGE 25, IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID QUARTER SECTION 375 FEET SOUTH OF THE NORTHWEST COMER THEREOF; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 167.13 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF SAID QUARTER SECTION 75 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 167.13 FEET, MORE OR LESS TO THE WEST LINE OF SAID QUARTER SECTION; THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION 75 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPT THE WEST 30 FEET THEREOF TAKEN FOR LAMAR AVENUE.

INCLUDING ALL ADJACENT RIGHT OF WAY.

EXHIBIT B

MAP OF PROPOSED REDEVELOPMENT DISTRICT



EXHIBIT C

DESCRIPTION OF THE PROPOSED DISTRICT PLAN #1

Construction of approximately 180 apartment units, structured parking garage, first floor retail and office spaces for rent and related amenities; in addition, any necessary infrastructure improvements.

City of Mission	Item Number:	6c.
ACTION ITEM SUMMARY	Date:	February 23, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Classification and Compensation Study

RECOMMENDATION: Approve a contract with The Austin-Peters Group to conduct a comprehensive classification and compensation study for the City of Mission in an amount not to exceed \$22,950.

DETAILS: The City approved funds in the amount of \$25,000 in the 2017 budget to conduct a classification and compensation study for the organization. Although the City has reviewed the system annually, and made periodic adjustments based on market conditions, the last comprehensive compensation/classification analysis was completed in 2005. The City is seeking input from the consultant to review and either improve or replace the existing classification and compensation plan with one that is manageable and sustainable. In addition to identifying any potential structural deficiencies such as compression, overlap or internal inequities, the study will also address changes in City operations and staffing which may have affected the type, scopes or level of work being performed.

Last month, a Request for Proposals was issued. The City received six (6) proposals by the deadline. Those proposals were reviewed and ranked by an internal committee, and three (3) firms were selected for on-site interviews. Interviews were conducted on Thursday, February 16th by the following: Ron Appletoft, Laura Smith, Martha Sumrall, John Belger, Christy Humerickhouse, Ben Hadley, and Tari Ross. Based on the interviews, the selection committee rankings and reference checks, the recommendation is to hire The Austin-Peters Group. A copy of their proposal is included for your review and information.

The project timeline was designed to produce study results and recommendations by June 30th, allowing the City Council time to review and consider them as part of the 2018 Budget. Project deliverables will include:

- Development of an overall compensation philosophy
- Updated classification structure
- Market analysis
- Updated employee job descriptions
- Cost analysis
- Implementation strategies
- Processes/forms/training for on-going maintenance of the system

Once the contract is finalized, we will host a series of employee meetings to explain the project and ensure that expectations are outlined and questions are answered.

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	01-07-206-05
Available Budget:	\$25,000



Proposal for Services Classification and Compensation Study

**THE
AUSTIN PETERS
GROUP, INC.**



Rebecca Crowder, President
P.O. Box 27196
Overland Park, KS 66225
(913) 851-7530
Fax (913) 851-7529
bcrowder@austinpeters.com
www.austinpeters.com



February 10, 2017

Laura Smith, City Administrator
6090 Woodson
Mission, KS 66202

Dear Ms. Smith:

Enclosed please find the Austin Peter Group's response to the RFP for Classification and Compensation Study. We provide a wide range of human resource support and would be glad to assist the City of Mission. Our firm is based in Overland Park which provides an excellent proximity to the City of Mission.

This proposal covers 33 positions as outlined in the RFP. Our proposal includes a job classification and compensation study for different pay grades focusing on internal and external equity and updated position descriptions.

We have an extensive background working with local government. We look forward to talking with you to discuss your needs. This proposal is valid for 90 days.

Sincerely,

President, SPHR, SHRM-SCP

Agents and Address

Experience - Project Manager and Team

The following is an overview of our project team, which includes qualifications, education, professional registrations, and areas and years of service in the respective field.

Rebecca Crowder, Masters in Public Administration, SPHR—President

Address:

P.O. Box 27196
Overland Park, Kansas 66225
Ph (913) 851-7530
Fax (913) 851-7529

The founder and President of The Austin Peters Group, Inc., Rebecca has more than 25 years of local government management experience. Rebecca has provided management assistance to over 200 local government clients on a variety of management issues. She has researched and authored more than 200 studies. Rebecca has organized and led training programs for over 5,000 participants on issues such as diversity awareness, human resource management, team building, budget and finance, role of boards, goal setting and strategic planning. Past positions -- Human Resource/Administrative Services Director—Merriam, Kansas; Management Consultant—University of Tennessee Municipal Technical Advisory Service; Management Assistant—Janesville, Wisconsin; Budget Analyst—Johnson County, Kansas.

Rebecca’s extensive local government experience has touched all local service areas, including: police, fire, public works, engineering, water, wastewater, building inspection, planning, solid waste, library, mental retardation services, administration, county elected officials, courts and juvenile justice, and more. She holds a Bachelor of Arts in Political Science from Kansas State University and a Master of Public Administration from the University of Missouri at Columbia. Former National Society for Human Resource Certification instructor for four years at Washburn University, teaching the compensation and classification certification (among others). Rebecca has led all projects listed in experience statement. Professional Memberships and Certifications: ICMA, SHRM, DDI Trainer, Zenger Miller Trainer.

Project Responsibility: Project Manager responsible for oversight and detailed involvement of entire project.

Elizabeth Tatarko, Masters in Urban Planning—Vice President

Elizabeth has served local and state government—as well as non-profit organizations—for more than 25 years. Prior to joining The Austin Peters Group, she was the Assistant Director of the Kansas Center for Rural Initiatives at Kansas State University.

Elizabeth has provided technical assistance to more than 200 local, regional, and state organizations. She provides expertise in -- Evaluation and survey design; Community and economic development; Citizen involvement; Community participation; Conflict resolution; Focus groups; and Strategic planning.

Over the past several years, Elizabeth has co-authored nearly all of the studies undertaken by The Austin Peters Group, Inc. local government and worked directly with nearly all of Austin Peters Group, Inc. 80 local government clients, and worked with more than 20 communities in citizen attitude survey research, focus group research, and individual interviews. She has also served as a program evaluator for university and state government programs.

Elizabeth has served as an organizer and leader for training programs that have reached more than 5,000 persons. She received specialized training in conducting focus groups from the University of Minnesota under the guidance of Dr. Richard Krueger, the national leader in this field. She holds a Bachelor of Science in Political Science and a Master of Science in Regional and Community Planning from Kansas State University.

Elizabeth was the Project Manager for Johnson County’s Performance Evaluation program involving more than 4,000 employees. She also served as co-project manager for the Ford County Organizational Assessment. Professional Memberships and Certifications: APA, Myers Briggs Type Indicator, DDI Trainer, Center for Creative Leadership graduate, Focus Group Facilitator University of Minnesota. Training and experience includes all major projects in partial list below.

Project Responsibility: Co-Project Manager, responsible for oversight and detailed involvement of entire project.

Marla Flentje, Masters in Public Administration—Senior Consultant (independent contractor)

Marla has over 20 years’ experience in consulting, facilitating, and teaching professional development programs for state, local, and community organizations. For several years, she has organized the annual Kansas Association of Counties compensation survey with 105 counties.

Marla has served as director for a state university-based unit that provides research, support, and technical assistance to local governments. She holds a Master's degree in Public Administration from Wichita State University. Marla was instrumental in the facilitation of Johnson County's performance evaluation program. Professional Memberships and Certifications include ICMA and Conflict Resolution and Management. Ms. Flentje works as an independent consultant for The Austin Peters Group.

Project Responsibility: Facilitation, department interviews.

Jay Crowder, Masters in Human Development, SPHR—Senior Consultant

Jay has held leadership and professional positions in two Fortune 250 companies and in County government. His 25 years of experience are in the areas of -- Affirmative action; Fair employment practices (ADA, FMLA, Title VII); Human resource planning; Recruitment; Compensation; Performance management; 360-degree evaluation process; Employee relations; Training and development; Employee relocation; Union avoidance; Worker's compensation; and Immigration.

Jay holds a Bachelor's Degree in Human Development from the University of Kansas and a Master's Degree in Human Resource Development from Vanderbilt University. Training and experience include specific studies, as well as the former Classification and Compensation Analyst for Johnson County, Kansas (current employees total over 4,000). Professional memberships and certifications include ICMA, SHRM.

Project Responsibility: Consultant on employment law and human resource needs.

Subcontractors

The following professionals are active subcontractors with The Austin Peters Group, Inc., Marla Flentje, Ruth Williams, and Michelle Schamberger. Their role in this project depends on schedule and availability. The scope of the involvement would be editing and assistance with market survey research and document management. These subcontractors have worked with The Austin Peters Group for the past 4 to 13 years. Resumes are available upon request.

Experience

Firm's Experience

The Austin Peters Group, Inc. (APG) is a corporation which has been in business 19 years - established in 1998. The company is incorporated in the state of Kansas. It is a privately

owned, certified Women Business Enterprise (WBE). APG is co-owned by Rebecca Crowder, President, and Elizabeth Tatarko, Vice-President. Rebecca Crowder will be the primary contact for the project.

A small company based in Overland Park, Kansas, The Austin Peters Group combines the experience and energy to provide high-quality, tailored products that meet the demands of our customers. The firm prides itself in being highly responsive to its client needs.

Government Experience - Sample

The Austin Peters Group has completed projects similar to this for over a 120 local governments. We have been assisting local governments since 1998. Below is a sample of clients, and more specific information is available upon request. Private sector clients are not listed.

City of Bonner Springs, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees. After the City adopted a pay structure, the consulting team guided the implementation of a pay-for-performance system that has customizable performance factors.

City of Jefferson City, Missouri

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project is currently being completed for over 400 employees.

City of Lansing, Kansas

This project was conducted with all full-time employees. A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. The classification and compensation study was accomplished in coordination with the job description revision. The salary and benefit survey was conducted for an external review of the market.

City of Maryville, Missouri

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project is currently being completed for all employees.

Douglas County, Kansas

This project was conducted with all full-time employees. A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. The classification and compensation study was accomplished in coordination with the job description revision. The salary and benefit survey was conducted for an external review of the market. This project was implemented for more than 300 employees.

Franklin County, Kansas

This project was conducted with all full-time employees. A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. The classification and compensation study was accomplished in coordination with the job description revision. The salary and benefit survey was conducted for an external review of the market.

Johnson County, Kansas

System-wide implementation of performance evaluation system for more than 4,000 employees.

Routt County, Colorado

This project was an extensive market evaluation of all full-time and part-time positions. The classification and compensation study was accomplished in coordination with the market review and update for over 170 positions. The salary and benefit survey involved working with more than 20 participants to determine market recommendations for wages and benefits. All employees were interviewed as a part of the process, and the consultants worked hand-in-hand with administration and the governing body to implement recommendations.

City of Montrose, Colorado

This project was conducted with all full-time employees. The salary and benefit survey was conducted for an external review of the market. An extensive employee survey and focus group process was used to provide input into the process of employee compensation and performance evaluation.

City of Hesston, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

City of Iowa City, Iowa

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions, along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

City of La Vista, Nebraska

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees. After the City adopted a pay study and had their strategic plan updated by the consulting team, the team developed low-cost solutions to their pay-for-performance system.

City of Newton, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

Butler County, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

Geary County, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

Harvey County, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

Riley County, Kansas

This project was conducted with all full-time employees. A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. The classification and compensation study was accomplished in coordination with the job description revision. The salary and benefit survey was conducted for an external review of the market.

Pottawatomie County, Kansas

A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. A classification and compensation study was accomplished in coordination with the job description revision. A salary and benefit survey was conducted for an external review of the market. This project was conducted with all full-time employees.

City of North Liberty, Iowa

This project was conducted with all full-time employees. A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. The classification and compensation study was accomplished in coordination with the job description revision. The salary and benefit survey was conducted for an external review of the market. After the City adopted a pay structure, the consulting team guided implementation of a pay-for-performance system that has customizable performance factors

City of Leander, Texas

This project was conducted with all full-time employees. A revision of job descriptions was conducted for a more thorough review of Americans with Disabilities Act functions along with more accurate descriptions. The classification and compensation study was accomplished in coordination with the job description revision. The salary and benefit survey was conducted for an external review of the market. After the City adopted a pay structure, the consulting team guided implementation of a pay-for-performance system that has customizable performance factors.

Statement of Methods and Procedures

Scope of Work

A. Establishing a Compensation Philosophy

1. Goal Setting: Facilitate a goal setting process for compensation and benefits with the City's Leadership Team to establish target levels of competitiveness in the marketplace. This goal setting process will include training on best practices and alternatives, discussion of compensation needs and issues faced by the City, and development of goals based on input and direction.
2. Policy Creation: APG will prepare and facilitate a discussion on compensation goals and needs identified by the City's Leadership Team. APG will also facilitate and develop customized compensation policies based on input by the City's Leadership Team for the City Council. These policies may include topics such as: pay practices administration; movement of pay ranges;

compression; longevity; topping out at pay range maximum; being below pay range minimum; reclassification of future positions; and other policy options. The documents will form a compensation philosophy, goals, and policy documents for consideration by the City Council.

B. Classification Plan - Compensation and Classification Analysis

Internal Equity (First Step of the Classification and Analysis Process)

The Austin Peters Group reviews the current compensation and pay ranges for the City's positions. The Austin Peters Group will evaluate jobs for internal equity using the following factors:

- Supervisory
- Knowledge and Experience
- Budgetary
- Decision-making
- Public contact
- Working conditions
- Physical requirements

During the initial meeting process with human resources, the key factors will be reviewed and a determination will be provided regarding factors and weighting. **All employees** will be asked to complete a position questionnaire.

During the initial meeting the process, tasks to be performed, intended outcomes, staff availability, and points of contact will be addressed.

Prior to the first meeting the consulting team will have received the background materials in order to be prepared.

During this process, the consulting team will meet with department heads and managers to: discuss position questionnaires, confirm job description content, and answer general questions about the position's responsibilities.

Further, as stated above, the team will then interview employees and conduct worksite tours. The combination of **position questionnaires, interviews, and onsite observations** provides an understanding to initially complete the internal equity process.

The department heads will review the results for their departments and provide feedback to the consulting team regarding position evaluation or job ranking. Additionally, a management representative or human resource representative will review a preliminary job ranking and market analysis and provide the consulting team with feedback on their findings.

External Equity (Second Step of the Classification and Evaluation Process)

Positions will be evaluated in comparison to local economic market conditions for entry-level, professional, and management personnel. In order to accomplish the external market review of positions, ten or more comparable organizations (*e.g.* similar cities) and ten or more local private-sector market competitors will be surveyed as determined by the City Management.

Respondents will receive a summary of the position being surveyed, and will be asked to score how closely the respondent's position matches the benchmark position in the survey. This assists the consultant with determination of content and duty comparisons.

After surveys are received, the consultant often communicates with the respondents to confirm information and responses or review job descriptions. Department heads will be interviewed and surveyed regarding market competition and staffing turnover to ensure that critical positions are surveyed.

Further, department heads are often consulted regarding respondents who have similar or different structures and organizations to ensure that there is good data. External data sources may be used in lieu of a full survey.

At least 33 positions will be surveyed and used as benchmark positions for extrapolating data to groupings (or classes) of positions. Every effort will be made to have a minimum of eight responses for each position surveyed. However, there will be some positions that will not have good market peers. Additional organization information will be collected in the market survey to include: insurance plans and descriptions, employer contributions for single, family, vacation and leave policies.

The final report will demonstrate each response and provide a summary of (as well as graphic and numerical differences between) the City and its respondents. Benefits data will be collected from each respondent, and that information will also be calculated into comparative data for health insurance benefits, and other descriptive information will be summarized. The report will outline where the City currently stands in the market, and what steps would be necessary to lead, meet, or lag the market.

Classification, Pay Schedule, Administration, Implementation (Final Step of the Classification and Evaluation Process)

The consulting team will place all positions into pay ranges or classifications based on using a scoring system for the following factors:

- Supervisory
- Knowledge and Experience
- Budgetary
- Decision-making
- Public contact
- Working conditions
- Physical requirements

Pay ranges will be a set number and market findings will guide each classification recommendation. Flexibility between ranges for future placements (those will be outlined as “reserved for future placements” in the recommendations) will be included if needed.

The Austin Peters Group will provide a draft of these findings to the human resources and/or management contact for feedback. The consultants will use the human resources or management contact representative to help guide recommended changes in compensation strategies, as outlined in the request for proposal. We will also provide strategies and connections with flexible pay structures and alternative cost impacts as appropriate.

Maintenance of a Plan

For future maintenance of a pay plan system, the guidebook, spreadsheets, and electronic documents will be handed over to the appropriate personnel. Additional polices will be provided to help maintain the system, these include:

- Pay practices administration
- Movement of pay ranges
- Longevity
- Topping out at pay range maximum
- Being below pay range minimum
- Other policy options

The consulting team will develop costing scenarios. The consulting team will outline and

prioritize implementation, while minimizing employer costs.

The Austin Peters Group will prepare final recommendations of policy changes, salary changes, the reclassification process (for future requests), and pay schedules for the governing body's consideration. Final documents will form a **guidebook for implementation**. These documents will be provided in an electronic format, for human resources staff (and other key staff). Consultants will spend time with staff reviewing the documents and providing training for implementation.

C. Position Description Revisions

The Austin Peters Group's objective is to review, modify and/or create position descriptions with the goal of bringing the City's position descriptions in line with the employment market and best practice guidelines. The development of position descriptions will focus on responsibilities and duties, qualifications, working conditions, physical requirements, and other relevant information such as certifications and whether the position is in a supervisory role. The requirements for performing the position under a minimum and preferred standard will be outlined by education and/or experience depending on the role, along with additional requirements to be in compliance with equal employment opportunity, American with Disabilities Act (Amended), and FLSA requirements.

The person in the position (or the supervisor) will fill out a questionnaire that guides the consultant in developing the position description. The questionnaire will include an attached current position description that has been reviewed by the employee and elected official/department head. The questionnaire will ask additional questions which help guide in the position description update, which will include:

1. Appropriate questions related to classification as exempt or non-exempt under the Fair Labor Standards Act (FLSA) for some positions if unclear;
2. Compliance with the current Americans with Disabilities Act (as amended);
3. Appropriate physical and non-physical requirements;
4. Working conditions;
5. Essential and marginal duties that are specific to the position;
6. Qualifications (education and/or experience), Licensing/Certification, specifications (knowledge, skills and abilities), accountabilities, and organizational relationships.

The consultant will draft the position description and will clarify with the elected official/department head any discrepancies. Once the position description has been completed they will be given to the Human Resources Administrator for final internal approval. The position descriptions will be provided in a uniform format that is consistent with the City's other position descriptions.

D. Training

The consulting team has learned over the last several years that it is not enough to provide clients with outcomes and processes for compensation and classification studies. Staff training can be a key component to successful outcomes. The consulting team will hold a mock-training session with the human resource staff and leadership team with “fake” non-City positions to demonstrate how internal equity and market equity are conducted by the consulting team. These mock exercises greatly affect participant understanding of the process and further enhance communication. This will also help maintain the system and address future requests for reclassification, which the team will provide guidance to address. The Austin Peters Group believes if we train a team and they are comfortable with the process, there will be more success in maintaining the system in the future.

E. Project Communication

Austin Peters Group will keep parties informed through the process, this has ensured our overall success rate of 98% implementation in projects of this nature, each area is deemed critical.

Governing Body

At the start of the project, we propose a meeting with officials, which is used to develop a common understanding of the project and a direction with the City. At the end of the project, the team will also present findings to the City Officials.

Employee Communications

The consulting team begins the communication process with a letter to all employees outlining expectations, the purpose of the study, and how employees can contact the consulting team at any point in the process to clarify or ask questions.

During the beginning when the consulting team is onsite, there will be:

- One kick-off/orientation meeting where employees can ask questions and receive answers
- Open-door policy, where employees may call consultants at any time

All employees will be asked to complete a position questionnaire (these are usually completed in teams by position, or individually at the employee's choosing), which will form the basis of the employee interviews, along with position descriptions. Next, the consulting team interviews all employees by position during a 20-minute process to determine the scope of the position responsibilities, internal equity factors, market influences, and current position description. For those employees on different shifts, additional interview times are added to accommodate as many employees as possible.

Following the interviews, the department head or designee will lead an onsite/worksite visit or tour where the consulting team can observe employees at work, first-hand. After this step, employees may pose questions to their department head, or to the consulting team directly. Usually, employees are eager to respond to consultant's questions and provide follow-up information.

At the end of the process, employees will receive a personal letter indicating the specific impact that the recommendations have on their position. This letter also specifies how and when the employees will have an opportunity to ask the consulting team questions.

City Team/Stakeholder/Department Head

The City Administrator, Department Heads, and Human Resources form the backbone of communication between the consulting team and the employees. It is critical to the project's success that they actively participate with the consulting team in the process.

At the beginning of the process, there will be several City Team/Stakeholder meetings. Information is exchanged between the consultants and the department heads several times on the phone, in writing, face-to-face, and via email. The City Administrator and Department Heads are also interviewed in a more extensive way regarding department background, organization, culture, and internal/external department issues.

The consulting team will conduct site visits and worksite visits with the department head's assistance. This allows the team to see first-hand the requirements of the position.

The consulting team meets with the human resource representative or designated contact during each onsite visit. The consulting team's initial discussion with management or the

human resource representative sets the parameters and expectations that drive project recommendations.

Regular Updates

The consulting team provides regular updates to the Human Resources Director. The consultants will discuss scope of work complete, data collection, schedule and progress, challenges, and provide updates or changes. Further, the consulting team will provide regular updates to the City Team on project progress as instructed by the City.

Structure and Content of Work Product

The Austin Peters Group will provide the City with:

1. A classification structure that consolidates the current system and/or creates classifications, and recommend the appropriate assignment for all City positions within this structure. Provide appropriate implementation and maintenance manuals.
2. Develop a competitive pay structure for all jobs using the point factor evaluation process. Pay structure shall be in a Microsoft Excel format.
3. Identify the methodology and point scheme used to evaluate each job, and the total points assigned to each job and placement points used within each pay grade.
4. Each pay grade shall reflect Minimum, Midpoint and Maximum Range.
5. Make recommendations if appropriate for any changes in hire rates, promotion rates, demotion rates, incentive and certification pay, on-call compensation, and other monetary incentives such as wellness incentives, longevity and other issues specific to the City of Mission. This includes how to effectively deal with pay compression that may currently exist or result with any range adjustments.
6. Make recommendations for a multi-year implementation strategy based on financial parameters provided by the City. This implementation strategy will be effective with a date determined by the City Administrator.
7. Provide the City with a simplistic and manageable system that outlines methodology, findings, conclusions and recommendations.
8. Job analysis questionnaire and procedures for future updating and new position creation.
9. Develop and fully define in writing a systematic procedure for evaluating positions using the “point factor method.” Provide worksheets for departments to request a job evaluation for an upgrade within a position or new position for submission to the Human Resources

Department. Provide worksheets for Human Resources Department personnel to perform future job evaluations or upgrades.

Work Schedule

Schedule - March 30, 2017 - June 30, 2017.

Completion Date	Task	Responsible	Deliverables
Week 1	Letter of agreement	City of Mission	Returns signed copy to the Austin Peters Group and processes invoice for deposit.
	Meeting with City Team regarding project.	Austin Peters Group/City of Mission	The consulting team meets with the City Team to answer a set of questions that will direct the consulting team in development of recommendations.
	Market questionnaire delivered to City department head only	Austin Peters Group/City of Mission	Questionnaires are delivered electronically. Market questionnaire is filled out by the department head and returned by day 5 via fax to the Austin Peters Group (913-851-7529).
	Market questionnaire from department head	Austin Peters Group	Department heads answer questions required for market study process to start.
Week 2	Position evaluation questionnaire distributed to City employees	Austin Peters Group/City of Mission	Questionnaires are delivered electronically. Position evaluation questionnaires are filled out by all employees and returned to their supervisors by day 10. Position evaluation questionnaires are distributed with a memo outlining the project.

Week 3	Market survey commences	Austin Peters Group	Market analysis (respondents will have 14 days to turn survey around to APG).
Week 4	Employee Q & A	Austin Peters Group	Employee session is held for questions and answers during the onsite process.
Week 4	Department/ supervisor/ employee Interviews	Austin Peters Group	Employees are interviewed for internal equity purpose and update of job descriptions.
Week 10	City Administrator/Human Resource Director/ Department Head	Austin Peters Group	Draft of internal equity.
Week 13	City Administrator/Human Resource Director/ Department Head	Austin Peters Group	Draft of findings with preliminary range recommendations and financial impact.
Week 13	City Administrator and/or Human Resource Director	Austin Peters Group	Draft of findings with preliminary recommendations. Draft of job descriptions.
Week 15	Meet with governing body	Austin Peters Group	Final recommendations.
Week 15	Guidebook	Austin Peters Group	Convey final documents provide guidance on implementation to human resource staff.

References

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Fees

APG has based the price on 33 positions. If Mission wishes to add positions, fees will be adjusted accordingly.

Costs

Scope and Cost	Cost
Compensation and Classification (estimate of 33)	
1. Conduct interviews with department heads, administration, managers and employees by position, site tours (30 minutes per position) (16.5 hours)	\$1,980
2. Compare current job classification to work being assigned and evaluate for internal equity (60 minutes per position) (33 hours)	\$3,960
3. External equity - market analysis of peers for 33 positions (flat rate)	\$4,500
4. FLSA review of positions (15 hours)	\$1,800
5. Develop and update position descriptions for each job title (33 hours)*	\$3,960
6. Recommendations for market, ranges, alternatives with fiscal impacts, flexibility of structure, implementation by position (20 hours)	\$2,400
7. Policy considerations including pay practices (10 hours)	\$1,200
8. System presentation to department heads, City elected officials team with revisions including training of staff for maintenance (15 hours)	\$1,350
9. Oral presentation of findings to administration, staff, governing body, and employees as determined (14 hours)	\$1,800
10. Electronic copies will be sent to client for photocopying	No Charge
11. Travel costs: Mileage and hotel – billed separately.	No Charge
Total Project Cost (not to exceed)	
*Negotiable item based on needs of the City	\$22,950

Additional Work

The rate for this project \$120/hour. This hourly rate will be applied for any additional services beyond the scope of services outlined in this request for proposal response.

Supplementary Material

Project Management Philosophy

The Austin Peters Group has a 98% success rate for implementation of projects similar to the one described here. Success of our projects depends on employee, manager, executive team and governing body buy-in. The support at each level of the organization is important to the credibility of the project. Therefore, there are many points in the process where each group is involved. Having a process that is fair, uniform and builds in specific criteria that is uniformly applied to all positions is the foundation of our communication strategy and work. The consulting team will work to customize policies, procedures, and work documents for the City to carry the pay study forward.

Our success comes from not just dropping off recommendations with a City, but with support that continues for three years after the recommendations are delivered. We have principles that we follow with our employee communication and government body; for example, no employee will receive a pay decrease recommendation from our firm, and the level of information that is distributed back to the employees at the end of the project is specific to their position range and recommendation. Our internal equity scoring and market data is not distributed to employees, but the pay range recommendations are with a specific letter to each employee about how the pay study does or does not affect their individual situation. At that point in the process if an employee wants to ask us questions after the government body has reviewed the initial documents and prior to governing body taking final action, we are amenable to a second look based on employee input. That last step of the process ensures employees a fair shake, and builds credibility into the process.

Roles Overview

Throughout the study and during each phase the role of The Austin Peters Group, the City of Mission, and its workforce is a partnership. Below is an outline of roles and involvement:

Employees

Compensation and Classification Analysis—Employees are involved in position questionnaires, face-to-face interviews by positions, consulting team on-site department tours, employee involvement surveys, an employee question-and-answer session, open-door policy on our behalf that they can contact us any time, employees receive a specific letter regarding recommendations prior to adoption, and employees have a chance to talk to the consulting team prior to final adoption.

City Team/Stakeholder Group: Administration and Department Heads/Elected Officials

Compensation and Classification Analysis —Administration and department heads are involved at the same level as employees. In addition, they will help with a specific questionnaire about the market, they will receive specific training on the criteria used to evaluate positions, they will receive drafts (sometimes several) of their direct reports' information and will provide comments, and they will receive pay range recommendations prior to final presentation to the governing body. The City Team/Stakeholder group will meet initially with the consulting team at the start of the project and continuously at each stage. Generally speaking, additional review and meetings are required with the City Administrator, Human Resources Director, and possibly the Finance Director.

Governing Body

Compensation and Classification Analysis —The consulting team will meet with the governing body (if they wish) prior to the project commencing to answer strategic and policy questions, and provide overall direction to the consulting team. The consulting team will meet with the governing body to present findings in a work session or other format as appropriate.

City Staff Support

The City will provide the following support:

- Arrange for all meetings, including arranging meeting space and providing meeting confirmation.
- Copy and distribute memos, questionnaires, information to employees in a timely manner (as requested by the consulting team).
- Provide copies of all position descriptions (Word format), job classifications, pay plans, existing classifications, pay ranges by employee (Excel format), and provide copies of all wage and salary schedules (Excel format).
- Provide copies of prior studies/documents (if the City deems appropriate).
- Provide a listing of all employee names, titles, departments, supervisors, years of service, last pay raises, current salaries, annual overtime salaries, exempt versus non-exempt status, and current ranges (in Excel format).
- Ensure manager accountability in keeping the project schedule moving.
- Provide copies of personnel policies and handbooks (if possible electronically).
- Provide copies of organizational chart, City's mission, vision, strategic planning documents.
- Provide organizational charts, budgets, and other related information.
- Provide any previous studies on health insurance, salary, satisfaction surveys, exit interview data, turn-over data, attitude surveys, information about where employees who leave the City go to work, etc.
- We request background documents so that we have a thorough understanding of past practices and future goals for the City.

Products and Services

Management Recruitment and Development

Executive and managerial recruitment and selection

Team building

Strategic planning

Performance evaluation

Human resource management

Organizational climate surveys

Program evaluation

Facilitation

Compensation and Benefits

Compensation and benefit studies and solutions

Job evaluation

Market analysis

General Employment

Compliance with federal employment law

Employee handbooks

Job descriptions

Employment mediation

Third party investigation

Sexual harassment training

Interviewing techniques

Conducting background checks

Leadership Development

Achieve global products

Myers Briggs Type Indicator

Communication styles

Conflict resolution

Supervisory training

Employee development planning

Affirmative Action Planning

Affirmative action planning

Compensation analysis

Equal opportunity surveys

Quarterly management reports

Recruitment and placement support

Diversity and sensitivity training

Sample of Clients

A partial list of past clients includes:

American Italian Pasta Company, Kansas City, Missouri
Bartlett and West Engineers, Inc., Topeka, Kansas
Butler County, Kansas
City of Abilene, Kansas
City of Bonner Springs, Kansas
City of Chattanooga, Tennessee
City of Clinton, Iowa
City of Columbia, Tennessee
City of Iowa City, Iowa
City of La Vista, Nebraska
City of Leander, Texas
City of Manhattan, Kansas
City of Marshalltown, Iowa
City of Morristown, Tennessee
City of Newton, Kansas
City of North Liberty, Iowa
City of Ottawa, Kansas
City of Pleasanton, Missouri
Clay County, Kansas
Continental Disc, Kansas City, Missouri
Country Club Bank, Kansas City, Missouri
Ellerbe Becket, Inc., Minneapolis, Minnesota
E-ONE, Ocala, Florida
Federal Signal Corporation, Oak Brook, Illinois
First Citizens National Bank, Dyersburg, Tennessee
Franklin County, Kansas
Ford County, Kansas
Geary County, Kansas
Goodwill Industries of North Georgia, Atlanta, Georgia
Grant County, Kansas
Harvey County, Kansas
Hiller Group, Inc., Princeton, New Jersey

HOK Group, Inc., St. Louis, Missouri
Hood Packaging Corporation, Madison, Mississippi
HNTB, Kansas City, Missouri
Johnson County, Kansas
Kansas Health Foundation, Wichita, Kansas
Kansas Legal Services, Topeka, Kansas
Kansas State University, Manhattan, Kansas
Kearny County, Kansas
Labat-Anderson, Inc., McLean, Virginia
LeCroy Corporation, Chestnut Ridge, New York
Mid America Regional Council, Kansas City, Missouri
MFRI, Inc., Niles, IL
National Institute of Health (NIH), Bethesda, Maryland
Perkins + Will of New York, New York
Perma-Pipe, Lebanon, Tennessee
Platte Valley Bank, Platte City, Missouri
Polyengineering, Dothan, Alabama
Pottawatomie County, Kansas
Rice County, Kansas
Riley County, Kansas
River Valley Behavioral Health, Owensboro, Kentucky
Sedgwick County, Kansas
Siegel-Robert, Inc., St. Louis, Missouri
Southern Missouri State University, Harrisonville, Missouri
Sprint Corporation, Overland Park, Kansas
TIG HITCO, Atlanta, Georgia
UniGroup Worldwide, St. Louis, Missouri
University of Central Missouri, Warrensburg, Missouri
University of New Mexico at Roswell
United States Department of Agriculture, Manhattan, Kansas
United Way, Kansas City, Missouri
United States Department of Education, Washington D.C.
Wells Cargo, Elkhart, Indiana
Zephyr Products, Inc. Leavenworth, Kansas



REQUEST FOR PROPOSALS (RFP)

FOR

COMPREHENSIVE CLASSIFICATION AND COMPENSATION STUDY

The City of Mission requests proposals by qualified consultants for the above-referenced project. Interested parties should submit five (5) physical and (1) digital (PDF) proposal.

**RESPONSES MUST BE RECEIVED BY
FRIDAY, FEBRUARY 10, 2017 AT 5:00 P.M. CST**

Submit questions (in writing) and responses to the attention of:

Laura Smith, City Administrator
6090 Woodson Street
Mission, KS 66202
lsmith@missionks.org

INTRODUCTION AND BACKGROUND INFORMATION

The City of Mission, Kansas is soliciting proposals for consulting services for a comprehensive classification and compensation study in preparation for the 2018 fiscal year budget. The study will be based on an objective job analysis and evaluation of job descriptions for the City's sixty-eight (68) full-time employees. The study will also analyze the City's competitive positioning for both compensation and benefits programs, ultimately recommending administrative compensation policies and wage scales that will ensure internal equity, external market competitiveness, and the attraction and retention of valuable employees.

Mission is one of 20 incorporated cities in Johnson County, Kansas, with a population of 9,323. The City operates under a non-partisan Mayor-Council form of government with an appointed professional City Administrator. The Mayor is elected at-large, and serves a four-year term. The City is divided into four wards with two councilpersons elected from each ward to serve four-year staggered terms.

Mission provides service to residents and visitors alike through six functional departments: Administration/Finance, Community Development, Municipal Court, Public Works, Parks and Recreation, and Police. The City Administrator is appointed by the Mayor and City Council as the chief administrative officer and is charged with the efficient and effective administration of the City. Department Directors are responsible for the day-to-day administration and operation of specific functional areas. Mission has approximately thirty-three (33) different positions covering a variety of technical, professional, administrative, labor, and trade disciplines. Approximately 42% of Mission's full-time classifications are exempt.

The City's last comprehensive compensation/classification analysis was completed in 2005. The City annually reviews, and has periodically adjusted, the salary grades in an effort to maintain external market competitiveness.

The City is seeking input from the consultant to review and either improve or replace the existing classification and compensation plan with one that is manageable and sustainable, and corrects any structural deficiencies such as compression, overlap or internal inequities. The classification review should also address changes in City operations and staffing over the last several years, which may have affected the type, scopes and level of work being performed.

OBJECTIVES AND SCOPE OF SERVICES TO BE PROVIDED

The City is seeking to develop a 'compensation philosophy' to present to the City Council which will serve to strategically establish a target level of market competitiveness, prioritize goals for total compensation, and guide administration of pay and benefit practices. In addition to

development of the compensation policy, the consultant will also conduct a classification and compensation study.

The overall objective is to create a credible classification and compensation plan that: ensures positions performing similar work with essentially the same level of complexity, responsibility, knowledge, skills and abilities are classified together; provides salaries commensurate with assigned duties; clearly outlines promotional opportunities and provides recognizable compensation growth; provides justifiable pay differential between individual classes; and maintains currency with relevant labor markets.

The successful respondent will be required to provide the following services to Mission:

Compensation Philosophy

1. Facilitate a goal setting process for compensation and benefits with the City's Leadership Team to establish target levels of competitiveness in the marketplace.
2. Draft a compensation philosophy using the identified goals and facilitate discussion of proposed philosophy with the City Council for ultimate policy creation.

Classification Plan

1. Conduct interviews and/or job audits as appropriate. May be conducted individually or in groups based upon classification.
2. Compare job audit/interview results to existing position descriptions and revise as necessary to ensure that content and titles are current, accurate and consistent with FLSA, EEO, and ADA considerations.
3. Finalize class specifications and recommend appropriate classification for each employee, including correction of identified discrepancies between existing and proposed classification.
4. Determine an appropriate salary structure for each pay classification, establishing the minimum and maximum range for each.

Compensation Survey

1. Conduct a comprehensive market-based survey of the external labor market to establish benchmarking standards and include a comparison and analysis of compensation of comparable public and private employers.

2. Examine equity of pay among present full time employees based on qualifications, experience, responsibilities, tenure, and past performance evaluations. Identify proposed adjustments within the internal compensation system.
3. Review Mission's compensation policies and practices for compliance with federal, state, and local laws and regulations.

Other

1. Provide methods and instructional information to allow City staff to evaluate and adjust the classification/compensation system consistent with study methods until the next formal study is conducted.
2. Present implementation strategies and implementation cost scenarios (financial impact analysis) to achieve desired goals.

CONTENT OF PROPOSALS

Each proposal should be organized to clearly address the following requirements, as a minimum:

Agents and Address

List the address, email address, and telephone numbers of the office from which the services are to be provided, and designate the person to serve as project manager. Resumes summarizing the qualifications and experience of the individuals who will be conducting the study must be provided. Any and all subconsultants should be clearly identified.

Experience

Describe the experience the firm has had in conducting similar studies. Please note any relevant work for other governmental entities.

Statement of Methods and Procedures

Provide a statement describing the Scope of Work as you understand it, and describe the approach, means, methods and procedures to be employed to gather the data, analyze findings and develop recommendations as requested. Please identify any unique issues or challenges related to the project.

Structure and Content of Work Product

Describe the way in which the work product will be structured and presented upon completion. Include computer and software compatibility information.

Work Schedule

Provide a timeline indicating tasks required and the start/completion dates for each. It is expected the work will commence as soon as possible after Council approval of the contract (targeted for March 15, 2017) and be completed on or before June 30, 2017.

References

All proposals should include names, addresses, telephone numbers, and contact persons at five (5) other organizations for which comparable services have recently been rendered. Information for other governmental jurisdictions is preferable.

Fee

The City has limited funding allocated for the completion of this project. Consultants are encouraged to be creative and resourceful in proposing the most cost-effective and efficient solutions for the needs outlined in this RFP. The fee should include:

1. A total cost estimate and not to exceed amount for the work described under Scope of Work;
2. A rate schedule for computing any extra work not specified in the contracted Scope of Work, including hourly rates for all positions plus unit costs for incidental expenses; and
3. Amount to be deducted from total cost estimate because consultant is conducting (or has conducted in the past six months) salary surveys of comparable jurisdictions/positions, the data from which can be shared rather than independently gathered.

Supplementary narrative is encouraged to provide information relative to any options, alternatives, or other opportunities not addressed in the RFP that, in the respondent's opinion, would strengthen the benefits and viability of Mission's compensation programs.

SUBMITTAL

Five (5) identical copies of the proposal shall be addressed as follows:

Laura Smith, City Administrator
6090 Woodson
Mission, KS 66202
Classification and Compensation Plan Study
February 2017

The proposal must also be submitted in PDF format by the submittal deadline to:

lsmith@missionks.org

Proposals must be received by 5:00 p.m. CST on Friday, February 10, 2017.

Proposals become the property of Mission upon submission and will not be returned. All costs for developing proposals are entirely the responsibility of the respondent. Mission accepts no responsibility for lost or late delivery of proposals.

Questions about the Request for Proposal must be submitted by email to lsmith@missionks.org no later than 5:00 p.m. CST on February 3, 2017.

The City reserves the right to reject any or all proposals and waive any informality as may occur in the proposal process.

EVALUATION AND AWARD CRITERIA

Proposals will be evaluated on various criteria including but not limited to:

- Approach to the performance of the study and satisfaction of City requirements.
- Demonstrated professional skills and credentials of staff to be assigned to the study.
- Demonstrated ability to communicate well with a variety of people who may have different educational levels and work experience.
- Proposal quality and references.
- Ability to perform the work within the stated timeframe.
- Overall cost and fees to be charged.

Final acceptance of a proposal will be determined based upon best value, and **COST WILL NOT BE THE PRIMARY FACTOR IN THE SELECTION OF A CONSULTANT.**

Up to three firms may be selected for interviews. **Interviews, if determined to be necessary, are planned for Thursday, February 16, 2017.**

TIMELINE FOR REQUEST FOR PROPOSAL PROCESS

Key Dates and Times	
Wednesday, January 18	RFP distributed
Friday, February 3	Last date for respondents to submit questions
Friday, February 10	Proposals due by 5:00 p.m. CST
Key Dates and Times	
Thursday, February 16	Consultant interviews (if necessary)
Wednesday, March 1	Recommendation to Finance & Administration Committee
Wednesday, March 15	Contract award by City Council

MISCELLANEOUS

Mission reserves the right to request clarification of any submission, modify or alter the Scope of Services and solicit new submissions, reject any or all submissions, and wave immaterial irregularities in any submissions.

Selection by the Mission staff shall not constitute a contract. The firm(s) selected will be expected to enter into a written contract with Mission, and it is only upon the mutual execution of the written contract document, approved by the City Council, that a contract will be formed. The contract may incorporate the Request, the Proposal, or both by the process of attachment and incorporation by reference.

Prior to execution of a written contract the selected firm(s) will be required to provide proof of adequate and customary insurance.

City of Mission	Item Number:	6d.
ACTION ITEM SUMMARY	Date:	February 21, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Citizen Capital Improvement Program (CIP) Committee

RECOMMENDATION: Approve the ordinance creating the Capital Improvement Program (CIP) Committee, and establishing roles, responsibilities and membership.

DETAILS: A Capital Improvement Plan/Program (CIP) is a major management and planning tool for municipalities. The CIP links local infrastructure investments with more strategic goals, land use ordinances, and economic development efforts, bridging the gap between planning and spending. A multi-year CIP provides a systematic plan for providing infrastructure improvements within a prioritized framework.

Since 2013, staff has formalized a process to review and update Mission’s 5-Year Capital Improvement Program (CIP), integrating it into the annual budget process. In 2016, we created an internal CIP Committee which is developing a comprehensive list of projects and standardizing project request worksheets and budget tracking forms. With internal processes now more clearly defined, staff believes development, approval, and management of the five-year Capital Improvement Program would be enhanced by the appointment of an external (citizen) committee.

The CIP Committee’s membership, roles and responsibilities would be established by ordinance, similar to Mission’s other appointed Boards and Commissions. These responsibilities are outlined in more detail in the memorandum included in the packet. They would serve in an advisory role to the Governing Body. Staff recommends appointing a ten (10) member committee whose membership would be allocated as follows:

- 2 members from the Planning Commission
- 2 members from the Parks & Recreation Commission
- 1 member from the Sustainability Commission
- 1 member appointed from each Ward (4 total)
- 1 member appointed from the business community (could be non-resident)

The CIP Committee would meet monthly, with a variety of staff supporting their work. At the February Committee meeting, Council supported the staff recommendation, and directed that the necessary ordinances and documents be drafted for consideration in March. A draft of the ordinance is included in the packet. Once finalized, the CIP Committee will be advertised and letters of interest solicited. It is anticipated that committee members would be appointed in April, with a first meeting in May/June 2017.

CFAA CONSIDERATIONS/IMPACTS: Including direct citizen involvement in the development of the CIP helps to ensure that the needs of residents of all ages and abilities are considered in the design of public infrastructure facilities.

Related Statute/City Ordinance:	
Line Item Code/Description:	
Available Budget:	



MEMORANDUM

Date: January 25, 2017
To: Community Development Committee
From: Laura Smith, City Administrator
RE: Creation of Capital Improvement Program (CIP) Committee

A Capital Improvement Plan/Program (CIP) is a major management and planning tool for municipalities. The CIP links local infrastructure investments with more strategic goals, land use ordinances, and economic development efforts, bridging the gap between planning and spending. It is a statement of the City's policies and financial ability to manage the physical development and redevelopment of the community. A multi-year CIP provides a systematic plan for providing infrastructure improvements within a prioritized framework.

The CIP serves as a guide for the efficient and effective provision of public infrastructure facilities, outlining a schedule for capital projects, generally over a five-year period of time. A CIP also provides valuable information to the Planning Commission, citizens, developers and businesses who are interested in the development and redevelopment of Mission. The CIP may be used to leverage outside resources by aligning with grant application cycles, as well as through coordination of City projects with those of other public or private entities.

Since 2013, staff has formalized a process to review and update Mission's 5-Year Capital Improvement Program (CIP), integrating it into the annual budget process. In 2016, we created an internal CIP Committee that includes representation from all departments. The committee's initial focus has been to develop a comprehensive list of projects as well as efforts to standardize project request worksheets and budget tracking forms.

With internal processes now more clearly defined, staff believes development and approval of a five-year Capital Improvement Program would be enhanced by the appointment of an external (citizen) committee. We are requesting the City Council consider creating a Capital Improvements Program (CIP) Committee.

Many cities across the country, regardless of size, look to a citizen CIP Committee to evaluate and prioritize capital project requests recommended to the Governing Body. The representatives of the CIP committee are charged with:

- Aligning projects with identified master and strategic plans;
- Identifying issues that may be roadblocks to successful project implementation;
- Focusing on continuous improvement in the Capital Improvement Program;
- Advising the Mayor and City Council on the most critical needs; and



MEMORANDUM

- Evaluating and recommending projects for funding in the Capital Improvement Program

Additionally, when there are voter approved revenue streams, such as dedicated street or parks sales taxes, it can be beneficial to provide an educated group of citizens with information on the infrastructure needs, goals and objectives. Their knowledge and input can help guide decisions for future efforts to renew these revenues.

The CIP Committee's membership, roles and responsibilities would be established by ordinance, similar to Mission's other appointed Boards and Commissions. They would serve in a purely advisory role to the Governing Body. Staff recommends appointing a 10 member committee whose membership would be allocated as follows:

- 2 members from the Planning Commission
- 2 members from the Parks & Recreation Commission
- 1 member from the Sustainability Commission
- 1 member appointed from each Ward (4 total)
- 1 member appointed from the business community (could be non-resident)

The CIP Committee would meet monthly, with a variety of staff supporting their work. Based on the remaining steps required to create, appoint and educate the committee members, we anticipate their input would be somewhat limited during the 2018 budget process, but they would play a much more active role in the 2019 budget.

Mission will continue to face infrastructure challenges, putting pressure on future budgets. Creating the opportunity for staff and Council to incorporate more citizen input in the development of the CIP can help guide decision-making, ensuring the City's resources are being allocated in a way that accurately reflects community assets, needs, and goals. Forming a citizen CIP Committee can only serve to benefit the residents of Mission.

CITY OF MISSION
ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A CAPITAL IMPROVEMENT PROGRAM (CIP) COMMITTEE IN THE CITY OF MISSION AND ADDING SECTION 270 TO THE CODE OF THE CITY OF MISSION, KANSAS.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Mission, Kansas:

SECTION I: Chapter 270 is hereby added to Title II of the code of the City of Mission, Kansas as follows:

CHAPTER 270: CAPITAL IMPROVEMENT PROGRAM (CIP) COMMITTEE

Article I: CAPITAL IMPROVEMENT PROGRAM (CIP) COMMITTEE

Section 270.010 CREATION.

In order to provide citizen input and interaction with City services, specifically the construction and maintenance of capital infrastructure, the Capital Improvement Program (CIP) Committee for the City of Mission is hereby established.

Section 270.020 MEMBERSHIP.

The CIP Committee shall consist of ten (10) members, one (1) of whom may be a non-resident of the City of Mission, one (1) member from each ward, two (2) representatives from the Planning Commission, two (2) representatives from the Parks, Recreation, and Tree Commission, and one (1) representative from the Sustainability Commission.

Section 270.030 TERMS OF OFFICE.

The Mayor, with the consent of the Council, shall appoint the members of the Capital Improvement Program Committee. Members shall be appointed for terms of two (2) years each except as otherwise herein provided. In establishing the Committee, terms shall be staggered between one and two year appointments. Vacancies shall be filled by appointment for the unexpired term only. The number of members may not be reduced unless a vacancy exists or unless the reduction takes effect at the end of a term. Following initial creation, members of the Capital Improvement Program Committee shall be appointed at the first (1st) regular meeting of the Governing Body in January. Members shall serve without compensation.

Section 270.040 MEETINGS.

The CIP Committee shall meet monthly, or upon call by the Mayor or City Administrator. A majority of the members of the CIP Committee shall be sufficient as a quorum for transaction of business of the Committee. Time of meetings shall be posted publicly and open to members of the public. Meetings shall be held in City/public facilities.

Section 270.050 OFFICERS.

The Capital Improvement Program Committee shall consist of ten (10) members from which a Chair and Vice Chair shall be elected. The Vice Chair shall act in the absence of the Chair. Officers shall be elected at the first regularly scheduled meeting after the Governing Body has appointed new members at the first regularly scheduled meeting in January.

Section 270.060 DUTIES AND RESPONSIBILITIES.

- A. It shall be the responsibility of the Capital Improvement Program Committee to work with staff to evaluate, review and recommend projects for funding in the 5-Year Capital Improvement Program. In developing the program, the CIP Committee will: seek to align projects with identified master and strategic plans; identify issues that may be roadblocks to successful project implementation; focus on continuous improvement in the Capital Improvement Program; and advise the Governing Body on the most critical needs.
- B. The Committee will review and evaluate funding and revenue streams used to support the 5-Year Capital Improvement Program and shall make recommendations to the Governing Body regarding the same.
- C. The Committee from time to time may establish subcommittee, advisory committees or technical committees to advise or assist in the activities of the Committee.

Section 270.070 RECORD OF PROCEEDINGS.

A record of all proceedings of the Capital Improvement Program Committee shall be kept.

Section 270.080 MEMBER REMOVAL.

Any member of the Capital Improvement Program (CIP) Committee may be removed or replaced by a vote of the majority of the Governing Body at any regularly scheduled meeting of the Governing Body.

SECTION II: This Ordinance shall take effect and be in full force from and after its publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL this 15th day of March 2017.

APPROVED BY THE MAYOR this 15th day of March 2017.

Steve Schowengerdt, Mayor

ATTEST:

Martha M. Sumrall, City Clerk

APPROVED AS TO FORM:

PAYNE & JONES, CHTD.

David K. Martin, City Attorney
11000 King, Suite 200
P. O. Box 25625
Overland Park, KS 66225-5625
Tel: (913) 469-4100
Fax: (913) 469-8182

City of Mission	Item Number:	6e.
ACTION ITEM SUMMARY	Date:	February 20, 2017
Administration	From:	Laura Smith

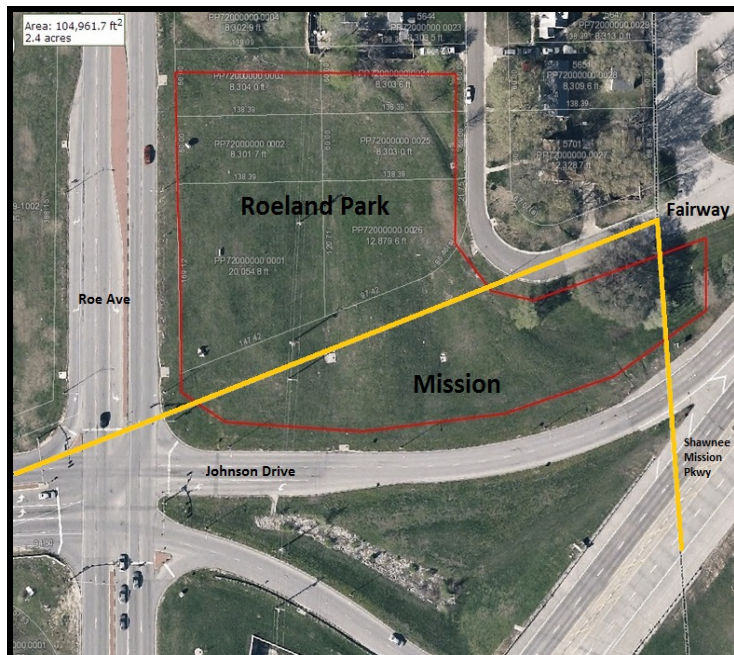
Action items require a vote to recommend the item to full City Council for further action.

RE: Interlocal Agreement - Mission/Roeland Park Site Development

RECOMMENDATION: Terminate the Interlocal Agreement with the City of Roeland Park regarding exploration of redevelopment options for land located at the northeast corner of Johnson Drive and Roe Boulevard.

DETAILS: Prior to 2003, the site at the northeast corner of Johnson Drive and Roe Ave. was part of the Shawnee Mission Parkway/Johnson Drive/Roe Ave. interchange/off-ramp system. Upon conclusion of the road improvements that reconfigured the intersection, surrounding

parcels were conveyed to various parties. Parcels to the intersection's northeast were conveyed to the City of Roeland Park. Extended Right of Way (ROW) on north side of Johnson Drive, east of Roe - remained KDOT ROW, but is located within the City of Mission.



In 2014, the City of Roeland Park approached Mission about the potential of ultimately conveying these parcels to private interests that could develop the sites. Although an achievable goal, a number of challenges were identified, including:

- The site is split between Roeland Park and Mission, thus requiring coordination with multiple entities prior to sale or development.
- KDOT would have to vacate the existing ROW.
- Other site-development challenges such as utilities, storm drainage, etc.
- Proximity to existing owner-occupied, single family homes.

After several meetings and discussion, the City Councils in both cities approved the attached Interlocal Agreement which anticipated the cities would pursue a joint process that would

Related Statute/City Ordinance:	NA
Line Item Code/Description:	NA
Available Budget:	NA

City of Mission	Item Number:	6e.
ACTION ITEM SUMMARY	Date:	February 20, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

assemble parcels, create a development vision, and pursue private development of the land. A committee comprised of elected officials, Planning Commission members and staff from Mission and Roeland Park met several times, but the process was slow to gain traction. This was primarily because it took more than a year for KDOT to reach a decision regarding the vacation of the ROW.

During this time, both cities also experienced turnover in key staff as well as elected officials, and the process stalled. Over the course of the last year, Roeland Park has become more active in reviewing and discussing redevelopment opportunities throughout their city. Last week, the Roeland Park City Council formally engaged CBC Real Estate Group to market and assist in redevelopment of this site.

The interlocal agreement no longer accurately reflects the process for the project, and staff recommends the Council officially terminate the agreement. We remain engaged in conversations with Roeland Park, and still anticipate there will be the need for coordination and collaboration to accomplish a project that straddles city limit boundaries.

CFAA CONSIDERATIONS/IMPACTS: NA

Related Statute/City Ordinance:	NA
Line Item Code/Description:	NA
Available Budget:	NA

INTERLOCAL AGREEMENT BETWEEN THE CITY OF MISSION, KANSAS AND THE CITY OF ROELAND PARK, KANSAS ("THE CITIES") TO EXPLORE DEVELOPMENT OPTIONS FOR LAND AT THE NORTHEAST CORNER OF JOHNSON DRIVE AND ROE BLVD

Recitals

- A. Prior to 2003, the site at the northeast corner of Johnson Dr and Roe Ave was part of the Shawnee Mission Parkway/Johnson Dr/Roe Blvd interchange/off-ramp system. Upon completion of road improvements that reconfigured this intersection, surrounding parcels were conveyed to various parties.
- B. Parcels to the intersection's northeast, the "Development Site", are currently under the ownership of the City of Roeland Park. Extended Right of way (ROW) to the northeast of Johnson Drive and Roe Blvd remained part of KDOT's ROW, but partially within the Cities of Roeland Park and Mission. Approximately 70% of the development site is within the City of Roeland Park and about 30% is within the City of Mission.
- C. Both Cities have expressed an interest in potentially pursuing private development of this land.
- D. Development at this location is a realistic and achievable proposition, although a number of challenges have to be addressed in order for this to become a reality.
- E. Some of these challenges include :
- The largest portion of the site is split between Roeland Park and Mission which requires complex coordination with both entities prior to sale and development of the site.
 - A large percentage of land is KDOT Right-of-Way, and would have to be vacated by KDOT to both Cities. There may also be a cost to the Cities or an eventual developer to acquire this land.
 - Utility relocations, drainage, restrictive covenants.
 - Proximity to existing owner occupied single family homes.
- F. The Cities have indicated an interest in pursuing a joint process whereby the Cities work together to 1) develop consensus on a development vision for the site; 2) pursue joint Request for Proposals and negotiated sale of land to a private interest; and, 3) manage the zoning entitlement and permitting process. This cooperative effort will ultimately benefit residents from both Cities.

Agreement - Terms (DRAFT)

1. Both Cities agree to strive for development concepts that derive economic benefits to both Cities that although not necessarily equal, are nonetheless proportional in magnitude and revenue. This could be accomplished by strategic placement of development, tax-sharing

agreements, or other methods.


2. A Steering Committee, made up of not more than two members of the Governing Body and two Planning Commissioners from each City, in conjunction with Staff from both Cities, will jointly make up a "Management Team" to guide this process. The role of the Management Team will be to identify options and make recommendations to the Governing Bodies of both Roeland Park and Mission.
3. City of Mission Staff will administer the project, in consultation with Roeland Park Staff. Project administration will include, but is not limited to: coordinating schedules, calling meetings, preparing for meetings/presentations, researching information requested by stakeholders, coordinating with KDOT, and RFP document preparation. Roeland Park and Mission City Staff estimate a total of 260 hours of Project Management in Phases 2 through 4. The Cities anticipate an estimated 70% of that time will be incurred by the City of Mission staff (182 hours) and 30% of that time will be incurred by the City of Roeland Park Staff (78 hours). See Exhibit A.
4. Given a combined billing rate of \$75 per hour, total project costs are estimated at approximately \$19,500. Each City will cover 30% of the total estimated costs, and the City of Roeland Park will pay the City of Mission 40% of the remaining estimated costs, in an amount of \$7,800. Project administration costs will be made in eight monthly installments (\$975.00) beginning January 31, 2015. The City of Roeland Park will also reimburse the City of Mission (invoiced quarterly) for 70% of any material and supply costs.
5. Roeland Park and Mission will keep an accounting of staff time and material costs spent on the project. Both cities reserve the right to request adjustments to scope of work and/or compensation if initial staff time estimates or scope of work varies significantly from Exhibit A.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument the day and year first above written.


City of Mission

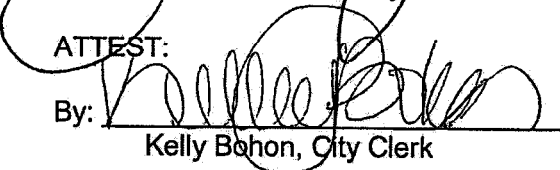
By: 
Steve Schowengerdt, Mayor

ATTEST:
By: 
Martha Sumrall, City Clerk

APPROVED AS TO FORM:
By: 
Dave Martin, City Attorney

City of Roeland Park

By: 
Joel Marquardt, Mayor

ATTEST:
By: 
Kelly Bohon, City Clerk

APPROVED AS TO FORM:
By: 
Neil R. Shortlidge, City Attorney

Exhibit A - Project Scope and Timeline

Phase 1: October ~ December 2014: Draft and Formalize Interlocal Agreement

- Select City Management Team and Development Process

Phase 2: January - April 2015: Develop consensus around development vision for site

- Steering Committee led, including "touch points" with City Council/Planning Commissions
 - Set definition of site development vision dictating future development goals. Develop joint City Council Resolution which dictates land use/planning and zoning goals for site.
- Develop consensus vision for site
 - Update on previous visioning and long term planning work and current conditions
 - What's should drive development? What's the end goal?
 - Tax base enhancement and revenue generation? (Sales and Property Tax, Land Sale)
 - Housing and/or employment options?
 - Lodging and/or entertainment, pedestrian friendly development and/or mixed use?
 - Green space retention and best practices stormwater management?
 - Proximity to single family housing?
 - Cost to assemble parcels
 - Assistance by MARC (Envision Tomorrow & Visualization Tools)
- Strategize on process to acquire excess KDOT ROW to consolidate parcels
- Strategize on Comprehensive Planning/Zoning/Building Permitting Process
- Formalize into Joint Resolution and present to City Councils for approval.
- Assumptions: Three (3) Steering Committee Meetings. Two (2) City Council/Planning Commission presentations.
- Total Phase 2: 40 hours.

Phase 3: May - July 2015: Pursue Development Project and Implement Vision

- Vacation of Right of Way to "Developable Right of Way". (Both Mission and RP)
 - Initiate KDOT ROW Appraisal & ROW Acquisition Process
- Concurrent issuance of Joint City Request for Proposals (RFP)
- Steering Committee interview/selection of developer to pursue purchase and development.
- Assumptions: KDOT ROW Appraisal/Acquisition: Preparation, approval and issue of Request for Proposals (RFP): Interviews & Selection. Three (3) Steering Committee Meetings. Two (2) City Council/Planning Commission presentations.
- Total Phase 3: 120 hours.

Phase 4: August 2015 - (Open): Negotiate Sale Agreement with Developer

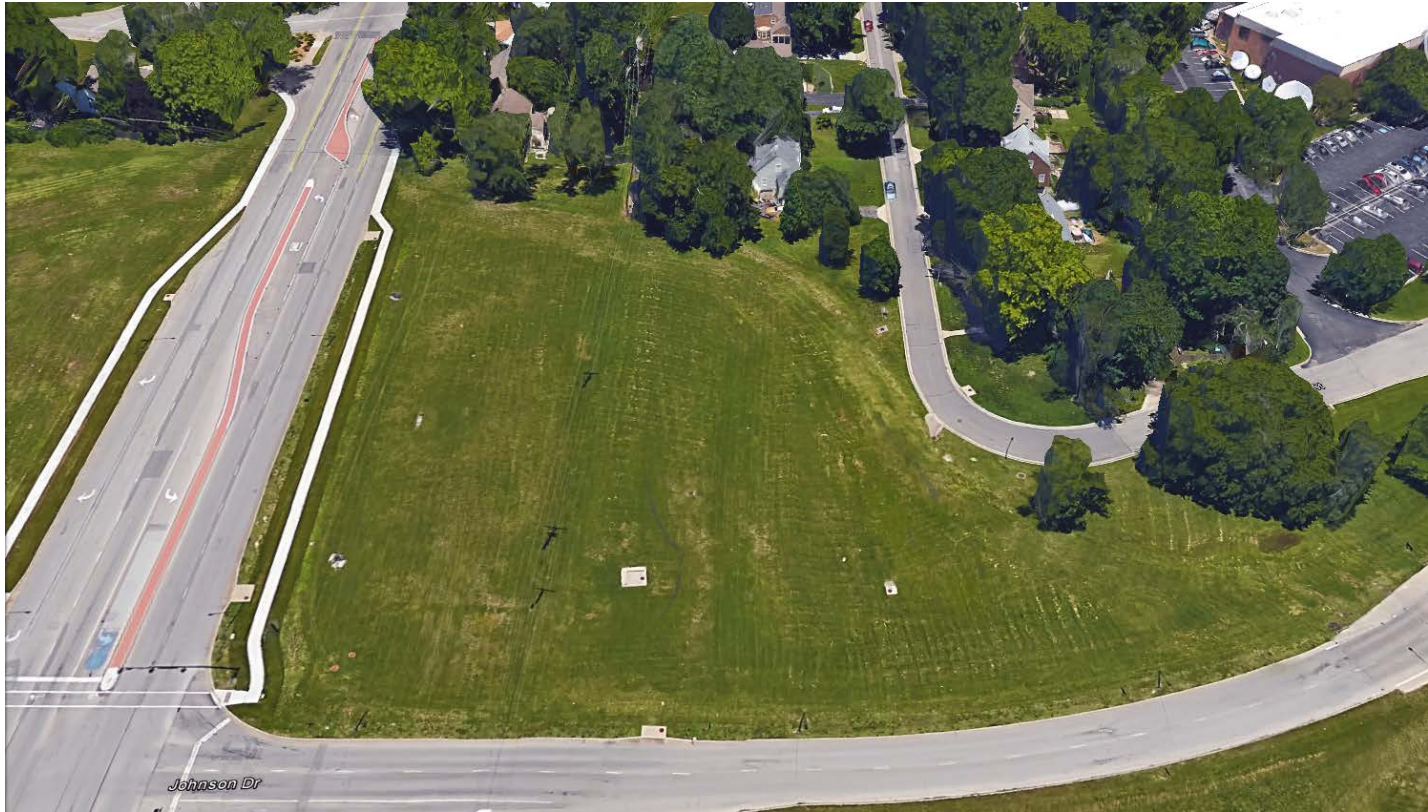
- Negotiate Agreement(s) with selected developer
- Pursue Zoning/Plan Review through both PC's/CC's: Comp Plan and Property Zoning Designation
- Once approvals are in place, sale of land to Developer
- Assumptions: Negotiate Agreements: 20 hours. Planning & Zoning: 60 hours. Sale of Land: 20 hours. One (1) Steering Committee Meeting. Four (4) City Council/Planning Commission presentations.
- Total Phase 4: 100 hours.

Post Development Coordination/Sale of Land

Initiate Plan Review/Building Permitting/Inspections per Interlocal Agreement

Johnson Drive & Roe - Proposed Project Plan

Ad Hoc Development Committee – updated to January 31, 2017



Introduction

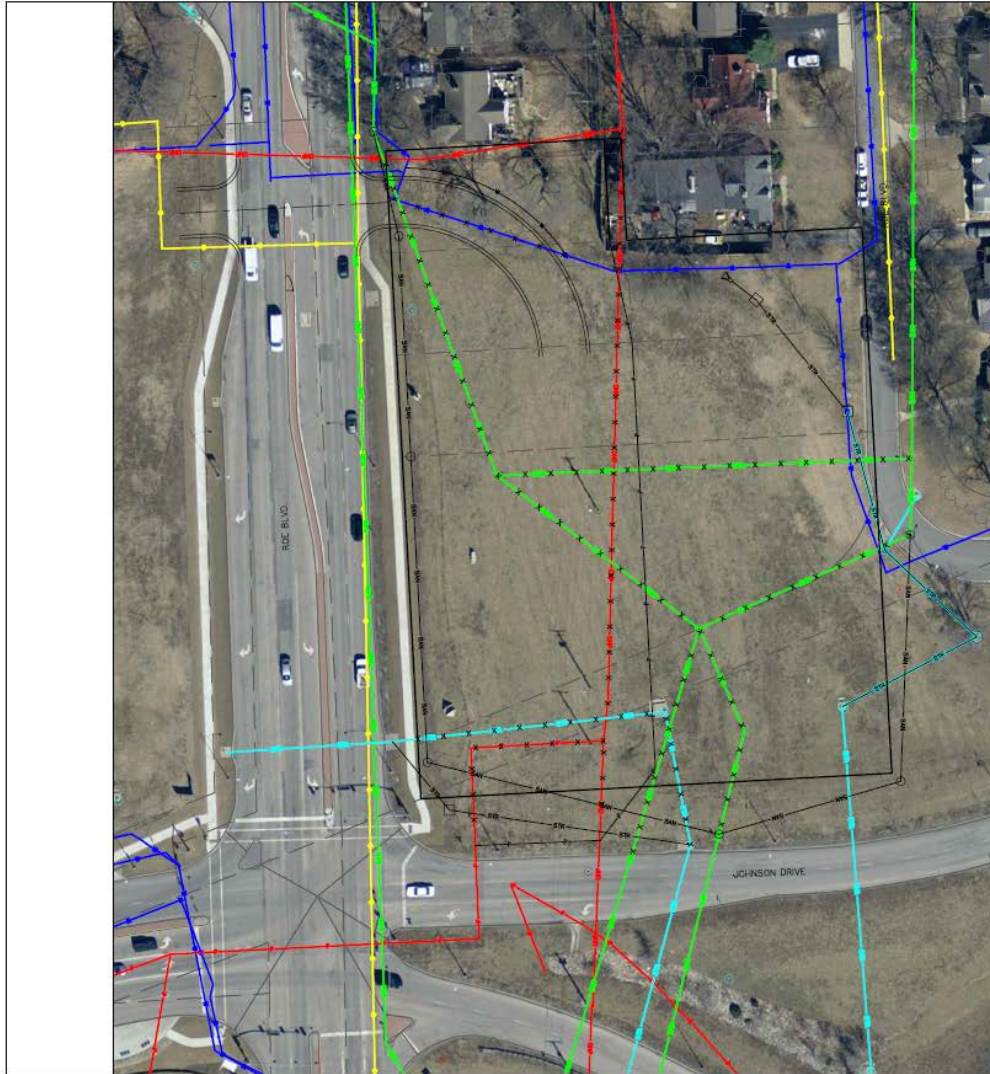
This report is a summary and action plan developed by CBC Real Estate Group for the consideration of the City of Roeland Park's ad hoc Development Committee on the real estate opportunity for the strategically important corner of Johnson Drive & Roe.

Covered here are four major topics:

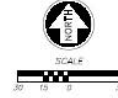
- DEFINE THE OPPORTUNITY
- PROPOSED SITE PLANS
- EXECUTION OF MARKETING PLAN
- SCHEDULE

Current Utilities

Johnson Drive & Roe Proposed Project Plan



- LEGEND**
- GS — EXISTING SANITARY SEWER
 - GS X — EXISTING SANITARY SEWER (TO BE REMOVED)
 - SS — EXISTING STORM SEWER
 - SS X — EXISTING STORM SEWER (TO BE REMOVED)
 - SSR — EXISTING STORM SEWER (TO BE REMOVED AND REPLACED)
 - W — EXISTING WATER LINE
 - W X — EXISTING WATER LINE (TO BE REMOVED)
 - G — EXISTING GAS LINE
 - OP — EXISTING OVERHEAD POWER LINE
 - OP X — EXISTING OVERHEAD POWER LINE (TO BE REMOVED)
 - UPL — EXISTING UNDERGROUND POWER LINE
 - UPL X — EXISTING UNDERGROUND POWER LINE (TO BE REMOVED)
 - SSW — PROPOSED SANITARY SEWER
 - SSW — PROPOSED STORM SEWER
 - W — PROPOSED WATER LINE
 - OP — PROPOSED OVERHEAD POWER LINE
 - UPL — PROPOSED UNDERGROUND POWER LINE
 - P — DEVELOPMENT SITE LINE
 - L — EXISTING LOT LINE



DATE PLOTTED: 11/23/2011	DATE: 11/23/2011
PROJECT: JOHNSON DRIVE & ROE BLVD. DEVELOPMENT	PROJECT: JOHNSON DRIVE & ROE BLVD. DEVELOPMENT
DRAWN BY: J. BAUER	CHECKED BY: J. BAUER

Scale:	1" = 30'
East of:	SO. 10th St.
From:	LOT 1
Drawn By:	J. BAUER
Checked By:	J. BAUER
Date:	11/23/2011
Project:	JOHNSON DRIVE & ROE BLVD. DEVELOPMENT
Client:	CITY OF ROELAND PARK, KS
Copyright:	© 2011 SHAFFER, KLINE & WARREN, INC.

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 Lenexa, KS



CITY OF ROELAND PARK, KS
 JOHNSON DRIVE & ROE BLVD. DEVELOPMENT SITE

130099-010
 SHEET NO.
1



1) **WHAT IS THE OPPORTUNITY?**

“Revenue generating, attractive gateway element that compliments the coming larger development.”

- Benefits the citizens of Roeland Park
- Attracts new visitors and new residents
- Is a distinctive development, for Northeast Johnson County and throughout the metro.

WHAT WAS THE FEEDBACK FROM PUBLIC IMPUT?

- 61% of respondents indicated 2-3 story development is ideal.
- For commercial uses, the top three preferred are:
 - Retail Merchants
 - Restaurant
 - Office Space
- Additionally, Strong Preferences stated for Parks/Public Spaces

It should be noted that while “Retail Merchants” scored high, the comments strongly indicate an aversion to chain retailers, preferring locally owned-operated businesses.

1) WHAT IS THE OPPORTUNITY?

2.69 acre redevelopment zone (include the KDOT / City of Mission area)

Our goal is to cause a 2-story, mixed-use building, featuring office and retail/restaurant space to be developed.

Approximately 25,000 - 30,000 Square Feet

10,000 SF of Retail/Restaurant Tenants

20,000 SF of Office Tenants

Aesthetically appealing, distinctive, Class “A” construction that will attract quality office and restaurant tenants that bring employers, visitors and new tax revenue to Roeland Park.

1) WHAT IS THE OPPORTUNITY?

Office Market Summary

Kansas City area office leasing firms have reported a great deal of activity throughout 2016 with space absorption exceeding 1,000,000 SF by the third quarter throughout the metro.

According to Colliers International, asking rents on average were \$17.39/SF across the property spectrum for Class A office space in Johnson County, rents were reported in the \$22.00 - \$23.00 per square foot range.

New office product should be well received in this area as the real estate along Shawnee Mission Parkway and on Johnson Drive are generally over 30 years old.

Medical Office Market Summary

On a national basis, medical office space leasing velocity has increased significantly, and according to Marcus & Millichap, vacancy rates have dropped nearly 3% since the end of 2014. Asking Medical Office rents have been stated at \$22.62/SF as a US average, and in the Midwest slightly lower at \$18.61/SF.

Demographics certainly point to an increased need in medical office space, and the prevalence of clinical/medical/research users in nearby Fairway and the proximity of KU Medical Center certainly point towards continued demand for this specialized real estate. Furthermore, plans for a 16,000 SF medical facility in Roeland Park is indicative of the need for clinical services in this area.

Retail Market Summary

As with the office market, Retail space has enjoyed a great deal of activity throughout 2016, with vacancy rates dropping, and rent rates increasing market-wide. North Johnson County however experienced among the highest vacancy for “big box” retail at 10%. Smaller retail space remains in high demand with 3.4% vacancy reported.

Retail rent rates have a wide range depending upon quality of real estate and location. On average in North Johnson County, rents can be anywhere from \$11.60/SF for big box space to \$17.57/SF for what is described as “small shops” or the type of retail space you would see in Prairie Village. In South Johnson County, where the retail real estate is generally newer, rents range from the mid-\$17.00/SF range to \$21.43/SF according to statistics published by Newmark Grubb Zimmer.

1) WHAT IS THE OPPORTUNITY?

Distinctive mixed-use building at key intersection that features a five-star quality restaurant/bar and professional office space.



1) **WHAT IS THE OPPORTUNITY?**

Distinctive mixed-use building at key intersection that features a five-star quality restaurant/bar and professional office space.



1) WHAT IS THE OPPORTUNITY?

In August, several development options were presented to the ad hoc committee, including restaurant development, event space, multi-family residential and mixed-use development:



Residential Townhomes



Standalone
Restaurant

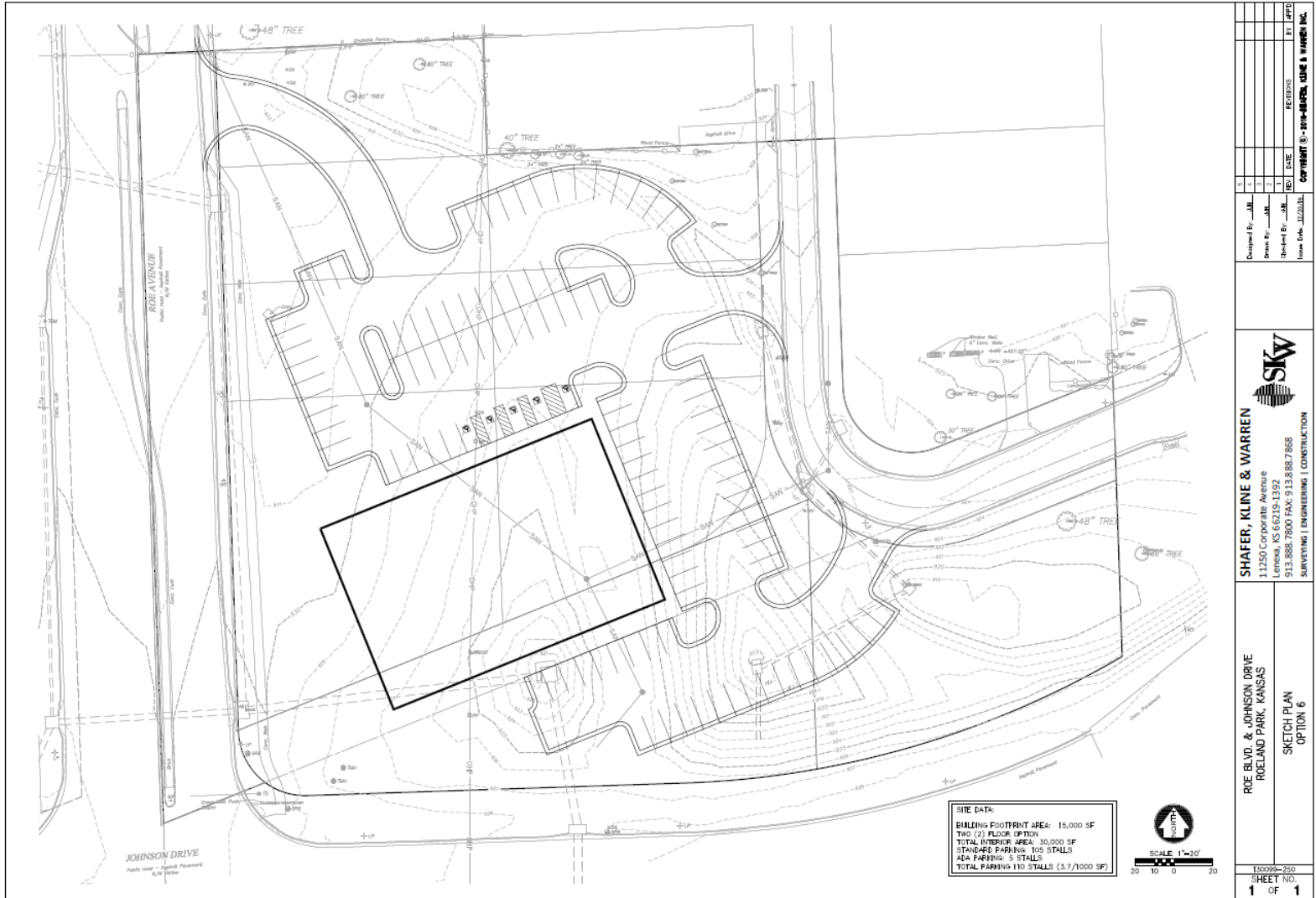


Event
Center

The consensus was to proceed with determining the viability of mixed-use development.

This location signifies the entrance to Roeland Park and provides new branding opportunities for the community.

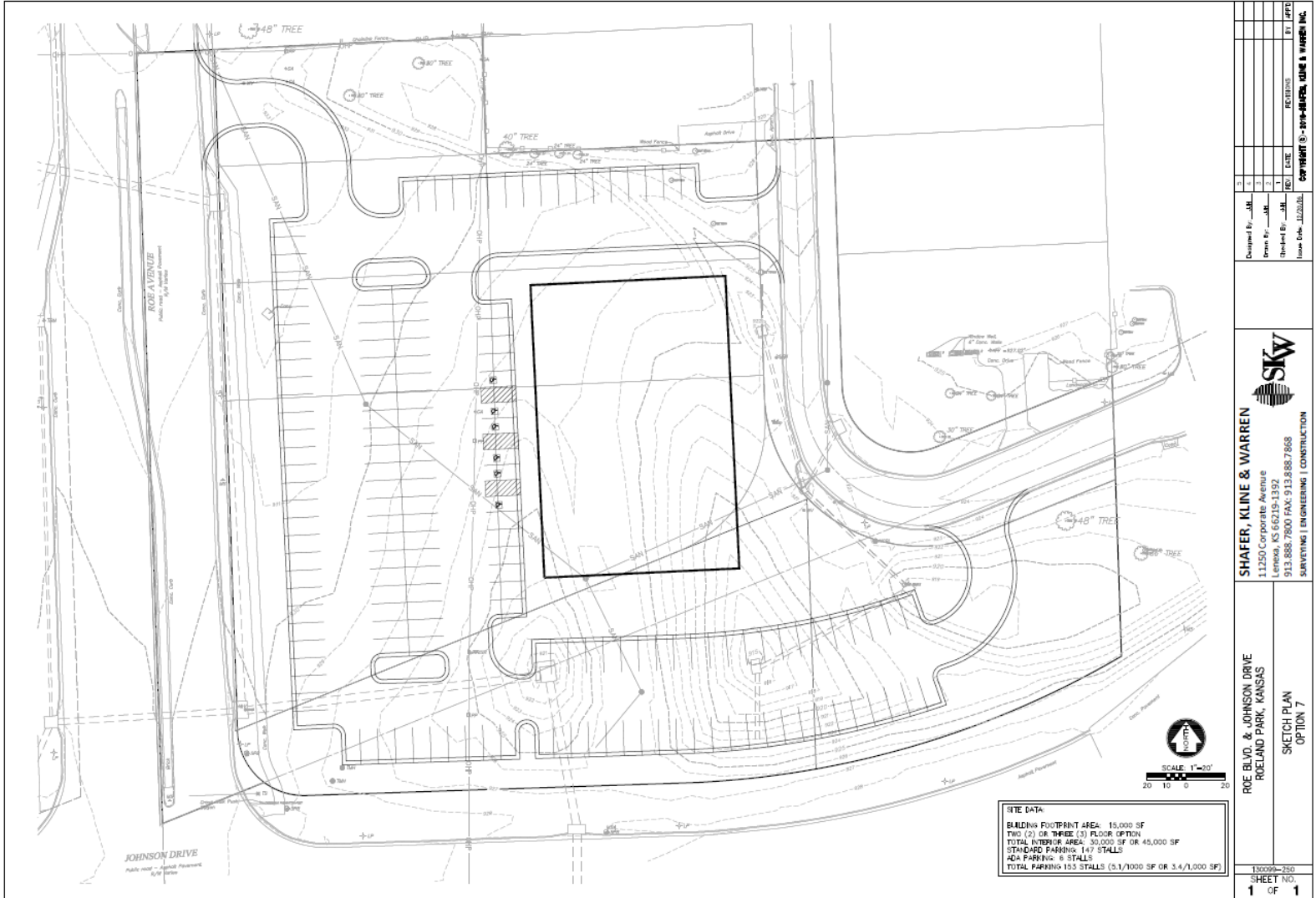
2) PROPOSED SITE PLAN



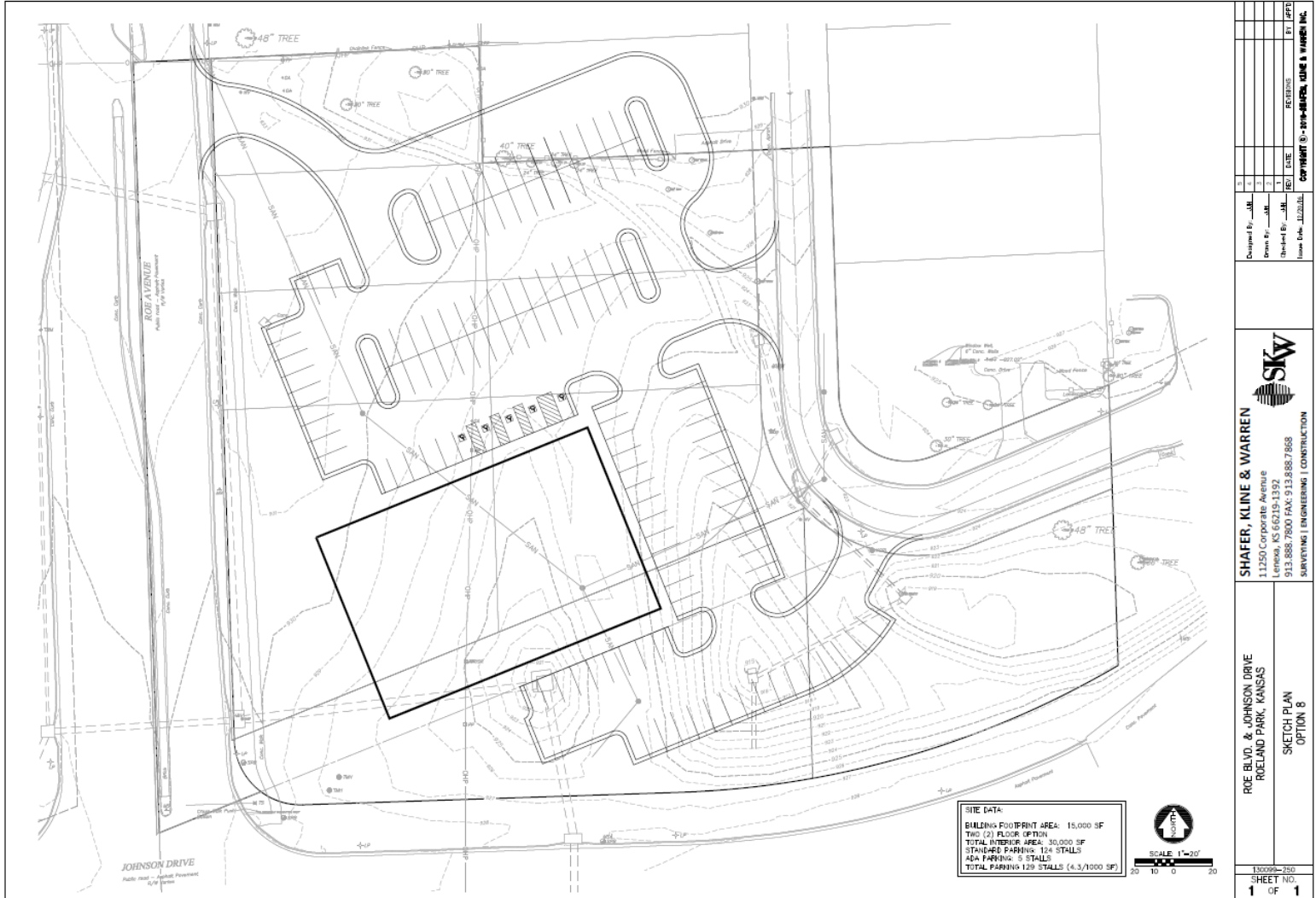
<p>11250 Corporate Avenue Lenexa, KS 66215-1392 913.888.7800 FAX: 913.888.7868 SURVEYING ENGINEERING CONSTRUCTION</p>		<p>SKW</p>	<p>SHAFER, KLINE & WARREN 11250 Corporate Avenue Lenexa, KS 66215-1392 913.888.7800 FAX: 913.888.7868 SURVEYING ENGINEERING CONSTRUCTION</p>
<p>ROE BLVD. & JOHNSON DRIVE ROELAND PARK, KANSAS</p>		<p>SKETCH PLAN OPTION 6</p>	
<p>11250-1392 SHEET NO. 1 OF 1</p>		<p>11250-1392 SHEET NO. 1 OF 1</p>	



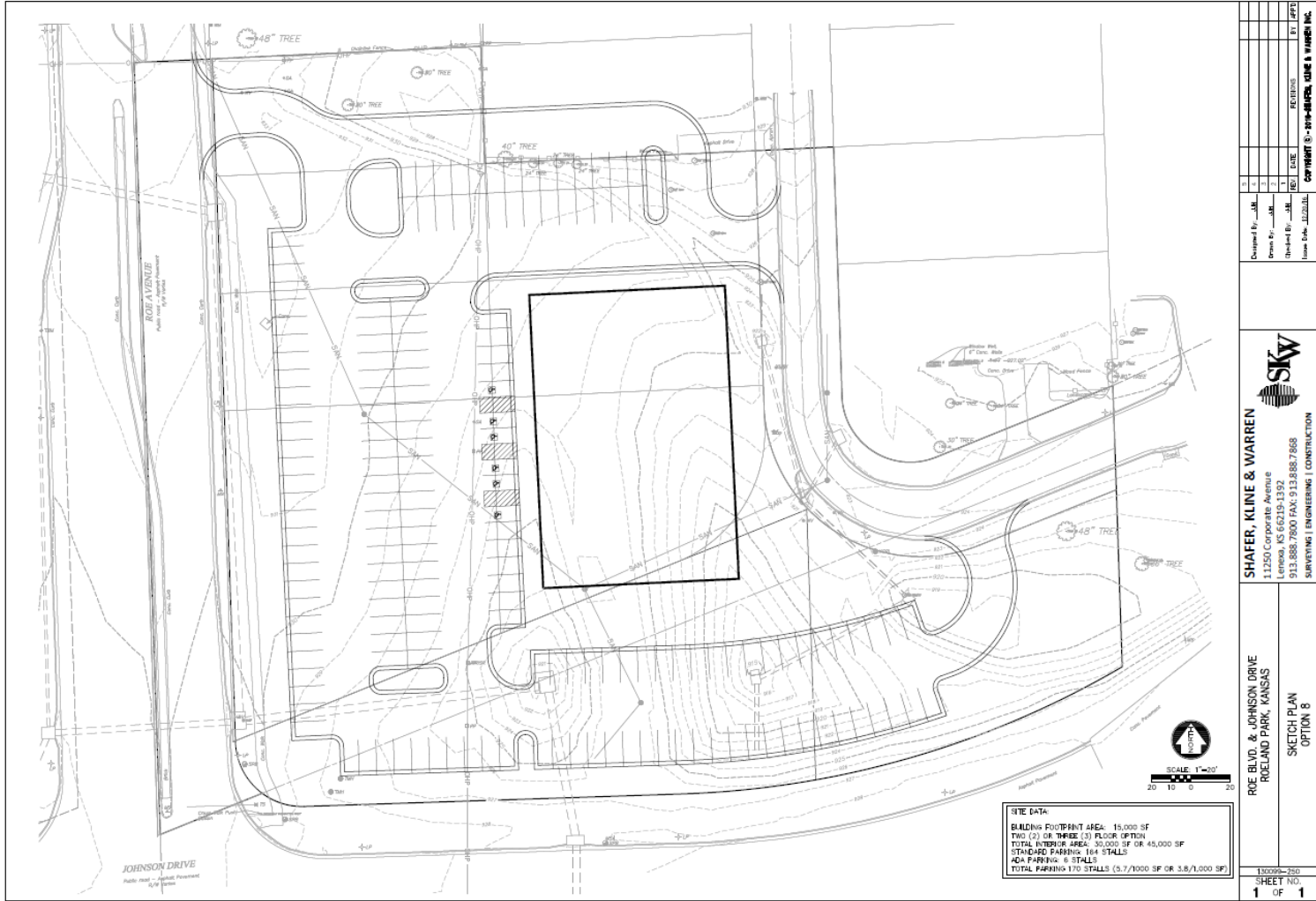
2) PROPOSED SITE PLAN



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2) PROPOSED SITE PLAN



Designed By: JKL	Checked By: JKL	BY: JFT
Drawn By: JKL	Reviewed By: JKL	REVISIONS:
Issue Date: 11/22/21	Scale:	COPYRIGHT © - 2021-SHAFER, KLINE & WARREN, INC.

SKW

SHAFER, KLINE & WARREN

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 Leavenworth, KS 66215-1392
 913.888.7800 FAX: 913.888.7868
 SURVEYING | ENGINEERING | CONSTRUCTION

ROE BLVD. & JOHNSON DRIVE
 ROELAND PARK, KANSAS

SKETCH PLAN
 OPTION 8

130999-250
 SHEET NO. 1 OF 1



3) EXECUTION OF MARKETING PLAN

- a) Draft and approve CBC's marketing agreement.
- b) CBC Marketing Sign on Property and push out information via CoStar, Xceligent and Loopnet.
- c) Continue to refine the site plans with SKW to create as many attractive and versatile mixed-use development scenarios as possible.
- d) Proceed with a "Roadshow" to generate interest among the development community and potential tenants.
 - i. TOP PROSPECTS
 - i. Restaurateurs List
 - ii. Developers List
- e) Review any incoming land purchase offers and development proposals.
- f) If proposals received are inadequate or not of interest, proceed with an organized RFP process with response deadlines that will result in shortlisted companies and formal interviews with CBC, City Leadership and Staff.

4) PROPOSED SCHEDULE

- February 15, 2017: Execute Marketing Agreement with CBC
- February – April 2017: CBC to solicit interest from Developers / Tenants
- April 15, 2017: Deadline for shortlist of Developers / Tenants to Ad Hoc Committee

Path 1 – Proceed with Letters of Intent / Term Sheets with interested parties

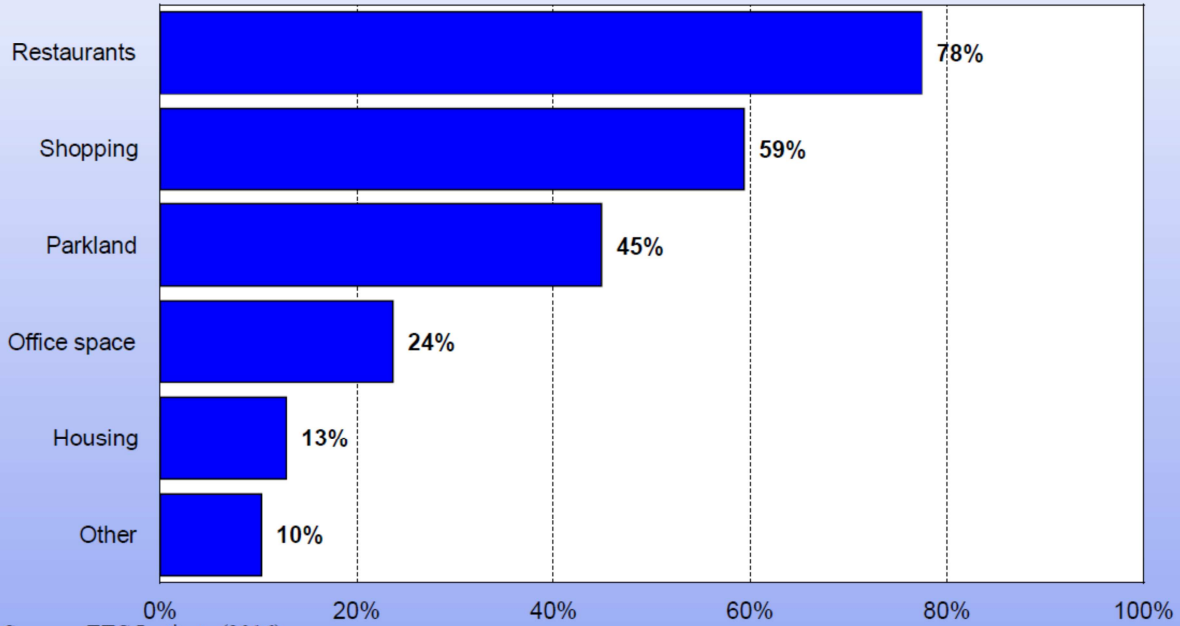
Path 2 – Initiate RFP Process (*if necessary*):

- May 1, 2017: RFP Issued for Developers
- May 15, 2017: Deadline for Submissions
- May 22, 2017: Shortlist Firms
- May 30 –
June 2, 2017: Interview Firms
- June 7, 2017: Developer selected; Land Sale and Development Agreement negotiations begin



Q30. Which Land Uses Would You Like to See as Part of the Northeast Corner of Roe Boulevard and 48th Street or at the Northeast Corner of Roe Boulevard and Johnson Drive

by percentage of respondents



Source: ETC Institute (2016)

City of Mission	Item Number:	6f.
ACTION ITEM SUMMARY	Date:	February 21, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Merger of the Parks and Recreation Commission and the Tree Board

RECOMMENDATION: Approve the ordinance merging the Parks and Recreation Commission and the City of Mission Tree Board.

DETAILS: The Mission Tree Board and the Mission Parks and Recreation Commission have both struggled over the past few years to maintain membership/representation at the levels recommended by City code. As staff continues to evaluate ways to improve the effectiveness of our Boards and Commissions while also ensuring that the time and effort spent by our volunteers is productive and meaningful, we recently recommended that the Parks and Recreation Commission and the Tree Board be merged.

The merger is intended to strengthen and enhance the efforts of the two volunteer boards without diminishing the work that either is currently doing, or has done in the past. Much work lies ahead for these volunteers as the findings and recommendations of the Parks and Recreation Master Plan are prioritized and implemented, and the tree inventory, evaluation, and maintenance plan is completed.

Staff recommended the new Commission would have thirteen (13) members, and would continue to be involved with all activities that the two separate groups currently oversee. This includes but is not limited to: Tree City USA, Kansas Forest Service Poster Contest, Arbor Day Celebration, special event assistance, focus group/task force representation, etc.

Meetings for the Commission would be held on the third Monday of each month beginning at 6:00 p.m. which is the current meeting schedule for the Parks and Recreation Commission.

Council was supportive of the staff recommendation at the February Committee meeting, and directed staff to prepare the necessary ordinances for consideration at the March meeting. Although not yet “official,” the two boards met together this week.

CFAA CONSIDERATIONS/IMPACTS: This activity supports section 1-E of the Communities for All Ages Checklist, which establishes as a goal that “the city involves residents of varying ages and abilities in planning for the siting and design of public outdoor spaces and buildings.”

Related Statute/City Ordinance:	
Line Item Code/Description:	
Available Budget:	

CITY OF MISSION
ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 230 OF THE CODE OF THE CITY OF MISSION, KANSAS TO REFLECT THE MERGER OF THE PARKS AND RECREATION COMMISSION WITH THE MISSION TREE BOARD.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Mission, Kansas:

SECTION I: Chapter 230 of the code of the City of Mission is amended as follows:

Section 230.010 COMMISSION ESTABLISHED - MEMBERSHIP.

In order to provide citizen input and interaction with City services, the City of Mission Parks, Recreation, and Tree Commission is hereby established. The Parks, Recreation, and Tree Commission shall consist of thirteen (13) members, one (1) of whom may be a non-resident of the City of Mission. At least one (1) member shall be from each ward. The Mayor, with the consent of the Council, shall appoint the members of the Parks, Recreation, and Tree Commission. Members shall be appointed for terms of two (2) years each except as otherwise herein provided. Vacancies shall be filled by appointment for the unexpired term only. The number of members may not be reduced unless a vacancy exists or unless the reduction takes effect at the end of a term. Members of the Parks, Recreation, and Tree Commission shall be appointed at the first (1st) regular meeting of the Governing Body in January. Members shall serve without compensation.

Section 230.020 MEETINGS.

The Parks, Recreation, and Tree Commission shall meet on a monthly basis. Times of meetings shall be posted publicly and open to members of the public. Meetings shall be held in City/public facilities. A majority of the members shall constitute a quorum in order to transact or conduct business. A record of all proceedings shall be kept.

Section 230.030 DUTIES AND RESPONSIBILITIES.

- A. The Parks, Recreation, and Tree Commission will assess needs and make recommendations regarding recreation programs, facilities and equipment, and will conduct an annual review of the budget, making recommendations for capital improvements to be presented to the Governing Body for consideration.
- B. It shall be the responsibility of the Parks, Recreation, and Tree Commission to study, investigate, counsel and develop a written tree plan to provide a guide for the proper development and maintenance of the trees on City-owned property, including the care, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in public ways, streets and alleys. It shall further be the responsibility of the Parks, Recreation, and Tree Commission to direct tree care and landscaping in all City parks and to recommend the location for planting.

- C. The Parks, Recreation, and Tree Commission will be responsible for the completion of a tree plan, which shall be presented to the Governing Body for approval. Thereafter, the Commission shall review and consult with a contracted arborist and update the plan as necessary with same submitted to the Governing Body prior to April 1 in even numbered years. The Parks, Recreation, and Tree Commission shall recommend budget allocations necessary to accomplish agreed-upon projects, including projects recommended for inclusion in the City's 5-Year Capital Improvement Program.

- D. In accordance with the approved tree plan, the Parks, Recreation, and Tree Commission shall control planting, pruning and removal of all trees located within the street rights-of-way, easements, alleys and parks of the City. Any owners of land abutting such rights-of-way, easements, alleys and parks may, when acting within the provisions of this Chapter and the approved plan, prune, spray, plant or remove trees in that part of such street rights-of-way, easements and alleys abutting his/her land not used for public travel. Any owner of property intending to deviate from the provisions of this Chapter must first secure written approval from the Parks, Recreation, and Tree Commission.

Section 230.040 OFFICERS.

The Parks, Recreation, and Tree Commission shall consist of thirteen (13) members from which a Chair and Vice Chair shall be elected. The Chair shall conduct and chair all meetings. The Vice Chair shall act in the absence of the Chair. Officers shall be elected at the first (1st) regularly scheduled meeting after the Governing Body has appointed new members at the first (1st) regularly scheduled meeting in January.

SECTION 230.060 QUORUM FOR BUSINESS is hereby deleted in its entirety.

SECTION II: The Parks and Recreation Commission is hereby deleted from any other reference in the Code of the City of Mission not referenced in Section I above, and replaced with the Parks, Recreation, and Tree Commission.

SECTION III: This Ordinance shall take effect and be in full force from and after its publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL this 15th day of March 2017.

APPROVED BY THE MAYOR this 15th day of March 2017.

Steve Schowengerdt, Mayor

ATTEST:

Martha M. Sumrall, City Clerk

APPROVED AS TO FORM:

PAYNE & JONES, CHTD.

David K. Martin, City Attorney
11000 King, Suite 200
P. O. Box 25625
Overland Park, KS 66225-5625
Tel: (913) 469-4100
Fax: (913) 469-8182

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Chapter 230

Parks and Recreation

Article I

Parks and Recreation Commission

Section 230.010 Commission Established — Membership.

In order to provide citizen input and interaction with City services, the City of Mission Parks, Recreation, and Tree Recreation Commission is hereby established. The Parks, Recreation, and Recreation Tree Commission shall consist of thirteen nine-(139) members, one (1) of whom may be a non-resident of the City of Mission. At least one (1) member shall be from each ward. The Mayor, with the consent of the Council, shall appoint the members of the Parks, Recreation, -and Tree Recreation Commission. Members shall be appointed for terms of two (2) years each except as otherwise herein provided. Vacancies shall be filled by appointment for the unexpired term only. The number of members may not be reduced unless a vacancy exists or unless the reduction takes effect at the end of a term. Members of the Parks, Recreation, and Tree Recreation Commission shall be appointed at the first (1st) regular meeting of the Governing Body in January. Members shall serve without compensation.

Section 230.020 ~~Commission Function. Meetings~~

~~The Parks and Recreation Commission shall meet with the Parks and Recreation Director of designated staff member to present and advise the City of the general opinions and desires of represented residents to assess needs and make recommendations regarding recreation programs, facilities and equipment.~~ The Parks, Recreation, and Tree Recreation Commission shall meet regularly on a bimonthly basis. Times of meetings shall be posted publicly and open to members of the public. Meetings shall be held in City/public facilities. A majority of the members shall constitute a quorum in order to transact or conduct business. ~~The Parks and Recreation Commission may adopt formal recommendations to be presented by the Director to the Community Development Council Committee for consideration/ recommendation to the Governing Body. A record of all proceedings shall be kept.~~

Section 230.030 ~~Annual Review~~Duties and Responsibilities.

- A. The Parks, Recreation, and Tree Commission will assess needs and make recommendations regarding recreation programs, facilities and equipment, and will conduct an annual review of the budget, making recommendations for capital improvements to be presented to the ~~Community Development Council Committee~~ Governing Body for consideration.
- B. It shall be the responsibility of the Parks, Recreation, and Tree Commission to study, investigate, counsel and develop a written tree plan to provide a guide for the proper development and maintenance of the trees on City-owned property, including the care, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in public ways, streets and alleys. It shall further be the responsibility of the Parks, Recreation, and Tree Commission to direct tree care and landscaping in all

City parks and to recommend the location for planting.

- C. The Parks, Recreation, and Tree Commission will be responsible for the completion of a tree plan, which shall be presented to the Governing Body for approval. Thereafter, the Commission shall review and consult with a contracted arborist and update the plan as necessary with same submitted to the Governing Body prior to April 1 in even numbered years. The Parks, Recreation, and Tree Commission shall recommend budget allocations necessary to accomplish agreed-upon projects, including projects recommended for inclusion in the City's 5-Year Capital Improvement Program.
- D. In accordance with the approved tree plan, the Parks, Recreation, and Tree Commission shall control planting, pruning and removal of all trees located within the street rights-of-way, easements, alleys and parks of the City. Any owners of land abutting such rights-of-way, easements, alleys and parks may, when acting within the provisions of this Chapter and the approved plan, prune, spray, plant or remove trees in that part of such street rights-of-way, easements and alleys abutting his/her land not used for public travel. Any owner of property intending to deviate from the provisions of this Chapter must first secure written approval from the Parks, Recreation, and Tree Commission.

Section 230.040 Officers.

The Parks, ~~Recreation,~~ and ~~Tree Recreation~~ Commission shall consist of ~~thirteen nine~~ (139) members from which a Chair and Vice Chair shall be elected. The Chair shall conduct and chair all meetings, ~~and shall have authority to call special meetings with three (3) days' notice to all members. Times of meetings shall be posted publicly and open to members of the public. Meetings shall be held in City/public facilities.~~ The Vice Chair shall act in the absence of the Chair. Officers shall be elected at the first (1st) regularly scheduled meeting after the Governing Body has appointed new members at the first (1st) regularly scheduled meeting in January.

Section 230.050 Member Removal.

Any members of the Commission may be removed or replaced by a vote of the majority of the Governing Body at any regularly scheduled meeting of the Governing Body.

~~Section 230.060 Quorum For Business.~~

~~A quorum of at least five (5) members must be present to transact or conduct business.~~

CITY OF MISSION
ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 240 OF THE CODE OF THE CITY OF MISSION, KANSAS TO REFLECT THE MERGER OF THE PARKS AND RECREATION COMMISSION WITH THE MISSION TREE BOARD.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Mission, Kansas:

SECTION I: Chapter 240 of the code of the City of Mission is amended as follows:

Chapter 240: TREES AND SHRUBS

Section 240.030 CREATION AND ESTABLISHMENT. Is deleted in its entirety.

Section 240.040 DUTIES AND RESPONSIBILITIES. Is deleted in its entirety.

Section 240.050 ADVISORS. Is deleted in its entirety.

Section 240.060 MEETINGS, RULES AND REGULATIONS. Is deleted in its entirety.

Section 240.070 LIST OF PERMISSIBLE STREET TREES.

- A. *Official Street Tree Species To Be Planted.* The following is a list of street trees species for Mission, Kansas. The Parks, Recreation, and Tree Commission is authorized to adopt regulations providing procedures and criteria for the approval of the planting of other species. These regulations may authorize, without specific written permission of the Commission, the planting of certain trees under specified conditions. The planting of any species not listed in this Section or those regulations shall be prohibited unless prior written authorization of the Commission is obtained.

Street Trees For Mission

Common Name	Growth Rate	Size	Shape	Remarks
Maple, Norway				
Crimson Sentry (Acer platanoides)	Medium	35 feet height, 10 — 12 feet spread	Upright oval	Good maple for restricted spaces.
Maple, Columnare Norway				
(Acer platanoides)	Medium	40 feet height, 15 — 18 feet	Upright oval	Prefers moist, deep soil. Good for restricted spaces.

			spread	
Maple, Amur Flame (Acer ginnala)		15 — 25 feet height	Upright oval	Excellent for small lots. Bright red foliage. Hardiness to cold temperatures.
Linden, "American Redmond" (Tilia americana)	Medium	60 — 70 feet height	Pyramidal to oval	Drought tolerant. Recommended buffer strips along highways or large parking lots. Excellent shade tree.
Linden, "Chancellor" Little Leaf (Tilia cordata)	Medium	30 — 40 feet height, 15 — 20 feet spread	Fastigate to pyramidal	Exposed-moist well drained soil, excellent for paved areas. Pollution tolerant. Does well in difficult sites.
Linden, "Greenspire" Little Leaf (Tilia cordata)	Medium	50 — 70 feet height, 35 — 40 feet spread	Fastigate to pyramidal	Exposed-moist well drained soil, excellent for paved areas, streetside and mall area. Pollution tolerant. Does well in difficult sites.
Western Soap Berry (Sapindus drummondii)	Medium	40 — 50 feet height, 25 — 30 feet spread	Round	Residential street tree. Good in poor drainage area. Pollution tolerant.
Oak, "Chinkapin" (Quercus Muehlenbergii)	Medium-fast	35 — 40 feet height, 40 — 60 feet spread	Oval to rounded	Strong. Mildew can be a problem. Adaptable to soil conditions.
Oak, "Shingle" (Quercus imbricaria)	Medium	50 — 60 feet height, 40 —	Pyramidal to upright oval	Excellent shade tree. Well adapted to Kansas soil.

			60 feet spread	
Oak, "English" (Quercus robur)	Slow	60 — 80 feet height, 40 — 60 feet spread	Densely oval	Excellent shade tree. Majestic. Usually disease and pest free.
Ginkgo (Ginkgo biloba)	Medium-slow	50 — 60 feet height, 25 — 40 feet spread	Columnar to pyramidal	Slow grower, but long lived. Fan-shaped leaves. Pollution tolerant. Suitable as a street tree.
Bald Cypress (Taxodium distichum)	Medium	40 — 50 feet height	Pyramidal	Excellent for park areas. Absorbs water well.

Section 240.090 DISTANCE FROM PAVED SURFACE.

No tree or shrub shall be planted within three (3) feet from any paved surface unless authorized by the Parks, Recreation and Tree Commission.

Section 240.100 PLANTING NEAR OVERHEAD UTILITIES - PROHIBITED TREES.

A. Unless authorized by the Parks, Recreation, and Tree Commission, no trees other than those species defined as small trees in Section **240.010** may be planted or allowed to grow under or within ten (10) lateral feet of any overhead primary or secondary utility wire or over or within five (5) lateral feet of any underground water line, sewer line, transmission line or other utility. No tree of the following species shall be planted or allowed to grow under or within thirty (30) lateral feet of any overhead primary or secondary utility wire:

1. Acer saccharinum (Silver Maple).
2. Fraxinus (entire genus of Ash).
3. Populus spp. (Cottonwood).
4. Platanus spp. (Sycamore and London Planetree).

Section 240.120 RESIDENTIAL TRAFFIC ISLANDS, THOROUGHFARE RIGHTS-OF-WAY, PLANTING RESTRICTIONS.

No trees, shrubs, woody vegetation or other landscape improvements over two (2) feet in height will be permitted on residential traffic islands or thoroughfare rights-of-way

unless approved by the Parks, Recreation, and Tree Commission.

Section 240.130 INTERFERENCE WITH PARKS, RECREATION, AND TREE COMMISSION.

It shall be unlawful for any person to prevent, delay or interfere with the Parks, Recreation, and Tree Commission, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees or trees on private grounds as authorized in this Chapter.

Section 240.150 REVIEW BY CITY COUNCIL.

The City Council shall have the right to review the conduct, acts and decisions of the Parks, Recreation, and Tree Commission. Any person may appeal any ruling or order of the Commission to the City Council who may hear the matter and make final decisions. The Parks, Recreation, and Tree Commission shall be represented and heard at the time of appeal.

Section 240.170 INJURING TREES.

It shall be unlawful for any person to cut, girdle, destroy or in any manner injure any shade tree or fruit tree standing or growing, wholly or partly, in or on any street, alley, or within any public park without the consent of the abutting landowner and the Parks, Recreation, and Tree Commission.

Section 240.190 REMOVAL OF DEAD TREES, SHRUBS, LIMBS.

The owners, occupants or persons in charge of real estate abutting upon any public street or avenue in the City shall remove or cause to be removed all dead trees and shrubs or all dead limbs or branches on any trees or shrubs situated or growing in front of such real estate but within the boundary line of any such street or avenue and within the curb line thereof; or any dead tree or shrub or any dead limb or branch of any tree situated or growing upon any such real estate but overhanging any such street or avenue or sufficiently near thereto to become dangerous to the public traveling thereon or on any sidewalk, which the dead trees or dead limbs or branches thereof are or may become dangerous and a menace to public travel upon the streets and sidewalks in front of or abutting upon any such property. A property owner may request a replacement tree from the Parks, Recreation, and Tree Commission.

SECTION II: The Tree Board, City Tree Board, and Mission Tree Board are hereby deleted from any other reference in the Code of the City of Mission not referenced in Section I above, and replaced with the Parks, Recreation, and Tree Commission.

SECTION III: This Ordinance shall take effect and be in full force from and after its publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL this 15th day of March 2017.

APPROVED BY THE MAYOR this 15th day of March 2017.

Steve Schowengerdt, Mayor

ATTEST:

Martha M. Sumrall, City Clerk

APPROVED AS TO FORM:

PAYNE & JONES, CHTD.

David K. Martin, City Attorney
11000 King, Suite 200
P. O. Box 25625
Overland Park, KS 66225-5625
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The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Chapter 240

~~Tree Board,~~ Trees and Shrubs

Section 240.010 Definitions.

For purposes of this Chapter, the following definitions shall apply to the listed terms:

PARK TREES

Trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.

SMALL TREES

Trees, shrubs and other woody vegetation with a potential mature height of no more than twenty-five (25) feet.

STREET TREES

Trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues or ways within the City.

Section 240.020 Authority To Regulate.

The City is hereby authorized to regulate the planting, maintenance, treatment and removal of trees and shrubbery upon all streets, alleys, avenues, boulevards and parks within the City.

~~Section 240.030 Creation and Establishment. Reserved~~

~~There is hereby created a Tree Board to prescribe regulations relating to the planting of trees, shrubs and other plantings upon City-owned property, to promote the beautification of the City, the protection of the public health and safety and to provide for the preservation and removal of diseased trees, shrubs and plantings. The Tree Board may be composed of the following: eight (8) residents of the City of Mission appointed by the Mayor with at least three (3) out of the four (4) wards of the City represented and the City Community Development Officer or other staff member designated by the City Administrator. Only the resident members shall be voting members of the Committee. Staff members shall act in an advisory capacity. Officers of the Tree Board shall be a Chairperson and Vice Chair. These officers shall be elected by the Tree Board at the first (1st) regular meeting of the calendar year and shall serve for one (1) year and may be re-elected or replaced by election. The Tree Board shall have a Secretary who shall be provided by the City of Mission. In the event a vacancy should occur, his/her successor shall be appointed in the same manner. Appointments shall be made during the first (1st) regular City Council meeting of every January.~~

~~Section 240.040 Duties and Responsibilities. Reserved~~

~~A. — It shall be the responsibility of the Board to study, investigate, counsel and develop a written tree plan to provide a guide for the proper development and maintenance of the trees on City-owned property, including the care, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in public ways, streets and alleys. It shall further be the responsibility of the Board to direct tree care and landscaping in all City parks and to recommend the location. Upon completion of the tree plan, it shall be presented to the Governing Body for approval. Thereafter, the Board shall review and consult with a contracted arborist and update as necessary the plan and submit the same bi-annually to the Governing Body prior to April 1 of evenly numbered years for approval. The Board shall recommend needed budget allocations for accomplishment of agreed-upon projects and recommend projects for inclusion in the City capital improvement~~

~~program.~~

- ~~B. The Board, in accordance with the plan, shall control all planting, pruning and removal of all trees located within the street rights-of-way, easements, alleys and parks of the City. Any owners of land abutting such rights-of-way, easements, alleys and parks may, when acting within the provisions of this Chapter and the approved plan, prune, spray, plant or remove trees in that part of such street rights-of-way, easements and alleys abutting his/her land not used for public travel. Any owner of property intending to deviate from the provisions of this Chapter must first secure written approval from the Board.~~
- ~~C. The Board, when requested by the Governing Body, shall consider, investigate, make findings and report upon any matter coming within its scope of work.~~

~~Section 240.050 Advisors. RESERVED~~

~~The Governing Body may designate or employ, with or without compensation, such advisors to the Tree Board as the Governing Body shall hereafter determine to be necessary and advisable to accomplish the purposes of this Chapter.~~

~~Section 240.060 Meetings, Rules and Regulations. RESERVED~~

~~The Tree Board shall meet at such times and places as it shall agree upon and at least quarterly or upon call by the Mayor or City Administrator and prepare recommended rules and regulations relating to its meetings and proceedings, subject to approval of the Governing Body, and shall keep minutes of its meetings and provide a copy thereof to the Governing Body. A majority of the members of the Tree Board shall be sufficient as a quorum for the transaction of business of the Board.~~

Section 240.070 List of Permissible Street Trees.

- A. *Official Street Tree Species To Be Planted.* The following is a list of street trees species for Mission, Kansas. The ~~Tree Board Parks, Recreation, and Tree Commission~~ is authorized to adopt regulations providing procedures and criteria for the approval of the planting of other species. These regulations may authorize, without specific written permission of the ~~Tree Board Commission~~, the planting of certain trees under specified conditions. The planting of any species not listed in this Section or those regulations shall be prohibited unless prior written authorization of the ~~Tree Board Commission~~ is obtained.

Street Trees For Mission

Common Name	Growth Rate	Size	Shape	Remarks
Maple, Norway				
Crimson Sentry (Acer platanoides)	Medium	35 feet height, 10 — 12 feet spread	Upright oval	Good maple for restricted spaces.
Maple, Columnare Norway				
(Acer platanoides)	Medium	40 feet height, 15 — 18	Upright oval	Prefers moist, deep soil. Good for restricted spaces.

feet
spread

Maple, Amur Flame

(*Acer ginnala*)

15 — 25 feet height Upright oval

Excellent for small lots. Bright red foliage. Hardiness to cold temperatures.

Linden, "American Redmond"

(*Tilia americana*) Medium

60 — 70 feet height Pyramidal to oval

Drought tolerant. Recommended buffer strips along highways or large parking lots. Excellent shade tree.

Linden, "Chancellor" Little Leaf

(*Tilia cordata*) Medium

30 — 40 feet height, Fastigate to pyramidal

15 — 20 feet spread

Exposed-moist well drained soil, excellent for paved areas. Pollution tolerant. Does well in difficult sites.

Linden, "Greenspire" Little Leaf

(*Tilia cordata*) Medium

50 — 70 feet height, Fastigate to pyramidal

35 — 40 feet spread

Exposed-moist well drained soil, excellent for paved areas, streetside and mall area. Pollution tolerant. Does well in difficult sites.

Western Soap Berry

(*Sapindus drummondii*) Medium

40 — 50 feet height, Round

25 — 30 feet spread

Residential street tree. Good in poor drainage area. Pollution tolerant.

Oak, "Chinkapin"

(*Quercus Muehlenbergii*) Medium-fast

35 — 40 feet height, Oval to rounded

Strong. Mildew can be a problem. Adaptable to soil conditions.

			40 — 60 feet spread		
Oak, "Shingle"					
(Quercus imbricaria)	Medium		50 — 60 feet height,	Pyramidal to upright oval	Excellent shade tree. Well adapted to Kansas soil.
			40 — 60 feet spread		
Oak, "English"					
(Quercus robur)	Slow		60 — 80 feet height,	Densely oval	Excellent shade tree. Majestic. Usually disease and pest free.
			40 — 60 feet spread		
Ginkgo					
(Ginkgo biloba)	Medium-slow		50 — 60 feet height,	Columnar to pyramidal	Slow grower, but long lived. Fan-shaped leaves. Pollution tolerant. Suitable as a street tree.
			25 — 40 feet spread		
Bald Cypress					
(Taxodium distichum)	Medium		40 — 50 feet height	Pyramidal	Excellent for park areas. Absorbs water well.

Section 240.075 List of Prohibited Street Trees.

A. The following is a list of tree species that are prohibited as street trees.

1. Abies spp. (Fir).
2. Acer saccharinum (Silver Maple).
3. Albizia julibrissin (Mimosa).
4. Diospyros virginiana (Persimmon).
5. Elaeagnus angustifolia (Russian Olive).

6. Fraxinus (entire genus of Ash).
7. Maclura pomifera (Osage Orange fruited/thorned varieties).
8. Morus spp. (Mulberry).
9. Picea spp. (Spruce).
10. Pinus spp. (Pine).
11. Platanus acerifolia (London Plane-tree).
12. Occidentalis (Sycamore).
13. Populus spp. (Cottonwood).
14. Pyrus calleryana "Bradford" (Bradford Pear).
15. Salix spp. (Willow).
16. Edible fruit trees.

Section 240.080 Prohibited Trees.

- A. The following is a list of tree species that may not be planted or grown within the corporate limits of the City of Mission, Kansas:
1. Ulmus spp. (elms except for Ulmus parvifolia and Ulmus americana).
 2. Ailanthus altissima (tree of heaven).
 3. Acer negundo (Boxelder).
 4. Fraxinus (entire genus of ash).

Section 240.090 Distance From Paved Surface.

No tree or shrub shall be planted within three (3) feet from any paved surface unless authorized by the ~~Tree Board~~ [Parks, Recreation, and Tree Commission](#).

Section 240.100 Planting Near Overhead Utilities — Prohibited Trees.

- A. Unless authorized by the ~~Tree Board~~ [Parks, Recreation and Tree Commission](#), no trees other than those species defined as small trees in Section **240.010** may be planted or allowed to grow under or within ten (10) lateral feet of any overhead primary or secondary utility wire or over or within five (5) lateral feet of any underground water line, sewer line, transmission line or other utility. No tree of the following species shall be planted or allowed to grow under or within thirty (30) lateral feet of any overhead primary or secondary utility wire:
1. Acer saccharinum (Silver Maple).
 2. Fraxinus (entire genus of Ash).
 3. Populus spp. (Cottonwood).
 4. Platanus spp. (Sycamore and London Planetree).

Section 240.110 Sight Distance — Fireplugs.

- A. No landscaping, tree, shrub, fence, wall or similar item shall be placed in zones of ingress or egress at street corners, or in the intersection of a public right-of-way, that the City determines is an obstruction to visibility or is otherwise a traffic hazard.
- B. No tree, shrub or woody vegetation shall be planted within a distance of ten (10) feet from any fireplug.

Section 240.120 Residential Traffic Islands, Thoroughfare Rights-of-Way, Planting Restrictions.

No trees, shrubs, woody vegetation or other landscape improvements over two (2) feet in height will be permitted on residential traffic islands or thoroughfare rights-of-way unless approved by the ~~Tree Board~~ Parks, Recreation, and Tree Commission.

Section 240.130 Interference With ~~City Tree Board~~ Parks, Recreation and Tree Commission.

It shall be unlawful for any person to prevent, delay or interfere with the ~~City Tree Board~~ Parks, Recreation, and Tree Commission, or any of its agents, while engaging in and about the planting, cultivating, mulching, pruning, spraying or removing of any street trees, park trees or trees on private grounds as authorized in this Chapter.

Section 240.140 Tree Service License and Bond.

It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating or removing street or park trees within the City of Mission without first applying for and procuring a license. The license fee shall be ten dollars (\$10.00) annually in advance; provided, however, that no license shall be required of any public service company or City employee doing such work in the pursuit of their public service endeavors. Before any license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amounts of twenty-five thousand dollars (\$25,000.00) for bodily injury and ten thousand dollars (\$10,000.00) property damage indemnifying the City or any person injured or damaged resulting from the pursuit of such endeavors as herein described. Each applicant shall also possess any other insurance required by State law.

Section 240.150 Review By City Council.

The City Council shall have the right to review the conduct, acts and decisions of the ~~City Tree Board~~ Parks, Recreation, and Tree Commission. Any person may appeal any ruling or order of the ~~City Tree Board~~ Commission to the City Council who may hear the matter and make final decisions. The ~~Tree Board~~ Parks, Recreation, and Tree Commission shall be represented and heard at the time of appeal.

Section 240.160 Rights of Property Owners Over Plants in Parking Areas.

The owners of property abutting on streets, alleys, avenues and boulevards shall have such title to and property in growing trees and shrubbery in the parking in front or to the side of such real estate between the curb line and the property line as to enable the owners in case of injury to or destruction of such trees, shrubbery and parking to recover from the person causing said injury or destruction the full damage which the abutting property in front of which they are situated may sustain by reason thereof and such abutting property owners shall all have the right of action in any court of competent jurisdiction to enjoin injury to or destruction of such trees, shrubbery and parking, except that no recovery or injunction shall be had against the City in the making of public improvements or in any other reasonable exercise of its authority over such streets, alleys, avenues or boulevards or over the trees and shrubbery located thereon.

Section 240.170 Injuring Trees.

It shall be unlawful for any person to cut, girdle, destroy or in any manner injure any shade tree or fruit tree standing or growing, wholly or partly, in or on any street, alley, or within any public park without the consent of the abutting landowner and the ~~City Tree Board~~ Parks, Recreation, and Tree Commission.

Section 240.180 Duty To Trim Trees and Shrubs On or Near Streets, Sidewalks.

The owners, occupants or persons in charge of real estate in the City abutting public streets and avenues are required to cause all trees and shrubs growing and situated in front of such real estate, but within the boundary line of the streets or avenues and within the curb line thereof, and all trees and shrubs or branches or limbs thereof growing or situated on any such real estate which overhang any such street or avenue to be properly trimmed so as not to interfere with public travel upon the streets and sidewalks in front or abutting upon any such property. Trimming shall be done in a proper and scientific manner by an arborist as described in Section **240.140** of this Chapter or by a property owner or his/her agent. Any trees, shrubs or limbs projecting beyond the back of the curb line or the usual location thereof at a point less than twelve (12) feet above the street level are hazardous and interfere with the use of the streets and avenues. Any trees, shrubs or limbs projecting over any sidewalk or usually traveled pedestrian way, at a point less than eight (8) feet above the level thereof, are hazardous and interfere with the use of sidewalks and usually traveled pedestrian way.

Section 240.190 Removal of Dead Trees, Shrubs, Limbs.

The owners, occupants or persons in charge of real estate abutting upon any public street or avenue in the City shall remove or cause to be removed all dead trees and shrubs or all dead limbs or branches on any trees or shrubs situated or growing in front of such real estate but within the boundary line of any such street or avenue and within the curb line thereof; or any dead tree or shrub or any dead limb or branch of any tree situated or growing upon any such real estate but overhanging any such street or avenue or sufficiently near thereto to become dangerous to the public traveling thereon or on any sidewalk, which the dead trees or dead limbs or branches thereof are or may become dangerous and a menace to public travel upon the streets and sidewalks in front of or abutting upon any such property. A property owner may request a replacement tree from the ~~Tree Board~~ Parks, Recreation, and Tree Commission.

Section 240.200 Notice Requiring Trimming or Removal.

The Code Enforcement Officer is hereby authorized and directed, whenever in his/her opinion it becomes necessary, to notify, in writing, the owner of any such real estate to cause the trimming of any trees as required by Section **240.180** or to cause the removal of any dead trees or dead limbs or branches of any trees as required by Section **240.190** whenever in his/her opinion the same may be necessary, or if such owner cannot be found in the City, then to notify the occupant, agent or person in charge of the property in the same manner.

Section 240.210 Failure To Comply With Notice.

If within ten (10) days from the date of the service of the notice required by Section **240.200**, the owner or occupant, agent or person in charge of such property shall fail to comply with the provisions of the notice, the person shall be deemed guilty of a violation of this Chapter, and the Code Enforcement Officer shall cause a complaint to be filed in the Municipal Court and the owner, occupant or person in charge of the property shall be prosecuted for the violation of the provisions of this Chapter, but failure to serve notice shall not relieve any person from complying with the provisions of Sections **240.180** and **240.190** and any violator thereof shall be punished whether notice is served or not.

Section 240.220 Violations Declared Nuisance — Abatement.

In addition to the other provisions of this Chapter, any tree which is not trimmed in accordance with the provisions hereof, or any dead tree or dead branch or limb of any tree which is not removed in accordance with the provisions hereof, or any other dead tree or dead branch or limb of any tree situated on any premises in the City which is or may become in danger of falling and injuring any person or property in the City is hereby declared a public nuisance, and if any such tree is not properly trimmed, or any dead tree or dead branch or limb of any tree is not removed within ten (10) days of written notice given to the owner, occupant, agent or person in charge of any such premises by the Code Enforcement Officer or within ten (10) days of mailing of such notice to the last known address of the responsible party or within ten (10) days of the publication of notice in the official City paper, then, and in any such event, the Community Development/Neighborhood Services Department shall cause the nuisance to be abated and removed and the cost thereof reported by that department to the City Clerk and assessed against the lot or piece of land upon which the same exists, or abutting the street or avenue upon which the same exists, and certified by the City Clerk to the County Clerk and collected as other taxes are collected.

Section 240.230 Right of City To Maintain Trees Not Affected.

Nothing in this Chapter shall be deemed to impair the right of the City to trim, protect or otherwise care for trees upon all public streets, avenues, boulevards, parks and other public grounds, and the Director of Public Works is hereby authorized and directed, whenever it may be necessary, to perform or to cause to be performed any such work.

Section 240.240 Diseased Trees and Shrubs — Notice.

Whenever any competent City, State or Federal authority, when requested by the Governing Body of the City, shall file with the Governing Body a statement in writing based upon a laboratory test or other supporting evidence that trees or tree materials or shrubs located upon private property within the City are infected or infested with or harbor any tree or plant disease or insect pest or larvae, the uncontrolled presence of which may constitute a hazard to or result in damage or destruction of other trees or shrubs in the community describing the same and where located, the Governing Body shall direct the Code Enforcement Officer to forthwith issue notice requiring the owner or agent of the owner of the premises to treat or remove any such designated tree, tree materials or shrub within a time specified in such notice. In no event shall the time specified in such notice be less than three (3) days. Such notice shall be served by the Code Enforcement Officer by delivering a copy thereof to the owner or agent of the property or if the same shall be unoccupied and the owner a non-resident of the City, then the Code Enforcement Officer shall notify the owner by mailing a notice to his/her last known address, the notice providing the non-resident owner at least ten (10) days in which to comply with the terms of this Chapter.

Section 240.250 Diseased Trees and Shrubs — Failure To Comply With Notice.

If the owner or agent shall fail to comply with the requirements of the notice required by Section **240.240** within the time specified in the notice, then the duly authorized officer of the City shall proceed to have the designated tree, tree materials or shrub treated or removed and report the cost thereof to the City Clerk and the cost of the treatment or removal shall be paid by the owner of the property or shall be assessed and charged against the lot or parcel of ground on which the tree, tree materials or shrub was located. The City Clerk is hereby authorized upon determination of the amount to be assessed to any such lot or parcel of ground to furnish a written notice by United States mail to the last known address of the owner or agent of the amount of such assessment. The City Clerk shall, at the time of certifying other City taxes to the County Clerk, certify the unpaid cost to be so assessed and the County Clerk shall extend the same on the tax roll of the County against the lot or parcel of ground. The cost of the work shall be paid from the general fund or other proper fund of the City and the funds shall be reimbursed when payment thereof is received or when such assessments are collected and received by the

City.

Section 240.260 Powers of City in Case of General Infection.

The Governing Body, after recommendation from the Tree Board, when it appears that there is or is likely to be a general infection or infestation of trees or shrubs within the City by tree or plant disease or insect pest or larvae resulting in damage to or the death of many trees or shrubs, may provide such preventive measures or treatments as may be necessary and may pay the cost from the general fund or other proper fund.

Section 240.270 Penalty.

Any person violating any provision of this Chapter shall be, upon conviction or a plea of guilty, subject to a fine not to exceed twenty-five dollars (\$25.00) for the first (1st) offense, fifty dollars (\$50.00) for the second (2nd) offense, one hundred dollars (\$100.00) for the third (3rd) offense, and one hundred dollars (\$100.00) per day/per violation for the fourth (4th) and any further offenses. For the purposes of this Section, the number of offenses are calculated on an annual basis.

**CITY OF MISSION
ORDINANCE NO. _____**

AN ORDINANCE AMENDING SECTION 130 OF THE CODE OF THE CITY OF MISSION, KANSAS TO REFLECT CHANGES MADE TO VARIOUS BOARDS AND COMMISSIONS.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Mission, Kansas:

Section I. The Code of the City of Mission, Kansas is hereby amended to delete any and all references to the Mission Convention and Visitors Bureau as follows:

- A. Section 130.020. Standing Council Committees Designated. Section A.1. is hereby amended as follows:

1. Community Development Committee.

- a. Planning and Community Development Department.
- b. Parks and Recreation Department.
- c. Public Works Department.
- d. Planning Commission.
- e. Board of Zoning Appeals.
- f. Board of Code Review.
- g. Parks, Recreation, and Tree Commission.
- h. Capital Improvement Program (CIP) Committee.
- i. Other related ad hoc committees.

- B. Section 130.100. Rules and Order of Business for Boards, Commissions and Committees. C.1. is amended as follows:

1. Section 1. "Boards, commissions and committees" shall mean all boards, commissions and committees, including, but not limited to, the Finance and Administration Committee, the Community Development Committee, the Planning Commission, the Board of Zoning Appeals, the Parks, Recreation and Tree Commission, the Sustainability Commission, and the Capital Improvement Program Committee.

Section II. This Ordinance shall take effect and be in full force from and after publication as required by law.

PASSED AND APPROVED by the City Council this 15th day of March 2017.

APPROVED by the Mayor this 15th day of March 2017.

(SEAL)

Steve Schowengerdt, Mayor

ATTEST:

Martha M. Sumrall, City Clerk

APPROVED BY:

PAYNE & JONES, CHTD.

David K. Martin, City Attorney
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Chapter 130

Boards, Commissions and Committees

Section 130.010 General Provisions.

- A. There is hereby established a Finance and Administration Committee and Community Development Committee.
- B. Each committee shall include all members of the City Council. On an annual basis, on or before the first June Council meeting, the City Council shall vote to elect the chairperson and vice chairperson of the Finance and Administration Committee and Community Development Committee.
- C. The Mayor and City Administrator shall be ex officio members of each committee.
- D. *Exemption From Certain Statutes Regarding Appointments To Boards, Etc.*
 1. The City of Mission, Kansas, pursuant to Article 12, Section 5 of the Constitution of the State of Kansas, elects to exempt itself from the provisions of Chapter 163, 2008 Session Laws of Kansas, New Section 4, regarding appointments to boards, commissions, advisory groups or other bodies.
 2. The City of Mission, Kansas shall continue to follow previously enacted Charter Ordinances and the provisions of the Code of the City of Mission, Kansas, relating to the appointment to any board, commission, advisory group or other body and as may be amended in the future.

Section 130.020 Standing Council Committees Designated.

- A. The Council shall have two (2) standing committees. The work assigned to and the jurisdiction of these committees shall correspond to the department, commissions and boards as noted herein. However, when a matter does not clearly fall within the jurisdiction of a particular committee, the City Administrator shall assign the matter as he/she determines to be most appropriate.
 1. Community Development Committee.
 - a. Planning and Community Development Department.
 - b. Parks and Recreation Department.
 - c. Public Works Department.
 - d. Planning Commission.
 - e. Board of Zoning Appeals.
 - f. Board of Code Review.
 - g. Parks, ~~Recreation, and Tree and Recreation~~ Commission.
 - h. Capital Improvement Program (CIP) Committee
 - ~~ih.~~ Other related ad hoc committees.

2. Finance and Administration Committee.
 - a. Administration Department.
 - b. Police Department.
 - c. Municipal Court.
 - d. Legal Department.
 - e. Other related ad hoc committees.
 - f. Budget review.
 - g. Council policies.
 - h. Legislative review.

Section 130.030 through Section 130.040. (Reserved)

Section 130.050 Additional Committees.

The Mayor shall from time to time appoint such other committees as may be necessary to study particular municipal problems; nothing contained herein shall deprive the members of the Governing Body of their statutory duties and powers.

Section 130.060 through Section 130.090. (Reserved)

Section 130.100 Rules and Order of Business For Boards, Commissions and Committees.

- A. The Code of Procedure for Kansas Local Governments, First Edition, prepared by the League of Kansas Municipalities, is hereby adopted by reference.
- B. No less than three (3) copies of the Code of Procedure for Kansas Local Governments, First Edition, prepared by the Kansas League of Municipalities, shall be marked or stamped "the Official Copy as incorporated by Ordinance 1173" and to which shall be attached a copy of the incorporating ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours.
- C. The provisions of the Code of Procedure for Kansas Local Governments, First Edition, Section 1, Governing Body, shall be amended as follows:
 1. *Section 1.* "Boards, commissions and committees" shall mean all boards, commissions and committees, including, but not limited to, the Finance and Administration Committee, the Community Development Committee, the Planning Commission, the Board of Zoning Appeals, ~~the Tree Board~~, the Parks, ~~Recreation, and Tree and Recreation~~ Commission, the Sustainability Commission, and the Capital Improvement Program Committee.
 2. This definition shall not apply to the elected Governing Body of the City of Mission, Kansas.
- D. The provisions of the Code of Procedure for Kansas Local Governments, First Edition, all Sections shall be amended by substituting the phrase "boards, commissions and committees" wherever the phrase "Governing Body" is used.

- E. The provisions of the Code of Procedure for Kansas Local Governments, First Edition, Section 24 is hereby deleted.
- F. The subsequent amendment of the Code of Procedure for Kansas Local Governments, First Edition, prepared by the League of Kansas Municipalities, shall have no effect on this Chapter, and this Chapter shall continue in effect until the incorporating ordinance is repealed or a later standard or model is incorporated by reference.

City of Mission	Item Number:	8a.
ACTION ITEM SUMMARY	Date:	March 10, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Ordinance Creating Redevelopment District - Silvercrest at Broadmoor (5665 Foxridge Drive)

RECOMMENDATION: Approve an ordinance making certain findings with respect to the establishment of a redevelopment district in the City of Mission and establishing a redevelopment district pursuant to K.S.A. 12-1770, *et. seq.* (the “Act”), as amended, in the area generally known as 5665 Foxridge Drive, and all adjacent rights of way.

DETAILS: The City Council adopted a Predevelopment Agreement with Dial-Mission Land, Inc. on February 15, 2017. The agreement designated them as the “Developer of Record” for a period of four months, during which time the City agreed to explore project feasibility, opportunities for partnership in the form of financial incentives, and approval of development plans.

The Predevelopment Agreement contemplates consideration of Tax Increment Financing (TIF) by the City Council. Award of TIF involves a two step process. The first step is the establishment of the physical boundaries of the Redevelopment District (TIF District), and the second provides for approval of a specific project plan(s) within the established district. Both steps have specific timelines and processes outlined by State statute and Mission’s TIF Policy.

In accordance with the required procedures, a public hearing on creation of the Redevelopment District was advertised by Resolution 975 and will be held at the City Council meeting on March 15, 2017. Following the public hearing, the City Council has the authority to approve an ordinance making such findings as are required by the statutes and establishing a Redevelopment District at the site.

According to state statutes, certain minimum criteria must be met in order for an area to qualify as a Redevelopment (TIF) District. Staff and the City’s legal team have reviewed the TIF Application and supporting documentation, and substantially concur with the findings regarding eligibility for creation of a Redevelopment District at this location. The findings determine that (a) the area is a “conservation area” because the area comprises less than 15% of the land area within the City, has 50% or more of the structures of an age of 35 years or more, and meets at least two of the statutory factors described in K.S.A. 12-1770a(d), making it an “eligible area” under the Act, and (b) the conservation, development and redevelopment of such area is necessary to promote the general and economic welfare of the City.

The developer and/or their representatives will make a brief presentation regarding the Redevelopment District Plan and Conservation Study which are included in the packet.

Related Statute/City Ordinance:	K.S.A. 12-770, <i>et. seq.</i> , as amended
Line Item Code/Description:	N/A
Available Budget:	N/A

City of Mission	Item Number:	8a.
ACTION ITEM SUMMARY	Date:	March 10, 2017
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

If the ordinance is approved by the City Council, the school district and the County will have thirty (30) days following adoption to exercise their veto powers. If approved, the next steps would be the consideration of the TIF Project Plan and a Redevelopment Agreement.

CFAA CONSIDERATIONS/IMPACTS: If approved, this project provides a specific senior housing alternative not currently available in Mission. As designed, the project would allow older residents an opportunity to access independent living, assisted living, and memory care services in one facility.

Related Statute/City Ordinance:	K.S.A. 12-770, <i>et. seq.</i> , as amended
Line Item Code/Description:	N/A
Available Budget:	N/A

ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN FINDINGS WITH RESPECT TO THE ESTABLISHMENT OF A REDEVELOPMENT DISTRICT IN THE CITY OF MISSION, KANSAS AND ESTABLISHING A REDEVELOPMENT DISTRICT (SILVERCREST AT BROADMOOR).

WHEREAS, the City of Mission, Kansas (the “City”), has conducted a public hearing to consider the establishment of a redevelopment district in the City pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”), and Resolution No. 975 of the City adopted on February 1, 2017 (the “Resolution”); and

WHEREAS, the Act provides that upon the conclusion of the public hearing the Governing Body of the City may pass an ordinance making such findings as are required by the Act and establishing a redevelopment district; and

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS, AS FOLLOWS:

Section 1. The Governing Body of the City hereby finds and determines that the area proposed to be included as a redevelopment district is as follows:

A parcel within the City of Mission, Kansas, depicted on the attached Exhibit A and legally described on Exhibit B.

Section 2. The Governing Body of the City hereby finds and determines that (a) the area described in Section 1 of this Ordinance is a “conservation area” because the area comprises less than 15% of the land area within the City, has 50% or more of the structures of an age of 35 years or more, and meets at least two of the statutory factors described in K.S.A. 12-1770a(d), making it an “eligible area” under the Act, and (b) the conservation, development and redevelopment of such area is necessary to promote the general and economic welfare of the City.

Section 3. In accordance with the Act and the Resolution, a redevelopment district is hereby established in the City encompassing the area described in Section 1 of this Ordinance. The redevelopment district does not contain any property not referenced in the Resolution which provided notice of the public hearing. The district plan is attached hereto as Exhibit C.

Section 4. No privately owned property subject to ad valorem taxation within the redevelopment district shall be acquired and redeveloped pursuant to the Act, if the Board of County Commissioners of Johnson County or the Board of Education of Unified School District No. 512 determines by resolution adopted within thirty days following the public hearing held by the City on this date, that the redevelopment district will have an adverse effect on Johnson County or Unified School District No. 512, respectively.

Section 5. The Act authorizes the issuance by the City of bonds to finance all or a portion of the costs of implementing the district plan. Said bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of passage of this Resolution, pursuant to Treasury Regulation §1.150-2 in the maximum principal amount of \$1,000,000.

Section 6. The Mayor, City Administrator, Finance Director, City Clerk and other officials and employees of the City, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

Section 7. This Ordinance shall be in full force and effect from and after its passage by the Governing Body of the City and publication once in the official City newspaper.

ADOPTED by the City Council of the City of Mission, Kansas on March 15, 2017.

Steve Schowengerdt, Mayor

ATTEST:

Martha Sumrall, City Clerk

APPROVED AS TO FORM ONLY:

David K. Martin, City Attorney

EXHIBIT A
DEPICTION

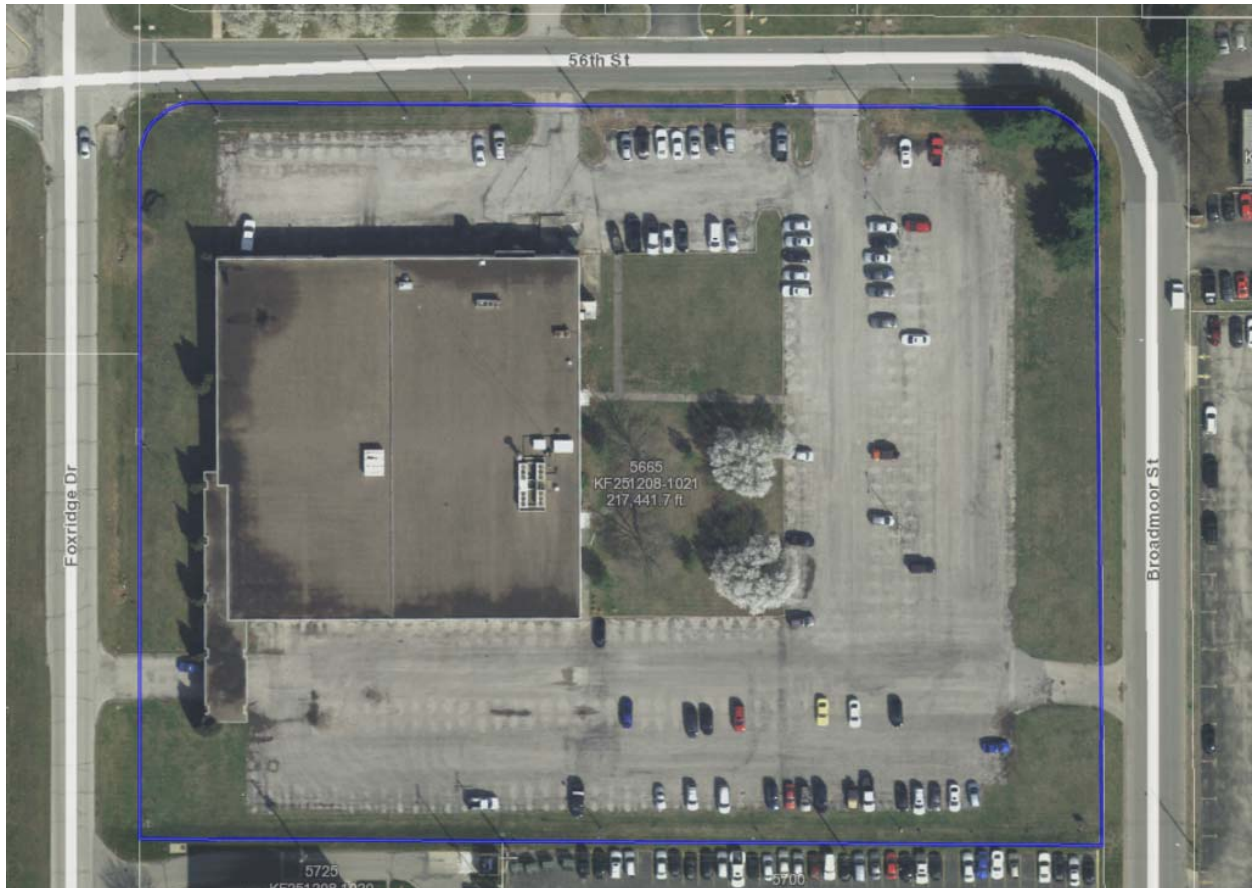


EXHIBIT B

LEGAL DESCRIPTION

All that part of the Northwest $\frac{1}{4}$ of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, more particularly described as follows:

Beginning at a point 1355 feet North of the South line and 127.35 feet East of the West line of the Northwest $\frac{1}{4}$ of said Section 8, said point also being on the Easterly right-of-way line of U.S. Highway No. 69 (Metcalf Avenue) as now established; thence South 89 degrees, 47 minutes, 38 seconds East, along a line 1355 feet North of and parallel to the South line of the Northwest $\frac{1}{4}$ of said Section 8, a distance of 533.59 feet, to a point on the Westerly right-of-way line of Broadmoor, as now established; thence North 00 degrees, 15 minutes, 50 seconds West, along the Westerly right-of-way line of said Broadmoor, a distance of 377.45 feet, to a point of curvature; thence Northerly, Northwesterly and Westerly, along a curve to the left, having a radius of 30 feet, a distance of 46.98 feet, to a point of tangency, said point also being on the Southerly right-of-way line of 56th Street, as now established; thence North 89 degrees, 59 minutes, 12 seconds West, along the Southerly right-of-way line of said 56th Street, a distance of 473.33 feet, to a point of curvature; thence Westerly, Southwesterly and Southerly, along a curve to the left, having a radius of 30 feet, a distance of 47.28 feet, to a point of tangency, said point also being on the Easterly right-of-way line of said U.S. Highway No. 69; thence South 00 degrees, 16 minutes, 48 seconds East, along the Easterly right-of-way line of said U.S. Highway No. 69, a distance of 84.85 feet; thence South 00 degrees, 12 minutes, 37 seconds East, along the Easterly right-of-way line of said U.S. Highway No. 69, a distance of 290.51 feet, to a point of beginning, subject to the part in streets or highways.

Including all adjacent right of way.

EXHIBIT C

**DISTRICT PLAN
(see attached)**

METCALF AVE.

FOX RIDGE DR.

56TH STREET

LOADING

trash

TRASH

45 spaces

STAIR

STORM

STAIR

UTILITY

SCREENED AREA

SERVICE / LOADING

COMMONS ABOVE

MEMORY CARE ABOVE

ASSISTED ABOVE

DETENTION

BROADMOOR STREET

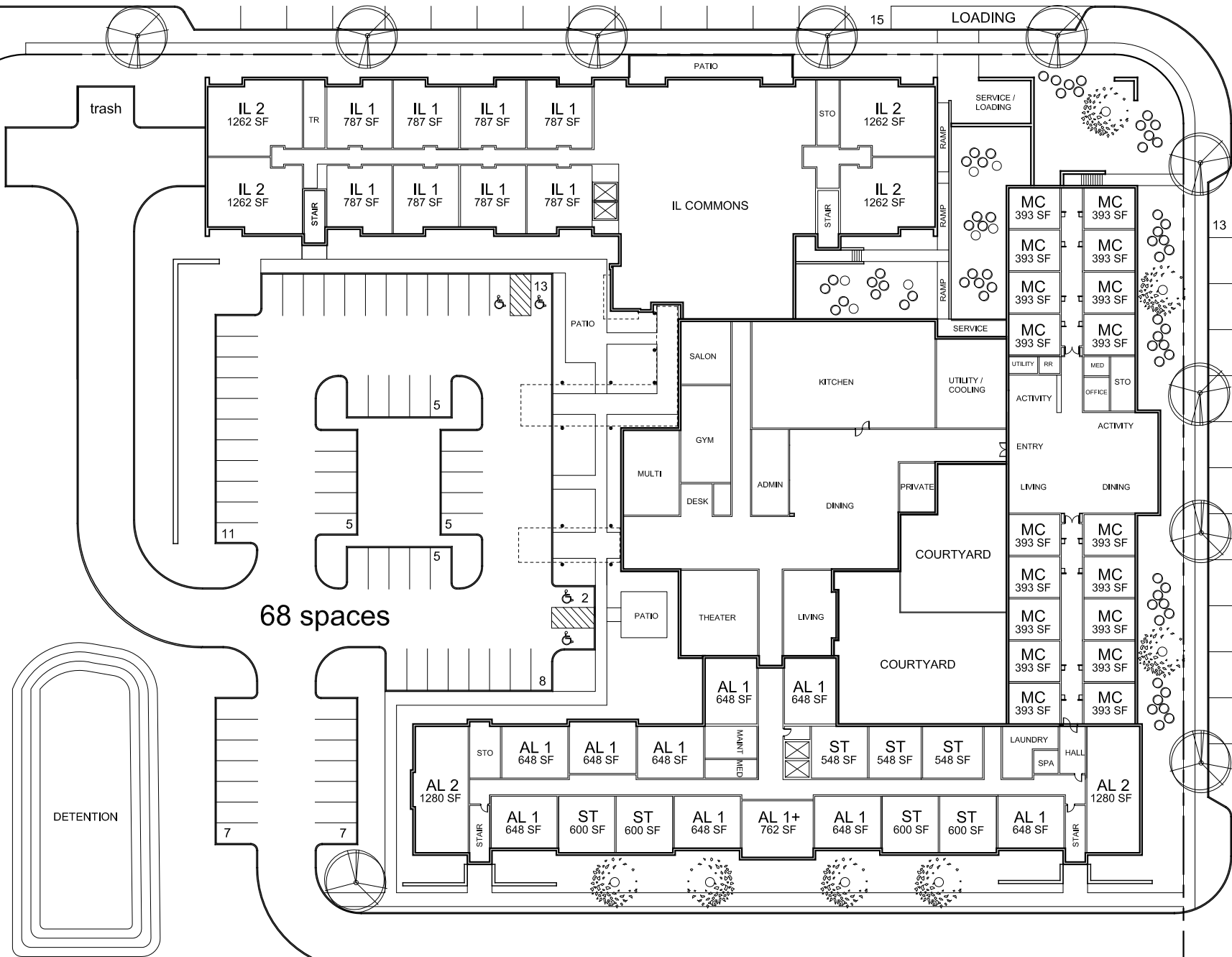


METCALF AVE.

FOX RIDGE DR.

56TH STREET

BROADMOOR STREET



DEVELOPMENT SUMMARY

BUILDING 1 (MC)		TOTAL UNITS		
		MC	AL	IND
1ST LEVEL	13,800 SF	18	0	0
TOTAL	13,800 SF	18	0	0

BUILDING 2 (A)		TOTAL UNITS		
		MC	AL	IND
1ST LEVEL	17,740 SF	0	0	0
TOTAL	17,740 SF	0	0	0

BUILDING 3 (AL)		TOTAL UNITS		
		MC	AL	IND
1ST LEVEL	19,850 SF	0	19	0
2ND LEVEL	19,850 SF	0	19	0
3RD LEVEL	19,850 SF	0	19	0
TOTAL	59,550 SF	0	57	0

BUILDING 4 (IL)		TOTAL UNITS		
		MC	AL	IND
GARAGE LEVEL	21,450 SF			
1ST LEVEL	24,180 SF	0	0	12
2ND LEVEL	21,450 SF	0	0	18
3RD LEVEL	21,450 SF	0	0	18
4TH LEVEL	21,450 SF	0	0	18
TOTAL	88,530 SF*	0	0	66

* DOES NOT INCLUDE GARAGE

TOTAL	179,620 SF*	TOTAL UNITS		
		MC	AL	IND
		18	57	66

* DOES NOT INCLUDE GARAGE

PARKING SUMMARY		TOTAL
GARAGE LEVEL		45 SPACES
SURFACE PARKING		61 SPACES
STREET PARKING		28 SPACES
TOTAL		134 SPACES

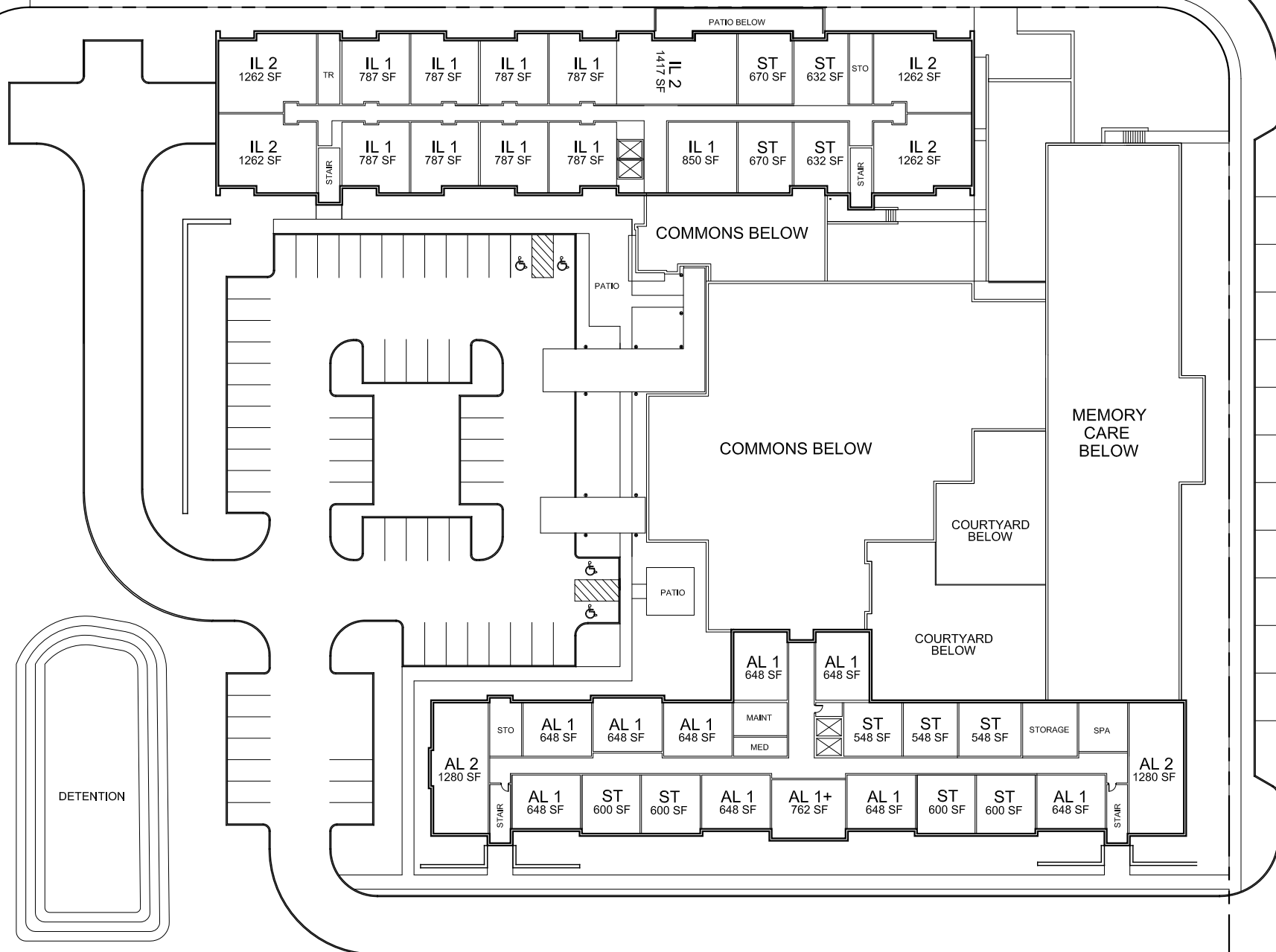


METCALF AVE.

FOX RIDGE DR.

56TH STREET

BROADMOOR STREET



UNIT SUMMARY

BUILDING 1 (MC)		UNITS				
	GSF	NRSF	ST	1BR	2BR	TOTAL
1ST LEVEL	13,800 SF	7,074 SF	18	0	0	18
TOTAL	13,800 SF	7,074 SF	18	0	0	18

BUILDING 3 (AL)		UNITS				
	GSF	NRSF	ST	1BR	2BR	TOTAL
1ST LEVEL	19,850 SF	13,198 SF	7	10	2	19
2ND LEVEL	19,850 SF	13,198 SF	7	10	2	19
3RD LEVEL	19,850 SF	13,198 SF	7	10	2	19
TOTAL	59,550 SF	43,653 SF	21	30	6	57

BUILDING 4 (IL)		UNITS				
	GSF	NRSF	ST	1BR	2BR	TOTAL
GARAGE LEVEL	21,460 SF	0 SF				
1ST LEVEL	24,180 SF	11,344 SF	0	8	4	12
2ND LEVEL	21,450 SF	16,215 SF	4	9	5	18
3RD LEVEL	21,450 SF	16,215 SF	4	9	5	18
4TH LEVEL	21,450 SF	16,215 SF	4	9	5	18
TOTAL	88,530SF*	59,989 SF*	12	35	18	66

* DOES NOT INCLUDE GARAGE



REDEVELOPMENT DISTRICT PLAN
FOR
SILVERCREST AT BROADMOOR REDEVELOPMENT DISTRICT

March 9, 2017

DESCRIPTION OF DISTRICT PLAN

K.S.A. 12-1770 *et seq.*, as amended, authorizes cities to establish redevelopment districts to promote the general and economic welfare of the city. The general boundaries of the proposed redevelopment district (the “**District**”) are Foxridge Drive to the west, 56th Street to the north, and Broadmoor Street to the east, plus any adjacent right-of-way.

A map depicting the boundaries of the District is attached hereto as *Exhibit A*, and a legal description of the District is attached hereto as *Exhibit B*, both of which are incorporated herein by reference.

This redevelopment district plan (the “**District Plan**”) consists of the design and construction of the following improvements:

The District shall consist of one (1) redevelopment project area with boundaries that are identical to those of the District.

The proposed improvements within the District include, without limitation, one (1) residential building for senior citizens with independent living, assisted living, and memory care components, as well as below grade and surface parking facilities, utility and stormwater improvements, landscaping, and project amenities.

[NO FURTHER TEXT ON THIS PAGE – EXHIBITS FOLLOW]

EXHIBIT A

DISTRICT BOUNDARY MAP



EXHIBIT B

DISTRICT LEGAL DESCRIPTION

All that part of the Northwest ¼ of Section 8, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, more particularly described as follows:

Beginning at a point 1355 feet North of the South line and 127.35 feet East of the West line of the Northwest ¼ of said Section 8, said point also being on the Easterly right-of-way line of U.S. Highway No. 69 (Metcalf Avenue) as now established; thence South 89 degrees, 47 minutes, 38 seconds East, along a line 1355 feet North of and parallel to the South line of the Northwest ¼ of said Section 8, a distance of 533.59 feet, to a point on the Westerly right-of-way line of Broadmoor, as now established; thence North 00 degrees, 15 minutes, 50 seconds West, along the Westerly right-of-way line of said Broadmoor, a distance of 377.45 feet, to a point of curvature; thence Northerly, Northwesterly and Westerly, along a curve to the left, having a radius of 30 feet, a distance of 46.98 feet, to a point of tangency, said point also being on the Southerly right-of-way line of 56th Street, as now established; thence North 89 degrees, 59 minutes, 12 seconds West, along the Southerly right-of-way line of said 56th Street, a distance of 473.33 feet, to a point of curvature; thence Westerly, Southwesterly and Southerly, along a curve to the left, having a radius of 30 feet, a distance of 47.28 feet, to a point of tangency, said point also being on the Easterly right-of-way line of said U.S. Highway No. 69; thence South 00 degrees, 16 minutes, 48 seconds East, along the Easterly right-of-way line of said U.S. Highway No. 69, a distance of 84.85 feet; thence South 00 degrees, 12 minutes, 37 seconds East, along the Easterly right-of-way line of said U.S. Highway No. 69, a distance of 290.51 feet, to a point of beginning, subject to the part in streets or highways.

Including all adjacent right of way.

Conservation Area Analysis

for the

**Southeast Corner of
Foxridge Drive &
West 56th Street**

Mission, Kansas

March 9, 2017

Prepared by:

**Polsinelli PC,
Development Analysis Department**

CONSERVATION AREA STUDY

Southeast Corner of Foxridge Drive and West 56th Street, Mission, Kansas

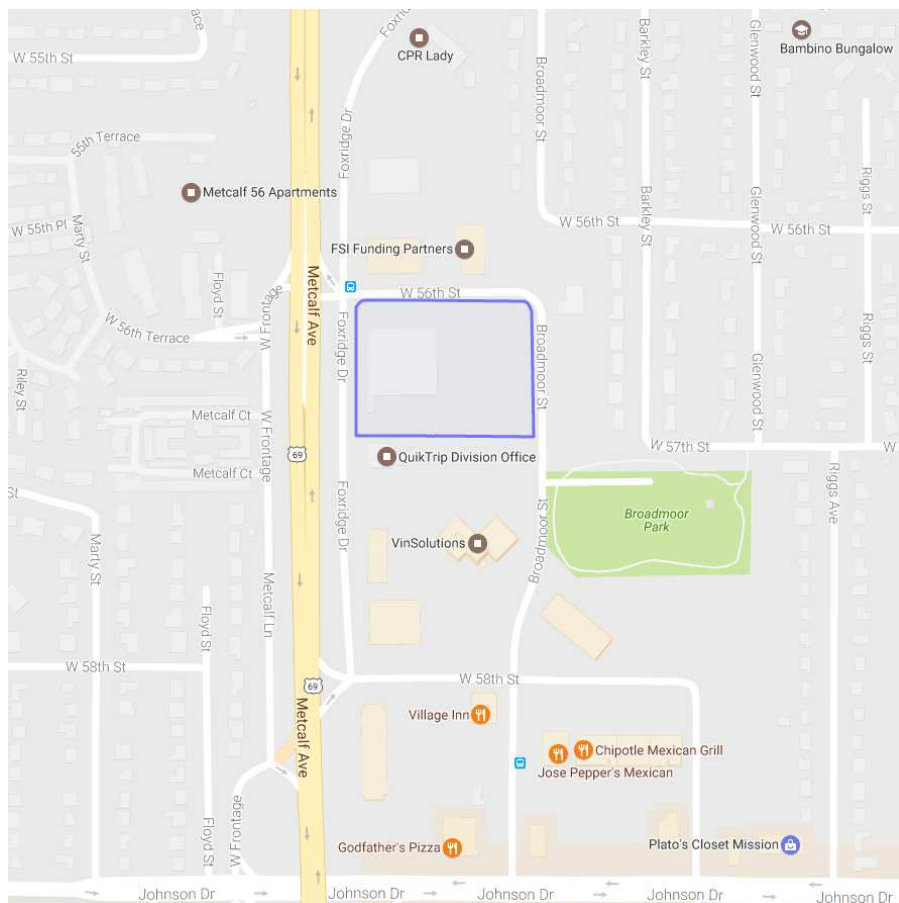
Introduction

Purpose

The purpose of this analysis is to determine if the proposed development area located at the southeast corner of Foxridge Drive and West 56th Street (the “Study Area,” as more particularly described below) is a “conservation area” according to K.S.A. 12-1770a, *et seq.* (the “TIF Statute”). This Conservation Study is prepared in connection with the request of Dial-Mission Land, Inc. (the “Developer”) for establishment of a tax increment financing redevelopment district (a “TIF District”) encompassing the Study Area.

Study Area

The Study Area is composed of 1 tax parcel of land located at the southeast corner of Foxridge Drive and West 56th Street in the City of Mission (the “City”), Johnson County, Kansas. The Study Area contains 1 existing commercial building. The Study Area consists of approximately 4.967 acres. A legal description and map of the Study Area are attached as **Exhibit A**. The boundaries of the Study Area are as generally shown below:



Statutory Analysis

In order for TIF financing to be available for a project, the project must be in an “eligible area.” K.S.A. 12-1770a(g) defines “eligible area” as follows:

"Eligible area" means a blighted area, conservation area, enterprise zone, intermodal transportation area, major tourism area or a major commercial entertainment and tourism area, bioscience development area or a building or buildings which are 65 years of age or older and any contiguous vacant or condemned lots.

The property in question is not in an enterprise zone, intermodal transportation area, major tourism area, major commercial entertainment and tourism area, bioscience development area or a building which is 65 years of age or older, nor has it been designated as a blighted area.

The Developer requests that the City consider designation of the area in question as a conservation area. K.S.A. 12-1770a(d) defines “conservation area” as follows:

(d) "Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

- (1) Dilapidation, obsolescence or deterioration of the structures;
- (2) illegal use of individual structures;
- (3) the presence of structures below minimum code standards;
- (4) building abandonment;
- (5) excessive vacancies;
- (6) overcrowding of structures and community facilities; or
- (7) inadequate utilities and infrastructure.

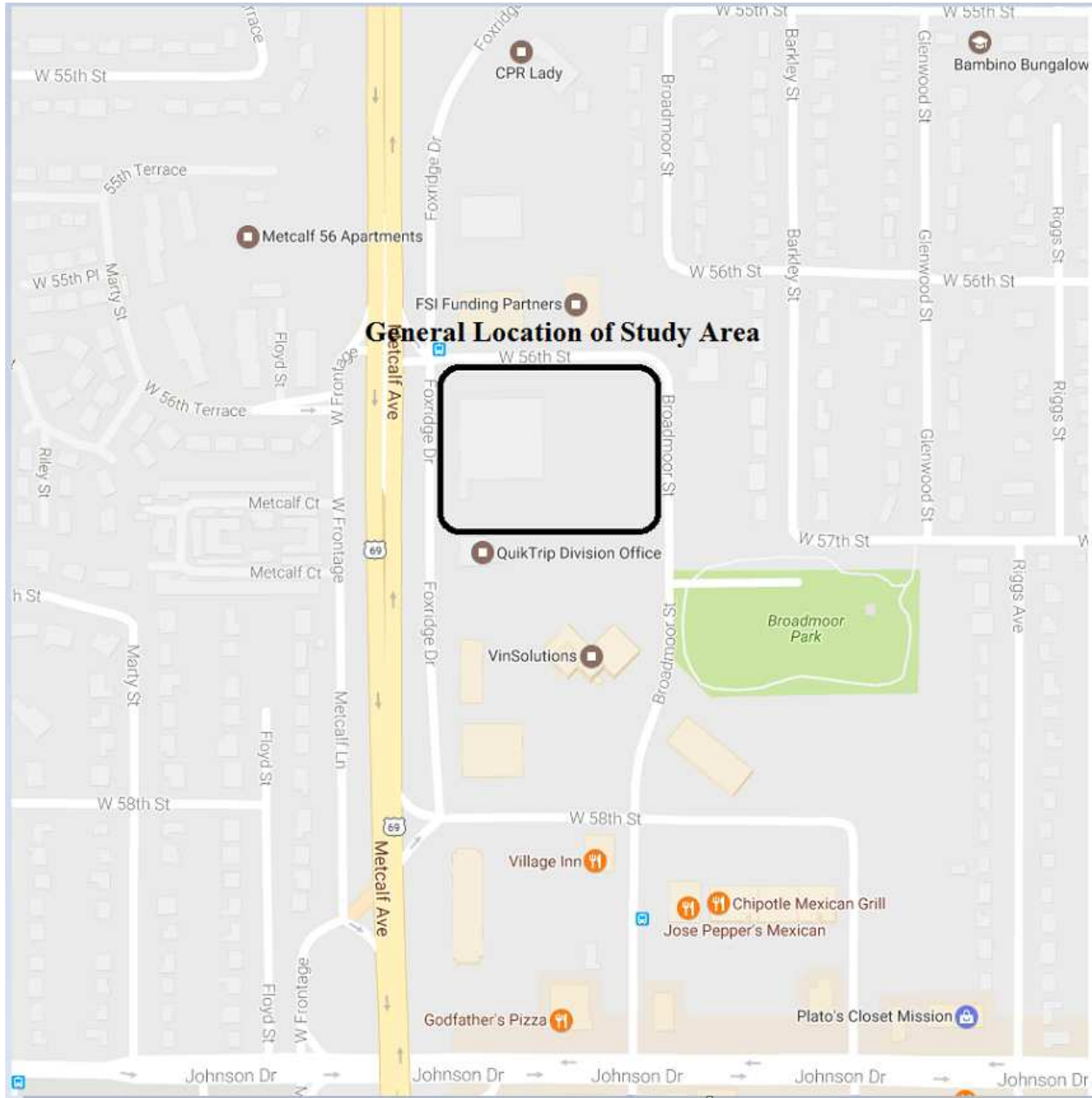
As explained more fully below, the Study Area meets the first and second requirements for designation as a conservation area set forth in K.S.A. 12-1770a(d), as it constitutes less than 15% of the area of the City and at least 50% of the structures in the area are at least 35 years old. The Study Area also satisfies four of the seven factors set forth in K.S.A. 12-1770a(d) as relevant to a conservation area designation, including:

1. Dilapidation, obsolescence or deterioration of the structures.
2. The presence of structures below minimum code standards.
3. Excessive vacancies.
4. Inadequate utilities and infrastructure.

K.S.A. 12-1770a(d) requires that at least two of the criteria be satisfied, and the Study Area has satisfied four of such criteria.

Study Area Data

The Study Area is generally located at the southeast corner of Foxridge Drive and West 56th Street. The general location of the Study Area is shown below:



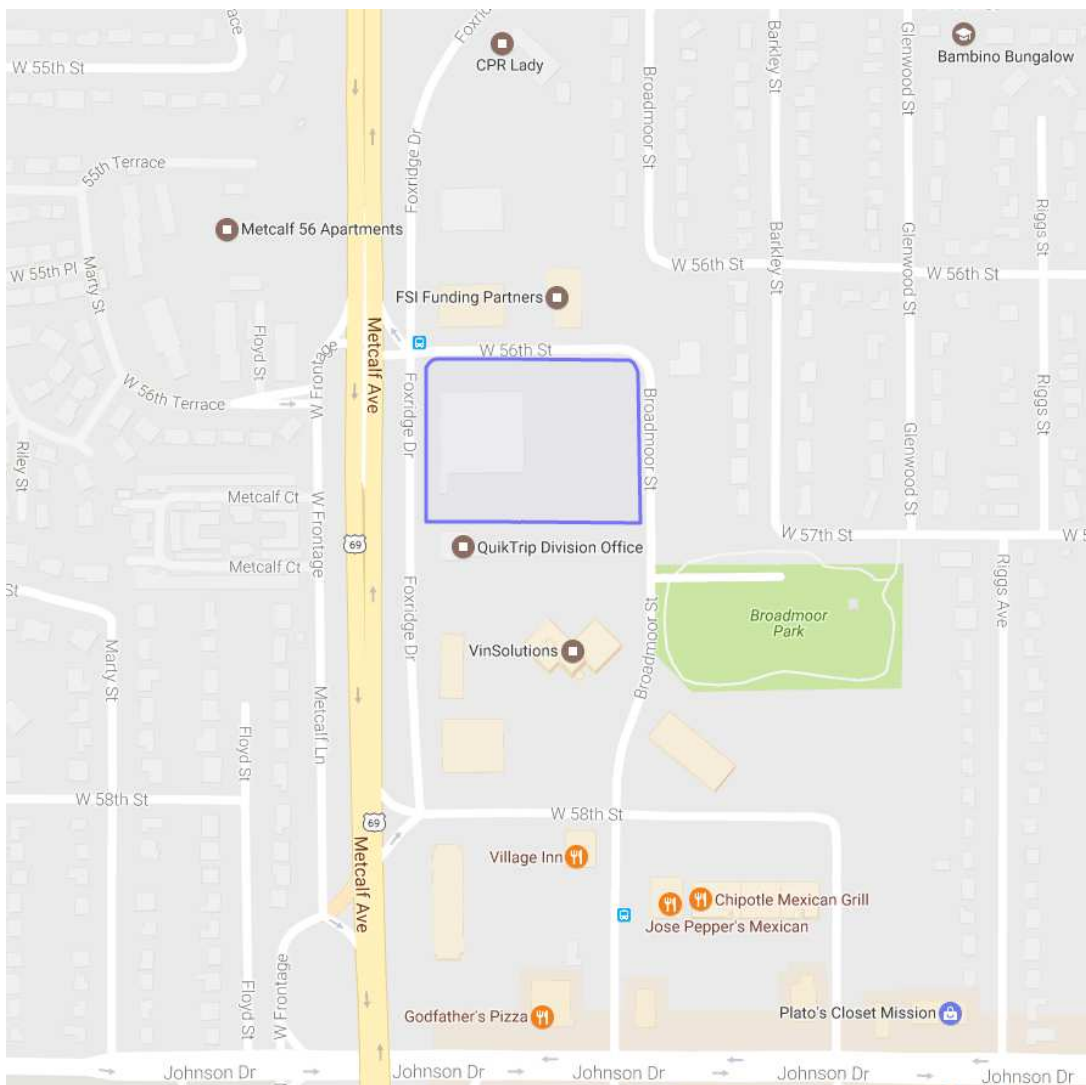
Property Data

Land Area

According to Johnson County records, there is 1 tax parcel that constitutes the Study Area as follows:

Johnson County, KS Parcel #
KF251208-1021

The tax parcel comprising the Study Area consists of approximately 4.967 acres as shown below:



Ownership and Current Use

According to Johnson County land records, the land parcel within the Study Area is owned by the following party and is used in the described manner:

Parcel ID	Owner	Description/Use
KF251208-1021	HRG Associates, LLC	39,825 square foot commercial building and parking lot which has been vacant for some time

Conservation Area Analysis

I. Analysis of Study Area Under Conservation Area Designation Requirements

(a) The first requirement for conservation area designation, as set forth in K.S.A. 12-1770a(d), the definition of conservation area, is that the property in the proposed Redevelopment District be less than 15% of the land area within the City.

The land area of the City of Mission is approximately 1,715 acres. Fifteen percent of 1,715 acres is 257 acres. The property in the proposed TIF District is approximately 4.967 acres, which is less than 15% of the land area within the City.

(b) The second requirement for conservation area designation, as set forth in K.S.A. 12-1770a(d), the definition of conservation area, is that 50% or more of the structures in the area have an age of 35 years or more.

The following structures are located within the Study Area:

Parcel	Address	Structure	Sq. Ft.	Year Built	Source
KF251208-1021	5665 Foxridge Dr.	Commercial building	39,825	1970	Johnson County Appraiser's Records

The Johnson County Appraiser Records relied upon to establish the age of the building is attached as **Exhibit B**. The location of the structure is depicted below:



As displayed in the chart above, the structure within the Study Area was built in 1970 and thus is at least 35 years old, satisfying the statutory requirement.

(c) The third requirement for conservation area designation, as set forth in K.S.A. 12-1770a(d), is that the area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the factors set forth in such subparagraph, as set forth above. The Study Area may become blighted as a result of the presence of the following conditions, as further described below:

1. Dilapidation, obsolescence and deterioration of the structures;
2. The presence of structures below minimum code standards;
3. Excessive vacancies; and
4. Inadequate utilities and infrastructure.

(1) Dilapidation, obsolescence or deterioration of the structures.

Dilapidation and deterioration are pervasive throughout the Study Area. Further, the Study Area is characterized by economic obsolescence. The structure within the Study Area evidences significant wear and tear consistent with its age. In addition, the infrastructure

servicing the structure is deteriorating or obsolete. In particular, inspection of the Study Area identified the following deficiencies:

- Infrastructure/utilities/site work in poor condition.
- Alligator cracking of parking lot.
- Uneven parking surfaces causing ponding.
- Deteriorating/crumbling curbs/approaches/loading areas with grass growing in cracks.
- Generalized and pervasive deterioration of exterior building envelope.
- Deteriorating/dilapidated light fixtures.
- Chipping/cracking/water damage/erosion to exterior concrete foundation walls.
- Erosion/chipping of exterior grout/caulking.
- Deterioration/damage/rusting to outdoor ceilings/overhangs.
- Deterioration/chipping of exterior paint/outdoor finishings.
- Overgrown trees/vines/shrubbery.
- Trees growing from and impacting foundation.
- Deterioration/rusting of window and door components.
- Rusting/dented gutters, drain pipes, and exterior flashing.
- Building components in poor to fair condition requiring significant repairs.
- Deteriorated/rusted HVAC system requiring replacement of components of same.
- Poor storm drainage discharging right at the foundation
- Dilapidated and deteriorated exterior utility boxes/components.
- Antiquated and exposed exterior wiring/electrical components.
- Deteriorating rooftop mechanical units.
- Deteriorated and dilapidated storm drainage.

Photographs of the dilapidation and deterioration present within the Study Area are attached hereto as **Exhibit C**.

The Study Area also suffers from economic obsolescence. As is evident from the description of the Study Area in this report and the multiple year period during which the Study Area has remained vacant, it appears unlikely that there will be tenants interested in occupying the existing building within the Study Area.

(2) Illegal use of individual structures.

None identified.

(3) The presence of structures below minimum code standards.

The conditions described in paragraph (1) above establish the presence of multiple conditions below minimum code standards within the Study Area. Photographs of these conditions are attached as **Exhibit C**. Further, Developer's engineering consultant, Phelps Engineering, Inc., identified the presence of numerous conditions below minimum code standards as set forth in the report prepared by Phelps Engineering, Inc. attached as **Exhibit D**.

(4) Building abandonment.

None identified.

(5) Excessive vacancies.

The structure has been vacated by its prior tenant, J.C. Penney, for some time and remains 100% vacant. In its current dilapidated condition, it appears unlikely that there will be tenants interested in occupying the existing building within the Study Area.

(6) Overcrowding of structures and community facilities.

None identified.

(7) Inadequate infrastructure and utilities.

The Study Area further suffers from inadequate infrastructure and utilities. Discussions with Developer's engineering consultants, Phelps Engineering, Inc., in conjunction with inspection of the premises, have identified the following infrastructure and utility inadequacies:

1. Inadequately Maintained Parking Infrastructure/ADA Inadequacy:

The parking infrastructure serving the structure has not been adequately maintained and exhibits pervasive alligator cracking and deterioration. The curbing is severely worn and is not adequate to serve its purpose. The approaches to the parking infrastructure are also inadequately maintained and show pervasive deterioration. Further, the parking infrastructure pre-dates the Americans with Disabilities Act and would need to be constructed in compliance with same if built today.

2. Inadequate and Antiquated Storm Drainage System:

An ALTA survey of the Study Area illustrates that the storm drainage system presently serving the Study Area is sparse and inadequate. Further, the open storm water piping located upon the Study Area is entirely inadequate by modern standards and would not be allowable by code or acceptable by industry practice if constructed today.

3. HVAC Utility Systems:

The utility components servicing the structure are antiquated and dilapidated. Rusting and exposed HVAC components were found at the ground level as well as on the roof of the structure.

4. Inadequate Water Distribution System:

The supply line on the north side of the Study Area is 4” and the minimum line size to serve fire hydrants is 6”. Such undersized line will limit the amount of fire flow and firefighting capability for the Study Area.

II. Conclusion

The Study Area meets the first and second requirements for designation as a conservation area set forth in K.S.A. 12-1770a(d), as it constitutes less than 15% of the area of the City of Mission and at least 50% of the structures in the area are at least 35 years old.

The Study Area also meets four of the seven factors set forth in K.S.A. 12-1770a(d) for a conservation area designation, including:

1. Dilapidation, obsolescence or deterioration of the structures.
2. The presence of structures below minimum code standards.
3. Excessive vacancies.
4. Inadequate utilities and infrastructure.

K.S.A. 12-1770a(d) requires that at least two of the criteria be satisfied, and the Study Area has satisfied four of such criteria.

In conclusion, the Study Area satisfies the requirements for designation as a conservation area under the requirements of K.S.A. 12-1770a(d).

EXHIBIT A

LEGAL DESCRIPTION AND MAP OF STUDY AREA

ALL THAT PART OF THE NORTHWEST ¼ OF SECTION 8, TOWNSHIP 12, RANGE 25, IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1355 FEET NORTH OF THE SOUTH LINE AND 127.35 FEET EAST OF THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 8, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF U. S. HIGHWAY NO. 69 (METCALF AVENUE) AS NOW ESTABLISHED; THENCE SOUTH 89° 47' 38" EAST, ALONG A LINE 1355 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 8, A DISTANCE OF 533.59 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BROADMOOR, AS NOW ESTABLISHED; THENCE NORTH 00° 15' 50" WEST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BROADMOOR, A DISTANCE OF 377.45 FEET, TO A POINT OF CURVATURE; THENCE NORTHERLY, NORTHWESTERLY AND WESTERLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 30 FEET, A DISTANCE OF 46.98 FEET, TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 56TH STREET, AS NOW ESTABLISHED; THENCE NORTH 89° 59' 12" WEST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 56TH STREET, A DISTANCE OF 473.33 FEET, TO A POINT OF CURVATURE; THENCE WESTERLY, SOUTHWESTERLY AND SOUTHERLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 30 FEET, A DISTANCE OF 47.28 FEET, TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 69; THENCE SOUTH 00° 16' 48" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 69, A DISTANCE OF 84.85 FEET; THENCE SOUTH 00° 12' 37" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 69, A DISTANCE OF 290.51 FEET, TO THE POINT OF BEGINNING, EXCEPT ANY PART TAKEN, USED OR DEDICATED FOR ROADS OR PUBLIC RIGHT OF WAYS.



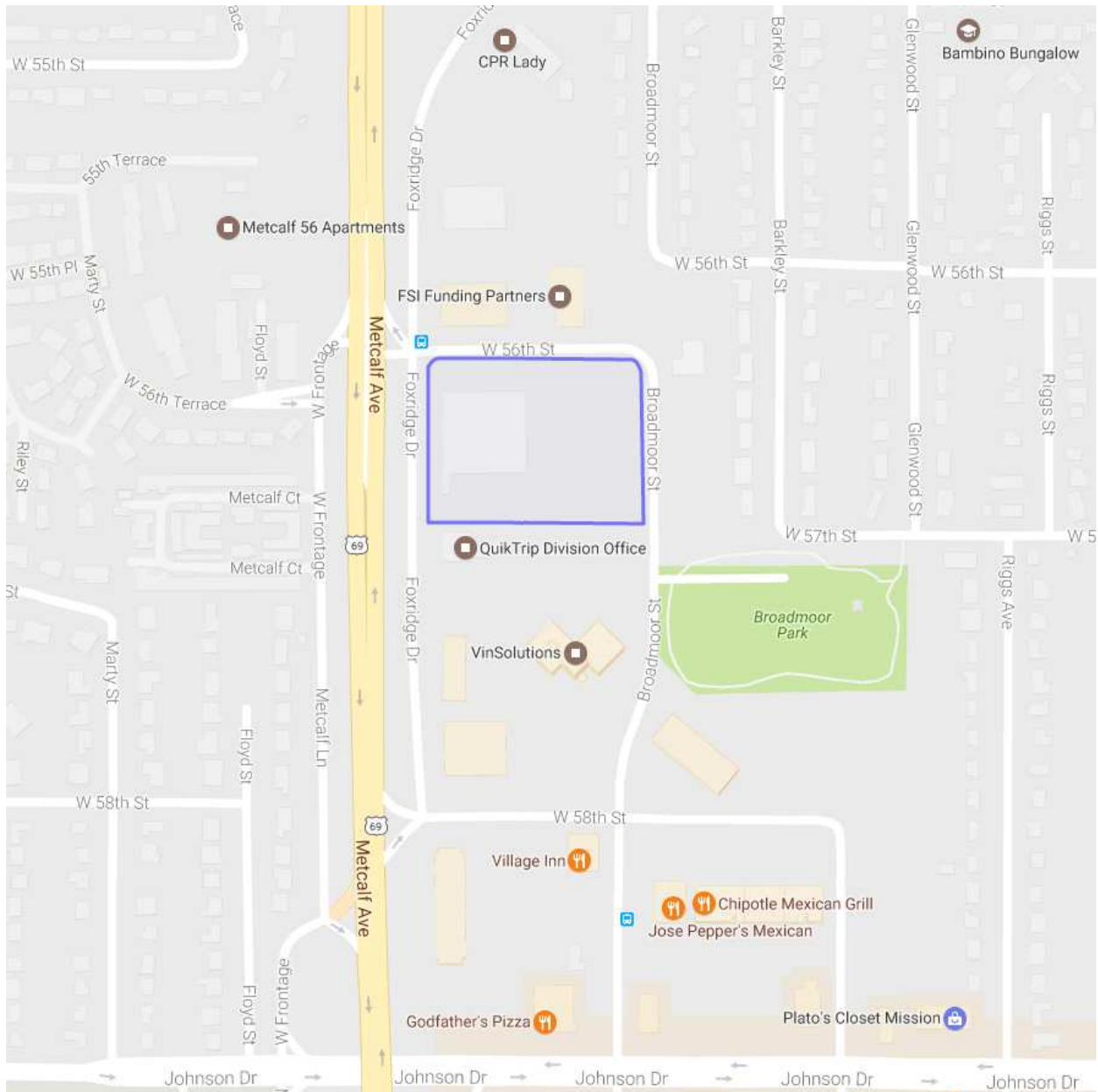


EXHIBIT B

JOHNSON COUNTY APPRAISER RECORDS ESTABLISHING AGE OF STRUCTURE



Jobs | Contact | Departments | Employees | Media | County Facilities | Maps



- HOME
- RESIDENTS
- BUSINESS
- GOVERNMENT
- RECREATION
- ENVIRONMENT
- HEALTH

Appraiser

Phone: 913-715-9000 | [Contact](#)
11811 S. Sunset Drive, Suite 2100, Olathe, Kansas 66061 | [Directions](#)

- Cost Report
- View Sketch
- View PRC
- Tax Bill
- Nearby Addresses
- Map Parcel
- New Search
- Help

Cost Report may error due to size of report. If so, contact Appraiser Office for printout.

Land Records Property Summary

**5665 FOXRIDGE DR
MISSION, Kansas**

Land Records Property Summary	
Parcel ID:	KF251208-1021
KUP #:	046-063-08-0-20-08-001.00-0
Quick Ref:	R75752
Descrip.:	General office buildings (1-4 stories)
Value:	\$1,269,300
Sq. Ft.:	39,825 sq. ft. *
Year Built:	1970
Land Sq. Ft:	4.99 acre



046-063-08-0-20-08-001.00-0 01/16/2016

[Click to enlarge image](#)

*Includes basement, if any

Taxes and Values			
Year	Appraised Value	Assessed Value	Appraised Change
2016	\$1,269,300	\$317,326	0.80%
2015	\$1,259,210	\$314,803	

EXHIBIT C
PHOTOGRAPHS OF STUDY AREA
(SEE ATTACHED)

SITE DETERIORATION



SITE DETERIORATION



SITE DETERIORATION



SITE DETERIORATION



SITE DETERIORATION



SITE DETERIORATION



SITE DETERIORATION



EXTERIOR BUILDING DETERIORATION



EXTERIOR BUILDING DETERIORATION



EXTERIOR BUILDING DETERIORATION



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EXTERIOR BUILDING DETERIORATION



EXTERIOR BUILDING DETERIORATION



EXTERIOR BUILDING DETERIORATION



INADEQUATE UTILITIES



INADEQUATE UTILITIES



INADEQUATE UTILITIES



INADEQUATE UTILITIES



INADEQUATE UTILITIES



INADEQUATE UTILITIES



INADEQUATE UTILITIES



INADEQUATE UTILITIES



EXHIBIT D

ENGINEERING CONSULTANT REPORT ESTABLISHING CONDITIONS OF STRUCTURES BELOW MINIMUM CODE STANDARDS

Mission Dial Site
Phelps Engineering, Inc.
PEI #161144
Feb 16, 2017

Items that have been grandfathered on site due to age of property, and not code compliant if built today.

- **Inadequate and Antiquated Storm Drainage System**
A survey of the Study Area established that the storm drainage system presently serving the Study Area is sparse and inadequate. Further, the surface drainage and lack of underground storm sewer and inlets located upon the Study Area is entirely inadequate by modern standards and would not be allowable by code for acceptable by industry practice if constructed today.

- **Inadequate Water Distribution System**
While 3 sides of the site are served by public water system (8" on west and east, and 4" on the north), the size of the 4" on the north would limit the amount of fire flow and firefighting capability for any new development constructed today. The minimum line size to serve fire hydrants is 6" so no new hydrants could be added on the existing 4" without upgrading the size of the 4" line.

- **Inadequately Maintained Parking Infrastructure/ADA Inadequacy**
The parking infrastructure serving the structures has not been adequately maintained and exhibits pervasive alligator cracking and deterioration. Further, the parking infrastructure pre-dates the Americans with Disabilities Act and would need to be constructed in compliance with same if built today.

- **Electrical/HVAC Utility Systems**
The utility components located within the structures are antiquated and dilapidated. Rusting and exposed wires, piping, and HVAC components proliferate throughout the structures.

- **Lot Coverage / Greenspace**
The site lot coverage (amount of the site covered by buildings and pavements) is greater than allowed under current criteria. In addition the existing site provides for no active open space, which would also be required.

- **Landscaping / Street Trees**

The site has minimal landscaping and street trees. Current code would require significantly more landscaping and street trees.

- **Overhead utilities.**

The existing building is served by overhead aerial primary power lines, which would normally be required to be installed underground by City requirements if built today.

- **Inadequate screening / building aesthetics**

The existing transformer, trash dumpster and docks are all visible from the public street. If built today, these items would require extensive architectural and landscape screening to avoid being seen by public view from public street.