



Agenda

Transportation, Infrastructure and Operations Committee

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

Wednesday, April 28, 2021

9:00 AM

26th Floor, Council Chamber

PUBLIC OBSERVANCE OF MEETINGS

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

Any closed session may be held via teleconference.

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

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

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

- 210354** Authorizing Change Order No. 11 in the amount of \$130,681.00 with J.M. Fahey Construction Company for the N.W. 72nd Street Improvements Project for a final contract amount of \$3,305,298.75.

- 210355** Estimating revenues in the amount of \$52,667.00 in the Capital Improvements Fund; appropriating that amount to the Country Club Right-of-Way account; and recognizing this ordinance as having an accelerated effective date.

- 210356** Estimating revenue in the amount of \$937,203.07 in the Street Maintenance Fund; appropriating that amount to Street Lighting Special Projects Maintenance account; and authorizing the Director of Public Works to execute the first one-year renewal option with Black and McDonald for streetlight and traffic signal repair and maintenance in the amount of \$5,824,621.81.

HELD IN COMMITTEE

- [210100](#) Amending Chapter 70, Code of Ordinances, by repealing Sections 70-268 and 70-706 relating to traffic and vehicles and by repealing 70-783 relating to traffic and vehicles and enacting in lieu thereof one new section of like number and subject.
- [210182](#) Amending Chapter 70, Code of Ordinances, by repealing Sections 70-365 and 70-366 relating to street and drag racing and enacting in lieu thereof two new sections of like number and subject and by adding one new Section 70-368 relating to street and drag racing.
- [210347](#) Authorizing an \$11,988,000.00 design professional services agreement with Burns & McDonnell Engineering Company, Inc., for the Smart Sewer Program Management Services Project; authorizing a maximum expenditure of \$48,000,000.00; and authorizing three successive renewal options without further City Council approval.

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Transportation, Infrastructure and Operations Committee issues.
2. Closed Session; Any closed session may be held via teleconference.
 - Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
 - Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
 - Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
 - Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
 - Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
 - Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
 - Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

Those who wish to comment on proposed ordinances can email written testimony to public.testimony@kcmo.org.

Comments received will be distributed to the committee and added to the public record by the clerk.

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

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

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

Adjournment



Legislation Text

File #: 210354, Version: 1

ORDINANCE NO. 210354

Authorizing Change Order No. 11 in the amount of \$130,681.00 with J.M. Fahey Construction Company for the N.W. 72nd Street Improvements Project for a final contract amount of \$3,305,298.75.

WHEREAS, on July 16, 2015, Council authorized a contract in the amount of \$2,467,887.43 with J.M. Fahey Construction Company for the Project; NOW, THEREFORE,
BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of Public Works is hereby authorized to execute Change Order No. 11 with J.M. Fahey Construction Company for street improvements on N.W. 72nd Street from I-29 (N.W. Roanridge Rd) to N. Overland Drive in the amount of \$130,681.00 bringing the total contract price to \$3,305,298.75 from funds previously appropriated to account number 21-3090-895912-B-89008230. A copy of the change order is on file in the office of the Director of Public Works.

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

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Nelson V. Munoz
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
<p>What is the reason for this legislation?</p>	<p>Fact Sheet Color Codes</p> <p>User Entered Field</p> <p>User Select From Menu</p> <p>For OMB Use</p>		
<p>Discussion (including relationship to other Council actions)</p>	<p>Sponsor(s)</p> <p>Programs, Departments, or Groups Affected</p> <p>Sub-Program in Budget (page #)</p>		
	<p>Applicants/ Proponents</p>	<p>City Department</p>	<p>Other</p>
<p>Citywide Business Plan Goal</p>	<p>Staff Recommendation</p>		
<p>Citywide Business Plan Objective</p>	<p>Board or Commission Recommendation</p>		
<p>Citywide Business Plan Strategy</p>	<p>Future Impacts</p>		
	<p>Cost of Legislation current Fiscal Year</p>		
	<p>Costs in Future Fiscal Years?</p>		
	<p>Annual Revenue Increase/Decrease</p>		
	<p>Applicable Dates:</p>		
	<p>Prepared by:</p>		
	<p>Date Prepared:</p>		
	<p>Reviewed by:</p>		
	<p>Date Reviewed</p>		
	<p>Reference Numbers</p>		

LEGISLATION IN BRIEF:

Appropriating an additional \$130,681 for construction of NW 72nd Street improvements from NW Roanridge Road to N Overland Drive

What is the purpose of this legislation?	CAPITAL
<i>For the purpose of funding for the construction of fixed capitalizable assets</i>	

Does this legislation spend money? See Sections 01, 02 and 03 for sources of funding	YES	Yes/No
Does this legislation estimate new Revenues? 0	NO	Yes/No
Does this Legislation Increase Appropriations? 0	NO	Yes/No
Does this legislation expand the scope of city services, or expand the city's infrastructure? Maintenance of existing assets is included in the budget. For details see Section 00: "Notes" Below	NO	Yes/No

Section 00: Notes:

\$130,681.00 from previously appropriated funds in account no. 3090-895912-B-89008230. This project will require \$5,000 for annual maintenance.

Five years of operational and maintenance costs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 20-21 BUD	FY 21-22 EST
3090	895912	B	89008230	130,681.00	

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 20-21 BUD	FY 21-22 EST

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 20-21 BUD	FY 21-22 EST

NET IMPACT ON OPERATIONAL BUDGET

	-	-	
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SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	All Outyears
TOTAL REV		-	-	-	-	-	-	-

FUND	FUND NAME	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	All Outyears
3090	Capital Improvements	130,681	5,000	5,000	5,000	5,000	5,000	25,000
TOTAL EXP		130,681	5,000	5,000	5,000	5,000	5,000	25,000

NET Per-YEAR IMPACT	(130,681)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(25,000)
NET IMPACT (SIX YEARS)							(180,681.00)	

REVIEWED BY Jessica Oliphant DATE 4/19/2021



Legislation Text

File #: 210355, Version: 1

ORDINANCE NO. 210355

Estimating revenues in the amount of \$52,667.00 in the Capital Improvements Fund; appropriating that amount to the Country Club Right-of-Way account; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, on September 24, 2020, pursuant to Ordinance No. 200785, the City acquired the Country Club Right-of-Way; and

WHEREAS, the estimated revenue represents the acceptance of lease revenue that has been and will be collected from January to June, 2021 from businesses with lease along the Right-of-Way; and

WHEREAS, the revenue collected in this account is dedicated for maintenance along the trail; NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the revenue in the following account of the Capital Improvements fund is estimated in the following amount:

21-3090-891274-46860 CCROW Parking \$52,667.00

Section 2. That the sum of \$52,667.00 is hereby appropriated from the unappropriated fund balance of the Capital Improvements Fund:

21-3090-891274-B CCROW Parking \$52,667.00

Section 3. That the Director of Public Works is hereby designated requisitioning authority for account number 21-3090-891274.

Section 4. That this ordinance, relating to appropriating money, is recognized as having an accelerated effective date as provided in Section 503(a)(3)(C) of the City Charter and shall take effect in accordance with Section 503, City Charter.

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

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Nicole Rowlette
Assistant City Attorney

LEGISLATIVE FACT SHEET		Legislation Number:	
		Approval Deadline:	
LEGISLATION IN BRIEF:			
What is the reason for this legislation?	Fact Sheet Color Codes User Entered Field User Select From Menu For OMB Use		
	Sponsor(s)		
Discussion (including relationship to other Council actions)	Programs, Departments, or Groups Affected		
	Sub-Program in Budget (page #)		
Citywide Business Plan Goal	Applicants/ Proponents	City Department	
Citywide Business Plan Objective		Other	
Citywide Business Plan Strategy	Staff Recommendation		
	Board or Commission Recommendation		
	Future Impacts		
	Cost of Legislation current Fiscal Year		
	Costs in Future Fiscal Years?		
	Annual Revenue Increase/Decrease		
	Applicable Dates:		
	Prepared by:		
	Date Prepared:		
	Reviewed by:		
	Date Reviewed		
	Reference Numbers		

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	210355
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LEGISLATION IN BRIEF:
 Estimating revenues in the amount of \$52,667.00 in the Capital Improvements Fund; appropriating that amount to the Country Club Right of Way account; and recognizing this ordinance as having an accelerated effective date.

What is the purpose of this legislation? OPERATIONAL

For the purpose of authorizing expenditures new or planned to conduct municipal services

Does this legislation spend money? YES Yes/No
See Sections 01, 02 and 03 for sources of funding

Does this legislation estimate new Revenues? YES Yes/No
See Section 02 for new revenue estimates

Does this Legislation Increase Appropriations? YES Yes/No
See Section 03 for increases in appropriations

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) NO Yes/No
See Section 00: " Notes" Below

Section 00: Notes:
 This is a yearly contract with the KCATA to lease the Country Club Right of Way and use the lease revenue to cover maintenance of the right of way. Five years of operational costs for ongoing programs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 20-21 BUD	FY 21-22 EST

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 20-21 BUD	FY 21-22 EST
3090	891274	468620		52,667.00	

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 20-21 BUD	FY 21-22 EST
3090	891274	B		52,667.00	

NET IMPACT ON OPERATIONAL BUDGET

	FY 20-21 BUD	FY 21-22 EST
	-	-

RESERVE STATUS: **REVENUE SUPPORTED**

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	All Outyears
3090	Capital Improvements	52,667						
TOTAL REV		-	52,667	-	-	-	-	-

FUND	FUND NAME	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	All Outyears
3090	Capital Improvement	52,667						
TOTAL EXP		-	52,667	-	-	-	-	-

NET Per-YEAR IMPACT	-	-	-	-	-	-	-
NET IMPACT (SIX YEARS)	-						

REVIEWED BY Jessica Oliphant DATE 4/15/2021



Legislation Text

File #: 210356, Version: 1

ORDINANCE NO. 210356

Estimating revenue in the amount of \$937,203.07 in the Street Maintenance Fund; appropriating that amount to Street Lighting Special Projects Maintenance account; and authorizing the Director of Public Works to execute the first one-year renewal option with Black and McDonald for streetlight and traffic signal repair and maintenance in the amount of \$5,824,621.81.

WHEREAS, Ordinance No. 200263 authorized the City to enter into a one- year contract with seven (7) one-year renewals with contractor dated May 1, 2020, in the amount of \$5,761,248.06 to provide street light and signal repair and maintenance services; and the first year of this contract will expire April 30, 2021; NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the revenue in the following accounts of the Street Maintenance Fund is estimated in the following amounts:

22-2060-891950-485450 Street Maintenance Fund \$937,203.07

Section 2. That the sum of \$937,203.07 is appropriated from the Unappropriated Fund Balance of the Public Works Reimbursable Fund to the following account:

22-2060-891950-B Street Lighting Special
Projects Maintenance \$937,203.07

Section 3. That the Director of Public Works is authorized to execute the first one-year renewal with Black and McDonald for street lighting and signal maintenance and repair services for Fiscal Year 2021-22. The contract is approved in substantial form as that on file in the Office of the Director of Public Works.

Section 4. That the Director of Public Works is authorized to expend a total of \$5,824,621.81 to satisfy the City’s obligation under the contract for the period of May 1, 2021 through April 30, 2022 from the following accounts:

22-3090-897703-B-89007055 Streetlight Maintenance \$4,286,899.58

22-2060-891950-B Streetlight Special 937,203.07

22-2085-891318-B Streetcar Signal 71,337.00

22-2060-891318-B Streetcar Signal 21,209.94

22-2060-892020-B Signal Maintenance 507,972.22

TOTAL: \$5,824,621.81

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

Tammy L. Queen
Director of Finance

Approved as to form and legality:

Nelson V. Munoz
Assistant City Attorney

CONTRACT

210356

Ordinance Fact Sheet

Brief Title	Approval Deadline	Reason
Annual Street Light & Traffic signal Maintenance & Repairs		To authorize the Director of Public Works to exercise an additional one-year renewal option and expend necessary funds for repair & maintenance services of streetlights & traffic signals

Details

Reason for Contract

Estimating revenues in the amount of \$937,203.07 in the Street Maintenance Fund; appropriating that amount to Street Lighting Special Projects Maintenance account; and authorizing the Director of Public Works to execute the first one-year renewal option with Black and McDonald for streetlight and traffic signal repair and maintenance in the amount of \$5,824,621.81.

Project Justification
 This contract provides for the maintenance and repair services to approximately 98,000 streetlights and 41 signalized intersections.

Project Background
 Ordinance Number 961654 (January 1997) established a City-wide program to improve illumination of all public streets. The agreement with KCPL included purchase of leased streetlights, construction of upgraded lighting and maintenance services while construction was underway. Additional funds were made available from bond issue passed in August 2004 to begin upgrading streetlights in Aquila territory. A key feature of the lighting improvement plan was, upon substantial completion of the KCPL upgrade phase, future routine maintenance would be competitively bid. The result was a one year maintenance contract with four (4) one-year renewals that was bid in October 2007 and completed April 30, 2012.

Another Request for Proposal (RFP) was released for solicitation September 26, 2011. Proposal documents were received on November 1, 2011. A Public Works Selection Committee reviewed and selected Black & McDonald based upon the best and lowest proposal submitted. The eight year contract will be completed on April 30, 2020.

Another RFP for this current contract was advertised in October 2019 and bids were received on November 5, 2019. The bids were evaluated by Public Works and Black & McDonald was selected based upon the lowest and best proposal. The eight year contract will be completed on April 30, 2028.

Repair and maintenance services are defined and paid in two categories: 1) annual unit cost for routine services such as responding to any outage or damage incident, replacing lamps, damaged fixtures, downed wires, broken or leaning poles, monthly night patrol and periodic cleaning, group relamping, inspection; and 2) unit cost for optional services such as relocation and removal of streetlights or traffic signals on an "as needed" basis to accommodate third party reimbursable and non reimbursable tasks.

Roles and Responsibilities

Sponsor	Public Works Department
Department or Programs Affected	Street Lighting and Traffic Signals
Recommended Awardee	Black and McDonald, LLC
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals None Reason for Opposition
Responsibilities	Design Engineering: N/A Inspections: Public Works, Capital projects Division Construction or Project Management: Public Works, Capital Projects Division Service Monitoring: Public Works, Capital Projects Division

Policy/Program Impact

Policy or Program Emphasis Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	Maintain the traffic safety and personal security benefits achieved by increasing the uniformity and level of illumination on streets and sidewalks and operational signaled intersections

(Continued on reverse side)

Details

The agreement includes detailed performance criteria backed by financial incentives in the form of liquidated damages. An on-line system for transmitting service requests and reporting the contractor's actions has been designed to monitor the level of performance, keep records on the status, physical condition and cost of maintaining the streetlight asset. This records system is directly controlled by the City.

All Council Districts Project # 89007627

Solicitation

This project was advertised in accordance with City requirements.

Human Relations Approval

MBE/WBE subcontracting plan was approved by Human Relations Dept. Goals for this project are 15% and 10% MBE/WBE.

MBE Subs: American Legacy Construction Group, Inc. and Gil's sales company, inc. dba GSC Lighting & Supply
 WBE Subs: Night Hawk, LLC and Max Electric

Is it Good for the Children?

Safety in illuminating streetlights and having proper working traffic signals is good for everyone, especially children.

How will this contribute to a sustainable Kansas City?

Sustainability is derived from the conversion of High Intensity Discharge (HID) lamps in streetlights and incandescent bulbs in traffic signals to more energy efficient lighting such as LED.

Estimated Duration of Contract:

May 1, 2021-April 30, 2022 with six (6) one year renewal options remaining

Fact Sheet Prepared by:

Name Mahmoud Hadjian
 Title Division Manager/Assistant City Engineer

Date:

3/8/2021

Reviewed by:

Name David H. Miller
 Title

Date:

#####

Reference Numbers:

200263 200820

Finances

City's Estimate of Cost	Routine	\$ NOT APPLICABLE
	Optional	\$ FOR AMENDMENT
Bid or Proposal Data	Lowest Cost Submitted	\$
	No. of Proposals Considered	
	Reason for rejecting lowest contract cost submitted	N/A
Bidders or Contractors Considered	Contract Costs Submitted	
		\$ NOT APPLICABLE
		\$ FOR
		\$ AMENDMENT
		\$
		\$
		\$
Fund Sources and Appropriation	Street Lighting	
Account Codes	3090-897703	Routine Maint. \$4,286,899.58
For This	2060-891950	Special Maint. \$937,203.07
		Traffic Signal
	2060-891318	Routine Maint. \$21,209.94
	2085-891318	Routine Maint. \$71,337.00
Contract	2060-892020	Special Maint. \$507,972.22
Source of Future Operating Funds	Operating Budget	
Maximum Amount of Proposed Contract		\$ 4,476,620.81
Amount of Contingency		\$ 1,348,001.00
Engineering & Administration		\$
TOTAL		\$ 5,824,621.81

Council Committee Actions

Do Pass	<input type="checkbox"/>	<input type="checkbox"/> Hold
Do Pass (as amended)	<input type="checkbox"/>	<input type="checkbox"/> W/o Recommendation
Committee Sub.	<input type="checkbox"/>	<input type="checkbox"/> Do Not Pass

LEGISLATIVE FISCAL NOTE	LEGISLATION NUMBER:	210356
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LEGISLATION IN BRIEF:

For repair and maintenance to streetlights and signals for FY22 contract with Black and McDonald.

What is the purpose of this legislation? OPERATIONAL

For the purpose of authorizing expenditures new or planned to conduct municipal services

Does this legislation spend money? Yes/No
See Section 00: " Notes" Below

Does this legislation estimate new Revenues? Yes/No
See Section 02 for new revenue estimates

Does this Legislation Increase Appropriations? Yes/No
See Section 03 for increases in appropriations

Are costs associated with this legislation ongoing (Yes)? Or one-time (No) Yes/No
See Section 00: " Notes" Below

Section 00: Notes:

Five years of operational costs for ongoing programs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

FUND	DEPTID	ACCOUNT	PROJECT	FY 20-21 BUD	FY 21-22 EST
Various	Various	B	Various		4,887,418.74

Section 02: If applicable, where will new revenues be estimated?

FUND	DEPTID	ACCOUNT	PROJECT	FY 20-21 BUD	FY 21-22 EST
2060	891950	485450			937,203.07

Section 03: If applicable, where will appropriations be increased?

FUND	DEPTID	ACCOUNT	PROJECT	FY 20-21 BUD	FY 21-22 EST
2060	891950	616320			937,203.07

NET IMPACT ON OPERATIONAL BUDGET

	-	-
RESERVE STATUS:	REVENUE SUPPORTED	

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

FUND	FUND NAME	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	All Outyears
2060	Street Maintenance		937,203					
TOTAL REV		-	937,203	-	-	-	-	-

FUND	FUND NAME	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26	All Outyears
3090	Capital Improvements		4,286,900					
2060	Street Maintenance		1,466,385					
2085	Street Car		71,337					
TOTAL EXP		-	5,824,622	-	-	-	-	-

NET Per-YEAR IMPACT	-	(4,887,419)	-	-	-	-	-
NET IMPACT (SIX YEARS)	(4,887,418.74)						

REVIEWED BY Jessica Oliphant DATE 4/16/2021



APPROPRIATION TRANSACTION
CITY OF KANSAS CITY, MISSOURI

DEPARTMENT: **Public Works**

BUSINESS UNIT: **KCMBU** DATE: **4/20/2021** JOURNAL ID: _____

LEDGER GROUP: **ADMIN** BUDGET PERIOD: _____

<u>FUND</u>	<u>DEPT ID</u>	<u>ACCOUNT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
3090	897703	616320	89007055	4,286,899.58
2060	891950	616320		937,203.07
2085	891318	616320		71,337.00
2060	891318	616320		21,209.94
2060	892020	616320		507,972.22
			TOTAL	<u>5,824,621.81</u>

DESCRIPTION:

APPROVED BY: _____ DATE: 4/20/2021 APPROVED BY: DEPARTMENT HEAD _____ DATE _____
Jessica Oliphant -- new Streetlight revenue



Legislation Text

File #: 210100, Version: 1

ORDINANCE NO. 210100

Amending Chapter 70, Code of Ordinances, by repealing Sections 70-268 and 70-706 relating to traffic and vehicles and by repealing 70-783 relating to traffic and vehicles and enacting in lieu thereof one new section of like number and subject.

WHEREAS, Code of Ordinances 70-268, requires wheels and tires to be clean within the city, allowing an individual, who may not be aware of the condition of their wheels or tires, to be ticketed for “dirty” cars or bicycles which carry mud, dirt, sticky substances, litter or foreign matter of any kind onto streets, alleys, highways or other public places; and

WHEREAS, Code of Ordinances 70-706, allows inspection of a bicycle “at any time” upon reasonable cause to believe a bicycle is unsafe or not equipped as required by law, yet it does not define “reasonable cause” or ensure law enforcement officers are uniformly trained to determine if a bicycle is unsafe or not equipped as required by law; and

WHEREAS, Code of Ordinances 70-783, commonly known as “jaywalking,” can expose individuals to unnecessary interactions with police and studies have shown jaywalking and similar laws are disproportionately enforced on communities of color (see a 2019 New York, New York study showing 90% of jaywalking tickets went to Black and Latinx individuals; and a Sacramento, California study showing Black individuals received 5 times more jaywalking tickets than White individuals); and

WHEREAS, the City Council does not believe these ordinances contribute to the safety of motorists, pedestrians, or bicyclists, nor promote the safe operation of vehicles; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing the Sections 70-268, Wheels and tires to be clean, and 70-706, Inspection of bicycles, relating to traffic and vehicles.

Section 2. That Chapter 70, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing 70-783 relating to traffic and vehicles and enacting in lieu thereof one new section of like number and subject, to read as follows:

Sec. 70-783. Crossing at points other than crosswalks.

- (a) No persons shall purposefully or negligently walk into traffic or into a public street in a manner that puts themselves in danger of bodily harm or causes a motor vehicle accident.

ORDINANCE NO. 210100

(b) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk

Approved as to form and legality:

Alan Holtkamp
Assistant City Attorney

GENERAL

Ordinance Fact Sheet

210100

Ordinance Number

Brief Title:

Amending Chapter 70, Code of Ordinances, by repealing Sections 70-26 and 70-706 relating to traffic and vehicles and by repealing 70-783 relating to traffic and vehicles and enacting in lieu thereof one new section of like number and subject.

Approval Deadline:

Reason:

Details

Positions / Recommendations

<p>Reason for Legislation To Amend Chapter 70, Code of Ordinances, by repealing Sections 70-26 and 70-706 relating to traffic and vehicles and by repealing 70-783 relating to traffic and vehicles and enacting in lieu thereof one new section of like number and subject.</p>	<p>Sponsor(s) Mayor Quinton Lucas</p>	
	<p>Programs, Departments, or Groups Affected</p>	
	<p>Applicants/Proponents</p>	<p>Applicant City Department Other</p>
	<p>Opponents</p>	<p>Groups or Individuals Basis of Opposition</p>
<p>Discussion <i>(including relationship to other Council actions)</i> Code of Ordinances 70-258, requires wheels and tires to be clean within the city, allowing an individual, who may not be aware of the condition of their wheels or tires, to be ticketed for “dirty” cars or bicycles which carry mud, dirt, sticky substances, litter or foreign matter of any kind onto streets, alleys, highways or other public places. Code of Ordinances 70-706, allows inspection of a bicycle “at any time” upon reasonable cause to believe a bicycle is unsafe or not equipped as required by law, yet it does not define “reasonable cause” or ensure law enforcement officers are uniformly trained to determine if a bicycle is unsafe or not equipped as required by law. Code of Ordinances 70-783, commonly known as “jaywalking,” can expose individuals to unnecessary interactions with police and studies have shown jaywalking and similar laws are disproportionately enforced on communities of color (see a 2019 New York, New York study showing 90% of jaywalking tickets went to Black and Latinx individuals; and a Sacramento, California study showing Black</p>	<p>Staff Recommendation</p>	<p><input type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:</p>
	<p>Board or Commission Recommendation</p>	<p><input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions</p>

individuals received 5 times more jaywalking tickets than White individuals). The City Council does not believe these ordinances contribute to the safety of motorists, pedestrians, or bicyclists, nor promote the safe operation of vehicles.		Council Committee Action <input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass

Details

Policy / Program Impact

<p><u>Is it good for the children?</u> Yes.</p> <p><u>How will this contribute to a sustainable Kansas City?</u> This legislation is not intended to address the issue of sustainability.</p>		Policy or Program Change <input type="checkbox"/> No <input type="checkbox"/> Yes	
		Operational Impact Assessment	
	Finances		
		Cost and Revenue Projections	Cost of Legislation Increase/Decrease in Revenue Expected Annually
		Fund Sources	

Applicable Dates:

Fact Sheet Prepared By:

Alan L. Holtkamp, Assistant City Attorney

Reviewed By:

Reference Numbers

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 210100

Amending Chapter 70, Code of Ordinances, by repealing Sections 70-268 and 70-706 relating to traffic and vehicles and by repealing 70-783 relating to traffic and vehicles and enacting in lieu thereof one new section of like number and subject.

WHEREAS, Code of Ordinances 70-268, requires wheels and tires to be clean within the city, allowing an individual, who may not be aware of the condition of their wheels or tires, to be ticketed for “dirty” cars or bicycles which carry mud, dirt, sticky substances, litter or foreign matter of any kind onto streets, alleys, highways or other public places; and

WHEREAS, Code of Ordinances 70-706, allows inspection of a bicycle “at any time” upon reasonable cause to believe a bicycle is unsafe or not equipped as required by law, yet it does not define “reasonable cause” or ensure law enforcement officers are uniformly trained to determine if a bicycle is unsafe or not equipped as required by law; and

WHEREAS, Code of Ordinances 70-783, commonly known as “jaywalking,” can expose individuals to unnecessary interactions with police and studies have shown jaywalking and similar laws are disproportionately enforced on communities of color (see a 2019 New York, New York study showing 90% of jaywalking tickets went to Black and Latinx individuals; and a Sacramento, California study showing Black individuals received 5 times more jaywalking tickets than White individuals); and

WHEREAS, the City Council does not believe these ordinances contribute to the safety of motorists, pedestrians, or bicyclists, nor promote the safe operation of vehicles; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing the Sections 70-268, Wheels and tires to be clean, and 70-706, Inspection of bicycles, relating to traffic and vehicles.

~~Sec. 70-268. Wheels and tires to be clean.~~

~~No person shall operate any vehicle within this city, the wheels or tires of which carry onto or deposit in any street, highway, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.~~

ORDINANCE NO. 210100

~~Sec. 70-706. Inspection of bicycles.~~

~~A uniformed police officer may at any time, upon reasonable cause to believe that a bicycle is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, require the person riding the bicycle to stop and submit the bicycle to an inspection and such test with referene thereto as may be appropriate.~~

~~an inspection and such test with reference thereto as may be appropriate.~~

Section 2. That Chapter 70, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing 70-783 relating to traffic and vehicles and enacting in lieu thereof one new section of like number and subject, to read as follows:

Sec. 70-783. Crossing at points other than crosswalks.

~~(a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.~~

~~(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.~~

~~(c) No persons shall purposefully or negligently walk into traffic or into a public street in a manner that puts themselves in danger of bodily harm or causes a motor vehicle accident.~~

~~(b) Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.~~

~~(d) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices. When authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movement.~~

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Approved as to form and legality:

Alan Holtkamp
Assistant City Attorney



02/09/2021

Mayor Quinton Lucas and
Members of the City Council
KCMO City Hall
414 E. 12th Street, Kansas City, MO 64106

Dear Mayor Lucas and Members of the City Council:

KC 4 Safe Streets wishes to submit the following letter in support of the proposed legislation to decriminalize walking and biking in Kansas City. We support this measure as a step to limit the over-policing of Black and Brown people in Kansas City. The measures targeted in this legislation, including jaywalking, dirty tires, and bike inspection, do nothing to actually make our streets safer for people who walk or bike. It doesn't make sense for us to allow these measures to remain in place, especially if there is no evidence they protect the people who fall under their scope.

KC 4 Safe Streets works to make our streets, sidewalks, and public space safe and accessible to all users. We seek to eliminate all traffic fatalities through policies such as Vision Zero, engineering, education, and better public transit. We do not believe these laws do anything to keep people safe and can be used as a way to target demographics that are already at risk of being profiled and targeted.

In conclusion, KC 4 Safe Streets supports the adoption of this measure and asks the City Council to do the same.

Thank you,



[Facebook.com/kc4safestreeets](https://www.facebook.com/kc4safestreeets)



[@kc4safestreeets](https://twitter.com/kc4safestreeets)



March 16, 2021

Mayor Quinton Lucas and
Members of the City Council
KCMO City Hall
414 E. 12th Street, Kansas City, MO 64106

Dear Mayor Lucas and Members of the City Council:

KC Tenants wishes to submit the following letter in **support** of the proposed legislation to decriminalize walking and biking in Kansas City.

We support this measure as a step to limit the over-policing of Black and Brown people in Kansas City. The measures targeted in this legislation, including jaywalking, dirty tires, and bike inspection, do nothing to actually make our streets safer for people who walk or bike. It doesn't make sense for us to allow these measures to remain in place, especially if there is no evidence they protect the people who fall under their scope.

Many KC Tenants leaders do not have cars. We get to work, pick up our children, and buy our groceries on foot, by bike, or by public transit. Archaic laws which criminalize everyday activities of your poor and working class neighbors furthers the idea that our wellbeing is not a priority. Passing Ordinance 210100 would be one step in the right direction to ensure that we can feel safe in our city, free to live our lives and take care of our families without the fear of being stopped and fined by an officer for doing just that.

In conclusion, KC Tenants stands with BikeWalkKC and other organizations across the metro to support the adoption of this measure and asks the City Council to do the same.

Thank you,

Wilson Vance,
KC Tenants Campaign Manager
Resident, Fourth District, KCMO



KANSAS CITY
REGIONAL TRANSIT ALLIANCE

February 13, 2021

Mayor Quinton Lucas and
Members of the City Council
KCMO City Hall
414 E. 12th Street, Kansas City, MO 64106

Dear Mayor Lucas and Members of the City Council:

The Kansas City Regional Transit Alliance (KCRTA) wishes to submit the following letter in **support** of the proposed legislation to decriminalize walking and biking in Kansas City.

We support this measure as a step to limit the over-policing of Black and Brown people in Kansas City. The measures targeted in this legislation, including jaywalking, dirty tires, and bike inspection, do nothing to actually make our streets safer for people who walk or bike. It doesn't make sense for us to allow these measures to remain in place, especially if there is no evidence they protect the people who fall under their scope.

Kansas City, Missouri is often a leader in the region on equity and mobility, including innovative ideas like zero-fare transit. A core part of the KCRTA's mission is to help make transit's complementary modes like walking, biking, and rolling safer and more enjoyable. By taking these steps, Kansas City, Missouri will correct unjust laws while supporting sustainable and healthy mobility choices.

In conclusion, KCRTA supports the adoption of this measure and asks the City Council to do the same.

Thank you,

A handwritten signature in black ink, appearing to read "Matt Staub", is written over a light gray horizontal line.

Matt Staub
KCRTA Chair

February 8, 2021

Mayor Quinton Lucas and
Members of the City Council Transportation, Infrastructure and Operations Committee
KCMO City Hall
414 E. 12th Street, Kansas City, MO 64106

Dear Mayor Lucas and Members of the City Council Transportation, Infrastructure and Operations Committee:

The Legislative Committee of the Thomas Hart Benton Group of the Missouri Chapter of Sierra Club wishes to submit the following letter in support of the proposed Ordinance No. 210100 to decriminalize walking and biking in Kansas City. We support this measure as a step to limit the over-policing of Black and Brown people in Kansas City. The measures targeted in this legislation, including jaywalking, dirty tires, and bike inspection, do nothing to actually make our streets safer for people who walk or bike. It doesn't make sense for us to allow these measures to remain in place, especially if there is no evidence they protect the people who fall under their scope.

As Sierra Club members, who promote efforts in our community that will address the challenges of climate change, we see the need to encourage modes of transportation that are alternatives to motor vehicles. Kansas City should make efforts to ensure that these alternative modes do not become tools of needless policing. The resources the community devotes to law enforcement can be better placed.

In conclusion, the Legislative Committee of the Thomas Hart Benton Group of the Missouri Chapter of Sierra Club supports the adoption of this measure and asks the City Council to do the same.

Thank you,



Don Wallace,
Co-chair Legislative Committee
THB Group of Missouri Chapter of Sierra Club
Resident, Fourth District, KCMO



Legislation Text

File #: 210182, Version: 1

ORDINANCE NO. 210182

Amending Chapter 70, Code of Ordinances, by repealing Sections 70-365 and 70-366 relating to street and drag racing and enacting in lieu thereof two new sections of like number and subject and by adding one new Section 70-368 relating to street and drag racing.

WHEREAS, street racing has caused vehicle crashes, deaths and injuries to drivers, passengers, onlookers, or innocent bystanders, and property damage in Kansas City; and

WHEREAS, street racing causes noise disturbances to residences and businesses near the street racing from racing vehicles and crowds; and

WHEREAS, street racing can cause vandalism and litter at racing locations, including businesses where racers commonly gather; and

WHEREAS, street racing can cause a loss of commercial revenue if racing crowds obstruct or intimidate potential customers; and

WHEREAS, street racing will cause excess wear and tear to Kansas City public streets where continual racing occurs, including areas with painted street markings commonly are damaged by the burning rubber of vehicle tires; and

WHEREAS, street racing has caused damage to curbs and bus stops in Kansas City, and to areas maintained by the City, including sidewalk cutaways and grassy areas; and

WHEREAS, public streets are created and maintained by Kansas City for public use and not for individuals to engage in the sport of street racing: NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70 of the Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Sections 70-365 and 70-366 relating to street and drag racing and enacting in lieu thereof two new sections of like number and subject, to read as follows:

Sec. 70-365. Racing on streets and highways.

(a) Except as provided elsewhere in this chapter, no person shall drive or otherwise engage in, aid or abet any vehicle on a street or highway in any drag race or speed competition or exhibition of speed or acceleration. No person shall, for the purpose of facilitating or aiding or as an incident to any motor vehicle speed contest or drag race upon any street or highway, in any manner obstruct a street or highway or place any barricade or obstruction upon any street or highway. However, the director may issue a

ORDINANCE NO. 210182

permit for any such race, competition, contest, test or exhibition in accordance with the terms and conditions specifically approved for such event by ordinance by the city council.

(b) Violations of this section shall result in the following:

(1) First violation: Up to a \$150.00 fine and/or up to 30 days in jail

(2) Second violation: Up to a \$300.00 fine and/or up to 60 days in jail

(3) Third and subsequent violation: Up to a \$500.00 fine and/or and up to six months in jail

Sec. 70-366. Spectator or unlawful assembly at drag race or speed competition.

(a) Except as provided elsewhere in this chapter, no person shall knowingly be present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, at a drag race or illegal motor vehicle speed competition.

(b) Except as provided elsewhere in this chapter, no person shall be present as a spectator, either on a public street or highway, or on private property without the consent of the owner, operator, or agent thereof, where preparations are being made for a drag race or illegal motor vehicle speed competition

(c) An individual is present at the drag race or illegal motor vehicle speed competition if that individual is within 200 feet of the location of the event, or within 200 feet of the location where preparations are being made for the event.

(d) When two or more persons assemble to witness or participate in a drag race or illegal motor vehicle speed competition such assembly is an unlawful assembly and any person who participates in such unlawful assembly is guilty of an offense.

(e) Exemption: Nothing in this section prohibits law enforcement officers or their agents from being spectators at drag races or speed contests in the course of their official duties.

(f) Violations of this section shall result in up to a \$100.00 fine.

Section 2. That Chapter 70 of the Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by adding one new Section 70-368 relating to street and drag racing, to read as follows:

2

Sec. 70-368. Vehicles located later-impounded.

(a) If a vehicle involved in racing on streets and highways is identified and located later, that vehicle may be towed, impounded and kept as evidence of an earlier violation of street racing until a determination is made as part of an investigation determining whether a violation of Sec. 70-365 or Sec. 70-366 of this Code has been committed. After that determination, the vehicle shall be returned to the owner.

(b) If the owner of the vehicle claims the vehicle was loaned to another person the car shall remain in impound until the investigation is complete and a determination is made who was driving the car and whether there was a violation of Sec 70-173 or Sec. 70-179 of this Code. After that determination, the vehicle shall be returned to the owner.

(c) If the owner of the vehicle claims the vehicle was stolen, the car shall remain in impound until the stolen vehicle investigation is complete and a determination is made of who was driving the car. After that determination, the vehicle shall be returned to the owner.

Approved as to form and legality:

Alan Holtkamp
Assistant City Attorney

GENERAL

Ordinance Fact Sheet

210182

Ordinance Number

Brief Title:

Amending Chapter 70, Code of Ordinances, by repealing Sections 70-365 and 70-366 relating to street and drag racing and enacting in lieu thereof two new sections of like number and subject and by adding one new section 70-368 relating to street and drag racing.

Approval Deadline:

Reason:

Details

Positions / Recommendations

<p>Reason for Legislation To amend Chapter 70, Code of Ordinances, by repealing Sections 70-365 and 70-366 relating to street and drag racing and enacting in lieu thereof two new sections of like number and subject and by adding one new section 70-368 relating to street and drag racing.</p>	<p>Sponsor(s) Mayor Lucas</p>	
	<p>Programs, Departments, or Groups Affected Municipal Court and the Kansas City Police Department.</p>	
<p>Discussion <i>(including relationship to other Council actions)</i> Street racing has caused vehicle crashes, deaths and injuries to drivers, passengers, onlookers, or innocent bystanders; and property damage in Kansas City. Street racing also causes noise disturbances to residences and businesses near the street racing from racing vehicles and crowds. Street racing can cause vandalism and litter at racing locations, including</p>	<p>Applicants/Proponents</p>	<p>Applicant</p> <p>City Department</p> <p>Other</p>
	<p>Opponents</p>	<p>Groups or Individuals</p> <p>Basis of Opposition</p>

<p>businesses where racers commonly gather. Street racing can cause a loss of commercial revenue if racing crowds obstruct or intimidate potential customers. Street racing causes excess wear and tear to Kansas City public streets where continual racing occurs, including areas with painted street markings commonly are damaged by the burning rubber of vehicle tires. Street racing has caused damage to curbs and bus stops in Kansas City, and to areas maintained by the city, including sidewalk cutaways and grassy areas. Public streets are created and maintained by Kansas City for public use and not for individuals to engage in the sport of street racing. This legislation will address the above concerns.</p>		Staff Recommendation	<input type="checkbox"/> For <input type="checkbox"/> Against Reasons Against:
		Board or Commission Recommendation	<input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For, with revisions or conditions
		Council Committee Action	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Substitute <input type="checkbox"/> No Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass

Details

Policy / Program Impact

<p><u>Is it good for the children?</u> Yes.</p> <p><u>How will this contribute to a sustainable Kansas City?</u> This legislation is not intended to address the issue of sustainability.</p>		Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
		Operational Impact Assessment	
		Finances	
		Cost and Revenue Projections	Cost of Legislation Increase/Decrease in Revenue Expected Annually

		Fund Sources	
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Applicable Dates:

Fact Sheet Prepared By:

Alan L. Holtkamp, Assistant City Attorney

Reviewed By:

Reference Numbers

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 210182

Amending Chapter 70, Code of Ordinances, by repealing Sections 70-365 and 70-366 relating to street and drag racing and enacting in lieu thereof two new sections of like number and subject and by adding one new section 70-368 relating to street and drag racing.

WHEREAS, street racing has caused vehicle crashes, deaths and injuries to drivers, passengers, onlookers, or innocent bystanders, and property damage in Kansas City; and

WHEREAS, street racing causes noise disturbances to residences and businesses near the street racing from racing vehicles and crowds; and

WHEREAS, street racing can cause vandalism and litter at racing locations, including businesses where racers commonly gather; and

WHEREAS, street racing can cause a loss of commercial revenue if racing crowds obstruct or intimidate potential customers; and

WHEREAS, street racing will cause excess wear and tear to Kansas City public streets where continual racing occurs, including areas with painted street markings commonly are damaged by the burning rubber of vehicle tires; and

WHEREAS, street racing has caused damage to curbs and bus stops in Kansas City, and to areas maintained by the City, including sidewalk cutaways and grassy areas; and

WHEREAS, public streets are created and maintained by Kansas City for public use and not for individuals to engage in the sport of street racing: NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 70 of the Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Sections 70-365 and 70-366 relating to street and drag racing and enacting in lieu thereof two new sections of like number and subject, to read as follows:

Sec. 70-365. Racing on streets and highways.

(a) Except as provided elsewhere in this chapter, no person shall drive or otherwise engage in, aid or abet any vehicle on a street or highway in any drag race or

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ORDINANCE NO. 210182

speed competition or exhibition of speed or acceleration. No person shall, for the purpose of facilitating or aiding or as an incident to any motor vehicle speed contest or drag race upon any street or highway, in any manner obstruct a street or highway or place any barricade or obstruction upon any street or highway. However, the director may issue a permit for any such race, competition, contest, test or exhibition in accordance with the terms and conditions specifically approved for such event by ordinance by the city council.

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(b) Violations of this section shall result in the following:

(1) First violation: Up to a \$150.00 fine and/or up to 30 days in jail

(2) Second violation: Up to a \$300.00 fine and/or up to 60 days in jail

(3) Third and subsequent violation: Up to a \$500.00 fine and/or and up to six months in jail

Sec. 70-366. Spectator or unlawful assembly at drag race or speed competition.

(a) Except as provided elsewhere in this chapter, no person shall knowingly be present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, at a drag race or illegal motor vehicle speed competition.

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(b) Except as provided elsewhere in this chapter, no person shall be present as a spectator, either on a public street or highway, or on private property without the consent of the owner, operator, or agent thereof, where preparations are being made for a drag race or illegal motor vehicle speed competition

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(c) An individual is present at the drag race or illegal motor vehicle speed competition if that individual is within 200 feet of the location of the event, or within 200 feet of the location where preparations are being made for the event.

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(d) When two or more persons assemble to witness or participate in a drag race or illegal motor vehicle speed competition such assembly is an unlawful assembly and any person who participates in such unlawful assembly is guilty of an offense.

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(e) Exemption:- Nothing in this section prohibits law enforcement officers or their agents from being spectators at drag races or speed contests in the course of their official duties.

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(f) Violations of this section shall result in up to a \$100.00 fine.

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Section 2. That Chapter 70 of the Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by adding one new Section 70-368 relating to street and drag racing, to read as follows:

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ORDINANCE NO. 210182

Sec. 70-368. Vehicles located later-impounded.

(a) If a vehicle involved in racing on streets and highways is identified and located later, that vehicle may be towed, impounded and kept as evidence of an earlier violation of street racing until a determination is made as part of an investigation determining whether a violation of Sec. 70-365 or Sec. 70-366 of this Code has been committed. After that determination, the vehicle shall be returned to the owner.

(b) If the owner of the vehicle claims the vehicle was loaned to another person the car shall remain in impound until the investigation is complete and a determination is made who was driving the car and whether there was a violation of Sec 70-173 or Sec. 70-179 of this Code. After that determination, the vehicle shall be returned to the owner.

(c) If the owner of the vehicle claims the vehicle was stolen, the car shall remain in impound until the stolen vehicle investigation is complete and a determination is made of who was driving the car. After that determination, the vehicle shall be returned to the owner.

Approved as to form and legality:

Alan Holtkamp
Assistant City Attorney

Dear Honorable Mayor Lucas & TIO Committee Members,

I am writing to express my opposition and concern over ordinance 210182...

I fear this ordinance will not solve the issue attempting to be addressed but rather will disproportionately punish and ultimately incarcerate young members of the african american and hispanic community.

Years of 'tough on crime' approaches demonstrated by the state of Missouri have proven to fail to deter crimes while also exacerbating our over incarceration crisis. I see this resolution having the same result.

On almost exactly the one year anniversary of the police killing of Donnie Sanders, this ordinance will embolden the police force to carry out the very same actions for the very same reasons that led to the unnecessary and cruel killing of Mr. Sanders.

I fear that not only will this ordinance fail to address the issue while also punishing young members of our community but it also neglects measures that are proven to reduce this type of behavior. As a practicing urban designer I have seen first hand how design impacts behavior. Taking a preventative design approach to this issue can help remediate the problem without further compounded the chronic issues observed between the community and the police system. In addition, taking preventative design measures can also provide benefits to the community as a whole by creating safer, more walkable, healthier communities. Taking a design approach to this issue can help us meet our Vision Zero, sustainability, and overall quality of life goals.

Unfortunately, from my perspective this ordinance provides no benefits to the community, fails to prevent the issue at hand and further jeopardizes the youth and young adults largely of the african american and hispanic community.

Please consider dropping this ordinance and focusing efforts on a preventative design approach to remediate the problem and provide community benefits to all of Kansas City.

Sincerely,

DuRon Netsell
Principal, Street Smarts Design + Build
Lead, Better Block KC



Dear Chairman Lucas and Committee,

KC 4 Safe Streets does not support ordinance #210182. Street racing, reckless driving, blocking intersections, vandalism and littering are already illegal. Making something more illegal is not the solution, and often comes with undue criminalization of black, brown, and minority communities. Kansas City had a safe and legal facility in KC International Raceway until November of 2011. KCIR was an outlet for legal racing and created a safe and enjoyable facility for such activities. Unfortunately, the City of Kansas City purchased this facility, demolished it, and replaced it with a park leaving no outlet for these activities but our city streets.

Rather than further criminalizing this activity, we seek to encourage the city to work with developers and partners to find a new facility to replace KCIR, as well as address our built environment that makes it possible to drag race side by side or preform burnouts and sideshows in our intersections. By altering our built environment to reduce the ability to speed, race, or do burnouts and sideshows, we would create a safer street environment with less noise, and less vandalism, and less violence.



[Facebook.com/kc4safestreeets](https://www.facebook.com/kc4safestreeets)



[@kc4safestreeets](https://twitter.com/kc4safestreeets)



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Get Adobe Reader Now!



Legislation Text

File #: 210347, Version: 1

ORDINANCE NO. 210347

Authorizing an \$11,988,000.00 design professional services agreement with Burns & McDonnell Engineering Company, Inc., for the Smart Sewer Program Management Services Project; authorizing a maximum expenditure of \$48,000,000.00; and authorizing three successive renewal options without further City Council approval.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Director of the Water Services Department is authorized to execute Contract No. 1635 in the amount of \$11,988,000.00 with Burns & McDonnell Engineering Company, Inc., for the Smart Sewer Program Management Services Project, Project No. 60810092. A copy of the contract is on file in the office of Water Services.

Section 2. That the Director of the Water Services Department is authorized to expend up to \$11,988,000.00 from Account No. 22-8110-807769-610300-60810092, Overflow Control Program, to satisfy the cost of this contract.

Section 3. That the Director of the Water Services Department is authorized to execute three successive renewals for this work without further City Council approval.

Section 4. That the Director of the Water Services Department is authorized to expend up to \$36,012,000.00 to satisfy the costs of the three renewals with such funds as appropriated by the Council in future annual budgets, for a maximum expenditure of \$48,000,000.00 for Contract No. 1635 and the three renewals.

Section 5. That the Director of the Water Services Department is authorized to exercise the options to renew its design professional services agreement with Burns & McDonnell Engineering Company, Inc., for the continuation of Smart Sewer Program (Overflow Control Program) Management Services for renewals four through seven of nine, one-year renewal options in accordance with the RFQ/P solicitation for Design Professional Services under City Contract No. 1355 (Ordinance No. 170375).

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

Approved as to form and legality:

Mark P. Jones
Assistant City Attorney

CONTRACT

210347

Ordinance Fact Sheet

A-E/Negotiated Form

Brief Title	Approval Deadline
Authorizing a Design Professional Services Contract with	
Burns & McDonnell Engineering Company, Inc. for the Smart	
Sewer Program Management Services Project.	

Reason
To authorize execution of a design professional services contract
and expenditures; and authorizing three successive renewal options.

Details

Reason for Contract
 In 2010, the City of Kansas City, Missouri entered into a Consent Decree with the United States Environmental Protection Agency (EPA) to reduce the volume and frequency of overflows from the City's sewer system over a 25-year period. In March 2021 the Consent Decree was modified to include additional interim and revised final performance criteria and to extend its duration to 30 years. This project will provide program management services to assist the City with continued implementation of its Smart Sewer Program.

Discussion

Project Justification
 The City of Kansas City, Missouri has entered into a Consent Decree with the United States EPA to reduce the volume of overflows from the City's sewer system over a 30-year period. The City's Smart Sewer Program is currently in year 11 of a 30-year implementation period. This project will provide program management services to assist the City with continued implementation of its Smart Sewer Program.

Project Description

The scope of services to be performed under this contract includes the following program management services:

- Program administration, project controls, asset data management services, adaptive management planning to provide oversight and direction for program activities;
- Contract administration and project delivery services for the development and implementation of Smart Sewer Program capital projects;
- Construction management support services for implementation of Smart Sewer Program projects;
- Public communications and outreach services to support the implementation of the Smart Sewer Program including development of informational content and collateral, public outreach activities, and strategic communications;
- Sewer collection system planning, assessment and rehabilitation, including manhole inspections, flow monitoring, and modeling analyses for implementation of the Smart Sewer Program, and support of the City's Annual Sewer Rehabilitation program;
- Project management and support to restart and continue the implementation of the City's Private Inflow and Infiltration (I/I) Reduction Program; and
- Green Infrastructure solution planning and implementation to reduce combine sewer overflows, improve the water quality of local streams, and to integrate with grey structural overflow controls and other City public capital improvement projects to optimize community benefits.

Roles and Responsibilities

Sponsor	Water Services Department
Department or Programs Affected	Smart Sewer Program
Recommended Awardee	Burns & McDonnell Engineering Company, Inc.
Contract Compliance Certification Obtained?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Opponents	Groups or Individuals None known Reason for Opposition
Responsibilities	Program Management: Burns & McDonnell Engineering Company, Inc. Inspections: Burns & McDonnell Engineering Company, Inc. Construction or Project Management: Burns & McDonnell Engineering Company, Inc. Service Monitoring: N/A

Policy/Program Impact

Policy or Program Emphasis Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	N/A

LEGISLATIVE FISCAL NOTE

LEGISLATION NUMBER:

210347

LEGISLATION IN BRIEF:

Authorizing a \$11,988,000.00 Design Professional Services Agreement with Burns & McDonnell Engineering Company, Inc., for the Smart Sewer Program Management Services Project; authorizing a maximum expenditure of \$48,000,000.00; and authorizing three successive renewal options without further City Council approval.

What is the purpose of this legislation?

CAPITAL

For the purpose of funding for the construction of fixed capitalizable assets

Does this legislation spend money?

YES

Yes/No

####

Does this legislation estimate new Revenues?

NO

Yes/No

####

Does this Legislation Increase Appropriations?

NO

Yes/No

####

Does this legislation expand the scope of city services, or expand the city's infrastructure?

YES

Yes/No

####

Section 00: Notes:

Five years of operational and maintenance costs should be included in Section 04 below.

FINANCIAL IMPACT OF LEGISLATION

Section 01: If applicable, where are funds appropriated in the current budget?

Table with columns: FUND, DEPTID, ACCOUNT, PROJECT, FY 20-21 BUD, FY 21-22 EST. Values: 8110, 807769, 610300, 60810092, 11,988,000.

Section 02: If applicable, where will new revenues be estimated?

Table with columns: FUND, DEPTID, ACCOUNT, PROJECT, FY 20-21 BUD, FY 21-22 EST. All cells are empty.

Section 03: If applicable, where will appropriations be increased?

Table with columns: FUND, DEPTID, ACCOUNT, PROJECT, FY 20-21 BUD, FY 21-22 EST. All cells are empty.

NET IMPACT ON OPERATIONAL BUDGET

11,988,000.00

-

RESERVE STATUS:

Fund Balance Supported

SECTION 04: FIVE-YEAR FISCAL IMPACT (Direct and indirect)

Table with columns: FUND, FUND NAME, FY 20-21, FY 21-22, FY 22-23, FY 23-24, FY 24-25, FY 25-26, All Outyears. All cells are empty.

TOTAL REV

- - - - -

Table with columns: FUND, FUND NAME, FY 20-21, FY 21-22, FY 22-23, FY 23-24, FY 24-25, FY 25-26, All Outyears. Values for Sewer: 11,988,000, 12,004,000, 12,004,000, 12,004,000.

TOTAL EXP

- 11,988,000 12,004,000 12,004,000 12,004,000 - -

NET Per-YEAR IMPACT

- (11,988,000) (12,004,000) (12,004,000) (12,004,000) - -

NET IMPACT (SIX YEARS)

(48,000,000.00)

REVIEWED BY

Sydney Bannister

DATE

4/14/2021

Inter-Departmental Communication

Date: April 6, 2021

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

From: Phillip Yelder, Director; Human Relations Department

Subject: Docket Memo #

CONTRACTOR: Burns & McDonnell Engineering Co., Inc.
Address: 9400 Ward Parkway
Kansas City, MO 64114
Contract # 1635 / 60810092 – Smart Sewer Program
Management Services
Contract Amount: \$11,988,000.00
MBE Goal: 15%
WBE Goal: 10%
Total MBE Achieved: 15%
Total WBE Achieved: 10%

MBE SUBCONTRACTORS:

Name: Taliaferro & Browne, Inc.
Address: 1020 E. 8th St.
Kansas City, MO 64106
Scope of Work: Project Management / Design Services
Dollar Amount: \$754,000
Ownership: Andebrhan, Hagos
Structure: African-American Male Code 15

MBE SUBCONTRACTORS:

Name: DuBois Consultants, Inc.
Address: 5737 Swope Parkway
Kansas City, MO 64130
Scope of Work: Contract Administration / Design Services
Dollar Amount: \$367,200
Ownership: Webster, Ajamu
Structure: African-American Male Code 15

MBE SUBCONTRACTORS:

Name: SE3, LLC
Address: 8401 E. M 350 Highway, Suite 213
Kansas City, MO 64133
Scope of Work: Project Management / Program implementation
Dollar Amount: \$397,630
Ownership: Stewart, Vernal
Structure: African-American Male Code 15

MBE SUBCONTRACTORS:

Name: Parson & Associates, LLC
Address: 1518 E. 18th St.
Kansas City, MO 64108
Scope of Work: Public Outreach / Communications
Dollar Amount: \$165,424
Ownership: Parson, R. Jason
Structure: African-American Male Code 15

MBE SUBCONTRACTORS:

Name: Hg Consult, Inc.
Address: 9111 NE 79th ST.
Kansas City, MO 64158
Scope of Work: Field Management / Performance Monitoring
Dollar Amount: \$136,800
Ownership: Harrison, Earl Jr.
Structure: African-American Male Code 15

WBE SUBCONTRACTORS:

Name: Trekk Design Group, LLC
Address: 1411 E. 104th St.
Kansas City, MO 64131
Scope of Work: Flow Monitoring / Design Services
Dollar Amount: \$519,800
Ownership: Robinett, Kimberly
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: LMG Construction Services, LLC
Address: 3011 Roanoke Rd.
Kansas City, MO 64108
Scope of Work: Install & Maintain Flow Meters
Dollar Amount: \$57,700
Ownership: Garney, Lisa
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: 3T Design & Development, LLC
Address: 1838-B E. 78th St.
Kansas City, MO 64132
Scope of Work: Data Management / Document Management
Dollar Amount: \$270,000
Ownership: Turner, W. Ruth
Structure: African-American Female Code 23

WBE SUBCONTRACTORS:

Name: Macy Consulting Services, Inc.
Address: 601 E. 63rd St., Suite 415
Kansas City, MO 64110
Scope of Work: Public Outreach / Communications
Dollar Amount: \$15,000
Ownership: Macy, Babette
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name: Lynchpin Ideas, LLC
Address: 4550 Main St., Suite 200
Kansas City, MO 64111
Scope of Work: Public Outreach / Program Support
Dollar Amount: \$242,820
Ownership: Lynch, Laura
Structure: Caucasian Female Code 27

WBE SUBCONTRACTORS:

Name:	Patti Banks Associates, LLC dba Vireo		
Address:	929 Walnut St., Suite 700 Kansas City, MO 64106		
Scope of Work:	Plan Development / Program Development		
Dollar Amount:	\$97,000		
Ownership:	deFlon, Linda		
Structure:	Caucasian Female		Code 27

Comments: