



CITY COUNCIL Regular Meeting

September 3, 2024

6:00 PM, Council Chambers - 111 E. Maple Ave.

To view a Council meeting agenda, visit <https://independencemo.portal.civicclerk.com/> and select 'Most Recent Council Agenda'.

INVOCATION

1. Laurie Dean Wiley, Chair of God at Center Committee at Truman Heritage Habitat for Humanity, will give the invocation.

THE PLEDGE OF ALLEGIANCE

ROLL CALL

CITIZEN REQUESTS

PRESENTATION RESOLUTIONS

1. 24-761 A Resolution recognizing Jamie Neal, Senior Court Clerk in the Municipal Court Department, as the ISTAR Award Recipient for September 2024.

PROCLAMATIONS

1. National Preparedness Month

CONSENT AGENDA

Reports and Recommendations of the City Manager

1. Approval of minutes for the Regular Meetings from August 5th and August 19th, 2024.
2. Council action is requested to expend \$1,260,000 with Tenaska for Energy Services

and Energy Data Management services for the Power & Light Department for fiscal year 2025.

3. Council approval is requested to purchase a Spartan Metro-Size 4 door Pumper from Precision Fire Apparatus for Eight Hundred Fifty-Nine Thousand Six Hundred Nine Dollars and zero cents (\$859,609.00).
4. Council action is requested to issue a purchase order for \$240,000.00 to Anixter, for Power Distribution Transformers, for the Power & Light Department.
5. Council action is request to issue a purchase order to MH Logistics (Armor Equipment) in the amount of \$375,000, for an E450 Ford box truck with all camera accessories & modified truck body for the Collections System Maintenance Division of the Municipal Services Department.
6. Council action is requested expend \$250,000 for fiscal year 2024-2025 to USIC Locating Services Inc. for Locating Services for the Water Division of the Municipal Services Department.
7. Council action is requested to issue a purchase order to Shawnee Mission Ford in the amount of \$424,269.00, for nine (9) Model Year 2025 Ford Explorer AWD Police Interceptors for the Police Department.
8. Council action is requested to issue a purchase order for \$104,609.88 to Universal Protection Service LP., for Security Guard Services at the Independence Utility Center & the Power & Light Service Center for Fiscal Year 2025 and continued expenditures for fiscal years 2026 and 2027 for the Power & Light Department.

RESOLUTIONS

1. 24-762 A Resolution in support of the application to the Missouri Housing Development Commission for financing the planned development of Terrace Crossing to be located at 9701 East 35th Street, in Independence, Missouri.
2. 24-763 A Resolution reappointing Trevor Tilton and Sean Fite to the Independence Square Advisory Committee
3. 24-764 A Resolution appointing Cody Atkinson to the Board of Adjustment

REGULAR AGENDA

PUBLIC HEARING(S)

1. A public hearing for the application by Carolyn Rogers to rezone the property at 15552 E. US 24 Highway from C-2, General Commercial, and R-6, Single Family Residential, to R-6, Single Family Residential. ***New Information Only.***

24-087 **2R** An ordinance approving a rezoning from District C-2 (General Commercial) and R-6 (Single Family Residential) to R-6 (Single Family Residential) for the property at 15552 E. US 24 Highway. **2R**

2. A public hearing on proposed property tax rates to be set by the City of Independence for the fiscal year beginning July 1, 2024, based on the current assessed valuation by Jackson and Clay Counties. *Full Public Hearing.*

ORDINANCES

1. 24-043 **2R** An ordinance amending Article 3 of Chapter 5 of the City Code by enacting new sections to revise and clarify the requirements for extended stay hotels. **2R**
2. 24-085 **2R** An ordinance authorizing the 2024 Midwest High Intensity Drug Trafficking Area (HIDTA) Memorandum of Understanding (MOU) for the Investigative Support Center Initiative, and related documents, with the Kansas Bureau of Investigation, for a grant award in the amount of \$154,459.00; making the necessary appropriations; authorizing future change orders for additional funding and/or time extensions; and authorizing certain future appropriations. **2R**
3. 24-086 **2R** An ordinance authorizing the City Manager to execute a certain grant agreement with the Missouri Highways and Transportation Commission for the Fairmount Loop Project (Project No. 112501 / Federal Project No. TAP-3379(444)). **2R**
4. 24-088 **2R** An Ordinance adding a new Article 5, Legal Description, to the Independence City Code, Chapter 10. **2R**

FIRST READING(S)

1. 24-089 **1R** An ordinance levying a tax on all real property subject to taxation on January 1, 2024, within the corporate limits of the City of Independence, Missouri, for general revenue and public health and recreation purposes, and for The Independence Square Special Benefit District; said levies and assessments being separate and distinct, all for the fiscal year commencing on the 1st day of July, 2024, and ending on the 30th day of June, 2025. **1R**
2. 24-090 **1R** An Ordinance Amending Independence City Code Section 16-01-002 "License Tax" **1R**

INFORMATION ONLY

1. A certified copy of the Election Results has been received by the City Clerk.
2. Case 24-125-08, a request by Rosemary Hoover to rezone the property located at 2710 S. Westport Road from R-6, Single Family Residential, to R-6/PUD, Single Family

Residential, Planned Unit Development, and approve a Preliminary Development Plan, was advertised for a new information only public hearing at the September 3, 2024, City Council meeting. As this case was continued by the Planning Commission, the new information only public hearing will now be held at the October 7, 2024 City Council meeting.

3. ***Please Note:*** *In accordance with RSMo. 610.021, the City Council may convene in an Executive Session during or after the meeting, in the Council Chambers and move to Conference Room D for the closed meeting, on matters of litigation, legal action, and/or attorney client communications, as permitted by Sec. 610.021(1), on matters of personnel, as permitted by Sec. 610.021(3) and personnel records, as permitted by 610.021(13), on matters of contracts, as permitted by 610.021(12), on matters of real estate, as permitted by 610.021(2) and/or matters of labor negotiations, as permitted by 610.021(9).*

COUNCILMEMBER COMMENTS

ADJOURNMENT



A GREAT AMERICAN STORY

City Council Regular Meeting Minutes

August 5, 2024 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

1. Tim Allison, Chaplain of the Visiting Nurse Association Hospice

The invocation was given by Lynn Baker

THE PLEDGE OF ALLEGIANCE

ROLL CALL

Councilmembers Fears, Perkins, Stewart, McCandless, Wiley and Vaught were all present.
Mayor Rowland appeared via Teams

CITIZEN REQUESTS

Councilmember Fears moved to suspend the rules so those that live outside the City limits can participate in speaking during Citizen Requests. Motion seconded by Councilmember McCandless. Motion Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

Ron Mareda spoke against the proposed Charter changes.

Yvonne Hall spoke on behalf of the Chamber of Commerce and in favor of the proposed Charter changes and Proposition PD.

Doug Blodgett spoke on behalf of FOP Lodge 1 in support of Proposition PD.

Marjain Breitenback spoke against any tax increases.

Tom Watters spoke in support of the proposed Charter changes.

Bob Sorenson spoke on item #23 of the Consent Agenda regarding changes to the retirement health proposal (removal of eye coverage).

Marla Kimsey spoke on item #23 of the Consent Agenda regarding changes to the retirement health proposal (removal of eye coverage).

Jason White spoke in support proposed Charter changes.

Mike Viet, Chair of the City's Staywell Committee, spoke about the RFP process with CIGNA and the reason they chose the plan they did.

Lynn Baker spoke in support of Proposition PD as well as the proposed Charter changes and in support of the Tourism Dept.

PRESENTATION RESOLUTIONS

1. 24-742 A Resolution recognizing Bretton Hilt, Treatment Plant Operator for the Municipal Services Department, as the ISTAR Award Recipient for August, 2024.

Res. No. 7021

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

Item passed 7-0

PROCLAMATIONS

CONSENT AGENDA

Reports and Recommendations of the City Manager

Councilmember Fears moved to Approve the Consent Agenda. Motion seconded by Councilmember McCandless.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

Motion passed 7-0

Items to be pulled for further discussion:

#11 by Councilmember Fears

#20 by Councilmember Wiley

#23 by Councilmember McCandless

#24-753 by Councilmember Stewart

1. Approval of minutes for the Regular Meeting Minutes for July 1st and July 15th, 2024. **Approved**

2. Council action is requested to expend \$155,000.00 in purchase orders for fiscal year 2024-2025 to Fletcher-Reinhardt and Anixter for Steel and Aluminum poles for the Power & Light Department. **Approved**
3. Council action is requested to issue a purchase order for \$600,000 to Fletcher-Reinhardt, for Utility Hardware Group 1, 2, 4, 5 and 6 for Fiscal Year 2024-2025, for the Power & Light Department. **Approved**
4. Council action is requested to issue a purchase order for \$410,000.00 to Graybar Electric, for Aluminum & Copper Cable/Wire, for the Power & Light Department. **Approved**
5. Council action is requested to issue a purchase order in the amount of \$500,000.00 to Arkansas Electric Cooperatives, for Distribution Transformers for the Power & Light Department. **Approved**
6. Council action is requested to issue a purchase order for \$240,000.00 to WEG Transformers USA LLC. (WEG), for Power Distribution Transformers, for the Power & Light Department. **Approved**
7. Council action is requested to issue a purchase order for \$165,000.00 to Solomon Corporation, for Transformer Repair - Re-manufacturing, for the Power & Light Department. **Approved**
8. Council action is requested to issue a purchase order for \$250,000 to Stella-Jones, for Wood Transmission & Distribution Poles, for the Power & Light Department. **Approved**
9. Council action is requested to issue annual purchase orders to PVS DX, Inc for Liquid Chlorine in the amount of \$245,000 for the period of July 1, 2024, through June 30th, 2025. At the option of the City, purchase orders will be issued annually for four additional, one-year periods. **Approved**
10. Council action is requested to issue annual purchase orders to Shannon Chemical Corporation for an amount of \$235,000 for sodium hexametaphosphate for the period of July 1, 2024, through June 30th, 2025. At the option of the City, purchase orders will be issued annually for four additional, one-year periods. **Approved**
11. Council approval is requested for the purchase of a Smeal 100' Mid Mount Platform Demo Firetruck for one million eight hundred ninety-one thousand five hundred forty-five dollars and zero cents (\$1,891,545.00). **Approved**

Fire Chief Jimmy Walker spoke on this item. This is to purchase a new fire truck. We had budgeted \$2.2M for the purchase of a new aerial ladder. We are getting a huge deal on this

truck, well below budget. The truck is ready now instead of waiting three years for a truck to be built. This is a demo model. This will be housed at Firehouse 1 to replace an aged vehicle that is currently requiring large maintenance costs.

The item was presented, and discussion followed.

Councilmember Fears moved to Approve the item as presented. Motion seconded by Councilmember Wiley.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

This item was passed 7-0

12. Council action is requested to enter into a contract with Truman Heritage Habitat for Humanity as a qualifying community housing development organization for the development of affordable housing, utilizing 2023-24 HOME program funds.

Approved

13. Council action is requested to expend \$567,500 to Enterprise FM Trust for 74 Vehicle Leases for the Fleet Division of the Municipal Services Department. **Approved**

14. Council action is requested to issue blanket purchase orders to Monaco Property Services and DuPree Landscaping & Lawn Care in an amount of \$300,000 for the 2024-25 Abatement Services for the Community Development Department.

Approved

15. Council action is requested to issue a \$30,000 change order for 2023-24 transit services with KCATA, making the total contract amount \$295,423, for the Community Development Department. **Approved**

16. Council action is requested to expend \$2,500,000 with Symmetry for natural gas and supply management services for the Power & Light Department for fiscal year 2025. **Approved**

17. Council action is requested to issue a purchase order to Armor Equipment, in the amount of \$187,227.96, for the purchase of a trash truck for the Parks, Recreation and Tourism Department. **Approved**

18. Council action is requested to expend \$3,753,750.00 for fuel and fuel oil purchases for fiscal year 2024-2025 to Frazier Oil & LP Gas Company, Inc. for the Municipal Services and Power & Light Departments. **Approved**

19. Council action is requested to issue a \$1,300,000.00 purchase order for fiscal year

2024-2025 to John Moore Oil Company for fuel oil purchases for the Power & Light Department. **Approved**

20. Council action is requested to expend \$3,882,000.00 in purchase orders for fiscal year 2024-2025 to Asplundh for Line Clearing/Tree Trimming Vegetation Management for the Power & Light Department. **Approved**

This item is to ensure maintenance and keeping trees trimmed to prevent issues during storms and causes of interruption of power during storms.

Councilmember Wiley moved to Approve the item as presented. Motion seconded by Councilmember McCandless.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

This item passed 7-0

21. Council action is requested to enter into a contract with Charlesworth Consulting for Risk Management Consulting Services and Workers Compensation Claims Processing for the Finance Department for one year with four, one-year renewal options. **Approved**
22. Council action is requested to expend \$380,000.00 for fiscal year 2024-2025 toUSIC Locating Services Inc. for Locating Services for the Municipal Services and Power & Light Departments. **Approved**
23. Council action is recommended to enter into contracts with Cigna for Medical and Pharmacy Insurance Coverage for Active and Pre-65 Retirees; MetLife for Dental Insurance Coverage; EyeMed for Vision Insurance Coverage; MetLife for Flexible Spending Account Coverage and UMB for Health Savings Accounts. **Approved**

We have been asked to put this item on hold. The Staywell Committee has approved this.

Councilmember McCandless moved to Approve the item as presented. Motion seconded by Councilmember Fears.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

This item passes 7-0

RESOLUTIONS

1. 24-743 A Resolution reappointing Ron Bruch, James Conley, and John Szturo to the Tax Increment Financing Commission **Res. No. 7022**
2. 24-744 A Resolution reappointing Dan McGraw and Madalyn Osborn to the Sustainability Commission **Res. No. 7023**
3. 24-745 A Resolution reappointing Diane Keyser and Kay Douglas to the Park Commission **Res. No. 7024**
4. 24-746 A Resolution reappointing David Campbell to the Tree Commission **Res. No. 7025**
5. 24-747 A Resolution reappointing Joseph Flick to the Industrial Development Authority **Res. No. 7026**
6. 24-748 A Resolution reappointing Christine Hughes to the Board of Ethics **Res. No. 7027**
7. 24-749 A Resolution appointing Michael Young to the Planning Commission **Res. No. 7028**
8. 24-750 A Resolution reappointing Wesley Epperson to the Street Improvement Oversight Committee **Res. No. 7029**
9. 24-751 A Resolution appointing Angie Judy to the FIFA World Cup Advisory Committee **Res. No. 7030**
10. 24-752 A Resolution appointing members to the Independence General Obligation Bond Committee **Res. No. 7031**
11. 24-753 A Resolution Directing the City Manager to develop and present recommendations to establish the Independence Convention and Visitor's Bureau. **Res. No. 7032**

Councilmember Stewart moved to Approve the item as presented. Motion seconded by Councilmember McCandless.

Several years ago, Tourism was joined with the Parks and Recreation Department. This is a recommendation to make Tourism its own stand-alone entity again. Passing this only means that it will be looked into further and bring additional proposals to promote tourism to the Council. Councilmember Perkins stated he believes it is time to take a closer look at this and

see what kind of visitor/convention bureau we can have.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): Councilmember Stewart

ABSENT (0):

Item passes 7-1

12. 24-754 A resolution approving a Preliminary Plat of Behavioral Health in Independence, Missouri. **Res. No. 7033**

REGULAR AGENDA

PUBLIC HEARINGS(S)

1. A public hearing for the application to rezone the property at 300, 306, & 315 W. Maple Ave from C-2, General Commercial, to C-2/PUD, General Commercial/Planned Unit Development, and approving a preliminary development plan. ***New Information Only.***

Councilmember Fears made a motion to clarify that 306 W. Maple is being added to the rezoning request. Seconded by Councilmember Wiley.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

Amendment passes 7-0

Rick Arroyo, Assistant Community Development Director, spoke on this topic. Planning Commission voted in favor of this on June 11, 2024. This is a rezoning to go from C-2 to C-2/PUD to allow Polly's Pop to accommodate their increased scope of production to include diet soda, bottled water and bar-be-que sauce. This will allow limited manufacturing and warehousing at their current location.

24-064 **2R** An ordinance approving a rezoning from district C-2 (General Commercial) to C-2/PUD (General Commercial/Planned Unit Development) and a preliminary development plan for the properties located at 300 and 315 W. Maple Avenue. **2R Ord. No. 19581**

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

This item passes 7-0

ORDINANCES

1. 24-065 **2R** An ordinance finding, determining, and declaring the necessity of acquiring general utility easements for the E. Heidelberger Rd. Bridge Replacement Project (Project No. 112203); authorizing the negotiation and eminent domain proceedings if necessary; approving the plans and specifications for the project; authorizing the use of experts as needed; authorizing and directing the execution of documents and the payment of funds to property owners or others holding property rights, in conjunction with the project. **2R Ord. No. 19582**

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

This item passes 7-0

FIRST READING(S)

1. 24-066 **1R** An Ordinance approving an emergency purchase order to ShinYoung Electric Company, LTD in the amount of \$1,446,710 for Single-Phase and Three-Phase Pad Mounted Transformers for IPL; ***and declaring an emergency (five affirmative votes required to approve)*** **1R 1st and 2nd readings completed Ord. No. 19583**

This is an emergency item, therefore it was read twice (1st and 2nd readings).

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

This item passes 7-0

2. 24-067 **1R** An Ordinance finding, determining and declaring the necessity of acquiring general utility easements, temporary access easements, and temporary construction easements for the Rock Creek Watershed CMP Repair and Replacement CIP Project (Project No. 132402); authorizing the negotiation and eminent domain proceedings if necessary; approving the plans and specifications for the project; authorizing the use of experts as needed; authorizing and directing the execution of documents and the payment of funds to property owners or others holding property rights, in conjunction with the project, ***and declaring an emergency. (five affirmative votes required to approve)*** **1R 1st and 2nd Readings Completed Ord. No. 19584**

This is an emergency item therefore it was read twice (1st and 2nd readings)

This item is being funded through the American Rescue Act Dollars that were appropriated during the COVID-19 Pandemic. The funds have to be encumbered by December 31, 2024. In order to get this done by December 31st, we would be hopeful to get it approved tonight.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

Item passes 7-0

3. 24-068 **1R** An ordinance authorizing acceptance of the 2024 Midwest High Intensity Drug Trafficking Area (HIDTA) Memorandum of Understanding (MOU) for the Kansas City / Overland Park DEA Task Force Initiative, and related documents, with the Kansas Bureau of investigation, for a grant award in the amount of \$163,362.00; making the necessary appropriations; authorizing future change orders for additional funding and/or time extensions; and authorizing certain future appropriations. **1R Read**
4. 24-069 **1R** An ordinance amending the Unified Development Ordinance, Chapter 14, of the City Code pertaining to police facilities. **1R Read**
5. 24-070 **1R** An ordinance amending the Unified Development Ordinance, Chapter 14, of the City Code pertaining to home-based businesses. **1R Read**
6. 24-071 **1R** An ordinance amending the Unified Development Ordinance, Chapter 14, of the City Code pertaining to small box discount, tobacco, convenience and liquor stores. **1R Read**
7. 24-072 **1R** An ordinance amending the Unified Development Ordinance, Chapter 14, of the City Code pertaining to Recreational Vehicle Parks. **1R Read**
8. 24-073 **1R** An ordinance approving a rezoning from District C-2 (General Commercial) to R-6 (Single Family Residential) for the property at 1301 S. Noland Road. **1R Read**
9. 24-074 **1R** An ordinance approving a rezoning from District R-1 (Single Family Residential Estate) to R-6 (Single Family Residential) for a portion of the property at 19307 E. Holke Road. **1R Read**
10. 24-075 **1R** An ordinance approving a rezoning from District C-2 (General Commercial) to District C-2/PUD (General Commercial/Planned Unit Development) and approving a preliminary development plan for the property located at 1550 S. Noland Road. **1R Read**

11. 24-076 **1R** An ordinance approving a Special Use Permit to operate a group home for transitional housing at 801 W. 23rd Street, in Independence, Missouri. ***Valid legal protest filed - five affirmative votes required to approve. 1R Read***
12. 24-077 **1R** An ordinance approving a rezoning from District C-2 (General Commercial) and C-1 (Neighborhood Commercial) to C-2 (General Commercial) for the property at 13001 E. US Highway 40. **1R Read**
13. 24-078 **1R** An ordinance amending Article 5 of Chapter 19 of the City Code enacting a maximum number of refuse collection establishments operating in the City. **1R Read**
14. 24-079 **1R** An ordinance approving a final plat for Behavioral Health, in Independence, Jackson County, Missouri. **1R Read**
15. 24-080 **1R** An ordinance approving a final plat for Timber Creek Ranch – 3rd Plat, in Independence, Jackson County, Missouri. **1R Read**
16. 24-081 **1R** An ordinance approving a final plat for Timber Creek Ranch – 4th Plat, in Independence, Jackson County, Missouri. **1R Read**
17. 24-082 **1R** An ordinance vacating an existing unconstructed right-of-way being part of St Clair Park, on, and across lots 240-248, a subdivision in Independence, Jackson County, Missouri. **1R Read**
18. 24-083 **1R** An ordinance authorizing an agreement with the Missouri Highways and Transportation Commission for the Public Transit Operating Assistance Grant in the amount of \$141,300.64 for operating expenses associated with transit service for the period July 1, 2024, through June 30, 2025; and making the necessary appropriations. **1R Read**
19. 24-084 **1R** An ordinance authorizing the City Manager to accept a grant from Mid-America Regional Council in the amount of \$88,007 for the City's senior adult nutrition site program for fiscal year 2024-2025, and execute the amendment community center services agreement; making the necessary appropriations; authorizing future change orders for additional funding and/or time extensions; and, authorizing certain future appropriations. **1R Read**

INFORMATION ONLY

1. ***Please Note:*** In accordance with RSMo. 610.021, the City Council may convene in an Executive Session during or after the meeting, in the Council Chambers and move to

Conference Room D for the closed meeting, on matters of litigation, legal action, and/or attorney client communications, as permitted by Sec. 610.021(1), on matters of personnel, as permitted by Sec. 610.021(3) and personnel records, as permitted by 610.021(13), on matters of contracts, as permitted by 610.021(12), on matters of real estate, as permitted by 610.021(2) and/or matters of labor negotiations, as permitted by 610.021(9).

COUNCILMEMBER COMMENTS

Councilmember Stewart - nothing tonight

Councilmember Fears - We recently had the State of The City Address at Chamber of Commerce given by the Mayor. We also recently had a meeting for the Independence Economic Development Partnership. There was a business license survey at this meeting. Not a large response to this so far, so he encourages business license holders to get on the site and fill this out to help us better streamline the process of licensing and permitting. We have commissioned five new police officers. We said goodbye to Interim Fire Chief Lauss. They met with the architectural firm working on the police campus. Also spoke about the vote tomorrow and how important the topics are to the City.

Councilmember Vaught - Attended alongside officers with the Community Engagement Dept., Community Business League, Comprehensive Mental Health, Heartland Center for Behavioral Change and ARCH. They conducted an outreach and enforcement day at the Noland Fashion Square on 40 Highway. There were no persons located inside the building on this day. All of these buildings are in bad condition and not safe for anyone to be in. It was very encouraging to see all of the agencies working together to help homeless people. There is some interest in this area so she is very hopeful something positive will be happening with the area. She also encouraged everyone to get out and vote tomorrow.

Councilmember Wiley - Encouraged everyone to get out and vote tomorrow and also to get online and read about the topics on the ballot. She also reminded everyone that tomorrow night is National Night Out with the Police Department.

Councilmember McCandless - She visited the Salvation Army to see the revisions to their site.

They can take up to 16 families. She sent her appreciation to the Southwest Independence Community Group for them taking the time to look at the conditions of IPD and the need for a new building. We welcomed the Hispanic Chamber of Commerce to Drumm Farm for their golf tournament. She extended condolences to the family and neighbors of the child whose life was lost at Independence Towers and asked for City Manager to look into the resources available for residents to report issues with rentals and landlord complaints.

Mayor Rowland - National Night Out is a great evening out for everyone. He also seconded what Councilmember McCandless stated regarding landlords and tenant complaints.

Councilmember Perkins - Had three firefighters sworn in and promotions as well. Shoutout to the Interim City Manager while Zach was out last week. They handled some big issues and did a tremendous job.

Zach Walker - One of the things passed tonight on the Consent Agenda is the GO Bond Committee. This group will begin evaluating all of the many needs of the City and the financial impact to the community.

ADJOURNMENT

ADJOURNMENT 7:23 p.m.



Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:



City Clerk





A GREAT AMERICAN STORY

City Council Regular Meeting Minutes

August 19, 2024 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

1. The Invocation will be given in Spanish by Sergio Quintero

Sergio was not present. Invocation was given by Dennis Cato of the Church of Jesus Christ of Latter Day Saints.

THE PLEDGE OF ALLEGIANCE

ROLL CALL

CITIZEN REQUESTS

Motion to allow non-residents to speak.

Councilmember Wiley moved to Approve the item as presented. Motion seconded by Councilmember Fears. Motion Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

Carolyn Richardson spoke about her property at 1301 S. Noland Road, that is on the public hearing agenda this evening. She asked the Council to approve the item to keep her property zoned as commercial so she can afford to stay in it. If the property is zoned residential, it will cost her over \$6000/year in insurance.

Becky Hake spoke about the Rental Ready Program. She worked on this program last fall and gave information for this program over the last year.

Elise Breighenbach spoke against the Englewood Overlay proposal.

Matt Gibson, owner of KC Disposal spoke about the hauler's license proposal on the agenda. Matthew Geary, attorney for Matt Gibson and KC Disposal spoke in favor of the application of KC Disposal.

Wes Epperson spoke about the Rental Ready Program. Every landlord/property owner should have a business license and be required to have inspections and meet code requirements.

PROCLAMATIONS

CONSENT AGENDA

Reports and Recommendations of the City Manager

The item was presented, and discussion followed.

Councilmember Perkins moved for approval of reports and recommendations Motion seconded by Councilmember McCandless. Motion .

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

Items pulled for further discussion were items 1 and 2 by Councilmember Stewart.

1. A request for Council approval on the application from KCD KC Disposal, LLC for a Certificate of Public Convenience and Necessity as a refuse and trash collector/hauler.

Fails 7-0

This item was pulled by Councilmember Stewart for further discussion.

Councilmember Stewart will be voting no on this item due to the ordinance on the agenda for this evening, limiting the number of trash haulers within the City.

The item was presented, and discussion followed.

Councilmember Stewart moved to Approve the item as presented. Motion seconded by Councilmember Perkins. Item failed.

AYES (0): None

NAYS (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

ABSENT (0):

2. Council action is requested to authorize the City Manager to enter into a design contract with, and issue a purchase order to, Burns & McDonnell, in the amount of \$844,876, authorizing future minor change orders not to exceed \$84,487.60, for engineering and design services as part of the Truman Connected Phase II Project (No. 112401). **Passes 6-1**

The item was presented, and discussion followed.

This will be an 80/20 cost share between the City and the Federal Government. The City will have to cover 20%, which is roughly \$120,000. This will be taken from the street tax. A bid would have to go out for the contract then it will go before the City Council for a vote. The total amount of the project is around \$4M which we would have to pay 20% of.

Councilmember Stewart moved to Approve the item as presented. Motion seconded by Councilmember Perkins. Motion Passed.

AYES (6): Mayor Rowland, Councilmember Fears, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (1): Councilmember Stewart

ABSENT (0):

3. Council action is requested to authorize the City Manager to approve purchase order change order #2 to the design contract with Renaissance Infrastructure Consulting for an amount not to exceed \$48,245 authorizing future minor change orders not to exceed \$14,039 as part of the Leslie to Crane at Hereford Drainage Improvement Project (No. 132201). **Approved**
4. Council action is requested to authorize the City Manager to approve a construction contract with MegaKC Corporation, for an amount not to exceed \$4,060,200 authorizing future minor change orders not to exceed \$406,020 and/or time extensions as part of the Rock Creek Waste Water Treatment Plant Rehabilitation Project (No. 302205). **Approved**
5. Council action is requested to authorize the City Manager to approve a construction contract with Abay Construction, Inc., for an amount not to exceed \$300,689 authorizing future minor change orders not to exceed \$30,068.90 and/or time extensions for Phase 1 of the Rock Creek CMP Repair and Replacement Project (No. 132402). **Approved**

6. Council action is requested to authorize the City Manager to approve a construction contract with Infrastructure Solutions, LLC (I-Solutions), for an amount not to exceed \$510,000 authorizing future minor change orders not to exceed \$51,000 and/or time extensions as part of the 23rd St. Main Replacement (R.D. Mize Rd. to Redwood Ave.) Project (No. C24-203-401301). **Approved**
7. Council action is requested to approve a contract with the Englewood Arts for the license of the Englewood public area for the Englewood ReArt Festival. **Approved**
8. Council action is requested to issue a purchase order for Black & McDonald in the amount of \$291,016.67, for the Transmission Single Steel Pole Replacement for the Power & Light Department. **Approved**
9. Council action is requested to award a purchase order to Burns & McDonnell in the amount of \$250,000.00 to cover Transmission Planning Support Services for the Power & Light Department. **Approved**

RESOLUTIONS

1. 24-755 A Resolution reappointing Steve McLuckie to the Public Utilities Advisory Board **Res. No. 7034**
2. 24-756 A Resolution appointing Greg McGhee to the Public Utilities Advisory Board. **Res. No. 7035**
3. 24-757 A Resolution reappointing Michael Rose to the City Judicial Commission **Res. No. 7036**
4. 24-758 A Resolution reappointing John Lunn to the Sustainability Commission **Res. No. 7037**
5. 24-759 A Resolution reappointing Donna Pittman to the Public Safety Tax Oversight Committee **Res. No. 7038**
6. 24-760 A Resolution reappointing R. Scott Smith and Timothy Deveney to the Storm Water Oversight Committee **Res. No. 7039**

REGULAR AGENDA

PUBLIC HEARING(S)

1. A public hearing for the amendment to the Unified Development Ordinance, Chapter 14, of the Independence City Code relating to police facilities. **Full Public**

Hearing.

Rick Arroyo, Assistant Director of Community Development spoke on this item. This Code amendment was considered by the Planning Commission on June 25th of 2024.

The Planning Commissions voted in favor of this Code Amendment.

This proposed Amendment #66 of the Unified Development Ordinance clarifies the definitions of detention facilities at government buildings compared to other correctional facilities that may be allowed in industrial zones. This code amendment would exempt City detention facilities from the restrictions of code section 14-415-01 having to be 1000 feet from residential, schools, libraries, museums parks, churches and community centers.

No further information for this public hearing.

No one else spoke on this item.

Councilmember McCandless reminded everyone this facility is just a holding facility, not a jail or a facility where someone can be held for an extended period of time.

24-069 2R An ordinance amending the Unified Development Ordinance,
Chapter 14, of the City Code pertaining to police facilities. 2R **Ord. No.
19585**

Item Passes.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart,
Councilmember McCandless, Councilmember Vaught, Councilmember Perkins,
Councilmember Wiley

NAYS (0): None

ABSENT (0):

2. A public hearing for the amendment to the Unified Development Ordinance,
Chapter 14, of the Independence City Code relating to home-based businesses.

Full Public Hearing.

Rick Arroyo, Assistant Director of Community Development spoke on this item. This Code amendment was considered by the Planning Commission on June 25th of 2024.

The Planning Commissions voted in favor of this Code Amendment.

This proposed Amendment #67 of the Unified Development Ordinance would adopt updated home-based business regulations in line with Missouri House bill 1662 passed in 2022.

Under the house bill, cities have been prohibited from restricting things such as hours of operation for home-based business, requiring structural modifications to operate, prohibiting services by appointment, or requiring NO IMPACT home-based business from obtaining business licenses, provided they operate within federal, state, and other local regulations. The house bill does allow the City to establish reasonable regulations for the purpose of protecting public health, safety, fire and building codes, sanitation, transportation, traffic, hazardous waste and noise control which we believe this proposed ordinance does. The house bill with these proposed regulations would open opportunities for residents working from home from having to obtain a City license under some circumstances.

No further information for this public hearing.

No one else spoke on this hearing.

24-070 2R An ordinance amending the Unified Development Ordinance, Chapter 14, of the City Code pertaining to home-based businesses. **2R Ord. No. 19586**

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

3. A public hearing for the amendment to the Unified Development Ordinance, Chapter 14, of the Independence City Code relating to small box discount stores, tobacco stores, convenience stores and liquor stores. **Full Public Hearing.**

Rick Arroyo, Assistant Director of Community Development spoke on this item. This Code amendment was considered by the Planning Commission on July 9th of 2024.

The Planning Commissions voted in favor of this Code Amendment.

This proposed Amendment #68 of the Unified Development Ordinance updates regulations pertaining to small box discount stores, tobacco stores, and convenience and liquor stores. The goal here was to separate out Tobacco Stores from Convenience stores which is currently combined in the code. Adds a new section for liquor stores and creates a new definition of small box discount stores. Operational standards have been proposed for each of these business types.

No further information for this public hearing.

No one else spoke on this item.

24-071 2R An ordinance amending the Unified Development Ordinance, Chapter 14, of the City Code pertaining to small box discount, tobacco, convenience and liquor stores. **2R Ord. No. 19587**

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

4. A public hearing for the amendment to the Unified Development Ordinance, Chapter 14, of the Independence City Code relating to recreational vehicle park use. **Full Public Hearing.**

Rick Arroyo, Assistant Director of Community Development spoke on this item. This Code amendment was considered by the Planning Commission on July 9th of 2024.

The Planning Commissions voted in favor of this Code Amendment.

This proposed Amendment #69 of the Unified Development Ordinance updates the

recreational vehicle park regulations in section 14-405-01-C of the UDO. This amendment clarifies the approval process for recreational vehicles parks to follow the Special Use Permit application process. It also updates criteria to be in compliance with the updates that occurred with the Municipal Services standards in Chapter 20 and FEMA and ROW regulations in Chapter 17 that were adopted last year.

No further information for this public hearing.

No one else spoke on this item.

24-072 2R An ordinance amending the Unified Development Ordinance, Chapter 14, of the City Code pertaining to Recreational Vehicle Parks. **2R Ord. No. 19588**

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

5. A public hearing for the application to rezone the property at 1301 S. Noland Road from C-2, General Commercial, to R-6, Single Family Residential. ***New Information Only.***

Rick Arroyo, Assistant Director of Community Development spoke on this item. This rezoning was considered by the Planning Commission on June 25th of 2024.

The Planning Commissions voted in favor of this rezoning.

This property at the SE corner of Noland Road and Fair Street is currently zoned C-2 Commercial the applicant wishes to live and use the property as a signal family home and therefore requires an R-6 single family zoning.

No new information to provide.

24-073 2R An ordinance approving a rezoning from District C-2 (General Commercial) to R-6 (Single Family Residential) for the property at 1301 S. Noland Road. **2R Ord. No. 19589**

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

6. A public hearing for the application to rezone the property at 19307 E. Holke Road from R-1, Single Family Residential Estate, to R-6, Single Family Residential. ***New Information Only.***

Rick Arroyo, Assistant Director of Community Development spoke on this item. This

rezoning was considered by the Planning Commission on June 25th of 2024.

The Planning Commissions voted in favor of this rezoning.

This property at 19307 Holke Road is part of a large parcel of land that the applicant wishes to divide into two lots with a minor subdivision application so they can build a single-family home on a newly created smaller lot along Holke. The applicant owns an existing single-family home on the adjacent lot zoned R-1 due to its size. However, in order to create a code compliant lot along Holke Road the smaller parcel must be rezoned from R-1 to R-6 residential. The approval of a minor subdivision is conditioned upon approval of this rezoning.

No new information to provide.

24-074 2R An ordinance approving a rezoning from District R-1 (Single Family Residential Estate) to R-6 (Single Family Residential) for a portion of the property at 19307 E. Holke Road. **2R Ord. No. 19590**

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

7. A public hearing for the application to rezone the property at 1550 S. Noland Road from C-2, General Commercial, to C-2/PUD, General Commercial/Planned Unit Development, and approve a Preliminary Development Plan. ***New Information Only.***

Rick Arroyo, Assistant Director of Community Development spoke on this item. This Planned Unit Development Rezoning was considered by the Planning Commission on June 25th of 2024.

The Planning Commissions voted in favor of this PUD rezoning.

This property is located at 1550 S Noland Road which was previously a Dynamic Speed and prior to that an AutoZone. Cable Dahmer wishes to move and expand their collision repair center to this site. The Planned Unit Development is to allow General (or heavy) automotive in the C-2 district which would otherwise only be allowed at limited (or light) automotive.

No new information to provide.

24-075 2R An ordinance approving a rezoning from District C-2 (General Commercial) to District C-2/PUD (General Commercial/Planned Unit Development) and approving a preliminary development plan for the property located at 1550 S. Noland Road. **2R Ord. No. 19591**

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

8. A public hearing for the Special Use Permit application to operate a group home at 801 W. 23rd Street. ***New Information Only.***

Rick Arroyo, Assistant Director of Community Development spoke on this item. This Special Use Permit was considered by the Planning Commission on June 25th of 2024. The Planning Commissions voted in favor of this Special Use.

This application is to operate a Transitional Housing facility at 801 W 23rd Street. The facility will provide temporary housing between 30 or 90 days for up to 30 women in need of life skills to include spiritual growth, mentoring, Job and work ethics, financial training and credit building along with physical wellbeing.

This case did receive a valid protest petition and a super majority will be required to approve. Not sure why it is being protested.

No new information to provide.

24-076 2R An ordinance approving a Special Use Permit to operate a group home for transitional housing at 801 W. 23rd Street, in Independence, Missouri.
Valid legal protest filed - five affirmative votes required to approve. 2R
Ord. No. 19592

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

9. A public hearing for the application to rezone the property at 13001 E. US 40 Highway from C-1, Neighborhood Commercial, and C-2, General Commercial, to C-2, General Commercial. ***New Information Only.***

Rick Arroyo, Assistant Director of Community Development spoke on this item. This rezoning was considered by the Planning Commission on July 9th of 2024.

The Planning Commissions voted in favor of this rezoning.

This is the property at 13001 E US 40 Hwy. This site was formally a carpet store and prior to that the AMF bowling alley, the applicant wishes to use the property to sell remanufactured metal working machinery location on the C-2 portion of the lot. However, there is a section of C-1 within the parking lot along 40 Hwy that would need to be rezoned to C-2 to allow that use.

No new information to provide.

24-077 2R An ordinance approving a rezoning from District C-2 (General Commercial) and C-1 (Neighborhood Commercial) to C-2 (General Commercial) for the property at 13001 E. US Highway 40. 2R **Ord. No. 19593**

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

ORDINANCES

1. 24-056 2R An ordinance authorizing the City Manager to execute a certain grant agreement with the Missouri Highways and Transportation Commission for the Truman Connected Phase II Project (City Project No. 112102 / Federal Project No. CMAQ-3379(441) & CRP 3379 (446)). 2R **Ord. No. 19594**

No discussion on this item. Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

2. 24-068 2R An ordinance authorizing acceptance of the 2024 Midwest High Intensity Drug Trafficking Area (HIDTA) Memorandum of Understanding (MOU) for the Kansas City / Overland Park DEA Task Force Initiative, and related documents, with the Kansas Bureau of investigation, for a grant award in the amount of \$163,362.00; making the necessary appropriations; authorizing future change orders for additional funding and/or time extensions; and authorizing certain future appropriations. 2R **Ord. No. 19595**

Police Chief Adam Dustman spoke on this item. This is one of two grants, one tonight and the second on a future agenda. This is a federal program aimed at lowering drug trafficking along the I-70 corridor. This is done through different federal and local partnerships which IPD participates in. IPD has two detectives assigned to this group/program.

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

3. 24-078 2R An ordinance amending Article 5 of Chapter 19 of the City Code enacting a maximum number of refuse collection establishments operating in the City. 2R **Ord. No. 19596**

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

4. 24-079 2R An ordinance approving a final plat for Behavioral Health, in Independence, Jackson County, Missouri. 2R **Ord. No. 19597**

This will provide a 120-bed facility for mental health patients.

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

5. 24-080 2R An ordinance approving a final plat for Timber Creek Ranch – 3rd Plat, in Independence, Jackson County, Missouri. 2R **Ord. No. 19598**

No discussion on this item. Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

6. 24-081 2R An ordinance approving a final plat for Timber Creek Ranch – 4th Plat, in Independence, Jackson County, Missouri. 2R **Ord. No. 19599**

No discussion on this item. Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

7. 24-082 2R An ordinance vacating an existing unconstructed right-of-way being part of St Clair Park, on, and across lots 240-248, a subdivision in Independence, Jackson County, Missouri. 2R **Ord. No. 19600**

No discussion on this item. Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart,

Councilmember McCandless, Councilmember Vaught, Councilmember Perkins,
Councilmember Wiley

NAYS (0): None

ABSENT (0):

8. 24-083 2R An ordinance authorizing an agreement with the Missouri Highways and Transportation Commission for the Public Transit Operating Assistance Grant in the amount of \$141,300.64 for operating expenses associated with transit service for the period July 1, 2024, through June 30, 2025; and making the necessary appropriations. 2R **Ord. No. 19601**

No discussion on this item. Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart,
Councilmember McCandless, Councilmember Vaught, Councilmember Perkins,
Councilmember Wiley

NAYS (0): None

ABSENT (0):

9. 24-084 2R An ordinance authorizing the City Manager to accept a grant from Mid-America Regional Council in the amount of \$88,007 for the City's senior adult nutrition site program for fiscal year 2024-2025, and execute the amendment community center services agreement; making the necessary appropriations; authorizing future change orders for additional funding and/or time extensions; and, authorizing certain future appropriations. 2R **Ord. No. 19602**

This grant will allow us to purchase and serve 14,323 nutritional meals to seniors in our community.

Item Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart,
Councilmember McCandless, Councilmember Vaught, Councilmember Perkins,
Councilmember Wiley

NAYS (0): None

ABSENT (0):

FIRST READING(S)

1. 24-085 1R An ordinance authorizing the 2024 Midwest High Intensity Drug Trafficking Area (HIDTA) Memorandum of Understanding (MOU) for the Investigative Support Center Initiative, and related documents, with the Kansas Bureau of Investigation, for a grant award in the amount of \$154,459.00; making the necessary appropriations; authorizing future change orders for additional funding and/or time extensions; and authorizing certain future appropriations. 1R
2. 24-086 1R An ordinance authorizing the City Manager to execute a certain grant

agreement with the Missouri Highways and Transportation Commission for the Fairmount Loop Project (Project No. 112501 / Federal Project No. TAP-3379(444).
1R

3. 24-087 **1R** An ordinance approving a rezoning from District C-2 (General Commercial) and R-6 (Single Family Residential) to R-6 (Single Family Residential) for the property at 15552 E. US 24 Highway. **1R**
4. 24-088 **1R** An Ordinance adding a new Article 5, Legal Description, to the Independence City Code, Chapter 10. **1R**

INFORMATION ONLY

1. Municipal Division Monthly Case Report for May, June and July, 2024
2. ***Please Note:*** In accordance with RSMo. 610.021, the City Council may convene in an Executive Session during or after the meeting, in the Council Chambers and move to Conference Room D for the closed meeting, on matters of litigation, legal action, and/or attorney client communications, as permitted by Sec. 610.021(1), on matters of personnel, as permitted by Sec. 610.021(3) and personnel records, as permitted by 610.021(13), on matters of contracts, as permitted by 610.021(12), on matters of real estate, as permitted by 610.021(2) and/or matters of labor negotiations, as permitted by 610.021(9).

COUNCILMEMBER COMMENTS

Fire Chief Jimmy Walker spoke regarding two recent fire fatalities, two within the last three days and a total of 4 so far this year. With both fatalities, neither had smoke detectors. He spoke of the importance of smoke detectors and said that IFD offers free smoke detectors and installation to anyone that is in need of one. They are also making a public service announcement video for schools. They will also be going out into the community to discuss fire safety. To get a free smoke detector, call 816-325-7123.

Councilmember Stewart spoke about the closure of Bundschu Road. City Manager Walker said there was a storm water culvert that failed and compromised the integrity of the ground under the roadway. City staff have been building the roadway back up since early May, however, heavy rains on July 2 caused this to wash out again. It was then determined how bad that area is.

City staff recently received a quote for designs for repairing the road permanently and are currently waiting for the contractor to complete their work. The repair date is estimated to be mid-October pending weather conditions. Repairs should take a couple of weeks.

Councilmember Stewart also asked City Manager Walker for a status update on the move of city offices to the new building. The City closed on a lease/purchase agreement in mid-January for the building at I-70 and Little Blue. Roof work is expected to take place in September. Fiber installation for internet services is scheduled to be completed in 3 weeks. The City is currently taking bids for general contractors for design and construction of the interior of the building. The first move of offices is anticipated for the first quarter of 2025.

He also thanked Chief Walker and the IFD for their work on getting fire prevention and smoke detectors out to the community.

Councilmember Fears attended the PUAB meeting where DKMT made a presentation regarding the future of IPL. They will be making the same presentation to the Council next week at the study session. He encouraged other council members to come prepared with questions for this presentation. He also wanted to remind everyone that school has started again and to be mindful of buses and kids in crosswalks.

Councilmember Vaught and Wiley visited the Unity Center and is confident this Center will grow into something spectacular for the City. The Unity Center is offering a block party on August 30-31 from 10-2, food trucks, back-to-school supplies, haircuts for any age. Everything is free as they service those in need. Thanked Chief Walker and IFD for their hard work and dedication, especially in the last few days.

Councilmember Wiley sent her condolences to the families of those who died in the fires. She is also thinking of the first responders that worked these tragic incidents. She also thanked the firefighters for their job and willingness to provide information on fire prevention.

Councilmember McCandless congratulated IPD for their hard work on a lawsuit and the outcome of it. Had the opportunity to see the renovations to the old Adams Mark Hotel. Pickleball courts there should be open around Thanksgiving. Then they will rehabbing the rest of the building with hospitality suites for the 2025 Chiefs season and the FIFA World Cup. She has seen more people who live here buy and rehab houses that need it. This is a great thing for the revitalization of neighborhoods. She joined CLS for their backpack giveaway. 2,000 kids came through the doors for their school supplies and a new pair of shoes.

Councilmember Perkins will be attending the World Cup briefing this Friday to discuss transportation, venues, regional coordination for safety and security as well as tourism and event information for surrounding cities. Approving the mental health ordinance shows that we are taking a stance in the community to help where we can. The General Obligation Bond was last Wednesday. He is looking forward to see what that produces.

Mayor Rowland and Councilmember McCandless went to the 18th Annual Legacy Run. This is for and started at the American Legion on 40 Highway. This run is the start of an 1100-mile motorcycle ride to assist military and veteran children's needs as well as providing critical training to the American Legion. They will have the National 2027 American Legion Convention here in Independence.

The Susan Block Paxton award deadline has been extended to the 21st. The nomination forms are on the city's website at Independencemo.gov

City Manager Zach Walker discussed an issue that was brought up in Citizen comments which was rentals and making sure that landlords obtain business licenses within the City to operate these rentals. Last year the City hired a consultant to help investigate and monitor this issue.

This year, the City hired three license business inspectors to assist with this issue. The Council also approved a computer system called Rentalscape to allow staff to review and find those who

need to come into compliance with the city requirements.

In 2017, the City Council adopted a resolution setting some best practices for business management. One of those was setting a reserve balance policy for all of our different funds.

One of those was for the general fund where we mandated to have a 16% reserve in it's general fund. That is an increase from the previous policy which was only 5%. We are finishing at a 17.4% reserve balance. This is the first time since the policy was set in 2017 that the City is meeting its reserve policy. We will be able to borrow at a lower interest rate but doing this as well as have money for issues that could come up in the future.

There will be a first reading for the ordinance to set the levy for the coming year, in September.

Our Budget Manager, Melissa Sill will be giving a presentation on that.

Work is starting on the General Obligation Bond. There are a lot of issues that will come before the Council this fall regarding items the General Obligation Bond would pay for including the new Justice Center and Community Center.

ADJOURNMENT



Presiding Officer of the City Council
of the City of Independence, Missouri



ATTEST:



City Clerk

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to expend \$1,260,000 with Tenaska for Energy Services and Energy Data Management services for the Power & Light Department for fiscal year 2025.

Recommendations:

Staff recommends Council approval for expenditure.

Background:

Independence Power & Light (IPL) has a service agreement with Tenaska that goes until March 2026. Under this agreement, IPL pays a monthly service fee of \$30,000. The total annual service fee is \$360,000. There is a portion of the annual expenditure that represents repayment to Tenaska for payment to the IPL agreement where they market unused Auction Revenue Right/Transmission Congestion Rate (ARR/TCR) assets in the Southwest Power Pool (SPP) market. Under this agreement, IPL splits the proceeds with 65% to IPL and 35% to Tenaska for any revenue IPL receives from SPP under this agreement. Last year, IPL had to reimburse Tenaska nearly \$760,000 under this agreement. This year, IPL is increasing the amount for the reimbursement to \$900,000 in anticipation of additional revenue recovery. This is done as a revenue offset. The total amount for the expenditure request is \$1,260,000.

Approval of this item authorizes the Finance Director to issue change orders up to a total of ten (10) percent of the original authorized amount, so long as appropriations are available.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$1,260,00.00. Funding for Energy and Energy Data Management Services is included in the fiscal year 2024-2025 budget, page 261, account number (0206145-5226) Purchase Power, Professional Services and (020-4912) Transmission Wheeling Revenue – MPS, IPL Fund 020. This funding impact is based upon an estimated \$360,000 for Professional Services and \$900,000 for Transmission Wheeling Revenue – MPS.

Council Action:

Department / Contact	Power and Light /
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REVIEWERS

Khristina Irvine
Meagan Borth
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Amendment for Energy Services for Tenaska for Power & Light

**FOURTH AMENDMENT
TO THE AMENDED AND RESTATED ENERGY SERVICES AGREEMENT**

This Fourth Amendment to the Amended and Restated Energy Services Agreement (“Amendment”) is entered into as of May 26th, 2022 (the “Effective Date”) by and between City of Independence, Missouri, a municipality organized under the laws of the state of Missouri, operating through its Power & Light Department (“Customer”) and Tenaska Power Services Co. (“TPS”). Each of Customer and TPS may be referred to herein as a “Party” and collectively as the “Parties” to this Amendment.

WHEREAS, Customer and TPS are Parties to that certain Amended and Restated Energy Services Agreement dated as of April 1, 2018, as amended (the “Agreement”); and

WHEREAS, the Parties desire to amend the Agreement as provided herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both Parties, Customer and TPS hereby agree as follows:

AMENDMENT

1. Unless otherwise defined in this Amendment, capitalized terms used in this Amendment shall have the same meaning as that given to such terms in the Agreement.
2. The Parties hereby amend the Agreement by inserting the following definitions in Section 1, in alphabetical order:

““Monthly ARR Allocation Process” shall mean the monthly process by which SPP awards ARRs, that entitles the holder to a share of the auction revenues generated in the applicable TCR Auction(s) and/or entitles the holder to self-covert the ARRs into TCRs.

“Monthly Auction Revenue” shall mean the sum of the credits or charges associated with each path in the nomination portfolio, calculated as the TCR Auction Clearing Price per a given auction at the source minus the TCR Auction Clearing Price per a given auction at the sink (each expressed in \$/MW-period), for the auction month multiplied by the MW volume awarded for the applicable period. A positive calculated amount shall mean a revenue and a negative calculated amount shall mean a charge.

“Stage 2” shall have the meaning set forth in the SPP Rules.”

3. The Parties hereby amend the Agreement by deleting the last sentence of the second paragraph of Section 3.7 and replacing it with the following:

“TPS and Customer agree to collect the Annual Auction Revenue for all awarded volumes in round three of the Annual ARR Allocation Process and not self-convert any awarded volumes to TCRs. On a monthly basis, TPS shall further assist Customer with nomination strategies for any ARRs not awarded in the Annual ARR Allocation Process that are still available in Stage 2 of the Monthly ARR Allocation Process. TPS and Customer agree to collect the Stage 2 Monthly Auction Revenue for all monthly awarded volumes and not self-convert to TCRs unless mutually agreed.”

4. The Parties hereby amend the Agreement by deleting Section 5.5 in its entirety and replacing it with the following:

“5.5 ARR/TCR Service Fees. Customer shall pay TPS thirty-five percent (35%) of each of (i) the Annual ARR Rd 3 NEB, and (ii) any incremental revenue created through Stage 2 of the Monthly ARR Allocation Process, in each case associated with paths awarded where such paths were recommended by TPS. Customer shall retain sixty-five percent (65%) of such incremental revenue. TPS will invoice Customer each Month during the auction year for amount due under this Section 5.5 in accordance with Section 10 of this Agreement. If the net value of the Annual ARR Rd 3 NEB for the auction year is negative, or if participation in the Monthly ARR Allocation Process results in negative Monthly Auction Revenue, Customer will be responsible for such losses as invoiced to Customer by SPP.”
5. Unless expressly changed by this Amendment, all other terms of the Agreement shall remain in full force and effect.
6. This Amendment may be executed in multiple counterparts, including facsimile(s) or emails, each one of which will be considered an original agreement, but all of which together will constitute one and the same instrument.
7. This Amendment contains the entire agreement between the Parties with respect to the subject matter of this Amendment and supersedes any previous understandings, commitments, or agreements, oral or written, with respect to such subject matter of this Amendment.

WHEREFORE, the Parties acknowledge and agree to this Amendment effective as of the Effective Date.

TENASKA POWER SERVICES CO.

By: _____

Name: _____

Title: _____

Curry Aldridge

Senior Vice President

CITY OF INDEPENDENCE, MISSOURI

By: _____

Name: _____

Title: _____

Jim NAIL

Director, IPL

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council approval is requested to purchase a Spartan Metro-Size 4 door Pumper from Precision Fire Apparatus for Eight Hundred Fifty-Nine Thousand Six Hundred Nine Dollars and zero cents (\$859,609.00).

Recommendations:

With the recommendation of the Fire Chief and the recommendation of the Public Safety Sales Tax Oversight Committee, the Independence Fire Department requests Council approval of this action.

Background:

With the ability to find different sourcing opportunities, the Independence Fire Department proposes to use remaining budgeted monies from our Capital Projects under the Fire Public Safety Sales Tax along with money budgeted in the 2024-2025 Budget for the replacement of Staff Vehicles to purchase this Precision/Spartan Pumper.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$859,609.00. Funding for this item is in the 2024-2025 adopted budget, page 223 and 224, account number 0174671-5404 and 0537053-5404.

Council Action:

**Department /
Contact**

Fire Department /

REVIEWERS

Jimmy Walker
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Signed Ltr of Intent with Precision Industries 08.2024



August 6th, 2024

Letter of Intent to Purchase

This Letter of Intent has been prepared for:

The City of Independence, Missouri

We hereby propose to furnish to you, subject to proper execution of a contract between City of Independence to Precision Industries, Inc, the following HGAC Buy – Precision/Spartan Metro-Star 4 door Pumper provided with this Letter of Intent.

Upon signing of the Letter of Intent, Precision Industries Inc. will place the order for the Precision/Spartan Metro-Star 4 door Pumper, for Eight Hundred Fifty-Nine Thousand Six Hundred Nine Dollars and zero cents. (\$859,609.00). Please sign and return by end of day September 13th, 2024, as the price cannot be held/guaranteed.

This letter of intent and contract includes the attached HGAC Buy pricing sheet with the full description of options.

A signature below represents a binding letter of intent to purchase after the above has taken place in September 2024.

Zachary Walker 08/08/2024
City of Independence Missouri Representative Date

[Signature] 8/7/2024
Precision Industries, Inc. Representative Date

**CONTRACT PRICING WORKSHEET**
For MOTOR VEHICLES OnlyContract
No.:

FS12-23

Date
Prepared:

7/17/2024

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	City of Independence Fire Department	Contractor:	Precision Industries, Inc.
Contact Person:	Chief Dave Shelley	Prepared By:	Brad Johnston
Phone:	816-365-2909	Phone:	573-346-8387
Fax:		Fax:	573-346-7015
Email:	dshelley@indepmo.org	Email:	bjohnston@precisionfireapparatus.com
Product Code:	Spartan Pumper 2	Description:	Precision/Spartan Metro-Star 4 Door Pumper
A. Product Item Base Unit Price Per Contractor's H-GAC Contract:		\$661,675.00	
B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable. (Note: Published Options are options which were submitted and priced in Contractor's bid.)			
Description	Cost	Description	Cost
MS-1521-002 - Cab Paint Exterior - Two tone	2,133.74	MS-5317-144 Front Scene - Spectra	4074.92
MS-1640-002 - Cabin air filtration	1,964.99	PH-14-005 - Ladder Storage in the rear	5245.88
MS-1701-170 Engine 500 HP - X12	42,287.62	PH-22-001 - David Clark U3800 Intercom System	7164.47
MS-8101-200 - Occupant Protection System	8,338.26	MS-5503-022 - Q2B Siren	3,952.75
MS-3801-002 - Tire chains On-Spot	5,128.85	MS-3112-018 - Fuel Cooler	1217.51
MS-2201-029 - Front bumper - Severe duty	4,626.73	MS-1608-006 - Cab Circulation Fan Front	610.82
MS-2206-021 - Front bumper paint	1,929.79	MS-1310-041 - Engine mounting plate	3826.45
MS-1801-017 - Transmission Allison 4000 EVS	21,596.24	MS-5202-173 - Kussmaul	2084.05
PH-16-9 - (2) Slidemaster Alum Tray -\$1,255.71 ea	2,511.42	MS-5306-118 - Side Scene Lights	7332.99
MS-3501-045 - Air Ride Suspension	8,179.86	Subtotal From Additional Sheet(s):	\$45,401.32
MS-4001-013 - Aux Lube System	6,144.47	Subtotal B:	185,753.13
C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary. (Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)			
Description	Cost	Description	Cost
Chassis Customization - Spartan Chassis Price Increase	10,180.87		
		Subtotal From Additional Sheet(s):	
		Subtotal C:	10,180.87
Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).		For this transaction the percentage is:	1%
D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)		\$857,609.00	
Quantity Ordered:	1	X Subtotal of A + B + C:	\$857,609.00 =
		Subtotal D:	\$857,609.00
E. H-GAC Order Processing Charge (Amount Per Current Policy)		Subtotal E:	\$2,000.00
F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges			
Description	Cost	Description	Cost
		Subtotal F:	-
Delivery Date:	2nd Quarter 2026	G. Total Purchase Price (D+E+F):	\$859,609.00

Published Options - Additional Sheet

Description	Cost
PH-3-4 - Pony Suction (Qty 2)	3,298.36
PH-5-1,2,3,4,5&6 - Booster Reel with discharge, hose & nozzle	7,719.51
PH-6-18 - Pump heater	1,797.65
PH-7-19 - Mansavers (Qty 2)	1,312.00
PH-9-3 - Painted ROM doors	4,017.65
PH-9-25 - Superman Compartments (qty 4)	5,540.72
PH-10-3 - Treadplate hosebed cover	4,537.88
PH-10-10 - Lighted folding steps (qty 12)	4,307.28
MS-3005-004 - Midship pump jackshaft	1,559.15
PH-16-5 - Slide out toolboards (qty 3)	4,155.54
PH-18-23 - Arrowstick	2,208.94
MS-3205-014 - Brake System	3,437.18
MS-1507-002 - Rear Tread Plate - Back of Cab	1,509.46
	<u>45,401.32</u>

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to issue a purchase order for \$240,000.00 to Anixter, for Power Distribution Transformers, for the Power & Light Department.

Recommendations:

Staff recommends approval to issue a purchase order.

Background:

Power and Light (IPL) uses pole mount and pad mount transformers to convert the high 'primary' voltage of the overhead or underground distribution lines to the lower 'secondary' or 'utilization' voltage inside the building. The primary distribution wires use a three-phase system. The transformers are divided into three groups as follows: Group 1 – Pole Mount; Group II – Single Phase Pad Mount; and Group III – Three Phase Pad Mount. The transformers are used in establishing new electrical service and for the replacement of defective units.

IPL entered into a contract with Wesco as a result of an invitation to bid which was approved by the Council in 2021. Wesco has since been bought out by a company named Anixter, who is fulfilling the terms and conditions of the contract. This contract is extended through 6/30/25.

Approval of this item authorizes the Finance Director to issue change orders up to a total of ten (10) percent of the original authorized amount, so long as appropriations are available.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$240,000.00. Funding for Power Distribution Transformers is included in the fiscal year 2024-2025 budget, page 269, account number (0206122-5314), Warehouse & Stores, Warehouse Inventory, IPL fund 020.

Council Action:

Department / Contact	Power and Light /
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REVIEWERS

Khristina Irvine
Meagan Borth
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

None

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is request to issue a purchase order to MH Logistics (Armor Equipment) in the amount of \$375,000, for an E450 Ford box truck with all camera accessories & modified truck body for the Collections System Maintenance Division of the Municipal Services Department.

Recommendations:

Council approval to issue a purchase order.

Background:

The Sewer Maintenance Division of Municipal Services needs to replace a 2015 camera truck with an updated truck including all the updated camera equipment, modified truck body with controls, monitoring office, & workspace area. This existing unit will be traded in against this new purchase. The new unit allows for a better working space, updated technology, and replaces equipment that has reached the end of its life cycle.

This purchase is using the Sourcewell Contract 12071-RVL with RapidView LLC.

Per section 8.06.004, Paragraph 4 of the City Code states competitive bidding is not required when purchases are made through a cooperative contract established by a government purchasing entity or cooperative. The cooperative bids used will have been established pursuant to RSMo. 70.220 or generally accepted governmental purchasing practices through the competitive bidding process.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$375,000. Funding for this unit is included in the fiscal year 2024-2025 budget, page 179, account number (0305230-5404) Sanitary Sewer Collection System Maintenance - Equipment line.

Council Action:

Department / Contact	Municipal Services /
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REVIEWERS

Lisa Reynolds
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Rapid View Quote - updated 7-10
2. Armor Equipment quote - updated - camera truck
3. RapidView Sourcewell Contract - 12-07-21 thru 1-17-2026



RapidView, LLC
1828 W Olson Rd
Rochester, IN 46974
(800) 656-4225
www.RapidView.com

Quotation

#30558

07/10/2024

Bill To

Armor Equipment
1368 Lonedell Road
Arnold MO 63010
United States

Ship To

Mark McMillin - Municipal Services
City of Independence, MO
14909 East Truman Road
Independence MO 64050
United States

TOTAL

\$410,713.43

Expires: **08/9/2024**

Memo / Comments

Shipping is not included

Sales Representative

Daake, David D

Item Number / Description

MSRP

Qty

Net Unit Price

Amount

Description

RapidView Lateral launch inspection truck

901601040

Pressure Test Set

Sourcewell

2

\$508.00

\$1,016.00

V0494052

ORION-L 3.0 Zoom HD/SD Adaptive PAN & TILT CAMERA

- * Pan, Tilt and Zoom for 4" and up
- * Lateral navigating stick
- * May be used on tractor or pushrod
- * Auto-uprighting, LED Lighting and 33 kHz Transmitter for locate
- * High resolution and superior picture quality
- * Laser diameter, deformation, defect and object measurement (third party software required - not included)

Sourcewell

1

\$21,145.00

\$21,145.00

904055000

Adapter 8 HD - 10 HD

- For plug-in installation of IBAK ORION 3
- for Camera Connection CB 3.2 S HD
- for Camera Connection CC 2.1 HD
- for Camera Connection CC 4.1 HD
- for Camera Connection CC 5.1 HD

Sourcewell

1

\$2,176.00

\$2,176.00

V0494050

ORION 3.0 Zoom HD/SD Adaptive PAN & TILT CAMERA

- * Pan, Tilt and Zoom for 4" and up
- * May be used on tractor or pushrod
- * Auto-uprighting, LED Lighting and 33 kHz Transmitter for locate
- * High resolution and superior picture quality
- * Laser diameter, deformation, defect and object measurement (third party software required - not included)

Sourcewell

1

\$21,145.00

\$21,145.00

V9052009

T66.1 HD Camera Tractor

- * For use with HD camera cable/systems
- * For camera operation in pipelines 4" and larger
- * Zero turn radius, full steering with ATC (Automatic Tilt Compensation)
- * Incl. test adapter, tool set and lowering claw.
- * Includes 4", 6" and 8" wheelsets
- * REQUIRES Camera Connection (Sold Separately)

Sourcewell

2

\$12,966.00

\$25,932.00

V9052021

Camera Connection Type 2-8 SD/HD for SD cameras and ORION 3 (SD or HD modes)

- * Solid front connector for camera on T66.1 HD or T66.1
- * Accepts Standard Definition cameras (ORION, NANO) and the ORION 3 SD/HD Camera.
- * If used on a T66.1 HD the ORION 3 will operate in HD mode.

Sourcewell

1

\$2,176.00

\$2,176.00



RapidView, LLC
 1828 W Olson Rd
 Rochester, IN 46974
 (800) 656-4225
 www.RapidView.com

Quotation

#30558

07/10/2024

Item Number / Description	MSRP	Qty	Net Unit Price	Amount
905211031 Additional Weight for T66 * For 6" and up * Light and heavy weights included * Additional weight = additional traction = greater distance	Sourcewell	1	\$750.00	\$750.00
902202191 Wheelset Adapters - KRA65 to Run The T76 - 120 Granulated Wheel Set ***Set of 4 *** Supplied With - 8 M6x25 - #6000124 Bolts + 8 M5x10 #6000115 bolts and 8 A6.4 - #6000082 Washers ***	Sourcewell	1	\$820.00	\$820.00
V9049001 T76 HD TRACTOR * HD Version required for HD System operation * Mainline tractor for use in pipelines 5" and up * Zero turn radius, full steering with ATC (Automatic Tilt Compensation) * Includes lowering claw, toolset and 5"/6"/8"/10" wheelsets * T76 can be used as the chassis for the LISY 3.2 HD Extension * Requires a HD Camera Base module for normal mainline operations * Add the Remote Elevator (904116031) to help in larger pipelines	Sourcewell	1	\$22,870.00	\$22,870.00
V9040013 HD Camera Base Module for T76/86 Tractor * Required for operation of T76/86 HD as mainline tractor * Includes 33kHz and 512Hz transmitters for location	Sourcewell	1	\$6,417.00	\$6,417.00
904116031 Remote Elevator for T76/86 * Raises the camera to allow centering in pipeline * Lifts camera above water line in pipes with flow	Sourcewell	1	\$7,499.00	\$7,499.00
904401491 High-Traction Tungsten Carbide Wheels for 6" and up * For use with T76 / T86 / PANO2 Tractors * Large Grit * Uses Wheel Bolt 6002104	Sourcewell	3	\$1,395.00	\$4,185.00
900406691 High-Traction Tungsten Carbide Wheels for 8" and up >>>Complete Set of 4 with bolts and washers<<< * For use with T76 / T86 / PANO2 Tractors * Large Grit * Uses Wheel Bolt 60000291 * Uses Flat Washer 6000082	Sourcewell	3	\$1,479.00	\$4,437.00
900406690 Pneumatic Tires for T76/86 KRA75/85 PANORAMO and LISY (Grey) ***Comes with 8 - 6000510 (M6x75) & 8 - 6000412 (M6x35) Wheel Bolts and 8 - 6000082 (A6.4) Washers***	Sourcewell	1	\$1,381.00	\$1,381.00



RapidView, LLC
 1828 W Olson Rd
 Rochester, IN 46974
 (800) 656-4225
 www.RapidView.com

Quotation
#30558
 07/10/2024

Item Number / Description	MSRP	Qty	Net Unit Price	Amount
V9063056 LISY 4.2 SD for HD Lateral Launch Module Package w/o Cable - Includes new quick-change funnel system - Includes basic package for 150-30mm/6"-12" - Includes 2 manual height plates - Includes 4 new quick-change funnels - Synchronized lateral pushrod drum included - Push camera output is SD resolution - Stronger placement motor and updated slip clutch - Requires HD T76/86 tractor - HD LISYCam observation camera and cable (sold separately)	Sourcewell	1	\$63,990.26	\$63,990.26
V9063001 HD LISYCam Color Observation Camera Complete for HD LISY 4.1/4.2 - Assists in launching pushrod camera by providing clear view of lateral launching arm and funnel - Observation camera output in HD - Requires HD Lisy drive and pushrod cable drum	Sourcewell	1	\$2,822.17	\$2,822.17
803021301 LISY Synchron Soft Camera Cable - 500' of soft cable - Requires Propulsion Pushrod - Interchangeable connection between soft cable and pushrod	Sourcewell	1	\$3,236.00	\$3,236.00
V9057003-S *Standard Detachable* MP4 LISY Propulsion Pushrod with 512 Hz Transmitter *120' In Length* *Requires The Use of 803021301 Soft Cable*	Sourcewell	1	\$4,129.00	\$4,129.00
905302331 LISY 3.1 / HEK 10.61 LIFT HOLSTER * Holds remote elevator or LISY attachment when not in use.	Sourcewell	1	\$424.00	\$424.00
V1971003 BS7-10X Vehicle Mounted Control - For operation of all camera and the tractor functions - For permanent installation in a vehicle in 19" technology - Separate keyboard surround with 2 joysticks, emergency stop, microphone for intercom - Includes V0000189 on/off switch - Requires control monitor panel and monitor mount. - Requires PC for operation - HD, SD, LISY and PANORAMO operation - For use with KW505 and KW310 FO drums.	Sourcewell	1	\$31,965.91	\$31,965.91
RAM-2461U VESA 75 Mounting Plate With Ball - C Size	Sourcewell	1	\$39.66	\$39.66
RAM-201U-B Double Socket Arm - C Size Short	Sourcewell	1	\$46.55	\$46.55
RAM-TRACK-EXA-9BU 9BU 9" Modulare Aluminum Black Tough Track	Sourcewell	1	\$36.55	\$36.55
RAP-354U-TRA1 Track Ball With T-Bolt Attachment - C Size	Sourcewell	1	\$34.31	\$34.31
10TS7M 10 Inch Touch Screen	Sourcewell	1	\$637.89	\$637.89



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 www.RapidView.com

Quotation
#30558
 07/10/2024

Item Number / Description	MSRP	Qty	Net Unit Price	Amount
GV-N710D3-2GL Graphics Card With HDMI Output	Sourcewell	1	\$88.13	\$88.13
V8029011 KW505 HD Synchronized Power Cable Reel * Designed for use with HD Systems. BS7 Controller required. * Synchronized cable payout and retraction * Automatic level wind * Requires vehicle installation * Includes remote control pendant and LED boom light * Distance counter with rear display * Holds up to 2000' on 00/12 fiber optic cable * Includes integrated tractor lowering winch and control	Sourcewell	1	\$36,265.00	\$36,265.00
80071900 HD FO4 Camera Cable Type 00/12 * Required for HD Systems * 1640 feet of fiber optic cable * Requires KW505 HD/FO Cable Drum with v.8 board, and BS7 Controller * Older drums may require upgrade to use this cable. Please contact your representative for more information.	Sourcewell	1	\$14,696.00	\$14,696.00
802975001 Cable Cleaning Brush for KW305/310/505 *Attaches to drum boom and cleans cable during retrieval	Sourcewell	1	\$502.00	\$502.00
904350020 Cable Deflection Pulley KUV 2.7 with rope and holder (50ft of rope)	Sourcewell	1	\$726.00	\$726.00
800500841 KW Reel foot-operated winch switch (KW505, 310 and 305) * Control the lowering winch with foot to allow more control while lowering the tractor into the manhole	Sourcewell	1	\$1,036.00	\$1,036.00
Description IKAS software and hardware				
V0001017 19" Industrial PC These specifications or greater: * Ruggedized Rack Mount Cabinet * Intel Quad Core Processor * 16 GB RAM * 256 GB Solid State Drive for Applications / OS * 2 TB Hard Drive for Data * DVD-R/CD-RW drive * Keyboard and Optical Mouse * Operating system Windows 10 Professional *** NO Video Capture Device Included (to be supplied by software vendor)	Sourcewell	1	\$5,958.00	\$5,958.00
V4702467 VMC-C9 Full HD MPEG Encoder Card *Only sold for use with IKAS Evolution. If using a 3rd party software, please contact your software vendor. *Approval from Rex is needed before shipment*	Sourcewell	1	\$3,370.00	\$3,370.00
Description RapidView E450 inspection truck				



RapidView, LLC
1828 W Olson Rd
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www.RapidView.com

Quotation

#30558

07/10/2024

Item Number / Description	MSRP	Qty	Net Unit Price	Amount
VZ000700 E450 GAS CHASSIS Chassis for Conversion for 14' BOX 158" WB, 7.3L V8 Premium Rated Engine, 6-Speed Automatic Transmission with Overdrive w/ Tow-Haul Mode, includes; Remote Keyless Entry, 40-Gallon Fuel Tank, Grey Vinyl Seats and Flooring, Cruise Control, Power Group, Air Conditioning and AM/FM Stereo. RapidView LLC (Vendor) reserves the right to increase the price of vehicle chassis, trailers, and all-terrain vehicles in proportion to any increase of costs to the VENDOR between the date of acceptance of the order and the date of delivery (including without limitation costs relating to exchange rates, model year changes, manufacturer price increases, labor, materials, transport and taxes).		1	\$45,768.00	\$45,768.00
VZ000601 FRP Cargo 14', Box * Dim: 14'x8'x6'6", Chassis purchased separately, call for required chassis specifications. * Includes installation of box on approved chassis, * Dual swing open rear doors, * Side entry door, * Aluminum plank flooring for easy cleaning and higher traction	Sourcewell	1	\$19,987.00	\$19,987.00
VZ000620 Inspection Conversion for 14' Commercial RapidView FRP Box or Trailer * Walk-thru design with partition wall and door. * Tinted glass viewing window in bulkhead wall. * 12v LED lighting. * Roof Air. * Rear back up camera. * Exterior shore power package with extension cord. * Auxiliary battery and charging system installed with generator and MEPs systems. FRONT OFFICE: * Carpeted walls in Studio. * Laminated base cabinetry. * Laminate countertops in studio. * Vibration resistant electronics cabinet with rear door access to outside of truck for easy installation and troubleshooting. * Bench seat over generator. WORKSPACE: * Heavy-duty, 5 drawer toolbox. * Monitor mount in workspace for installing monitor (monitor sold separately). * 14 Gallon pressurized wash down system. * Butcher block workbench. * Rugged FRP cabinets. * Closet with aluminum storage shelves. * Rugged FRP overhead cabinets with easy-open hardware. SAFETY: * Directional arrow board at rear. * Strobe light mounted on front roof. * LED side markers on Box.	Sourcewell	1	\$26,563.00	\$26,563.00
VZP000100 Generator Gas 5.5Kw, 120VAC	Sourcewell	1	\$7,963.00	\$7,963.00
VZM000102 Monitor, 22" Widescreen	Sourcewell	2	\$809.00	\$1,618.00



RapidView, LLC
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(800) 656-4225
www.RapidView.com

Quotation

#30558

07/10/2024

Item Number / Description	MSRP	Qty	Net Unit Price	Amount
VZM000100 Monitor, 17" 4:3	Sourcewell	2	\$648.00	\$1,296.00
VZM000105 Monitor Mount - Triple	\$320.00	1	\$320.00	\$320.00
VZ000311 KW Reel cabinet, (Long Version for LISY (W-22", L-47" & H-35")), with a slide out tray for the LISY Synchro drum and one locking drawer with a divider. All aluminum drawer construction.	Sourcewell	1	\$2,260.00	\$2,260.00
VZ000810 Premium Safety Light Package (UPGRADE) * Traffic advisor mounted on front and rear of vehicle * High intensity surface mount LEDs mounted on the grill, rear pillars, and each side * One high-intensity LED high profile beacon light mounted on roof * Two Super LED rear work lights mounted on rear of vehicle * Please note: this is an upgrade package - some lights on the standard conversion are replaced.	Sourcewell	1	\$5,155.00	\$5,155.00
VZ000712 Wall-Mount Electric Heater *Installed under desk in office.	Sourcewell	1	\$883.00	\$883.00
VZ000711 Auxiliary Work Area Heater Pro-Air Model 432 * Floor or wall mounted * 32,000 BTU * For cold climates or winter work	Sourcewell	1	\$1,395.00	\$1,395.00
V000021 Lowering Poles for Tractors * Includes fiberglass poles and adapter to lowering claws.	Sourcewell	2	\$873.00	\$1,746.00
VZFPB-4 Fiberglass Pole Bracket *** Lower support arm and 1 horizontal support with push on stays***	Sourcewell	1	\$307.00	\$307.00
Description RapidView Certified Training				
Training - Equipment Training Standard (2) day training at customer's location. * Includes review of operation and maintenance of supplied equipment. * Additional days of training can be added at \$1250.00 per day. * Training is no charge at RapidView's facility in Rochester, Indiana.	\$3,500.00	1	\$3,500.00	\$3,500.00



RapidView, LLC
1828 W Olson Rd
Rochester, IN 46974
(800) 656-4225
www.RapidView.com

Quotation

#30558

07/10/2024

Joe,
Thank you for your business.
Best regards,
David Daake

Subtotal \$410,713.43

Tax (0%) \$0.00

Total \$410,713.43

Prices above do not include shipping, packaging, or handling unless specifically noted. Quotation is valid 30 days from the date of the quotation unless noted above. All prices are subject to change. Delivery times vary. If you have any questions concerning this quotation, please contact your sales representative for any clarifications. [Terms & Conditions \(click to follow link\)](#)



Awarded Contract

Signature

Date

Purchase Order #

**Solicitation Number: RFP #120721****CONTRACT**

This Contract is between Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 (Sourcewell) and RapidView LLC, 1828 W. Olson Rd., Rochester, IN 46975 (Supplier).

Sourcewell is a State of Minnesota local government unit and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21) that offers cooperative procurement solutions to government entities. Participation is open to eligible federal, state/province, and municipal governmental entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States and Canada. Sourcewell issued a public solicitation for Underground Infrastructure Inspection and Rehabilitation Equipment with Related Services from which Supplier was awarded a contract.

Supplier desires to contract with Sourcewell to provide equipment, products, or services to Sourcewell and the entities that access Sourcewell's cooperative purchasing contracts (Participating Entities).

1. TERM OF CONTRACT

- A. **EFFECTIVE DATE.** This Contract is effective upon the date of the final signature below.
- B. **EXPIRATION DATE AND EXTENSION.** This Contract expires January 17, 2026, unless it is cancelled sooner pursuant to Article 22. This Contract may be extended one additional year upon the request of Sourcewell and written agreement by Supplier.
- C. **SURVIVAL OF TERMS.** Notwithstanding any expiration or termination of this Contract, all payment obligations incurred prior to expiration or termination will survive, as will the following: Articles 11 through 14 survive the expiration or cancellation of this Contract. All other rights will cease upon expiration or termination of this Contract.

2. EQUIPMENT, PRODUCTS, OR SERVICES

- A. **EQUIPMENT, PRODUCTS, OR SERVICES.** Supplier will provide the Equipment, Products, or Services as stated in its Proposal submitted under the Solicitation Number listed above. Supplier's Equipment, Products, or Services Proposal (Proposal) is attached and incorporated into this Contract.

All Equipment and Products provided under this Contract must be new and the current model. Supplier may offer close-out or refurbished Equipment or Products if they are clearly indicated in Supplier's product and pricing list. Unless agreed to by the Participating Entities in advance, Equipment or Products must be delivered as operational to the Participating Entity's site.

This Contract offers an indefinite quantity of sales, and while substantial volume is anticipated, sales and sales volume are not guaranteed.

B. **WARRANTY.** Supplier warrants that all Equipment, Products, and Services furnished are free from liens and encumbrances, and are free from defects in design, materials, and workmanship. In addition, Supplier warrants the Equipment, Products, and Services are suitable for and will perform in accordance with the ordinary use for which they are intended. Supplier's dealers and distributors must agree to assist the Participating Entity in reaching a resolution in any dispute over warranty terms with the manufacturer. Any manufacturer's warranty that extends beyond the expiration of the Supplier's warranty will be passed on to the Participating Entity.

C. **DEALERS, DISTRIBUTORS, AND/OR RESELLERS.** Upon Contract execution and throughout the Contract term, Supplier must provide to Sourcewell a current means to validate or authenticate Supplier's authorized dealers, distributors, or resellers relative to the Equipment, Products, and Services offered under this Contract, which will be incorporated into this Contract by reference. It is the Supplier's responsibility to ensure Sourcewell receives the most current information.

3. PRICING

All Equipment, Products, or Services under this Contract will be priced at or below the price stated in Supplier's Proposal.

When providing pricing quotes to Participating Entities, all pricing quoted must reflect a Participating Entity's total cost of acquisition. This means that the quoted cost is for delivered Equipment, Products, and Services that are operational for their intended purpose, and includes all costs to the Participating Entity's requested delivery location.

Regardless of the payment method chosen by the Participating Entity, the total cost associated with any purchase option of the Equipment, Products, or Services must always be disclosed in the pricing quote to the applicable Participating Entity at the time of purchase.

A. **SHIPPING AND SHIPPING COSTS.** All delivered Equipment and Products must be properly packaged. Damaged Equipment and Products may be rejected. If the damage is not readily apparent at the time of delivery, Supplier must permit the Equipment and Products to be returned within a reasonable time at no cost to Sourcewell or its Participating Entities. Participating Entities reserve the right to inspect the Equipment and Products at a reasonable

time after delivery where circumstances or conditions prevent effective inspection of the Equipment and Products at the time of delivery. In the event of the delivery of nonconforming Equipment and Products, the Participating Entity will notify the Supplier as soon as possible and the Supplier will replace nonconforming Equipment and Products with conforming Equipment and Products that are acceptable to the Participating Entity.

Supplier must arrange for and pay for the return shipment on Equipment and Products that arrive in a defective or inoperable condition.

Sourcwell may declare the Supplier in breach of this Contract if the Supplier intentionally delivers substandard or inferior Equipment or Products.

B. SALES TAX. Each Participating Entity is responsible for supplying the Supplier with valid tax-exemption certification(s). When ordering, a Participating Entity must indicate if it is a tax-exempt entity.

C. HOT LIST PRICING. At any time during this Contract, Supplier may offer a specific selection of Equipment, Products, or Services at discounts greater than those listed in the Contract. When Supplier determines it will offer Hot List Pricing, it must be submitted electronically to Sourcwell in a line-item format. Equipment, Products, or Services may be added or removed from the Hot List at any time through a Sourcwell Price and Product Change Form as defined in Article 4 below.

Hot List program and pricing may also be used to discount and liquidate close-out and discontinued Equipment and Products as long as those close-out and discontinued items are clearly identified as such. Current ordering process and administrative fees apply. Hot List Pricing must be published and made available to all Participating Entities.

4. PRODUCT AND PRICING CHANGE REQUESTS

Supplier may request Equipment, Product, or Service changes, additions, or deletions at any time. All requests must be made in writing by submitting a signed Sourcwell Price and Product Change Request Form to the assigned Sourcwell Supplier Development Administrator. This approved form is available from the assigned Sourcwell Supplier Development Administrator. At a minimum, the request must:

- Identify the applicable Sourcwell contract number;
- Clearly specify the requested change;
- Provide sufficient detail to justify the requested change;
- Individually list all Equipment, Products, or Services affected by the requested change, along with the requested change (e.g., addition, deletion, price change); and

- Include a complete restatement of pricing documentation in Microsoft Excel with the effective date of the modified pricing, or product addition or deletion. The new pricing restatement must include all Equipment, Products, and Services offered, even for those items where pricing remains unchanged.

A fully executed Sourcewell Price and Product Change Request Form will become an amendment to this Contract and will be incorporated by reference.

5. PARTICIPATION, CONTRACT ACCESS, AND PARTICIPATING ENTITY REQUIREMENTS

A. PARTICIPATION. Sourcewell's cooperative contracts are available and open to public and nonprofit entities across the United States and Canada; such as federal, state/province, municipal, K-12 and higher education, tribal government, and other public entities.

The benefits of this Contract should be available to all Participating Entities that can legally access the Equipment, Products, or Services under this Contract. A Participating Entity's authority to access this Contract is determined through its cooperative purchasing, interlocal, or joint powers laws. Any entity accessing benefits of this Contract will be considered a Service Member of Sourcewell during such time of access. Supplier understands that a Participating Entity's use of this Contract is at the Participating Entity's sole convenience and Participating Entities reserve the right to obtain like Equipment, Products, or Services from any other source.

Supplier is responsible for familiarizing its sales and service forces with Sourcewell contract use eligibility requirements and documentation and will encourage potential participating entities to join Sourcewell. Sourcewell reserves the right to add and remove Participating Entities to its roster during the term of this Contract.

B. PUBLIC FACILITIES. Supplier's employees may be required to perform work at government-owned facilities, including schools. Supplier's employees and agents must conduct themselves in a professional manner while on the premises, and in accordance with Participating Entity policies and procedures, and all applicable laws.

6. PARTICIPATING ENTITY USE AND PURCHASING

A. ORDERS AND PAYMENT. To access the contracted Equipment, Products, or Services under this Contract, a Participating Entity must clearly indicate to Supplier that it intends to access this Contract; however, order flow and procedure will be developed jointly between Sourcewell and Supplier. Typically, a Participating Entity will issue an order directly to Supplier or its authorized subsidiary, distributor, dealer, or reseller. If a Participating Entity issues a purchase order, it may use its own forms, but the purchase order should clearly note the applicable Sourcewell contract number. All Participating Entity orders under this Contract must be issued prior to expiration or cancellation of this Contract; however, Supplier performance, Participating Entity

payment obligations, and any applicable warranty periods or other Supplier or Participating Entity obligations may extend beyond the term of this Contract.

Supplier's acceptable forms of payment are included in its attached Proposal. Participating Entities will be solely responsible for payment and Sourcewell will have no liability for any unpaid invoice of any Participating Entity.

B. ADDITIONAL TERMS AND CONDITIONS/PARTICIPATING ADDENDUM. Additional terms and conditions to a purchase order, or other required transaction documentation, may be negotiated between a Participating Entity and Supplier, such as job or industry-specific requirements, legal requirements (e.g., affirmative action or immigration status requirements), or specific local policy requirements. Some Participating Entities may require the use of a Participating Addendum; the terms of which will be negotiated directly between the Participating Entity and the Supplier. Any negotiated additional terms and conditions must never be less favorable to the Participating Entity than what is contained in this Contract.

C. SPECIALIZED SERVICE REQUIREMENTS. In the event that the Participating Entity requires service or specialized performance requirements not addressed in this Contract (such as e-commerce specifications, specialized delivery requirements, or other specifications and requirements), the Participating Entity and the Supplier may enter into a separate, standalone agreement, apart from this Contract. Sourcewell, including its agents and employees, will not be made a party to a claim for breach of such agreement.

D. TERMINATION OF ORDERS. Participating Entities may terminate an order, in whole or in part, immediately upon notice to Supplier in the event of any of the following events:

1. The Participating Entity fails to receive funding or appropriation from its governing body at levels sufficient to pay for the equipment, products, or services to be purchased; or
2. Federal, state, or provincial laws or regulations prohibit the purchase or change the Participating Entity's requirements.

E. GOVERNING LAW AND VENUE. The governing law and venue for any action related to a Participating Entity's order will be determined by the Participating Entity making the purchase.

7. CUSTOMER SERVICE

A. PRIMARY ACCOUNT REPRESENTATIVE. Supplier will assign an Account Representative to Sourcewell for this Contract and must provide prompt notice to Sourcewell if that person is changed. The Account Representative will be responsible for:

- Maintenance and management of this Contract;
- Timely response to all Sourcewell and Participating Entity inquiries; and

- Business reviews to Sourcewell and Participating Entities, if applicable.

B. **BUSINESS REVIEWS.** Supplier must perform a minimum of one business review with Sourcewell per contract year. The business review will cover sales to Participating Entities, pricing and contract terms, administrative fees, sales data reports, supply issues, customer issues, and any other necessary information.

8. REPORT ON CONTRACT SALES ACTIVITY AND ADMINISTRATIVE FEE PAYMENT

A. **CONTRACT SALES ACTIVITY REPORT.** Each calendar quarter, Supplier must provide a contract sales activity report (Report) to the Sourcewell Supplier Development Administrator assigned to this Contract. Reports are due no later than 45 days after the end of each calendar quarter. A Report must be provided regardless of the number or amount of sales during that quarter (i.e., if there are no sales, Supplier must submit a report indicating no sales were made).

The Report must contain the following fields:

- Participating Entity Name (e.g., City of Staples Highway Department);
- Participating Entity Physical Street Address;
- Participating Entity City;
- Participating Entity State/Province;
- Participating Entity Zip/Postal Code;
- Participating Entity Contact Name;
- Participating Entity Contact Email Address;
- Participating Entity Contact Telephone Number;
- Sourcewell Assigned Entity/Participating Entity Number;
- Item Purchased Description;
- Item Purchased Price;
- Sourcewell Administrative Fee Applied; and
- Date Purchase was invoiced/sale was recognized as revenue by Supplier.

B. **ADMINISTRATIVE FEE.** In consideration for the support and services provided by Sourcewell, the Supplier will pay an administrative fee to Sourcewell on all Equipment, Products, and Services provided to Participating Entities. The Administrative Fee must be included in, and not added to, the pricing. Supplier may not charge Participating Entities more than the contracted price to offset the Administrative Fee.

The Supplier will submit payment to Sourcewell for the percentage of administrative fee stated in the Proposal multiplied by the total sales of all Equipment, Products, and Services purchased by Participating Entities under this Contract during each calendar quarter. Payments should note the Supplier's name and Sourcewell-assigned contract number in the memo; and must be

mailed to the address above "Attn: Accounts Receivable" or remitted electronically to Sourcewell's banking institution per Sourcewell's Finance department instructions. Payments must be received no later than 45 calendar days after the end of each calendar quarter.

Supplier agrees to cooperate with Sourcewell in auditing transactions under this Contract to ensure that the administrative fee is paid on all items purchased under this Contract.

In the event the Supplier is delinquent in any undisputed administrative fees, Sourcewell reserves the right to cancel this Contract and reject any proposal submitted by the Supplier in any subsequent solicitation. In the event this Contract is cancelled by either party prior to the Contract's expiration date, the administrative fee payment will be due no more than 30 days from the cancellation date.

9. AUTHORIZED REPRESENTATIVE

Sourcewell's Authorized Representative is its Chief Procurement Officer.

Supplier's Authorized Representative is the person named in the Supplier's Proposal. If Supplier's Authorized Representative changes at any time during this Contract, Supplier must promptly notify Sourcewell in writing.

10. AUDIT, ASSIGNMENT, AMENDMENTS, WAIVER, AND CONTRACT COMPLETE

A. **AUDIT.** Pursuant to Minnesota Statutes Section 16C.05, subdivision 5, the books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by Sourcewell or the Minnesota State Auditor for a minimum of six years from the end of this Contract. This clause extends to Participating Entities as it relates to business conducted by that Participating Entity under this Contract.

B. **ASSIGNMENT.** Neither party may assign or otherwise transfer its rights or obligations under this Contract without the prior written consent of the other party and a fully executed assignment agreement. Such consent will not be unreasonably withheld. Any prohibited assignment will be invalid.

C. **AMENDMENTS.** Any amendment to this Contract must be in writing and will not be effective until it has been duly executed by the parties.

D. **WAIVER.** Failure by either party to take action or assert any right under this Contract will not be deemed a waiver of such right in the event of the continuation or repetition of the circumstances giving rise to such right. Any such waiver must be in writing and signed by the parties.

E. **CONTRACT COMPLETE.** This Contract represents the complete agreement between the parties. No other understanding regarding this Contract, whether written or oral, may be used to bind either party. For any conflict between the attached Proposal and the terms set out in Articles 1-22 of this Contract, the terms of Articles 1-22 will govern.

F. **RELATIONSHIP OF THE PARTIES.** The relationship of the parties is one of independent contractors, each free to exercise judgment and discretion with regard to the conduct of their respective businesses. This Contract does not create a partnership, joint venture, or any other relationship such as master-servant, or principal-agent.

11. INDEMNITY AND HOLD HARMLESS

Supplier must indemnify, defend, save, and hold Sourcewell and its Participating Entities, including their agents and employees, harmless from any claims or causes of action, including attorneys' fees incurred by Sourcewell or its Participating Entities, arising out of any act or omission in the performance of this Contract by the Supplier or its agents or employees; this indemnification includes injury or death to person(s) or property alleged to have been caused by some defect in the Equipment, Products, or Services under this Contract to the extent the Equipment, Product, or Service has been used according to its specifications. Sourcewell's responsibility will be governed by the State of Minnesota's Tort Liability Act (Minnesota Statutes Chapter 466) and other applicable law.

12. GOVERNMENT DATA PRACTICES

Supplier and Sourcewell must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by or provided to Sourcewell under this Contract and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Supplier under this Contract.

13. INTELLECTUAL PROPERTY, PUBLICITY, MARKETING, AND ENDORSEMENT

A. INTELLECTUAL PROPERTY

1. *Grant of License.* During the term of this Contract:
 - a. Sourcewell grants to Supplier a royalty-free, worldwide, non-exclusive right and license to use the trademark(s) provided to Supplier by Sourcewell in advertising and promotional materials for the purpose of marketing Sourcewell's relationship with Supplier.
 - b. Supplier grants to Sourcewell a royalty-free, worldwide, non-exclusive right and license to use Supplier's trademarks in advertising and promotional materials for the purpose of marketing Supplier's relationship with Sourcewell.
2. *Limited Right of Sublicense.* The right and license granted herein includes a limited right of each party to grant sublicenses to their respective subsidiaries, distributors, dealers, resellers, marketing representatives, and agents (collectively "Permitted Sublicensees") in

advertising and promotional materials for the purpose of marketing the Parties' relationship to Participating Entities. Any sublicense granted will be subject to the terms and conditions of this Article. Each party will be responsible for any breach of this Article by any of their respective sublicensees.

3. Use; Quality Control.

- a. Neither party may alter the other party's trademarks from the form provided and must comply with removal requests as to specific uses of its trademarks or logos.
- b. Each party agrees to use, and to cause its Permitted Sublicensees to use, the other party's trademarks only in good faith and in a dignified manner consistent with such party's use of the trademarks. Upon written notice to the breaching party, the breaching party has 30 days of the date of the written notice to cure the breach or the license will be terminated.

4. As applicable, Supplier agrees to indemnify and hold harmless Sourcewell and its Participating Entities against any and all suits, claims, judgments, and costs instituted or recovered against Sourcewell or Participating Entities by any person on account of the use of any Equipment or Products by Sourcewell or its Participating Entities supplied by Supplier in violation of applicable patent or copyright laws.

5. Termination. Upon the termination of this Contract for any reason, each party, including Permitted Sublicensees, will have 30 days to remove all Trademarks from signage, websites, and the like bearing the other party's name or logo (excepting Sourcewell's pre-printed catalog of suppliers which may be used until the next printing). Supplier must return all marketing and promotional materials, including signage, provided by Sourcewell, or dispose of it according to Sourcewell's written directions.

B. **PUBLICITY.** Any publicity regarding the subject matter of this Contract must not be released without prior written approval from the Authorized Representatives. Publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Supplier individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Contract.

C. **MARKETING.** Any direct advertising, marketing, or offers with Participating Entities must be approved by Sourcewell. Send all approval requests to the Sourcewell Supplier Development Administrator assigned to this Contract.

D. **ENDORSEMENT.** The Supplier must not claim that Sourcewell endorses its Equipment, Products, or Services.

14. GOVERNING LAW, JURISDICTION, AND VENUE

The substantive and procedural laws of the State of Minnesota will govern this Contract. Venue for all legal proceedings arising out of this Contract, or its breach, must be in the appropriate state court in Todd County, Minnesota or federal court in Fergus Falls, Minnesota.

15. FORCE MAJEURE

Neither party to this Contract will be held responsible for delay or default caused by acts of God or other conditions that are beyond that party's reasonable control. A party defaulting under this provision must provide the other party prompt written notice of the default.

16. SEVERABILITY

If any provision of this Contract is found by a court of competent jurisdiction to be illegal, unenforceable, or void then both parties will be relieved from all obligations arising from that provision. If the remainder of this Contract is capable of being performed, it will not be affected by such determination or finding and must be fully performed.

17. PERFORMANCE, DEFAULT, AND REMEDIES

A. **PERFORMANCE.** During the term of this Contract, the parties will monitor performance and address unresolved contract issues as follows:

1. *Notification.* The parties must promptly notify each other of any known dispute and work in good faith to resolve such dispute within a reasonable period of time. If necessary, Sourcewell and the Supplier will jointly develop a short briefing document that describes the issue(s), relevant impact, and positions of both parties.
2. *Escalation.* If parties are unable to resolve the issue in a timely manner, as specified above, either Sourcewell or Supplier may escalate the resolution of the issue to a higher level of management. The Supplier will have 30 calendar days to cure an outstanding issue.
3. *Performance while Dispute is Pending.* Notwithstanding the existence of a dispute, the Supplier must continue without delay to carry out all of its responsibilities under the Contract that are not affected by the dispute. If the Supplier fails to continue without delay to perform its responsibilities under the Contract, in the accomplishment of all undisputed work, the Supplier will bear any additional costs incurred by Sourcewell and/or its Participating Entities as a result of such failure to proceed.

B. **DEFAULT AND REMEDIES.** Either of the following constitutes cause to declare this Contract, or any Participating Entity order under this Contract, in default:

1. Nonperformance of contractual requirements, or
2. A material breach of any term or condition of this Contract.

The party claiming default must provide written notice of the default, with 30 calendar days to cure the default. Time allowed for cure will not diminish or eliminate any liability for liquidated or other damages. If the default remains after the opportunity for cure, the non-defaulting party may:

- Exercise any remedy provided by law or equity, or
- Terminate the Contract or any portion thereof, including any orders issued against the Contract.

18. INSURANCE

A. REQUIREMENTS. At its own expense, Supplier must maintain insurance policy(ies) in effect at all times during the performance of this Contract with insurance company(ies) licensed or authorized to do business in the State of Minnesota having an "AM BEST" rating of A- or better, with coverage and limits of insurance not less than the following:

1. *Workers' Compensation and Employer's Liability.*

Workers' Compensation: As required by any applicable law or regulation.

Employer's Liability Insurance: must be provided in amounts not less than listed below:

Minimum limits:

\$500,000 each accident for bodily injury by accident

\$500,000 policy limit for bodily injury by disease

\$500,000 each employee for bodily injury by disease

2. *Commercial General Liability Insurance.* Supplier will maintain insurance covering its operations, with coverage on an occurrence basis, and must be subject to terms no less broad than the Insurance Services Office ("ISO") Commercial General Liability Form CG0001 (2001 or newer edition), or equivalent. At a minimum, coverage must include liability arising from premises, operations, bodily injury and property damage, independent contractors, products-completed operations including construction defect, contractual liability, blanket contractual liability, and personal injury and advertising injury. All required limits, terms and conditions of coverage must be maintained during the term of this Contract.

Minimum Limits:

\$1,000,000 each occurrence Bodily Injury and Property Damage

\$1,000,000 Personal and Advertising Injury

\$2,000,000 aggregate for Products-Completed operations

\$2,000,000 general aggregate

3. *Commercial Automobile Liability Insurance.* During the term of this Contract, Supplier will maintain insurance covering all owned, hired, and non-owned automobiles in limits of liability not less than indicated below. The coverage must be subject to terms

no less broad than ISO Business Auto Coverage Form CA 0001 (2010 edition or newer), or equivalent.

Minimum Limits:

\$1,000,000 each accident, combined single limit

4. *Umbrella Insurance*. During the term of this Contract, Supplier will maintain umbrella coverage over Employer's Liability, Commercial General Liability, and Commercial Automobile.

Minimum Limits:

\$2,000,000

5. *Network Security and Privacy Liability Insurance*. During the term of this Contract, Supplier will maintain coverage for network security and privacy liability. The coverage may be endorsed on another form of liability coverage or written on a standalone policy. The insurance must cover claims which may arise from failure of Supplier's security resulting in, but not limited to, computer attacks, unauthorized access, disclosure of not public data – including but not limited to, confidential or private information, transmission of a computer virus, or denial of service.

Minimum limits:

\$2,000,000 per occurrence

\$2,000,000 annual aggregate

Failure of Supplier to maintain the required insurance will constitute a material breach entitling Sourcewell to immediately terminate this Contract for default.

B. CERTIFICATES OF INSURANCE. Prior to commencing under this Contract, Supplier must furnish to Sourcewell a certificate of insurance, as evidence of the insurance required under this Contract. Prior to expiration of the policy(ies), renewal certificates must be mailed to Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 or sent to the Sourcewell Supplier Development Administrator assigned to this Contract. The certificates must be signed by a person authorized by the insurer(s) to bind coverage on their behalf.

Failure to request certificates of insurance by Sourcewell, or failure of Supplier to provide certificates of insurance, in no way limits or relieves Supplier of its duties and responsibilities in this Contract.

C. ADDITIONAL INSURED ENDORSEMENT AND PRIMARY AND NON-CONTRIBUTORY INSURANCE CLAUSE. Supplier agrees to list Sourcewell and its Participating Entities, including their officers, agents, and employees, as an additional insured under the Supplier's commercial general liability insurance policy with respect to liability arising out of activities, "operations," or "work" performed by or on behalf of Supplier, and products and completed operations of Supplier. The policy provision(s) or endorsement(s) must further provide that coverage is

primary and not excess over or contributory with any other valid, applicable, and collectible insurance or self-insurance in force for the additional insureds.

D. **WAIVER OF SUBROGATION.** Supplier waives and must require (by endorsement or otherwise) all its insurers to waive subrogation rights against Sourcewell and other additional insureds for losses paid under the insurance policies required by this Contract or other insurance applicable to the Supplier or its subcontractors. The waiver must apply to all deductibles and/or self-insured retentions applicable to the required or any other insurance maintained by the Supplier or its subcontractors. Where permitted by law, Supplier must require similar written express waivers of subrogation and insurance clauses from each of its subcontractors.

E. **UMBRELLA/EXCESS LIABILITY/SELF-INSURED RETENTION.** The limits required by this Contract can be met by either providing a primary policy or in combination with umbrella/excess liability policy(ies), or self-insured retention.

19. COMPLIANCE

A. **LAWS AND REGULATIONS.** All Equipment, Products, or Services provided under this Contract must comply fully with applicable federal laws and regulations, and with the laws in the states and provinces in which the Equipment, Products, or Services are sold.

B. **LICENSES.** Supplier must maintain a valid and current status on all required federal, state/provincial, and local licenses, bonds, and permits required for the operation of the business that the Supplier conducts with Sourcewell and Participating Entities.

20. BANKRUPTCY, DEBARMENT, OR SUSPENSION CERTIFICATION

Supplier certifies and warrants that it is not in bankruptcy or that it has previously disclosed in writing certain information to Sourcewell related to bankruptcy actions. If at any time during this Contract Supplier declares bankruptcy, Supplier must immediately notify Sourcewell in writing.

Supplier certifies and warrants that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Supplier certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this Contract. Supplier further warrants that it will provide immediate written notice to Sourcewell if this certification changes at any time.

21. PROVISIONS FOR NON-UNITED STATES FEDERAL ENTITY PROCUREMENTS UNDER UNITED STATES FEDERAL AWARDS OR OTHER AWARDS

Participating Entities that use United States federal grant or FEMA funds to purchase goods or services from this Contract may be subject to additional requirements including the procurement standards of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. § 200. Participating Entities may have additional requirements based on specific funding source terms or conditions. Within this Article, all references to “federal” should be interpreted to mean the United States federal government. The following list only applies when a Participating Entity accesses Supplier’s Equipment, Products, or Services with United States federal funds.

A. **EQUAL EMPLOYMENT OPPORTUNITY.** Except as otherwise provided under 41 C.F.R. § 60, all contracts that meet the definition of “federally assisted construction contract” in 41 C.F.R. § 60-1.3 must include the equal opportunity clause provided under 41 C.F.R. §60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 C.F.R. §, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 C.F.R. § 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.” The equal opportunity clause is incorporated herein by reference.

B. **DAVIS-BACON ACT, AS AMENDED (40 U.S.C. § 3141-3148).** When required by federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. § 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 C.F.R. § 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-federal entity must report all suspected or reported violations to the federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. § 3145), as supplemented by Department of Labor regulations (29 C.F.R. § 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-federal entity must report all suspected or reported violations to the federal awarding agency. Supplier must be in compliance with all applicable Davis-Bacon Act provisions.

C. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. § 3701-3708). Where applicable, all contracts awarded by the non-federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. § 5). Under 40 U.S.C. § 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence. This provision is hereby incorporated by reference into this Contract. Supplier certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Supplier must comply with applicable requirements as referenced above.

D. RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT. If the federal award meets the definition of “funding agreement” under 37 C.F.R. § 401.2(a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 C.F.R. § 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency. Supplier certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Supplier must comply with applicable requirements as referenced above.

E. CLEAN AIR ACT (42 U.S.C. § 7401-7671Q.) AND THE FEDERAL WATER POLLUTION CONTROL ACT (33 U.S.C. § 1251-1387). Contracts and subgrants of amounts in excess of \$150,000 require the non-federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. § 7401- 7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. § 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). Supplier certifies that during the term of this Contract will comply with applicable requirements as referenced above.

F. DEBARMENT AND SUSPENSION (EXECUTIVE ORDERS 12549 AND 12689). A contract award (see 2 C.F.R. § 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 C.F.R. § 180 that implement Executive Orders 12549 (3 C.F.R. § 1986 Comp., p. 189) and 12689 (3 C.F.R. § 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names

of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. Supplier certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

G. BYRD ANTI-LOBBYING AMENDMENT, AS AMENDED (31 U.S.C. § 1352). Suppliers must file any required certifications. Suppliers must not have used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Suppliers must disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the non-federal award. Suppliers must file all certifications and disclosures required by, and otherwise comply with, the Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352).

H. RECORD RETENTION REQUIREMENTS. To the extent applicable, Supplier must comply with the record retention requirements detailed in 2 C.F.R. § 200.333. The Supplier further certifies that it will retain all records as required by 2 C.F.R. § 200.333 for a period of 3 years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

I. ENERGY POLICY AND CONSERVATION ACT COMPLIANCE. To the extent applicable, Supplier must comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

J. BUY AMERICAN PROVISIONS COMPLIANCE. To the extent applicable, Supplier must comply with all applicable provisions of the Buy American Act. Purchases made in accordance with the Buy American Act must follow the applicable procurement rules calling for free and open competition.

K. ACCESS TO RECORDS (2 C.F.R. § 200.336). Supplier agrees that duly authorized representatives of a federal agency must have access to any books, documents, papers and records of Supplier that are directly pertinent to Supplier's discharge of its obligations under this Contract for the purpose of making audits, examinations, excerpts, and transcriptions. The right also includes timely and reasonable access to Supplier's personnel for the purpose of interview and discussion relating to such documents.

L. PROCUREMENT OF RECOVERED MATERIALS (2 C.F.R. § 200.322). A non-federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation

and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. § 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

M. FEDERAL SEAL(S), LOGOS, AND FLAGS. The Supplier not use the seal(s), logos, crests, or reproductions of flags or likenesses of Federal agency officials without specific pre-approval.

N. NO OBLIGATION BY FEDERAL GOVERNMENT. The U.S. federal government is not a party to this Contract or any purchase by an Participating Entity and is not subject to any obligations or liabilities to the Participating Entity, Supplier, or any other party pertaining to any matter resulting from the Contract or any purchase by an authorized user.

O. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS OR RELATED ACTS. The Contractor acknowledges that 31 U.S.C. 38 (Administrative Remedies for False Claims and Statements) applies to the Supplier's actions pertaining to this Contract or any purchase by a Participating Entity.

P. FEDERAL DEBT. The Supplier certifies that it is non-delinquent in its repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowance, and benefit overpayments.

Q. CONFLICTS OF INTEREST. The Supplier must notify the U.S. Office of General Services, Sourcewell, and Participating Entity as soon as possible if this Contract or any aspect related to the anticipated work under this Contract raises an actual or potential conflict of interest (as described in 2 C.F.R. Part 200). The Supplier must explain the actual or potential conflict in writing in sufficient detail so that the U.S. Office of General Services, Sourcewell, and Participating Entity are able to assess the actual or potential conflict; and provide any additional information as necessary or requested.

R. U.S. EXECUTIVE ORDER 13224. The Supplier, and its subcontractors, must comply with U.S. Executive Order 13224 and U.S. Laws that prohibit transactions with and provision of resources and support to individuals and organizations associated with terrorism.

S. PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT. To the extent applicable, Supplier certifies that during the term of this Contract it will comply with applicable requirements of 2 C.F.R. § 200.216.

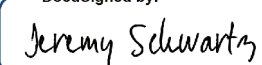
T. DOMESTIC PREFERENCES FOR PROCUREMENTS. To the extent applicable, Supplier certifies that during the term of this Contract will comply with applicable requirements of 2 C.F.R. § 200.322.

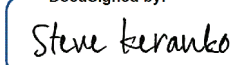
22. CANCELLATION

Sourcewell or Supplier may cancel this Contract at any time, with or without cause, upon 60 days' written notice to the other party. However, Sourcewell may cancel this Contract immediately upon discovery of a material defect in any certification made in Supplier's Proposal. Cancellation of this Contract does not relieve either party of financial, product, or service obligations incurred or accrued prior to cancellation.

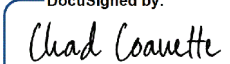
Sourcewell

RapidView LLC

DocuSigned by:

By: C0FD2A139D06489...
Jeremy Schwartz
Title: Chief Procurement Officer
Date: 1/13/2022 | 12:22 PM CST

DocuSigned by:

By: 57D33CE92ECD463...
Steve Keranko
Title: Director of Sales
Date: 1/13/2022 | 10:41 AM CST

Approved:

DocuSigned by:

By: 7E42B8F817A64CC...
Chad Coauette
Title: Executive Director/CEO
Date: 1/13/2022 | 12:23 PM CST

RFP 120721 - Underground Infrastructure Inspection and Rehabilitation Equipment with Related Services

Vendor Details

Company Name: RapidView LLC
Address: 1828 W Olson Rd
Rochester, Indiana 46975
Contact: Steve Keranko
Email: skeranko@rapidview.com
Phone: 574-224-5450
Fax: 574-223-7953
HST#: 20-5783630

Submission Details

Created On: Thursday October 21, 2021 13:06:26
Submitted On: Monday December 06, 2021 14:52:04
Submitted By: Steve Keranko
Email: skeranko@rapidview.com
Transaction #: 4b1a8d7e-246b-40bc-a310-1013b36a6467
Submitter's IP Address: 199.16.222.127

Specifications

Table 1: Proposer Identity & Authorized Representatives

General Instructions (applies to all Tables) Sourcewell prefers a brief but thorough response to each question. Do not merely attach additional documents to your response without also providing a substantive response. Do not leave answers blank; respond "N/A" if the question does not apply to you (preferably with an explanation).

Line Item	Question	Response *	
1	Proposer Legal Name (one legal entity only): (In the event of award, will execute the resulting contract as "Supplier")	RapidView LLC	*
2	Identify all subsidiary entities of the Proposer whose equipment, products, or services are included in the Proposal.	RapidView LLC is the only entity.	*
3	Identify all applicable assumed names or DBA names of the Proposer or Proposer's subsidiaries in Line 1 or Line 2 above.	RapidView LLC is the only entity.	*
4	Proposer Physical Address:	RapidView LLC 1828 W. Olson Rd. Rochester, IN 46975	*
5	Proposer website address (or addresses):	www.rapidview.com	*
6	Proposer's Authorized Representative (name, title, address, email address & phone) (The representative must have authority to sign the "Proposer's Assurance of Compliance" on behalf of the Proposer and, in the event of award, will be expected to execute the resulting contract):	Steve Keranko Director of Sales 1828 Olson Rd Rochester, IN 46975 skeranko@rapidview.com 574-224-5450	*
7	Proposer's primary contact for this proposal (name, title, address, email address & phone):	Steve Keranko Director of Sales 1828 Olson Rd Rochester, IN 46975 skeranko@rapidview.com 574-224-5450	*
8	Proposer's other contacts for this proposal, if any (name, title, address, email address & phone):	Matt Sutton VP of Sales and Marketing 1828 Olson Rd Rochester, IN 46975 msutton@rapidview.com 574-224-5427 Rex Robison CEO 1828 Olson Rd Rochester, IN 46975 rrobison@rapidview.com 574-224-5453	

Table 2: Company Information and Financial Strength

Line Item	Question	Response *
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9	Provide a brief history of your company, including your company's core values, business philosophy, and industry longevity related to the requested equipment, products or services.	Mission Statement Our mission is to provide our customers with increased profits by providing the best products and service in the pipeline inspection industry. Company History RapidView, LLC created business partnerships with several manufacturers of high quality sewer pipeline maintenance products, including our primary product line from IBAK Helmut Hunger GmbH & Co. KG of Kiel Germany, a manufacturer of high quality CCTV pipeline inspection systems since 1957. RapidView LLC imports, distributes and services the complete IBAK camera inspection product line, within North America, from our Rochester, Indiana facility. Originally founded in 1991, as R&R Visual, our company began developing and providing unique inspection solutions to the nuclear, petrochemical, industrial and municipal sewer industries. The development side of the business, RapidView, has designed and marketed the first practical sonar inspection system or sonar profiling for use in liquid filled pipelines. The success of the company was not only based on the construction and sale of sonar units, but by practical applications in the field to provide previously unattainable pipeline assessment data. We have strived to be a single source for subsurface inspection equipment, utilizing the latest in technology coupled with a full staff of trained professionals. The IBAK product line is a perfect fit with our company's philosophy and our customer's diverse needs. This was a logical expansion for our business. The sonar inspection business and specialized long-distance CCTV pipeline inspections created many satisfied customers throughout North America. Our customers like our products, our services, and trust our staff. The addition of the IBAK product line continues our devotion to our customers.	*
10	What are your company's expectations in the event of an award?	RapidView LLC (#122017-RVL) became a Sourcewell approved vendor in February 2014. We have experienced increased growth and acceptance of the contract in each of the 7+ years we have been a member. If awarded another four-year contract, RapidView anticipates a continued increase in acceptance of the contract and sales volume, which in turn will benefit the customer by providing them with State-of-the-Art Technology without the strains of traditional bidding processes. Continued increased efficiencies will be recognized by us, the seller, and participating Sourcewell members delivering considerable time and costs savings.	*
11	Demonstrate your financial strength and stability with meaningful data. This could include such items as financial statements, SEC filings, credit and bond ratings, letters of credit, and detailed reference letters. Upload supporting documents (as applicable) in the document upload section of your response.	RapidView continues to show strong financial strength every year since inception more than 15 years ago. RapidView has consistently remained profitable, solvent, and financially stable. This is evidenced by strong profit margins, excellent return on assets, and solid liquidity position. RapidView continues to have strong sales year after year. In the 7 plus years RapidView has been a part of the Sourcewell family, our sales have quadrupled. We have continued to grow operations while maintaining a very low debt to equity ratio. In 2020, we completed a 10,000 square foot building renovation and expansion project and also added staff in conjunction with that development. This was completed without incurring any long-term debt during a pandemic. To demonstrate our financial growth since the first Sourcewell award in 2014, two financial statements have been combined into one PDF and were uploaded in the supporting documents section - 2020 Financial Statement and 2012 Financial Statement.	*
12	What is your US market share for the solutions that you are proposing?	RapidView's US market share is 35%.	*
13	What is your Canadian market share for the solutions that you are proposing?	RapidView's Canadian market share is 30%.	*
14	Has your business ever petitioned for bankruptcy protection? If so, explain in detail.	No, RapidView LLC has never petitioned for bankruptcy protection.	*

15	How is your organization best described: is it a manufacturer, a distributor/dealer/reseller, or a service provider? Answer whichever question (either a) or b) just below) best applies to your organization. a) If your company is best described as a distributor/dealer/reseller (or similar entity), provide your written authorization to act as a distributor/dealer/reseller for the manufacturer of the products proposed in this RFP. If applicable, is your dealer network independent or company owned? b) If your company is best described as a manufacturer or service provider, describe your relationship with your sales and service force and with your dealer network in delivering the products and services proposed in this RFP. Are these individuals your employees, or the employees of a third party?	(A). RapidView LLC is the North American distributor of IBAK pipeline inspection and rehabilitation equipment. Our dealer network are independent business owners. A sole source letter has been uploaded in the Additional documents section and labeled - RapidView Sole Source letter.	*
16	If applicable, provide a detailed explanation outlining the licenses and certifications that are both required to be held, and actually held, by your organization (including third parties and subcontractors that you use) in pursuit of the business contemplated by this RFP.	RapidView LLC holds a business license and an auto dealership license in the State of Indiana.	*
17	Provide all "Suspension or Debarment" information that has applied to your organization during the past ten years.	RapidView has not had any suspensions or debarment in our company's history.	*

Table 3: Industry Recognition & Marketplace Success

Line Item	Question	Response *	
18	Describe any relevant industry awards or recognition that your company has received in the past five years	American Infrastructure's Brand Survey Winner for five consecutive years. 2017-2021	*
19	What percentage of your sales are to the governmental sector in the past three years	Fifty percent of RapidView's business is in the government market. The other fifty percent is in the contractor market.	*
20	What percentage of your sales are to the education sector in the past three years	RapidView currently does not have any Sourcwell sales in the education sector.	*
21	List any state, provincial, or cooperative purchasing contracts that you hold. What is the annual sales volume for each of these contracts over the past three years?	Sourcwell - \$16,100,000 (01/01/2018 – 12/31/2020) Ohio State Contract - \$4,000,000 HGAC - \$2,300,000 PA - \$1,400,000 GSA - \$0 OK - \$0 MN - \$0	*
22	List any GSA contracts or Standing Offers and Supply Arrangements (SOSA) that you hold. What is the annual sales volume for each of these contracts over the past three years?	GSA Contract GS-30F-1012H - \$0	*

Table 4: References/Testimonials

Line Item 23. Supply reference information from three customers who are eligible to be Sourcwell participating entities.

Entity Name *	Contact Name *	Phone Number *	
Sandy Suburban Improvement District	Jerry L. Knight, General Manager	(801) 561-7662	*
City of Madison	Jay Schlimgen, Public Works General Manager	(608) 266-4819	*
City of Ft. Wayne	Karen Morris, Programs Manager Operations and Maintenance	(260) 427-5169	*

Table 5: Top Five Government or Education Customers

Line Item 24. Provide a list of your top five government, education, or non-profit customers (entity name is optional), including entity type, the state or province the entity is located in, scope of the project(s), size of transaction(s), and dollar volumes from the past three years.

Entity Name	Entity Type *	State / Province *	Scope of Work *	Size of Transactions *	Dollar Volume Past Three Years *	
Colorado Springs Utilities	Government	Colorado - CO	The city is proactively inspecting the sanitary / storm sewer pipelines to determine the detailed condition and to collect data of every notable feature, defect, or other important information.	\$525,000 per inspection vehicle	\$ 2,100,000	*
City of Oakland	Government	California - CA	The city is proactively inspecting the sanitary / storm sewer pipelines to determine the detailed condition and to collect data of every notable feature, defect, or other important information.	\$466,666 per inspection vehicle	\$ 1,400,000	*
The Metropolitan Sewer District of Greater Cincinnati	Government	Ohio - OH	The city is proactively inspecting the sanitary / storm sewer pipelines to determine the detailed condition and to collect data of every notable feature, defect, or other important information.	\$450,000 per inspection vehicle	\$ 900,000	*
City of Corpus Christi	Government	Texas - TX	The city is proactively inspecting the sanitary / storm sewer pipelines to determine the detailed condition and to collect data of every notable feature, defect, or other important information.	\$291,666 per inspection vehicle	\$ 875,000	*
Baltimore County Department of Public Works Bureau of Utilities	Government	Maryland - MD	The city is proactively inspecting the sanitary / storm sewer pipelines to determine the detailed condition and to collect data of every notable feature, defect, or other important information.	\$770,000 per inspection vehicle	\$ 770,000	*

Table 6: Ability to Sell and Deliver Service

Describe your company's capability to meet the needs of Sourcwell participating entities across the US and Canada, as applicable. Your response should address in detail at least the following areas: locations of your network of sales and service providers, the number of workers (full-time equivalents) involved in each sector, whether these workers are your direct employees (or employees of a third party), and any overlap between the sales and service functions.

Line Item	Question	Response *	
25	Sales force.	RapidView's primary product line is IBAK pipeline inspection equipment. We are responsible for covering all of North America (US, Canada and Caribbean Islands). Between our manufacturing plant in Kiel, Germany and our North American location in Rochester, Indiana, we have over 300 employees. In North America, we employ over 50 people, and our sales force is 100% focused on the sales and service of this equipment. Our sales force is comprised of five Regional Sales Managers (Northeast, North Central, South, Midwest and West), Director of Sales and a VP of Sales and Marketing. Our independent dealer network covers all 50 states and providences with 15 dealers (60+ sales people) throughout the US and Canada.	*

26	Dealer network or other distribution methods.	Our independent dealer network covers all 50 states and providences with 15 dealers (60+ sales people) throughout the US and Canada. Many of our dealers are located in multiple states. Here is a list of our dealers and the territories that they cover. US Dealers Jet-Vac Sewer Equipment Company (Georgia, North Carolina, South Carolina, & Tennessee) Jack Doheny Companies. (Michigan, Indiana, Kentucky, Ohio, Florida, California, New Jersey & S. New York) Essential Equipment (Texas and Oklahoma) Maryland Industrial Trucks, Inc. (Maryland, Virginia, and Delaware) Gutherie Sales and Service (New York) C.N. Wood Co., Inc. (New Hampshire, Mass., Vermont, Maine, Rhode Island, and Conn.) Vacuum Truck Sales and Service (Louisiana, Arkansas, Mississippi, and Alabama) Midwest Vac Products (Southern Illinois, Missouri, Kansas) Titan Machinery (Minnesota, North Dakota, South Dakota and Montana) Dawson Infrastructure (Colorado, Utah and Wyoming) SWS Equipment (Washington) U.S. Municipal (Pennsylvania) Canadian Dealers Jack Doheny Company (Ontario) Donison NDT (Alberta, Manitoba and Saskatchewan) Rollins Machinery LTD (British Columbia)
27	Service force.	Customer service and satisfaction is our #1 priority. RapidView has a master repair center with 8 full time technicians located in Rochester, IN that service all of the US, Canada and Caribbean Islands. We have 15 certified dealer repair centers located throughout US and Canada. We offer an 800 number to reach our main office and individual dedicated phone lines and email addresses for Service, Parts, Shipping/Receiving, Sales and Marketing. RapidView prides itself on answering the phone with a live person and not an answering service. All contact information is readily available on our website. We provide a fully functional website with information on new equipment, software support, training, special promotions, and networking opportunities. Here is the list of the RapidView Certified Service Centers. Alberta Donison NDT California Jack Doheny Company Colorado Dawson Infrastructure Solutions Florida Jack Doheny Company Georgia Jet-Vac Equipment Company Illinois Midwest Vac Products Michigan Jack Doheny Company Mississippi Vacuum Truck Sales and Service Nevada Jack Doheny Company Ohio Jack Doheny Company Oklahoma Essential Equipment South Carolina Jet-Vac Equipment Company Texas Essential Equipment Utah Dawson Infrastructure Solutions Washington SWS Equipment, Inc.
28	Describe the ordering process. If orders will be handled by distributors, dealers or others, explain the respective roles of the Proposer and others.	RapidView makes the Sourcwell ordering process simple. Whether ordering through our dealer network or with RapidView directly, the process is virtually the same. Here is an outline of how the process works. Order Process (Dealer or Direct) - New Sourcwell Customer generates PO for equipment. - If a dealer is involved, dealer will accept the PO from the customer and generate a PO to RapidView. - If this is a direct sale, the customer will generate a PO to RapidView. - Once equipment is delivered, an invoice will be generated to customer. - Once payment is received, RapidView will pay the Sourcwell agreed fee.

29	Describe in detail the process and procedure of your customer service program, if applicable. Include your response-time capabilities and commitments, as well as any incentives that help your providers meet your stated service goals or promises.	RapidView and its dealers are committed to providing customers with the best equipment and service in the industry. We understand that time lost due to repairs or poor training are detrimental to a customer's productivity and bottom line. We offer a variety of completely free training programs for our customers throughout the year, because we know however well-built, all equipment can break down. RapidView provides the training, tools and support to conduct many repairs yourself. When faced with a more complicated repair, you can be assured that our Service Techs will repair equipment quickly and have it back to the customer as soon as possible. Here is list of how RapidView and its dealer network strive to keep equipment in the field being productive and helping customers reach their goals. - RapidView has a master repair center with 8 full time technicians located in Rochester, IN that service all of the US, Canada and Caribbean Islands. We have 15 certified dealer repair centers located throughout US and Canada. - We offer an 800 number to reach our main office and individual dedicated phone lines and email addresses for Service, Parts, Shipping/Receiving, Sales and Marketing. RapidView prides itself on answering the phone with a live person and not an answering service. - All contact information is readily available on our website. We provide a fully functional website with information on new equipment, software support, training, special promotions, and networking opportunities. - The service team utilizes a case management system within the CRM. When a piece of equipment arrives at the service center, the customer, through email communication, can track the repair all the way through the process. - Concierge service program – when a customer arrives for an on-site equipment repair appointment, they have access to the company lounge, loaner vehicle, walking trails, etc... This helps pass the time while their equipment is being repaired. - \$8,000,000 in spare parts and quick same day shipping if ordered before 2:00pm. Having all these parts in inventory, allows RapidView and its dealer network to repair any piece of equipment without having to wait on parts to be manufactured and shipped. RapidView Service team can typically turn around repairs in one day. If you ship your equipment to us via UPS, we receive the product by 10:00 AM and can ship it back via UPS at 5:00 PM. - Free Standardized training programs – RapidView offers group or one-on-one training classes with our repair technicians and it's free of charge - Other training options - Every other year RapidView hosts a free 2-day customer appreciation training event at our Rochester, Indiana facility called SeptemberFest. We have dozens of technical sessions that provide hands-on training for nearly any repair. RapidView also hosts training events throughout North America at dealer locations.	*
30	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in the United States.	RapidView is responsible for covering all of North America (US, Canada and Caribbean Islands). The Sourcewell customers are a perfect fit for our product offering and territory responsibility. RapidView has been part of the Sourcewell family since 2014. During that time, our total Sourcewell sales have been over \$30 million to about 150 Sourcewell members. We welcome the opportunity to continue to promote the Sourcewell contract in the United States.	*
31	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in Canada.	RapidView is responsible for covering all of North America (US, Canada and Caribbean Islands). The Sourcewell customers are a perfect fit for our product offering and territory responsibility. We welcome the opportunity to continue to promote the Sourcewell contract in Canada.	*
32	Identify any geographic areas of the United States or Canada that you will NOT be fully serving through the proposed contract.	RapidView will be able to sell and service (including all Sourcewell sectors) pipeline inspection equipment throughout all of the US and Canada without any restrictions.	*
33	Identify any Sourcewell participating entity sectors (i.e., government, education, not-for-profit) that you will NOT be fully serving through the proposed contract. Explain in detail. For example, does your company have only a regional presence, or do other cooperative purchasing contracts limit your ability to promote another contract?	RapidView will be able to sell and service pipeline inspection equipment for all Sourcewell participating entity sectors (i.e., government, education, not-for-profit) throughout all of the US and Canada without any restrictions.	*
34	Define any specific contract requirements or restrictions that would apply to our participating entities in Hawaii and Alaska and in US Territories.	No specific requirements apply to Hawaii, Alaska and the US Islands.	*

Table 7: Marketing Plan

Line Item	Question	Response *
35	Describe your marketing strategy for promoting this contract opportunity. Upload representative samples of your marketing materials (if applicable) in the document upload section of your response.	Even though we have been an approved Sourcewell vendor for the past seven plus years, we would market the Sourcewell award as if this was the first time being awarded the contract. After the Sourcewell contract gets awarded, we will schedule a conference call with our dealer network to review how the contract works and the process for submitting equipment orders. We will also send an email blast to all of our customers and prospects announcing that we are an authorized vendor listed on the Sourcewell contract. Our newsletter email campaign consists of about 6000 individuals. We will continue to list Sourcewell on our website and ongoing promotion in magazine ads and on Facebook, Twitter and LinkedIn. Each year we have either a dealer meeting or customer/prospect meeting. During these meetings, we would have a segment dedicated to Sourcewell. RapidView also promotes Sourcewell at all national trade shows or RapidView sponsored events - WWETT, No-Dig, WEFTEC, Tri-State, SeptemberFest, etc... There are examples of RapidView promoting Sourcewell in the document upload section.
36	Describe your use of technology and digital data (e.g., social media, metadata usage) to enhance marketing effectiveness.	You can visit our website at www.rapidview.com . We market using Facebook, Twitter and LinkedIn. We also market through Netsuites CRM, Paid Search and Digital display ads. Our monthly newsletter campaign also mentions the Sourcewell contract and is distributed to over 6000 individuals. Our dealer network also markets the Sourcewell contract using the same methods.
37	In your view, what is Sourcewell's role in promoting contracts arising out of this RFP? How will you integrate a Sourcewell-awarded contract into your sales process?	Over the past eight years, Sourcewell has supported RapidView in many different ways. Here are a few examples. • Educating our sales staff and dealer network • Participating in prospect sales presentations • Presenting at RapidView customer events RapidView looks for this support to continue in the next contract term. Sourcewell is our #1 cooperative purchasing contract and will be for the next four years. Sourcewell is discussed in every potential customer meeting, and this will continue over the next four years.
38	Are your products or services available through an e-procurement ordering process? If so, describe your e-procurement system and how governmental and educational customers have used it.	No, our products and services are not available through an e-procurement ordering process.

Table 8: Value-Added Attributes

Line Item	Question	Response *
39	Describe any product, equipment, maintenance, or operator training programs that you offer to Sourcewell participating entities. Include details, such as whether training is standard or optional, who provides training, and any costs that apply.	RapidView provides many opportunities for equipment/operator and maintenance/repair training. • Equipment and/or maintenance training at the Rochester, IN facility. (free of charge) • On-site equipment and/or maintenance training (additional fee) • Product specific technical sessions that provide hands-on training (free of charge) • Every other year RapidView hosts a free 2-day customer appreciation party / training event at our Rochester, Indiana facility called SeptemberFest. (free of charge) • RapidView also hosts training events throughout North America at dealer locations. (most are free of charge) • One-on-one training with our repair technicians at our facility in Rochester, IN. (free of charge) • RapidView has created tech tip video tutorials that cover most of the do-it-yourself repairs. (free of charge)

40	Describe any technological advances that your proposed products or services offer.	RapidView IBAK North America is known as the company of "firsts". • First Sewer Camera • First Pan & Tilt Camera • First Report Writing Software • First Lateral Launch Robot • First Always Upright Pan & Tilt • First Pan & Tilt for 4" • First Pan & Tilt Push Camera • First 360 Panoramo Optical Scanner • First 4K/HD CCTV Camera. Perhaps the greatest innovation in pipeline inspection technology in decades, the PANORAMO® system is providing better data to engineers, reducing stress for operators, increasing productivity and changing the way we inspect our underground infrastructure. The revolutionary PANORAMO® technology is available for manhole inspections! PANORAMO®SI provides a complete 360° view of the manhole after the inspection, similar to normal PANORAMO® pipe segment files. Conduct inspections in a fraction of the time it would take you with traditional methods! Available as an add-on to your PANORAMO® system or in a stand-alone version. RapidView is the only company to offer this technology.	*
41	Describe any "green" initiatives that relate to your company or to your products or services, and include a list of the certifying agency for each.	The independent certification body TÜV NORD CERT has tested IBAK's management system with respect to the requirements of the standards ISO 9001:2015 (quality) and ISO 14001:2015 (environment). IBAK passed the certification audits and has been recertified to both standards. At the same time, the company processes were evaluated for the first time for compliance to the requirements of ISO standard 50001 (energy) and a certificate was awarded. Quality The aim of the standard ISO 9001 is to achieve sustained quality assurance and a continual process of improvement. For IBAK, these two points form the basis for being able to supply customers with sewer inspection and rehabilitation systems of the best possible quality for operation all over the world. The Environment The superordinate objective of the ISO 14001 standard is to promote environmental protection and to reduce damage to the environment. The ISO 14001 certificate is evidence that IBAK is actively striving to reduce the effects on the environment of the company processes, products and services. IBAK's aim is to ensure that all the company's processes and decisions are in line with a responsible treatment of the environment. Energy In a systematic energy management system to ISO 50001, the energy flows of all sites, facilities, processes and activities within the company are documented and their energy efficiency is assessed. IBAK has implemented an ISO 50001 certified energy management system and is striving to promote this further in a continual energy optimization process.	*
42	Identify any third-party issued eco-labels, ratings or certifications that your company has received for the equipment or products included in your Proposal related to energy efficiency or conservation, life-cycle design (cradle-to-cradle), or other green/sustainability factors.	This answer is the same as question #41. The independent certification body TÜV NORD CERT has tested IBAK's management system with respect to the requirements of the standards ISO 9001:2015 (quality) and ISO 14001:2015 (environment). IBAK passed the certification audits and has been recertified to both standards. At the same time, the company processes were evaluated for the first time for compliance to the requirements of ISO standard 50001 (energy) and a certificate was awarded. Quality The aim of the standard ISO 9001 is to achieve sustained quality assurance and a continual process of improvement. For IBAK, these two points form the basis for being able to supply customers with sewer inspection and rehabilitation systems of the best possible quality for operation all over the world. The Environment The superordinate objective of the ISO 14001 standard is to promote environmental protection and to reduce damage to the environment. The ISO 14001 certificate is evidence that IBAK is actively striving to reduce the effects on the environment of the company processes, products and services. IBAK's aim is to ensure that all the company's processes and decisions are in line with a responsible treatment of the environment. Energy In a systematic energy management system to ISO 50001, the energy flows of all sites, facilities, processes and activities within the company are documented and their energy efficiency is assessed. IBAK has implemented an ISO 50001 certified energy management system and is striving to promote this further in a continual energy optimization process.	*

43	Describe any Women or Minority Business Entity (WMBE), Small Business Entity (SBE), or veteran owned business certifications that your company or hub partners have obtained. Upload documentation of certification (as applicable) in the document upload section of your response.	RapidView does not hold any of these certifications.	*
44	What unique attributes does your company, your products, or your services offer to Sourcewell participating entities? What makes your proposed solutions unique in your industry as it applies to Sourcewell participating entities?	IBAK designs and manufactures the components that go into our systems. We do not rely on off-the-shelf consumer products that may be discontinued next month. We manufacture over 85% of our product components so we can guarantee quality, reliability and availability of spare parts for 10 years down the road. Another characteristic that sets us apart from our competition is our experience. Our senior management team has been in the business for over 30 years. Our sales team has been in the business for an average of 8 years. Our customer service and repair technicians have been with the company for an average of 10 years. With all of this experience, there are not a situation that our customers encounter that we cannot help them with. IBAK has been designing and building pipeline inspection robotics since we started the industry in 1957. It is simply the best equipment available. Also, with over 20% of the company dedicated to research and development and a proven track record of industry defining products, customers can be sure they have a partner for the long haul.	*

Table 9: Warranty

Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may upload representative samples of your warranty materials (if applicable) in the document upload section of your response in addition to responding to the questions below.

Line Item	Question	Response *	
45	Do your warranties cover all products, parts, and labor?	Yes, RapidView's warranties cover all products, parts and labor.	*
46	Do your warranties impose usage restrictions or other limitations that adversely affect coverage?	No, RapidView does not impose any usage restrictions or other limitations that adversely affect coverage.	*
47	Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?	No, RapidView's warranties does not cover the expense of the technicians' travel time and mileage.	*
48	Are there any geographic regions of the United States or Canada (as applicable) for which you cannot provide a certified technician to perform warranty repairs? How will Sourcewell participating entities in these regions be provided service for warranty repair?	No – our warranty covers all of the US, Canada and the Caribbean Islands. RapidView provides warranty to all areas that RapidView represents.	*
49	Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?	RapidView will cover only RapidView IBAK equipment. For products other than IBAK equipment, we utilize the warranties from the original equipment manufacturer.	*
50	What are your proposed exchange and return programs and policies?	RapidView will employ reasonably commercial efforts to fill customers/dealers orders promptly on acceptance by RapidView, but reserves the right to allot available inventories among distributors and end user customers at its discretion. Except for RapidView's Products that are found to have a manufacturer's defect at the time of sale to Distributor, RapidView shall not be obligated to accept any of RapidView's Products that are returned by customer/Distributor. In the event such returns are accepted by RapidView, it may impose a 15% restocking fee.	*
51	Describe any service contract options for the items included in your proposal.	RapidView's standard warranty coverage is for one year. Extended warranty coverage is available for an additional cost for up to two additional years.	*

Table 10: Payment Terms and Financing Options

Line Item	Question	Response *	
52	Describe your payment terms and accepted payment methods.	RapidView's payment terms are 30-day terms. The accepted payment methods are Visa, Mastercard, Discover, ACH/Wire transfers and company checks.	*
53	Describe any leasing or financing options available for use by educational or governmental entities.	RapidView and its dealer network provide municipal leasing options.	*
54	Describe any standard transaction documents that you propose to use in connection with an awarded contract (order forms, terms and conditions, service level agreements, etc.). Upload a sample of each (as applicable) in the document upload section of your response.	RapidView accepts the Customer's standard purchase order documents when placing an order. We have also created a purchase order template that customers can use to easily purchase our pipeline inspection equipment. The template has been uploaded in the document upload section.	*
55	Do you accept the P-card procurement and payment process? If so, is there any additional cost to Sourcewell participating entities for using this process?	RapidView does not accept the P-card procurement and payment process.	*

Table 11: Pricing and Delivery

Provide detailed pricing information in the questions that follow below. Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract as described in the RFP, the template Contract, and the Sourcewell Price and Product Change Request Form.

Line Item	Question	Response *	
56	Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the Sourcewell discounted price) on all of the items that you want Sourcewell to consider as part of your RFP response. If applicable, provide a SKU for each item in your proposal. Upload your pricing materials (if applicable) in the document upload section of your response.	Rapidview institutes line-item pricing. To make the pricing easier to understand for the end customer, we created equipment packages. The price guide is set up to display the retail price of the items, the Sourcewell item discount and finally, the Sourcewell discounted price. Our complete price list has been uploaded in the Pricing Document Section.	*
57	Quantify the pricing discount represented by the pricing proposal in this response. For example, if the pricing in your response represents a percentage discount from MSRP or list, state the percentage or percentage range.	RapidView is offering customers who utilize the Sourcewell contract a 4% discount off 2022 pricing.	*
58	Describe any quantity or volume discounts or rebate programs that you offer.	RapidView does not offer quantity or volume discounts.	*
59	Propose a method of facilitating "sourced" products or related services, which may be referred to as "open market" items or "nonstandard options". For example, you may supply such items "at cost" or "at cost plus a percentage," or you may supply a quote for each such request.	Our sales are consultative and require RapidView personnel to custom design and build inspection systems for each customer. Any items not listed on our price list provided to Sourcewell will be quoted separately.	*
60	Identify any element of the total cost of acquisition that is NOT included in the pricing submitted with your response. This includes all additional charges associated with a purchase that are not directly identified as freight or shipping charges. For example, list costs for items like pre-delivery inspection, installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer.	RapidView does not have any additional charges/items that are not included in our Sourcewell pricing template.	*
61	If freight, delivery, or shipping is an additional cost to the Sourcewell participating entity, describe in detail the complete freight, shipping, and delivery program.	The customer is responsible to pay standard ground shipping charges and/or delivery fees. Overnight or priority shipping is available upon request. If the order is for equipment only, the customer will be responsible for the shipping charges. If the order is for equipment installed in a vehicle, the customer will be responsible for the delivery fee. Both will be invoiced at the time of delivery.	*
62	Specifically describe freight, shipping, and delivery terms or programs available for Alaska, Hawaii, Canada, or any offshore delivery.	The shipping and freight charges are the same as in question 61. The customer is responsible to pay standard ground shipping charges and/or delivery fees. Overnight or priority shipping is available upon request. If the order is for equipment only, the customer will be responsible for the shipping charges. If the order is for equipment installed in a vehicle, the customer will be responsible for the delivery fee. Both will be invoiced at the time of delivery.	*
63	Describe any unique distribution and/or delivery methods or options offered in your proposal.	RapidView does not have any unique distribution/delivery methods.	*

Table 12: Pricing Offered

Line Item	The Pricing Offered in this Proposal is: *	Comments
64	c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.	

Table 13: Audit and Administrative Fee

Line Item	Question	Response *
65	Specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with Sourcewell. This process includes ensuring that Sourcewell participating entities obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to Sourcewell. Provide sufficient detail to support your ability to report quarterly sales to Sourcewell as described in the Contract template.	All of the RapidView dealers have a copy of the most current Sourcewell pricing. This is the first line to obtain the proper pricing. The CRM RapidView utilizes also has an option for Sourcewell pricing. So anytime a dealer or customer requests a quote for equipment, the most current pricing will be available. At the end of each quarter, our dealers report the Sourcewell deals that have occurred within the quarter. Our accounting department verifies those reports with the invoices that were distributed. Along with their day to day accounting methods and providing quarterly reports to Sourcewell, we will be able to account for every sale and not let anything get overlooked. We have submitted all of our Sourcewell reports and payments on time since the start of first contract in 2014.
66	If you are awarded a contract, provide a few examples of internal metrics that will be tracked to measure whether you are having success with the contract.	Here is a list of internal metrics that RapidView will use to track the success of the Sourcewell contract. - Overall Sourcewell sales year over year. - Percentage of Sourcewell sales verses overall RapidView sales - The number of new states or provinces each year that RapidView utilized the Sourcewell contract. - The increase of the percentage of sales each of the RapidView dealers account for year over year.
67	Identify a proposed administrative fee that you will pay to Sourcewell for facilitating, managing, and promoting the Sourcewell Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See the RFP and template Contract for additional details.)	1% of the contract sale is the proposed administrative fee for Sourcewell..

Table 14A: Depth and Breadth of Offered Equipment Products and Services

Line Item	Question	Response *
68	Provide a detailed description of the equipment, products, and services that you are offering in your proposal.	RapidView is the leading supplier of high quality, high production, professional sewer, water, industrial and other pipeline inspection cameras, sewer inspection software, and sewer pipe rehabilitation robotics to the North American market. RapidView partners with the oldest, largest, and most advanced manufacturers of such products, including IBAK Helmut Hunger GmbH & Co. KG, and others. RapidView products can be purchased through an extensive dealership network, with numerous service and repair centers to keep the customer up and operational. RapidView offers products for everyone's budget. Here is the list of product categories RapidView has to offer. Push Cameras The MiniLite Pushrod System is a compact and versatile platform for inspection of small diameter pipelines. The system works with AxialCam 2, NANO, NANO-L, ORION Zoom, ORION-L Zoom, and POLARIS cameras. The MiniLite features an all-new controller module design. With a bright 10" touch screen and a built-in Windows PC, this controller is ready right out of the box. The new multifunction joystick allows precise control of our pan & tilt cameras. Portable Compact Mainline Systems The MainLite system is based around two very compact cable drums (KW 206 and KW 306) and the revolutionary BP series multi-function computer controllers. The entire unit can be mounted in a truck, or used in portable applications with the addition of our new © MainLite Portable Cart, which provides seating and an ergonomic mount for the BP 100 controller.

		4K/HD Mainline Systems You probably have a high-definition TV at home. Truth is that your mobile phone probably has a higher resolution than your current CCTV inspection system. The time has come to bring dramatically higher visual fidelity to the sewer inspection market. If you are a municipality interested in working with the best video data available or a contractor wishing to leverage the quality of your services - The ORPHEUS 2.0HD system is for you! The purpose of all CCTV systems is to capture images that allow system owners to make important rehabilitation decisions. Why settle for the low-resolution of a standard CCTV system? Now you can inspect in stunning 4K/High-Definition! Give system owners the information they need and avoid blurry, out of focus pictures. Our system is the only one in the world designed from the ground up to be 100% HD, ensuring that you capture clean, crisp video and high-resolution pictures. Lateral Launch The LISY 3 was designed to be easy to use, simple to maintain and safe to operate. The synchronized LISY drum works with your existing IBAK cable drum to payout and retrieve the cables at the same time. This dramatically reduces the time you need to spend setting up or retrieving the system after the inspection. PANORAMO Perhaps the greatest innovation in pipeline inspection technology in decades, the PANORAMO system has provided better data to engineers, reduced stress for operators, increased productivity and changed the way we inspect our underground infrastructure. Now, with the revolutionary PANORAMO 4K technology, it provides even better image quality. Inspect more than twice as much pipe per day, reduce your operating costs by more than 30% compared to normal CCTV and provide system users with incredible high-definition imagery! Cutters and Grinders Have you ever wished that you could have our high level of reliability, durability and attention to detail in your cutter system? Well, the wait is OVER! The MicroGATOR 2.0 is the powerful, single-point electric reinstatement cutter manufactured to the exacting quality standards of IBAK. With longer cable lengths, powerful and quiet cutting motors, and drive units designed to withstand the toughest jobs, these cutters have already reset the industry's expectations. Software The IKAS evolution is the newest generation of IBAK's powerful sewer analysis software, now available and supported in North America! Intuitive by design, the inspector is in full control of acquisition and sewer data analysis. PACP, MACP, and LACP data interface capable, IKAS evolution can be adapted to the needs of modern sewer inspection and each individual user's workflow. IKAS evolution is available in four base bundles with over two dozen extension options available for advanced inspections including; Full HD, 3D-GeoSense, Laser Measurement, and LaserScan profile analysis. Vehicle and Trailer Conversions RapiView converts quality vehicles, trailers and UTVs for deploying equipment effectively and safely. With a focus on ergonomic, user-friendly interiors, our conversions are hand built with superior craftsmanship and durability. Each design is created to meet the customer's individual specifications. We convert every major vehicle brand and model.	*
69	Within this RFP category there may be subcategories of solutions. List subcategory titles that best describe your products and services.	Pipeline inspection cameras Sewer inspection software Sewer pipe rehabilitation robotics Drainage inspection cameras Push sewer camera Lateral launch inspection cameras	*

Table 14B: Depth and Breadth of Offered Equipment Products and Services

Indicate below if the listed types or classes of equipment, products, and services are offered within your proposal. Provide additional comments in the text box provided, as necessary.

Line Item	Category or Type	Offered *	Comments
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70	Video, imaging, scope, and sensor equipment	☒ Yes ☐ No	RapidView is the leading supplier of high quality, high production, professional sewer, water, industrial and other pipeline inspection cameras. The list of inspection system categories RapidView offers includes the following: - Push Systems - Portable systems - Lateral Launch - 4K/HD Mainline - 4K PANORAMO Mainline - 4K PANORAMO Manhole - Laser Profiling - 3DGS Mapping	*
71	Flow and leak testing, detection, and monitoring equipment and tools	☐ Yes ☒ No	We do not offer flow and leak testing, detection, and monitoring equipment and tools.	*
72	Underground infrastructure rehabilitation equipment	☒ Yes ☐ No	RapidView is the leading supplier of high-quality infrastructure rehabilitation equipment. The product line includes: - MicroGator 2.0 The NEW MicroGATOR 2.0 is the powerful, single-point electric reinstatement cutter manufactured to the exacting quality standards of IBAK. With longer cable lengths, powerful and quiet cutting motors, and drive units designed to withstand the toughest jobs, these cutters have already reset the industry's expectations. - MicroGATOR Air A pneumatic cutter designed with compatibility and convenience in mind. Equipped with a 1.5 horsepower pneumatic motor and manufactured to IBAK's exacting quality standards, the MicroGator® Air is a practical, yet reliable solution. One feature that makes this cutter unique is its focus on modularity. The MicroGator® Air is compatible with the components to our MainLite Systems including the KW206 and KW306 cable reels, our BP100 and BS10 control units, and even the same cable. With these components, all you need is a hose reel for the air hose and a compressor to have a complete cutting system.	*

73	Products, accessories, supplies, parts, technology, software, and services related to the offering of the solutions in questions 70-72 above	☒ Yes ☐ No	RapidView inspection systems will be delivered with everything a Sourcewell customer needs to get started. Out of the box, we provide the most effective inspection and rehabilitation systems in the industry. However, our customers are often the people who expect more from themselves and their equipment. They tackle the impossible jobs and when they do, we have a large selection of accessories available to help them succeed. In the Additional document section, there is RapidView's complete product catalog that lists products to expand customer's equipment capabilities, increase their safety, and make them more productive.	*
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Table 15: Industry Specific Questions

Line Item	Question	Response *	
74	Describe the compatibility of any software products offered with industry hardware.	RapidView offers extensive software options to compliment the equipment explained in the RFP. The IKAS evolution is the newest generation of IBAK's powerful sewer analysis software, now available and supported in North America! Intuitive by design, the inspector is in full control of acquisition and sewer data analysis. PACP, MACP, and LACP data interface capable, IKAS evolution can be adapted to the needs of modern sewer inspection and each individual user's workflow. IKAS evolution is available in four base bundles with over two dozen extension options available for advanced inspections including; Full HD, 3D-GeoSense, Laser Measurement, and LaserScan profile analysis.	*
75	Describe the compatibility of any hardware products with industry software.	RapidView IBAK equipment works with more third-party software than any other manufacturer. Our equipment is integrated with PipeLogix, WinCan, Granite, IT Pipes, CT Spec, PipeTech, POSM and many others. We are always open to further development with any and all pipeline data logging or utility infrastructure management software programs. The fact that we don't focus on one software to the exclusion of others is our biggest strength. We understand that our customers use a variety of software programs and it is important that we make sure they can use what they want. Contractors (who works closely with our Sourcewell customers) especially need to be flexible and we want to make sure that they can remain so while using the best pipeline inspection equipment available, regardless of software.	

Table 16: Exceptions to Terms, Conditions, or Specifications Form

Line Item 76. NOTICE: To identify any exception, or to request any modification, to the Sourcewell template Contract terms, conditions, or specifications, a Proposer must submit the exception or requested modification on the **Exceptions to Terms, Conditions, or Specifications Form** immediately below. The contract section, the specific text addressed by the exception or requested modification, and the proposed modification must be identified in detail. Proposer's exceptions and proposed modifications are subject to review and approval of Sourcewell and will not automatically be included in the contract.

Contract Section	Term, Condition, or Specification	Exception or Proposed Modification

Documents

Ensure your submission document(s) conforms to the following:

1. Documents in PDF format are preferred. Documents in Word, Excel, or compatible formats may also be provided.
 2. Documents should NOT have a security password, as Sourcewell may not be able to open the file. It is your sole responsibility to ensure that the uploaded document(s) are not either defective, corrupted or blank and that the documents can be opened and viewed by Sourcewell.
 3. Sourcewell may reject any response where any document(s) cannot be opened and viewed by Sourcewell.
 4. If you need to upload more than one (1) document for a single item, you should combine the documents into one zipped file. If the zipped file contains more than one (1) document, ensure each document is named, in relation to the submission format item responding to. For example, if responding to the Marketing Plan category save the document as "Marketing Plan."
- [Pricing](#) - 2022 Sourcewell Price Pages.pdf - Friday December 03, 2021 12:55:44
 - [Financial Strength and Stability](#) - RV FS - 2020 and 2012.pdf - Thursday December 02, 2021 13:14:06
 - [Marketing Plan/Samples](#) - RapidView Marketing.pdf - Thursday December 02, 2021 13:16:32
 - WMBE/MBE/SBE or Related Certificates (optional)
 - [Warranty Information](#) - Warranty and Terms and Conditions of Sale.pdf - Wednesday December 01, 2021 15:19:40
 - [Standard Transaction Document Samples](#) - RapidView Purchase Order Template.pdf - Sunday December 05, 2021 13:18:36
 - [Upload Additional Document](#) - RapidView Sole Source and Product Catalog.zip - Friday December 03, 2021 09:25:34

Addenda, Terms and Conditions

PROPOSER AFFIDAVIT AND ASSURANCE OF COMPLIANCE

I certify that I am the authorized representative of the Proposer submitting the foregoing Proposal with the legal authority to bind the Proposer to this Affidavit and Assurance of Compliance:

1. The Proposer is submitting this Proposal under its full and complete legal name, and the Proposer legally exists in good standing in the jurisdiction of its residence.
2. The Proposer warrants that the information provided in this Proposal is true, correct, and reliable for purposes of evaluation for contract award.
3. The Proposer, including any person assisting with the creation of this Proposal, has arrived at this Proposal independently and the Proposal has been created without colluding with any other person, company, or parties that have or will submit a proposal under this solicitation; and the Proposal has in all respects been created fairly without any fraud or dishonesty. The Proposer has not directly or indirectly entered into any agreement or arrangement with any person or business in an effort to influence any part of this solicitation or operations of a resulting contract; and the Proposer has not taken any action in restraint of free trade or competitiveness in connection with this solicitation. Additionally, if Proposer has worked with a consultant on the Proposal, the consultant (an individual or a company) has not assisted any other entity that has submitted or will submit a proposal for this solicitation.
4. To the best of its knowledge and belief, and except as otherwise disclosed in the Proposal, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest. An organizational conflict of interest exists when a vendor has an unfair competitive advantage or the vendor's objectivity in performing the contract is, or might be, impaired.
5. The contents of the Proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or legally authorized agent of the Proposer and will not be communicated to any such persons prior to Due Date of this solicitation.
6. If awarded a contract, the Proposer will provide to Sourcewell Participating Entities the equipment, products, and services in accordance with the terms, conditions, and scope of a resulting contract.
7. The Proposer possesses, or will possess before delivering any equipment, products, or services, all applicable licenses or certifications necessary to deliver such equipment, products, or services under any resulting contract.
8. The Proposer agrees to deliver equipment, products, and services through valid contracts, purchase orders, or means that are acceptable to Sourcewell Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to Sourcewell Members under an awarded Contract.
9. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.
10. The Proposer understands that Sourcewell will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statutes Section 13.591, subdivision 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals become public data. Minnesota Statutes Section 13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.
11. Proposer its employees, agents, and subcontractors are not:
 1. Included on the "Specially Designated Nationals and Blocked Persons" list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury found at: <https://www.treasury.gov/ofac/downloads/sdnlist.pdf>;
 2. Included on the government-wide exclusions lists in the United States System for Award Management found at: <https://sam.gov/SAM/>; or
 3. Presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated

by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Vendor certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this solicitation.

☒ By checking this box I acknowledge that I am bound by the terms of the Proposer's Affidavit, have the legal authority to submit this Proposal on behalf of the Proposer, and that this electronic acknowledgment has the same legal effect, validity, and enforceability as if I had hand signed the Proposal. This signature will not be denied such legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation. - Steve Keranko, Director of Sales, RapidView LLC

The Proposer declares that there is an actual or potential Conflict of Interest relating to the preparation of its submission, and/or the Proposer foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the bid.

☒ Yes ☐ No

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document.

Check the box in the column "**I have reviewed this addendum**" below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
Addendum_1_Underground_Infrastructure_Inspect_Equip_RFP_120721 Fri November 19 2021 11:33 AM	☒	1

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested expend \$250,000 for fiscal year 2024-2025 to USIC Locating Services Inc. for Locating Services for the Water Division of the Municipal Services Department.

Recommendations:

Council approval of expenditures.

Background:

The Missouri One-Call Statute mandates that City-owned utilities provide locating services under the Missouri One-Call Program. Municipal Services and Power & Light do not have sufficient staffing to comply with the volume of facility location requests under the provisions of this statute and thus contract for the service.

USIC Locating Services Inc (USIC), was awarded the contract that was approved by the Council in 2022 for the providing of this service as a result of an invitation to bid (ITB). This request is for approval of expenditures for the Sewer Maintenance and Storm Water Divisions of the Municipal Services Department for this service.

Council has already approved \$380,000 for locating services earlier this fiscal year for the Water Pollution Control Division and Power & Light Department. This additional amount increases the total expenditure for this service to \$630,000 collectively for the city.

Approval of this item authorizes change orders up to ten (10) percent of the authorized amount, providing appropriations are available.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City totals \$250,000.00. Funding is included in the fiscal year 2024-2025 budget, page 194, account number (0404840-5226), Professional Services.

Council Action:

Department / Contact	Municipal Services /
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REVIEWERS

Lisa Reynolds
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

None

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to issue a purchase order to Shawnee Mission Ford in the amount of \$424,269.00, for nine (9) Model Year 2025 Ford Explorer AWD Police Interceptors for the Police Department.

Recommendations:

Council approval to issue a purchase order.

Background:

The Police Department is requesting to purchase nine (9) Model Year 2025 Ford Explorer All-Wheel Drive Police Interceptors. These vehicles are part of the anticipated replacements needed for the 2024-25 fiscal year fleet program.

The vendor providing the vehicles is Shawnee Mission Ford, who provided a quote based on the current Mid-America Regional Council (MACPP) cooperative contract, #2019-391-9.

Per section 8.06.004, Paragraph 4 of the City Code states competitive bidding is not required when purchases are made through a cooperative contract established by a government purchasing entity or cooperative. The cooperative bids used have been established pursuant to RSMo. 70.220 or generally accepted governmental purchase practices through the competitive bidding process.

Approval of this item authorizes the Director of Finance to issue change orders up to ten (10) percent of the original authorized amount, provided appropriations are available.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$424,269.00. Funding is included in the 2024-25 FY Budget, Fund 016 – Police Sales Tax account number (4564-5404), page 245 of the Adopted Budget.

Council Action:

Department / Contact	Police Department /
---------------------------------	---------------------

REVIEWERS

Dennea Leap
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Metro Cooperative Contract - Shawnee Mission Ford
2. Shawnee Mission Ford quote 6-25-24



CLAY COUNTY
PURCHASING DEPARTMENT
RENEWAL AGREEMENT

RENEWAL NO:	62-23-4	PURCHASING SPECIALIST II	PATRICK WEST
TITLE:	MKCPP 2024 MODEL YEAR METRO VEHICLE BID RENEWAL	PHONE:	816.407.3630
ISSUE DATE:	9/26/2023	FAX:	816.407.3641
		EMAIL:	PWEST@CLAYCOUNTYMO.GOV

TO:	SHAWNEE MISSION FORD
	JAY COOPER
	11501 SHAWNEE MISSION PARKWAY
	SHAWNEE, KANSAS 66203
PHONE:	913.248.2287
E-MAIL:	JAY.COOPER@SHAWNEEMISSIONFORD.COM

RETURN RENEWAL AGREEMENT BY E-MAIL, MAIL, COURIER OR FAX:

CLAY COUNTY
ATTN: ~ PURCHASING DEPARTMENT
16 W. FRANKLIN STREET
LIBERTY, MISSOURI 64068

DELIVER SUPPLIES/SERVICES/INVOICES FOB (Free On Board) DESTINATION TO THE FOLLOWING ADDRESS:

COUNTYWIDE
CLAY COUNTY ADMINISTRATION BUILDING
1 COURTHOUSE SQUARE
LIBERTY, MO 64068

SIGNATURE REQUIRED

Shawnee Mission Ford		Jay Cooper		Government Fleet Sales	
Company Name		Authorized Representative (Print)		Title	
11501 SMPKY					
Street Address		Authorized Signature			
Shawnee KS 66203		Johnson		10-20-23	
City/State/Zip		County		Date	
913-248-2287		913-268-7125		jay.cooper@shawneemissionford.com	
Telephone No.		Facsimile No.		E-Mail	
☒ Corporation ☐ Individual ☐ State/Local Government ☐ Partnership ☐ Sole Proprietor ☐ IRS Tax-Exempt					
Vendor Tax Filing Type with IRS (Check One)					

Ford does not guarantee any order
Ford will not offer price protection or carry over protection
Bid is based on model year to model year price increase
Pricing is only on order units. Stock units are at Retail Pricing
Ford has implemented allocation by FIN Code

Payment terms are net 30. Delay in payment may result in late fees charge to the agency

AGREEMENT TITLE: MKCPP 2024 MODEL YEAR METRO VEHICLE BID RENEWAL

AGREEMENT PERIOD: NOVEMBER 21, 2023 TO NOVEMBER 20, 2024

Clay County hereby exercises its option to renew the above referenced agreement for the fourth of four possible renewals unless either party notifies the other of intent not to renew, modify or alter terms of the agreement. Notifications must be in writing within a minimum of 30 days prior to the end of an annual renewal period.

Vendors MUST meet the Minimum Standard Specification of every item listed in the Standard Vehicle portion of the Detailed Specifications of Exhibit A for all vehicles bid. If Minimum Standard Specifications cannot be met, Vendor shall note such exceptions in Exhibit A. If Make/Model has additional Standard Equipment not listed in Minimum Standard Specifications, Vendor must list Equipment and Manufacturer's Codes for all additional Standard Equipment not listed using a separate sheet noting Item Number, Group Number, Equipment Description, and Manufacturer Code(s). Vendor shall supply an available options sheet for every vehicle bid, including any Manufacturer Codes and pricing that reflects requested MSRP discount from Exhibit A; Table 5. Such options will generally be considered "OEM" (original equipment manufacturer), but may be from other suppliers that the OEM may utilize and/or may be considered part of the OEM's standard line of products for the vehicle involved. The options would normally be readily available from the "factory" when the OEM is building the vehicle and would normally be expected to be listed in the OEM's offering of options.

EXHIBIT A: RENEWAL PRICING TABLE

ITEM NO.	GROUP NO.	VEHICLE TYPE	VEHICLE/MAKE	VEHICLE MODEL	QTY.	BASE PRICE INCLUDING STANDARD OPTIONS
	1	<u>Group No. 1 Minimum Specifications for All Heavy Duty Trucks are as Follows:</u> Driver Air Bag, Arm Rests – All Doors, Factory Air Conditioning, Factory Auxiliary 12 Volt Outlet, Factory Power Steering, Factory Cruise Control and Tilt Wheel, Heavy Duty Increased Cooling System, 12 Volt Electrical System, Rubber Floor Covering, Gauges – Oil, Amp, Temperature, Fuel Minimum, Tinted Windows – All, Full Length Factory Headliner, Electric Horns, Day/Night Inside Mirror, AM/FM Factory Radio, Spare Tire and Wheel, Same Size as Vehicle Tires, Dual Sun Visors, Intermittent Wipers.				
1	1	Full Size Van Cutaway Cab & Chassis	2025 E350 Cutaway SRW 138 WB		ea.	\$ 37,192
2	1	1-Ton Cab & Chassis	2024 Ford F350 4x2 SRW		ea.	\$ 44,523
3	1	15,000 GVWR Cab & Chassis	2024 Ford F450 4x2 DRW		ea.	\$ 49,109
4	1	17,500 GVWR Cab & Chassis	2024 Ford F550 4x2 DRW		ea.	\$ 50,101
	2	<u>Group No. 2 Minimum Specifications for All Sedans are as Follows:</u> Body Style - 4 Door Sedan: Driver and Passenger Air Bags, Factory Air Conditioning, Factory Arm Rests, 4 Door Sedan Body, Factory Power Anti-Lock Brakes, Factory Power Steering, Factory Power Windows, Factory Power Door Locks, Factory Cruise Control and Tilt Wheel, Dual Sun Visors, Factory Intermittent Wipers, Standard Spare Tire for Model, 4 Radial Tires, 4 Each Alloy Wheels, Rear Defroster, Front and Rear Floor Mats, Tinted Windows-All, Latching Glove Box, Inside Day/Night Mirror, Outside Dual Mirrors Controlled on Drivers Side, Dual Sun Visors, Standard Suspension for Model Bid, Factory AM/FM Radio, Auxiliary Power Outlet, Maintenance Free Battery, Alternator per Model Bid, Floor Covering – Carpet Front and Rear, Battery per Model Bid, Transmission-Automatic Standard for Model Bid, Minimum 4 Cylinder.				
12	2	Mid-Size Sedan – Front Wheel Drive (97.0 Cu. Ft. Min) Passenger Volume			ea.	\$ no bid

Ford does not guarantee any order
 Ford will not offer price protection or carry protection
 Bid is based on model year to model year price increase
 Pricing is only on order units. Stock units are at Retail Pricing
 Ford has implemented allocation by FIN Code

Aftermarket add ons such as bodies requires partial payment or
 PO for chassis and PO for aftermarket
 Payment of Chassis is due within 30 Days of arrival
 Payment of aftermarket due within 30 days of delivery

Payment terms are net 30. Delay in payment may result in late fees charge to the agency

EXHIBIT A, continued

RENEWAL PRICING TABLE 1: REQUIRED PRICING

ITEM NO.	GROUP NO.	VEHICLE TYPE	VEHICLE MAKE	VEHICLE MODEL	QTY	BASE PRICE INCLUDING STANDARD OPTIONS
	3	Group No. 3 Minimum Specifications for ALL Utility Vehicles are as Follows: Driver and Passenger Air Bags, Factory Air Conditioning, Factory Arm Rests, Auxiliary Outlet, Factory Power Anti-Lock Brakes, Front and Rear Bumpers, Rear Defroster, Factory Power Door Locks, Carpet Floor Covering Front and Rear, Four Wheel Drive 4X4, Tinted Windows-All, Inside Day/Night Mirror, Outside Mirrors-Low Mount Both Sides, Factory AM/FM Radio, Seats-Standard for Model Bid, Standard Spare Tire for Model, Factory Power Steering, Factory Power Windows, Factory Cruise Control and Tilt Wheel, Dual Sun Visors, Factory Intermittent Wipers, Front and Rear Floor Mats, Latching Glove Box, Standard Suspension for Model Bid, Auxiliary Power Outlet, Floor Covering – Carpet Front and Rear, Tires - Steel Belted Radial, BSW, All Season, Bumpers Front and Rear, Instrumentation Gauges -Standard per Model Bid. Automatic Transmission - Standard Per Model Bid, Standard Front and Rear Axles for Model Bid.				
15	3	Sub-Compact Utility Vehicle 4X4, Engine; 4 Cylinder Minimum	2024 Escape AWD Active		ea.	\$ 28,816
16	3	Compact Utility Vehicle 4X4, Engine; 6 Cylinder Minimum	2025 Explorer 4x4 Active		ea.	\$ 40,932
17	3	Full Size Utility Vehicle 4X4, Engine; 8 Cylinder Minimum	2024 Expedition 4x4 XL Reg Length		ea.	\$ 51,580
	4	Group No. 4 Minimum Specifications for ALL Pickup Trucks are as Follows: Cab "A" - 2 Door, Driver and Passenger Air Bags, Factory Air Conditioning, Factory Arm Rests, Factory Power Anti-Lock Brakes, Front and Rear Bumpers Standard for Model, Factory Power Steering, Factory Power Windows, Factory Power Door Locks, Factory Cruise Control and Tilt Wheel, Dual Sun Visors, Factory Intermittent Wipers, Standard Spare Tire for Model, 4 Radial Tires, Rear Defroster, Front and Rear Floor Mats, Glove Box, Inside Day/Night Mirror, Outside Mirrors, Left and Right Sides - Standard for Model Bid, Dual Sun Visors, Standard Suspension for Model Bid, Factory AM/FM Radio, Auxiliary Power Outlet, Rubber/Vinyl Floor Covering Front and Rear, Maintenance Free Battery, Alternator, Headliner Factory Installed, Glass-Tinted Windows, Cab Dome Light Factory, Seat - Full Depth Foam, Vinyl, Bench, Hinged Back, 12 Volt Electrical System, Cab Dome Light-Factory, 4X2 - Two Wheel Drive Standard, Standard Automatic Transmission for Model Bid, Standard Radiator for Model Bid, Cooling System Standard for Model Bid, Front and Rear Axles Standard to Model Bid, Standard Wheelbase for Model Bid.				
21	4	Pickup, ½ Ton, Cab "A", 4x2	2024 F150 Reg Cab 4x2		ea.	\$34,957
22	4	Pickup, ¾ Ton, Cab "A", 4x2	2024 F250 Reg Cab 4x2		ea.	\$41,895
23	4	Pickup, 1 Ton, Cab "A", 4x2	2024 F350 Reg Cab 4x2 SRW		ea.	\$42,839
24	4	Compact Pickup, State Cab: <u>Crew</u> , State Wheel Drive: <u>Front Wheel Drive</u>	2024 Maverick FWD XL		ea.	\$ 23,621
26	4	Pickup, ½ Ton, State Cab: <u>Ext Cab</u> , State Wheel Drive: <u>4x2</u>	2024 F150 Ext Cab 4x2		ea.	\$ 38,169
27	4	Pickup, ¾ Ton, State Cab: <u>Ext Cab</u> , State Wheel Drive: <u>4x2</u>	2024 F250 Ext Cab 4x2		ea.	\$ 44,678
28	4	Pickup, 1 Ton, State Cab: <u>Ext Cab</u> , State Wheel Drive: <u>4x2</u>	2024 F350 Ext Cab 4x2 SRW		ea.	\$ 45,242

F250 / F350 Regular cabs Privacy Glass and Rear defroster NA
Maverick Rear Defroster NA
Maverick XL cutoff date to order 10-13-23

2024 Bronco Sport 4x4 \$29,610

Ford does not guarantee any order
Ford will not offer price protection or carry over protection
Bid is based on model year to model year price
Ford has implemented allocation by FIN Code
Pricing is on order units only. Stock units are at Retail Pricing

Aftermarket add on such as bodies require parital payment or
PO for the chassis and separate PO for the aftermarket
Payment of the chassis is due within 30 days of arrival
Payment of the aftermarket is due within 30 days of delivery

Payment term is net 30. Delay in payment may result in late fee charge to the agency

EXHIBIT A, continued

RENEWAL PRICING TABLE 1: REQUIRED PRICING

ITEM NO.	GROUP NO.	VEHICLE TYPE	VEHICLE MAKE	VEHICLE MODEL	QTY	BASE PRICE INCLUDING STANDARD OPTIONS
	5	Group No. 5 Minimum Specifications for ALL Vans are as Follows: Driver and Passenger Air Bags, Factory Air Conditioning, Factory Arm Rests, Factory Power Anti-Lock Brakes, Factory Power Steering, Factory Power Windows - All Side Doors, Factory Power Door Locks, Factory Cruise Control and Tilt Wheel, Dual Sun Visors, Factory Intermittent Wipers, Standard Spare Tire for Model, 4 Radial Tires, Latching Glove Box, Inside Day/Night Mirror, Outside Standard Suspension for Model Bid, Factory AM/FM Radio, Auxiliary Power Outlet, Rubber Floor Covering Front and Rear, Maintenance Free Battery, Alternator Standard per Model Bid, Heater - Standard for Model Bid, Radiator - Standard for Model Bid, Transmission - Standard for Model Bid, Fuel Tank-Standard for Model Bid, Headliner - Standard per Model Bid, Heater-Standard per Model Bid, Outside Mirrors - Standard per Model Bid.				
29	5	Mini-Van, Passenger			ea.	\$ no bid
30	5	Mini-Van, Cargo Van			ea.	\$ no bid
31	5	Full Size Van, ¾ Ton, Cargo	2024 Transit T250 Low Roof 130 WB		ea.	\$ 44,431
32	5	Full Size Van, 1 Ton, Cargo	2024 Transit T350 Low Roof 130 WB		ea.	\$ 45,563
33	5	Full Size Van, Window, Passenger	2024 Transit T350 Low Roof 12 Pass 148 WB		ea.	\$ 49,441
	6	Group No. 6 Minimum Specifications for ALL Police Vehicles are as Follows: Dual Front Air Bags, Factory Air Conditioning, Arm Rests, Auxiliary Outlet 12V Factory Installed, 4 Wheel Disc Power Brakes, Anti-Locking Brakes, Power Door Locks (All Doors), Deactivate Door Jam Switch for Interior Lights, Dual Exhaust, Exterior, Non-Street Appearance, Floor Covering - Heavy Duty Vinyl Front & Rear (No Carpeting), Gauges Required, Glass - Tinted (All Windows), Dual Horns Required, Key-Each Vehicle Keyed Individually (3 Keys per Vehicle); Lights - Auxiliary Dome Light Header Mounted, Under Hood Light, Luggage Compartment Lamp, Inside Day/Night Mirror, Radiator - Heavy Duty Cooling Package, Factory AM/FM Radio with Digital Clock, Conventional Spare Tire and Wheel, Speedometer Calibrated in 2 MPH Increments, Spot Light mounted 6 IN on Left Side, Power Steering, Steering - Cruise and Tilt Factory Installed, Dual Sun Visors, Trunk Opener - Electric or Vacuum on Dash to Activate, Full Wheel Covers, Power Windows - All, Intermittent Wipers, Wiring - Auxiliary Fuse Block with 6 Fused Circuits, Suspension - Standard for Model Bid.				
38	6	Ford Police Interceptor - Utility	2025 Utility PI AWD		ea.	\$ 44,212
39	6	Police Pursuit or Patrol Vehicle (All Models not otherwise indicated)			ea.	\$
40	6	Police Vehicle - Utility (All Models not otherwise indicated)	2024 F150 PI Crew Cab 4x4		ea.	\$ 46,228
	7	Group No. 7 Minimum Specifications for ALL Special Service Utility Vehicles are as Follows: Driver and Passenger Air Bags, Factory Air Conditioning, Arm Rest -All Doors, Factory Installed Auxiliary Outlet 12V., Power ABS Brakes, Front and Rear Bumpers, Factory Rear Window Defroster, Factory Power Door Locks - All Doors, 4X4 Drive Package, Vinyl Floor Covering, Minimum of Fuel, Amp and Oil Pressure Gauges, Tinted Windows - All Windows, Day/Night Interior Mirror, Outside Mirrors - Low Mount Both Sides, Factory Installed AM/FM Radio, Spare Tire and Wheel - Conventional, Power Steering, Factory Tilt and Cruise on the Steering Wheel, Dual Sun Visors, Factory Installed Power Windows - All Doors, Intermittent Wipers.				
42	7	Special Services Utility Vehicle	2024 Expedition 4x4 SSV Reg Length		ea.	\$ 49,723
44	7	Special Services Utility Vehicle (½ Ton Pickup or Equal)			ea.	\$ no bid
	8	Group No. 8 Minimum Specifications for ALL Hybrid Sedans are as Follows: Body Style - 4 Door Sedan, Driver and Passenger Side Airbags, Automatic Transmission with Overdrive, Air Conditioning, Alternator, Armrests, Auxiliary Outlet, Battery - 12 Volt Factory, Defroster, Power Door Locks-All Doors, Power Anti-Lock Brakes, Electric Power Storage-Nickle Metal Hydride Batteries, Front and Rear Floor Mats, Tinted Window-All, Glove Box with Door, Day/Night Inside Mirror, Dual Outside Mirrors-Driver Side Controlled, AM/FM Factory Radio, Standard Spare Tire for Model Bid, Power Steering, Factory Tilt and Cruise in Steering Wheel, Dual Sun Visors, All Season Radial Tires, Suspension Standard for Model Bid, Power Windows-All Windows, Intermittent Wipers.				
47	8	Hybrid Compact Sedan	2024 Mustang Mach E RWD		ea.	\$ 45,691

Ford does not guarantee any order
 Ford will not offer price protection or carry over protection
 Bid is based on model year to model year price increase
 Ford has implemented allocation by FIN Code
 Pricing is on order units only. Stock units are at retail prices

Payment terms are net 30. Delay in payment may result in late fees charge to the agency

EXHIBIT A, continued

RENEWAL PRICING TABLE 2: OTHER REQUIRED PRICING

The Vendor must state below all other applicable costs necessary to satisfy the mandatory requirements of the original IFB. Unless stated in Exhibit A, the County shall assume that absolutely no other fees or delivery charges, including upgrade fees, will be assessed to the County whatsoever in connection with the MKCPP 2024 Model Year Metro Vehicle Bid herein and to satisfy the original IFB requirements.

DESCRIPTION / COMMENTS	UNIT OF MEASURE	UNIT PRICE
Delivery Price	Per Mile	NC in metro area
Guaranteed Not To Exceed Total Delivery Price	Per Vehicle	over 60 miles, \$1.50 per mile
Vehicles will be delivered from	Location (City and State)	Shawnee, KS

RENEWAL PRICING TABLE 3: OPTIONAL PRICING: Alternative Fuel Options

The Vendor may provide firm, fixed pricing for Alternative Fuel Options for Vehicles listed in Pricing Table 1, for the proposed MKCPP 2024 Model Year Metro Vehicle Bid solution. Additional Vehicles Alternative Fuel Options may be listed on Separate Pages using Pricing Table 3 format.

DESCRIPTION / COMMENTS	UNIT PRICE
Pricing Table 1; Group Number:	
Pricing Table 1; Item Number:	
Alternative Fuel Package: Fuel Option and Base Price each Net	\$
Alternative Fuel Option: CNG, LPG, P/H/EV, E85, B20	
Alternative Fuel Operation: Dedicated, Bi-Fuel or Flex Fuel	
Gas Gallon Equivalent (How much fuel on board)	
GGE Gas Gallon Equivalent - Option 1 Tank Size	\$
GGE Gas Gallon Equivalent - Option 2 Tank Size	\$
Manufacturer and Model of conversion system	
Current or Pending EPA or CARB Certification No. (If no cert no., please explain):	
OEM Supported (Vendor has QVM or SVM status or equivalent: yes or no)	
Drop ship code (if applicable)	

RENEWAL PRICING TABLE 4: OPTIONAL PRICING

DESCRIPTION / COMMENTS	UNIT OF MEASURE	UNIT PRICE
Minimum Guaranteed Trade-In Valuation	Each	

Trade in allowance will be given when the new vehicle arrives.

EXHIBIT A, continued

RENEWAL PRICING TABLE 5: EQUIPMENT DISCOUNT

During the Course of the Agreement Year, the using Departments, Agencies and/or other Jurisdictions May Need to Order Optional Equipment or Items Not Specifically Listed Above. Please State Below, Any Discounts for Such Purposes, from Your Listed Prices.		
Discount off MSRP list price		options are at invoice %

All other terms, conditions and provisions of the agreement shall remain the same and apply hereto. The Vendor shall sign and return this document, along with completed pricing.

THIS RENEWAL NOTICE DOES NOT CONSTITUTE AN AUTHORIZATION FOR SHIPMENT OF EQUIPMENT OR SUPPLIES OR A DIRECTIVE TO PROCEED WITH SERVICES.



CLAY COUNTY

RNL No. 62-23

MKCPP 2024 MODEL YEAR METRO VEHICLE BID RENEWAL

ORIGINAL RESOLUTION: 2019-391

THIS RENEWAL AGREEMENT, MADE THIS 20th DAY OF November, 2023 is herein called Term and Supply Agreement for MKCPP 2024 Model Year Metro Vehicle Bid Renewal between Clay County Missouri (hereinafter "County") and Shawnee Mission Ford (hereinafter "Vendor").

WHEREAS, the County has caused to be prepared certain Agreement documents, General Terms and Conditions, Special Conditions and/or Specifications, Invitation for Bid for Term and Supply Agreement and any special bid clauses/addenda listed under Special Attachments below (hereinafter "Agreement Documents"), said Agreement Documents setting forth such equipment, supplies, labor and/or services to be furnished as therein fully described; and

WHEREAS, Vendor did on the 22nd day of October 2019 file with the County their Bid to furnish such equipment, supplies, labor and/or services, as specified; and

WHEREAS, the said Agreement Documents adequately and clearly describe the terms and conditions upon which the Vendor is to furnish such equipment, supplies, labor and/or services as specified; and

WHEREAS, All other aspects of the original Agreement will remain in effect for the duration of the Agreement term stated above including any addendums and/or modifications; IT IS AGREED.

1. Clay County, Missouri acting through its Purchasing Agent and upon approval of the Authorized Agent of the County does hereby accept, with modifications, if any, the Bid of Shawnee Mission Ford.
2. The Vendor's Bid and the County's Agreement Documents are the agreement between the parties hereto; that both parties hereby accept and agree to the terms and conditions of said Bid and Agreement Documents, and that the parties continue to be bound thereby and that the compensation to be paid the Vendor is as set forth in the Vendor's bid.
3. That this Renewal Agreement shall be effective for the Agreement period from November 21, 2023 to November 20, 2024.
4. No financial obligation shall accrue against the County until Vendor makes delivery pursuant to order of the Purchasing Agent and/or their approved designee.
5. This Agreement may be terminated by either party upon thirty (30) days prior notice in writing to the other party. The County may terminate this Agreement immediately, under breach of Agreement, if the Vendor fails to perform in accordance with the terms and conditions. In the event of any termination of Agreement by the Vendor, the County may purchase such supplies and/or services similar to those so terminated, and for the duration of the Agreement period the Vendor will be liable for all costs in excess of the established Agreement pricing.
6. This is the fourth of four possible renewal periods of this Agreement. The Agreement pricing identified in Exhibit A, the attached renewal and pricing agreement will be in effect for the duration of this Agreement term stated in paragraph 3.

IN WITNESS WHEREOF, the parties have set their hands and seals the date and year first above written. The parties represent that the signatories below have full authority and authorization to sign on behalf of the respective parties.

APPROVED:

Purchasing

Expenditure Authority

Shawnee Mission Ford

From: [Jay Cooper](#)
To: [West, Patrick](#)
Subject: RE: Clay County, Missouri Contract Renewal 62-23 MKCPP 2024 Model Year Metro Vehicle Bid
Date: Friday, October 20, 2023 3:12:53 PM
Attachments: [image003.png](#)
[Scan from Jay Cooper10-20-2023-150559.pdf](#)

Hello, attachment has the updated renewal pricing. Below has the allocation amount listed below. Super duty and Transit vans may have additional units available. Additional units are based on the agency FIN Code and past purchasing history.
FYI, the Maverick XL has only balanced out for 2024.

Allocation
10 Transit Van
25 F150
15 F150 PI
25 Super Duty Pick Ups
5 Super Duty Chassis Cabs
25 Mavericks
10 Escape Gas Active trim or higher
50 Expeditions
25 Bronco Sports
25 Edge
Explorer TBD
Utility PI TBD
Ranger NA

Ford does not guarantee any order.
Ford will not offer price protection or carry over.
Bid is based on Model year to model year price increase.
Ford has implemented allocation by FIN code.
Bid pricing is for order units only. Stock units are at retail pricing.

Thank you

Jay Cooper

Jay Cooper



11501 SMPKY
Shawnee, KS 66203

DL 913-248-2287
Fax 913-268-7125

From: [Jay Cooper](#)
To: [West, Patrick](#)
Subject: 2024 Vehicles
Date: Thursday, August 3, 2023 9:17:45 AM
Attachments: [image001.png](#)
[74-22-4 RNL MACPP 2023 Model Year Metro Vehicle Bid Renewal Shawnee Mission Ford.pdf](#)

Hello, the attachment has the updated pricing for the 2024 Model Vehicles.

I wasn't sure how to proceed with the current market conditions. Since the bid was based on model year to model year price increase, I was able to submit for pricing and draft pricing from Ford. I am not sure when the order banks will close. I don't think we will be able to do this the next go around since bid is technically done with renewals after this. I recommend the next hosting agency put wording in the bid to accept model year to model year price increase and to have the ability to update the bid once the manufacturers have new pricing. Waiting until September / October to update the bid maybe too late to submit bids for agency to order vehicles. I think we will be in this situation for couple more years.

Order banks are open on:

Edge

Expedition

Super Duty

Bronco Sport

Maverick

Explorer open in October. Short Production Run.

Mustang Mach 2023.5 is open. Will have to price out the 2024 once pricing is available.

Transit TBD

F150 TBD

Ford has implemented allocation by FIN code on

- F150
- Super Duty
- Transit
- Utility PI
- E-series

As before the bid is based on model year to model year price increase.

Ford Does not guarantee any order.

Ford Will not offer carry over or price protection.

Thank you

Jay Cooper

Jay Cooper



11501 SMPKY
Shawnee, KS 66203

DL 913-248-2287
Fax 913-268-7125
Email jay.cooper@shawneemissionford.com

SHAWNEE MISSION MISSION TO DO MORE

11501 SHAWNEE MISSION PARKWAY • SHAWNEE, KANSAS 66203-0179
(913) 631-0000 • FAX (913) 268-6521
WWW.SHAWNEEMISSIONFORD.COM

June 25, 2024

John Largent
City of Independence

* MACPP Pricing
Ford has Implemented Allocation by Fin Code

2025 Ford Explorer PIU AWD (K8A)

Exterior: Agate Black (UM)
Interior: Cloth Front Vinyl Rear (9W)

Base Price: \$43,824

Options:

- Dual LED Spot Lamps (51S) \$206
- Noise Suppression (60R) \$94
- Side Marker Lights (63B) \$320
- Quarter Glass Light (63L) \$546
- Front Headlamp Package (66A) \$846
- Tail lamp package (66B) \$405
- Rear Light Package (66C) \$432
- Connector Kit (67V) \$188
- Deflector Plate (76D) \$320
- Hub Cap Delete (del 65L) \$(40)
- 3.3L V6 (99B) Included in base price
- Aux Climate Control \$standard
- Cargo Dome Lamp \$standard
- H8 AGM Battery \$standard
- Rear Camera on Demand \$standard
- Courtesy Lamp Disable \$standard
- Police Engine Idle \$standard
- BLISS \$standard
- Perimeter Alert \$standard
- Reverse Sensors \$standard
- Power Passenger Seat \$standard

Total \$47,141

Options NA in 2025

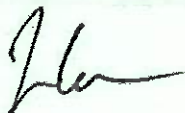
- OBD-II Split Connector
- Rear Camera display in mirror
- Front Interior Visor light bar

Thank you for your time and interest.

Sincerely,

Jay Cooper

Government Fleet Sales



City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to issue a purchase order for \$104,609.88 to Universal Protection Service LP., for Security Guard Services at the Independence Utility Center & the Power & Light Service Center for Fiscal Year 2025 and continued expenditures for fiscal years 2026 and 2027 for the Power & Light Department.

Recommendations:

Council approval to issue a purchase order and future year expenditures.

Background:

Power and Light (IPL) leads the effort in initiating and selecting the security guard services for the Independence Utility Center (IUC) and the Power & Light Service Center. IPL entered into a contract with Universal Protection Service LP as a result of a Request for Proposals (RFP) which was approved by the Council in 2022. This request is for approval of expenditures to pay for these security services for fiscal years 2025, 2026 and 2027.

Approval of this item authorizes the Finance Director to issue change orders up to a total of ten (10) percent of the original authorized amount, so long as appropriations are available.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$104,609.88. Funding for Security Guard Services is included in the fiscal year 2024-2025 budget, page 263, account number 0206130-5226, Support Services, Professional Services, IPL fund 020. Expenditures will also be included in the budget for the fiscal years 2025-2026 and 2026-2027.

Council Action:

**Department /
Contact**

Power and Light /

REVIEWERS

Khristina Irvine
Meagan Borth

Zachary Walker
Susanne Holland

ATTACHMENTS:

None

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-762 A Resolution in support of the application to the Missouri Housing Development Commission for financing the planned development of Terrace Crossing to be located at 9701 East 35th Street, in Independence, Missouri.

Recommendations:

Staff recommends approval of the resolution.

Background:

On July 26, 2024, staff met with representatives from Zimmerman Properties. Zimmerman Properties intends to develop 60 (sixty) two and three-bedroom multifamily residential rental units at 9701 East 35th Terrace. This is a 4.89-acre property located right off 40 Highway between Denton and Pittman Roads.

The developer desires to apply for Low Income Housing Tax Credits (LIHTC) through the Missouri Housing Development Commission. These credits will help construct these affordable workforce rental housing units.

Application awardees are announced by the end of the year, and if this project is successful, Zimmerman Properties will start entitlements and development in 2025.

Emergency Justification:**Fiscal Impact:****Council Action:**

**Department /
Contact**

City Manager /

REVIEWERS

Charlie Dissell
Jeremy Cover
Zachary Walker

Susanne Holland

ATTACHMENTS:

1. Resolution for Terrace Crossing
2. e-mail
3. Rent and Income Limits
4. PAS-Report-187.cleaned
5. rr07-14_obrinsky_stein.cleaned (1)

Resolution for
Terrace Crossing
9/3/24 SH

BILL NO. _____
RESOLUTION NO. _____

A RESOLUTION IN SUPPORT OF THE APPLICATION TO THE MISSOURI HOUSING
DEVELOPMENT COMMISSION FOR FINANCING THE PLANNED DEVELOPMENT OF
TERRACE CROSSING TO BE LOCATED AT 9701 EAST 35TH STREET IN
INDEPENDENCE, MISSOURI

WHEREAS, Zimmerman Properties has indicated an intent to pursue financing from the Missouri Housing Development Commission for the planned development of Terrace Crossing to be located at 9701 East 35th Street; and,

WHEREAS, Zimmerman Properties has indicated its intent to construct 60 (sixty) two and three-bedroom affordable housing rental units that will serve families; and,

WHEREAS, Zimmerman Properties has requested support from the City of Independence for Low Income Housing Tax Credits (LIHTC).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

Section 1. That the City Council of the City of Independence, Missouri, hereby supports the development of the aforementioned affordable housing project in our community, subject to the city's ordinances, and all applicable entitlement processes.

PASSED THIS _____ DAY OF SEPTEMBER 2024 BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

Re: LIHTC Development Heads Up

Charlie Dissell <cdissell@indepmo.org>

Fri 8/23/2024 1:51 PM

Cc:Tom Scannell <tscannell@indepmo.org>; Zachary Walker <zwalker@indepmo.org>

Bcc:City Council <citycouncil@indepmo.org>

 3 attachments (2 MB)

PAS-Report-187.cleaned.pdf; rr07-14_obrinsky_stein.cleaned (1).pdf; Rent and Income Limits.JPG;

Mayor and Council-

Zach asked that I follow up with everyone on a few issues as it relates to this project so everyone has this information ahead of the ask for the resolution of support on September 3.

First, Councilmember Vaught and I met earlier this week to discuss this project as it falls within District 4. Councilmember Vaught had some questions that required me to reach back out to the Developer. Those questions and answers from the Developer (in red) follow:

1. Do you have any other properties in the KC area?

We have Briar Creek Villas in Belton. We also have Grant Park Villas under construction in Raymore. Our newly designed website showcases our portfolio as well ([Zimmermanproperties.com](https://zimmermanproperties.com)).

2. Will any of the units be Section 8 housing?

No.

3. What are your leasing requirements on income/jobs?

We will be under requirements of Jackson County Median Income. All of our units will be at 80%, 60%, and 30% of that median income. That gives us the ability to hit several income bands of the residents. Our rents will range from \$438-\$950 for (2) bedroom units, and \$490-\$1,050 for (3) bedroom units. I've also attached the guidelines we must follow for income qualification (first attachment). You can see the different percentages of the median income, and the unit type's rent. The top portion shows number of residents and the income limits for income bands, and the bottom are rent limits for each bedroom type. You'll notice that although we are allowed to take rents higher than we are modeling, we really try to keep the rents more affordable for the working citizens of Independence. ALL of our residents will have to prove employment, income, and pass credit AND criminal background checks annually. If property management allows an out of compliance issue to be allowed, Zimmerman Properties is at risk of returning the tax credits. That is an absolute worst case scenario for us and we take compliance very seriously. Not only Zimmerman and WPI, but also our investors require annual property and compliance reviews.

4. Who will manage/maintain the property in Independence?

Wilhoit Properties, Inc (WPI). WPI is Zimmerman Properties property management arm. Similar principals as Zimmerman Properties. WPI manages over 17,000 units across 16 states. We also have our own general contractor, Zimmerman Properties Construction. This vertical integration has been vastly successful for our company. It allows us to not only keep building and operation costs lower than others, it also provides a streamline as everything is "in house."

5. What is the long term plan for these properties?

Zimmerman will elect the extended affordability for this development. MHDC will require at least 30 years of affordability. We will not be selling this development in 10 years as some other developers do. We want to be a long term tax paying partner in Independence.

6. Do you offer any training to tenants in long term home ownership?

This will be a service enriched development. Many different services will be offered to residents. We can absolutely request our service provider to make such topics on home ownership a possibility. Across our portfolio we find majority of residents want just that, to move out and begin their home ownership. I think giving them information on how to take that next step is a great idea.

7. What elementary school would this property use?

Cassel Park Elementary

8. What City approvals will be needed before this project can move forward?

The zoning is currently in place on this property to allow the use. However, a development plan would need to be submitted for review by the Planning Commission and approval by the Council. After that, the building permit process, platting process, and final development plan are all completed administratively by staff.

Second, I wanted to share some information Councilmember Wiley requested a few weeks ago regarding common arguments used to oppose multi-family developments, specifically that they devalue surrounding properties. Most credible research disagrees with that thought. Fortunately, Independence has strong regulations for multi-family developments (i.e. building codes, design requirements, buffers, landscapes, open space, useable amenities, etc.) that help assure there are no negative impacts on surrounding properties. In fact, there is research that shows property values near multi-family developments appreciate at a higher rate than those that are not, especially in communities with strong regulations and review of new multi-family developments. Before I left Indianola, we had 4 pretty big multi-family development come in around the same time and the Council was hearing a lot of the same things from their constituents. We had found a study from 1964 (second attachment) which showed that these types of arguments against multi-family have been occurring for generations, and have been credibly refuted with common findings in that same time. You can see in the third attachment from 2007 that many of the same arguments are made, and similar findings are concluded.

Lastly, I was able to attend the 2024 InterFace Kansas City Multifamily conference yesterday afternoon. In a session, Mark Moberly of Sunflower Development noted that Missouri LIHTC projects have become extremely competitive and that the last few LIHTC projects that Sunflower Development have done are being filled with residents before the final CO's are issued. With these types of projects in low supply/high demand, any and all support we can offer this project will only make this application for a project in Independence that much stronger!

Please let me know if there are any follow up questions on this project, or if there is anything else I can help clarify.



Charlie E. Dissell, AICP
Assistant City Manager

O – 816-325-2195
cdissell@indepmo.org

111 E. Maple Ave

From: Zachary Walker <zwalker@indepmo.org>
Sent: Wednesday, August 21, 2024 1:07 PM
Cc: Charlie Dissell <cdissell@indepmo.org>; Tom Scannell <tscannell@indepmo.org>
Subject: RE: LIHTC Development Heads Up

Mayor and City Council,

Good afternoon. As I shared in the email below, Zimmerman Properties is seeking Low Income Housing Tax Credits to construct affordable housing units at 9701 East 35th Terrace. As part of the application process, the developer is seeking letters of support for their application. I have two updates to share with you:

1. The decision of whether to support this application-or any project seeking support for economic incentives-represents a policy matter for the City Council to determine. Staff is adding a resolution to the September 3rd agenda that, if approved, would formalize the City's support for this project/application.
2. The developer asked the Independence School District for a letter of support as well. ISD Superintendent has declined to support this project. I have attached his email for your review.

Finally, I am sharing the link to a report that was recently shared by the Mid-America Regional Council and published by the Harvard Joint Center for Housing Studies for informational purposes only. In brief, the report finds that the state of housing remains bleak as increasing costs, and a lack of development puts housing stability out of reach for large swaths of the country. This trend combined with decreasing vacancy rates, large quantities of investor-owned properties increasing competition, and larger economic forces are contributing directly to the fast rise in cost-burdened households. This is particularly troubling for renters in the Kansas City metro, 45.8% of which are cost burdened. You can access the report by [clicking here](#).

Please let me know if you have any further questions.



Zach Walker, ICMA-CM
City Manager

O – 816-325-7170
zwalker@indepmo.org

111 E. Maple Ave
Independence, MO 64050

From: Zachary Walker
Sent: Monday, August 5, 2024 3:49 PM
Subject: LIHTC Development Heads Up

Mayor and City Council,

Good afternoon. Last week, Assistant City Manager Charlie Dissell and Community Development Director Tom Scannell met with representatives from Zimmerman Properties. This developer is looking to develop multi-family

residential units at 9701 East 35th Terrace. This is a 4.89-acre property located right off 40 Highway between Denton and Pittman Roads. This is in Councilmember Vaught's district.

The developer desires to use Low Income Housing Tax Credits. If you're not aware, these are credits used help construct affordable rental housing. They should probably be called workforce housing tax credits just because using low-income has such negative connotations. I've attached some conceptual plans of a project this Developer worked on in Springfield to give an idea of the product they produce. They noted most of the units here would be 2 and 3 bedrooms in Independence. Application awardees are announced by the end of the year, and if this project is successful, they will look to start in 2025.

The tax credits applications are due in mid-September, and as part of the application process, they need to provide written notice to the Mayor and Council. These notifications should go out this week, so I wanted to give the Council a heads up.

Please reach out to me or Charlie if you have more questions about this proposed project.



Zach Walker, ICMA-CM
City Manager

O – 816-325-7170
zwalker@indepmo.org

111 E. Maple Ave
Independence, MO 64050

LIHTC Income Limits for 2024
(Based on 2024 MTSP Income Limits)

	Charts	60.00%	30.00%	80.00%
1 Person		43,320	21,660	57,760
2 Person		49,500	24,750	66,000
3 Person		55,680	27,840	74,240
4 Person		61,860	30,930	82,480
5 Person		66,840	33,420	89,120
6 Person		71,760	35,880	95,680
7 Person		76,740	38,370	102,320
8 Person		81,660	40,830	108,880
9 Person		86,580	43,290	115,440
10 Person		91,560	45,780	122,080
11 Person		96,480	48,240	128,640
12 Person		101,460	50,730	135,280

LIHTC Rent Limits for 2024
(Based on 2024 MTSP/VI Income Limits)

Bedrooms (People)	Charts	60.00%	30.00%	80.00%
2 Bedrooms (3.0)		1,392	696	1,856
3 Bedrooms (4.5)		1,608	804	2,145

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AMERICAN SOCIETY OF PLANNING OFFICIALS

1313 EAST 60th STREET — CHICAGO 37, ILLINOIS

Information Report No. 187

June 1964

APARTMENTS IN THE SUBURBS

THE REPORT AT A GLANCE

Apartment building construction in recent years has captured an increasing portion of total housing starts, especially in the suburbs. High land costs and changing family composition are producing even more pressure for apartments in suburbs as well as in central cities. This report is directed toward helping local government officials review proposed apartment developments on the basis of effective regulations and standards.

The cost-revenue study is an important tool in measuring the effects of apartment developments from the standpoint of the net cost to the city government of providing services. Although cost-revenue studies have been developed for many years, there are still severe limitations on their usefulness. Too many studies have given inadequate attention to the cost per dwelling unit, the cost for the provision of schools, the economic effects of alternative land uses, and the hidden costs for providing for governmental services. Cost-revenue studies are invaluable, however, when carefully done with full appreciation of what they can — and cannot — accomplish.

Planning and zoning for apartments in the suburbs should be based not only on conventional standards but also on factors reflecting livability and the intensity of land use in relation to open space and other environmental amenities. Particularly important in meeting these goals are the latest land planning standards, known as "Land Use Intensity Ratings," that have been developed by the Federal Housing Administration. These standards are much more sophisticated and flexible than conventional zoning provisions and should be used in conjunction with zoning, subdivision regulations, and other land-development controls.

This report has been prepared jointly by the staffs of the American Society of Planning Officials and the International City Managers' Association for distribution as the June, 1964, report to the subscribers to their services — Planning Advisory Service of ASPO and Management Information Service of ICMA. Research for this report was handled by Frank S. So of the ASPO staff and Jerry B. Coffman and Walter L. Webb, respectively former staff member and staff member for ICMA.

INTRODUCTION

Within the past five years the proportion of apartments in the new housing being built in the United States has doubled. In 1959 multifamily homes accounted for somewhat less than 20 per cent of the housing units built that year. Currently, apartments constitute approximately 40 per cent of the nearly 1.6 million housing starts.

There are several reasons for the shift in housing construction away from the predominantly single-family pattern of the 50's. Probably chief among the reasons is the skyrocketing price of land available for residential construction. Figures issued by the Federal Housing Administration show that the cost of the improved lot under the average single-family house has approximately tripled between 1950 and 1963. Reports from the more rapidly growing metropolitan centers indicate that even this may be an underestimation of the situation. The experience of developers has been that the increased cost due to high land prices, added to the general increase in construction

costs, has priced the single-family residence out of the reach of a large proportion of the potential buyers. If the land cost per dwelling unit can be cut by increasing the density of development, the builder can regain part of this lost market. The most direct way to reduce the cost of land per dwelling unit is to switch building from single-family homes to multifamily homes.

Another factor favoring an increase in apartment construction is the need to achieve a better balance between apartments and single-family houses. The mix of residential construction after the war was so skewed toward the single-family house that there was actually a shortage of modern apartments in most parts of the United States. While it is impossible to say precisely what a "proper" balance between single-family and multifamily units might be, there is reason to believe that the construction pattern of the 1950's was not producing it.

The latest episode in the changing drama of residential construction has been the pressure in metropolitan areas to increase the number of apartment buildings in suburbs. Here again, land costs have played an important part, shifting high-density construction away from its traditional location in the central city. Land costs in prime apartment building locations in central cities have been extremely high — so high, in fact, that all new apartments were either luxury apartments for high-income families, or small apartments for single persons and childless families (which, on the basis of rental cost per square foot, could also be classified as luxury apartments). In order to reach a larger market, the apartment developer has gone to the suburbs for cheaper land on which to build, hoping to produce apartments that would carry more modest rentals.

Still another reason for apartment building in the suburbs has been a newly created demand for apartments in such locations. The demand has come from older persons. These are persons whose families are raised, who are tired of keeping up a large house and yard, yet who want to stay in the same suburban area with their friends, their children and grandchildren.

The sudden increase of pressure for apartments in suburbs has brought about two difficult situations. First, there has been widespread reaction against apartments by the citizens of the suburbs. In some cases demonstrations against the proposals have been almost violent. Second, public officials and planning commissioners in the suburbs have not been prepared to judge the merits of arguments for and against apartments, and they have also not known what regulations and standards should be established to minimize the ill effects of apartments — if there actually are any ill effects.

This report is directed primarily toward helping public officials meet the second situation. However, a few words about the first problem — the antagonism toward apartments — should be included. Most often heard are three arguments:

1. Public services to apartments are more heavily subsidized than are such services to single-family houses.
2. Apartments attract an undesirable sort of people.
3. Apartments depreciate property value in the neighborhood.

The first of these objections — that apartments do not pay their way as well as single-family houses — is one about which public officials would naturally like to know the truth. Universally, apartment house promoters claim the opposite, that apartments cost the public less than single-family houses. It is far from clear what *is* the truth, and the first part of this report discusses the studies that have been made and the problems inherent in such cost-benefit analyses.

The objection to the sort of people who might come to live in suburban apartments is an objection that rarely gets put in writing, but it is one that obviously motivates much of the antagonism toward apartments. There is a widespread belief that persons who rent housing are necessarily less desirable than persons who own their own homes. This is, of course, absurd.

Public hearings also show people tend to equate apartment buildings with tenements, to feel that all apartments are potential slums. With this notion of potential slum character, there goes the fear that the apartments will be occupied by members of a minority group. In fact, the fear of desegregation is one of the strongest factors contributing to the objections to apartments.

The fear that apartment buildings will depreciate the value of nearby single-family houses

does have relevancy. However, it is possible to eliminate the depreciating effects of apartment buildings if the community has proper regulations and proper review of all proposed apartment building developments.

A most important regulation is a strong building code, effectively enforced. Too many apartment buildings erected in the past five years have not been well built. A most frequent criticism of new apartments has cited the lack of acoustic insulation between adjoining apartment units — paper-thin walls. Other legitimate criticisms have been made of poor interior design, inadequate parking facilities, and land crowding.

While this report does not discuss building codes, public officials must be certain that their own building code adequately protects the community from shoddy apartment construction. Suburban communities often get along with out-of-date codes, and particularly — since they have not faced the problem before — with out-of-date provisions for multifamily construction.

Unquestionably, much of the objection to apartment building in suburbs is emotional and unreasoning. Much of it is pure snobbery. Hopefully, public officials can approach the problem intelligently and logically. It is recognized that logic will not win over the die-hards, but it may persuade some of the more reasonable persons who are rightfully concerned. It is most important that the community be prepared to the best of its ability to minimize any ill effects that apartment buildings might have.

The first section of the report that follows is devoted to an analysis of the cost-revenue aspects of multifamily dwellings. The second section analyzes the planning and zoning problems presented by apartment building in the suburbs and makes suggestions on how to handle these problems.

SECTION I — COST-REVENUE ANALYSIS OF SUBURBAN APARTMENTS

The main research tool used to determine the net cost to the city of providing services to new apartment buildings is the cost-revenue study. Because of the popularity of this approach, municipal officials should be aware of basic techniques for cost-revenue analysis, typical studies of the desirability of apartment construction, and limitations of this approach. This section will present an overview of cost-revenue analysis applicable to apartments. Although it will not specifically suggest how to conduct a study, it will provide guidelines for using this approach.

Techniques and Limitations

The most comprehensive study available of cost-revenue analysis, Ruth L. Mace's *Municipal Cost-Revenue Research in the United States*, defines cost-revenue analysis as:

... research into the *net cost* to a governmental unit of providing municipal-type services to a specific area. *Net cost* is the difference between governmental expenditures, which may be specifically identified with a particular area, and the revenues that will come to the governmental unit from that area or by virtue of the characteristics of that area. *Area*, in the above context, means land. It can take in a whole governmental unit, or some part of a governmental unit, including a neighborhood, a category of land use, or a single dwelling unit.

The methods used in cost-revenue analysis vary widely depending upon the specific nature of the studies, the research resources available, and the time demands. In each study, an attempt is made to develop unit measurements of cost and revenues as applied to specific services. These measurements are then used to evaluate the net gain or loss that might be anticipated by adding those services or extending them into different geographical areas.

The most common approach in cost analysis allocates the total cost of individual functions among areas or uses on the assumption that the costs of service will vary with one or more factors, such as property valuation, area, number of properties, structures, or dwelling units. As an example, a department operation involving \$50,000 in expenditures per year might cost 25 cents per \$100 of assessed valuation on the basis of a total assessment of \$20 million in the community. New homes assessed at \$12,000 in an area considered for annexation would therefore each cost \$30 per year to service in this department. Revenue anticipations are commonly estimated on the same

general basis, but with greater accuracy in the case of services for which there are direct service fees or charges.

Some cost analyses involve more complicated and others more simple methods than the above approach. The most complex is the use of performance budgeting techniques by which units of measurement are devised from detailed studies of actual performance records. The simplest method is to base the incremental cost estimates on the judgment of department heads.

In practice, these different approaches are likely to result in fairly wide variations in findings. Indeed, differences have been so considerable that some officials have taken a dim view of cost-revenue studies, maintaining that even the most detailed research can involve "swallowing of many camels while straining at many gnats." There is some merit to this criticism. Not only do different techniques often produce different results, but the formulas do not always take into account many other factors that sharply affect the findings.

Mrs. Mace has suggested three basic limitations to cost-revenue analysis. Although specific criticisms of individual studies will be presented later, the following general limitations should be kept in mind at the outset:

1. The cost-revenue relationship presents only a partial picture of the net costs of development of various types. It usually is concerned only with direct municipal costs and revenues, while indirect costs and revenues may be equally or more significant to local governments.

2. Cost-revenue analysis is meaningful only if it is developed with and takes into account a whole range of basic information. For example, many studies do not recognize the economic interdependence of the municipality and the region in which it is located. Land uses cannot be encouraged or discouraged simply on the basis of policies tailored to local tax needs. The metropolitan or regional demand-and-supply situation must be taken into account. Findings of cost-revenue studies must therefore be evaluated in terms of broad forces with which the typical limited study usually is not concerned.

3. Cost-revenue analysis is an expensive, time-consuming, and complicated process. Moreover, such research is not a "one-shot" job. Service costs, revenue structure, municipal policy, economic conditions, and the tax base are ever-changing variables which make it mandatory that restudy take place at regular intervals.

Recent Cost-Revenue Studies

Below are discussed the basic techniques and conclusions of three recent studies on the cost-revenue aspects of apartments in the suburbs. The purpose here is not only to acquaint municipal officials with techniques employed but also to provide a base for evaluating the worth of these studies. After outlining the studies, a section is presented on questions that might be raised about methods employed.

Philadelphia Study. In October, 1961, a study of high-rent apartments in Philadelphia suburbs was prepared by Anshel Melamed.¹ The basic technique employed by Melamed was computation of tax potential of apartment developments, on a per-acre basis, in relation to tax potential of other land uses. By employing this technique, the study showed that no other land use exceeded the tax potential of apartments. Although the suburban apartment developments were built at densities far below central-city averages, market value per acre was as high as or higher than any other land use.

The actual income from various land uses was used to show the extent to which high-rise, high-rent apartments strengthened the tax base. Property tax revenue for high-rise apartments was compared with that from a steel fabricating plant, a research laboratory, a shopping center, and a motel. From this analysis, the study showed high-rise apartments produced the second highest gross tax revenue and a per acre revenue of \$7,300, more than double the next highest use.

On the expenditure side, Melamed suggested that apartments show up quite favorably in their

¹Anshel Melamed, "High-Rent Apartments in the Suburbs," *Urban Land*, October, 1961, pp. 1, 3-8.

limited requirements for public services. Of key importance, the study noted, is the small number of school-age children in such units. Interviews showed that only 7 per cent of the apartments were occupied by householders with children. In none of the high-rental suburban apartment developments were there more than 10 school-age children per 100 dwelling units. This compared with an average of upwards of 50 children per 100 single-family suburban dwellings. Since school taxes represented as much as 60 per cent of the total municipal levy in the suburban areas, the study concluded that the relatively low number of school-age children in apartments represented a great savings to the municipality. The actual education cost per apartment unit, however, was not calculated.

The second major reason why apartments produced relatively low municipal costs was that they had limited requirements for public services. The study noted that such services as police and fire protection, trash collection and disposal, highway maintenance, and lighting "are surely less costly to provide" for apartments than for other uses. Again, however, no actual cost figures were calculated.

Stamford, Connecticut, Study. This study,² conducted by Dominic Del Guidice in 1963, was concerned with one basic question: Does that portion of high-rise apartment property tax revenues allocable to education offset the local share of educational costs which results from those apartments? The answer submitted was "Yes." The study concluded that each of the dwelling units in the four high-rise apartments in Stamford produced a "surplus" of \$33.34 per year. That is, the apartments produced this much more education revenue per year than they required of municipal outlay for educating the children in these apartments.

In order to use actual expenditures rather than appropriations, the last completed fiscal period for which data were available was selected for study. In addition, state aid to education was subtracted to obtain the net cost of education to the municipality and then compare this to the tax revenues derived locally. Since the concern was primarily with the current situation, the educational share of previous debt service was not charged to education.

As noted in the Philadelphia study, Del Guidice observed that the high-rise apartment revenue "surplus" results because apartments have relatively few school-age children. On a city-wide basis, the study showed that two dwelling units were required to produce one public school child, but it took 7.6 apartment units to produce one public school child. The study further showed that older apartments produced even fewer school-age children.

Although the study offered no statistical calculations, it stated that if costs other than education were analyzed and compared to total tax revenues, high-rise apartments would be even more advantageous. This was because apartments "permit many municipal services to be provided in a concentrated manner."

The study conceded that high-rise apartment assessments and property taxes per dwelling unit were less than for the average single-family residence. This was more than offset, however, by the low educational costs of apartments. Again no comparative figures were computed, but Del Guidice concluded that residential uses as a whole do not "pay their way," while the "surplus" from apartments results from low education costs.

Prince George's County, Maryland, Study. The most comprehensive recent cost-revenue study of apartments was conducted by the Economic Development Committee of Prince George's County, Maryland, in 1963.³ A broad-gauged study of business and one- and two-family dwellings as well as of apartments, the study compared income and expense for the county plus federal and state contributions. The particular strength of this study in relation to the other two is that direct cost-revenue comparisons were possible between apartment units and residential dwelling units. This is important because, in studies of whether to build apartments, the usual alternative is to use the land for single-family dwellings.

²Dominic Del Guidice, "Cost-Revenue Implications of High-Rise Apartments," *Urban Land*, February, 1963, pp. 3-5.

³See Prince George's County Economic Development Committee, *A Study of Income and Expenditures by Family Dwelling, Apartment and Business Units and Individual School Children for the Fiscal Year 1963-1964* (Hyattsville, Maryland: The Committee, 1963).

Although the study showed that total income from all sources per residential dwelling unit was greater than from apartment units, the total costs per dwelling unit were more than twice those of apartment units. The net outcome, therefore, was that apartments brought a yearly \$134.29 "surplus" per unit; residential dwellings brought a \$167.24 "deficit" per unit. As in the other studies, the basic savings from apartments came from reduced education costs resulting from fewer school-age children.

One- and two-family dwelling units produced an average of .943 pupils per unit; apartments produced an average of only .242 pupils per unit. Thus, while the average education cost per unit for dwellings was \$504.50, the cost per apartment unit was only \$124.97. Costs of all other services per unit were calculated at the same figure for both dwelling units and apartment units. Education was thus the only cost on which it was possible to show differences in expense.

As final calculations showed, the average one- and two-family dwelling unit did not even pay the direct cost to the county to educate one child. At the same time, however, apartment units more than paid their way for all services, providing a surplus to help defray the cost of residential dwelling units. Although again not offering actual figures, the study suggested that if other costs had been allocated in proportion to use of government services, apartments would have come out even better.

Evaluation of Cost-Revenue Analysis

The three studies outlined above provide a base from which to evaluate cost-revenue research applied to apartments. Below are discussed two fallacies that indicate the fundamental flaws in these studies. Next is presented a discussion of dangers to avoid in making a cost-revenue study. The purpose here is not to discourage use of cost-revenue analysis; rather it is to point out pitfalls that hopefully can be avoided when one is aware of them.⁴

Questioning the Studies. Although an expert could point up numerous weaknesses in each of the studies, the prime defects might be labeled as the "per-acre fallacy" and the "nonschool costs fallacy." Each of these defects is discussed below.

1. The Per-Acre Fallacy. In the first study noted, concerned with high-rise, high-rent apartments in Philadelphia, all estimates of potential revenue were calculated on a per-acre basis. Thus it was shown that on this basis potential revenues from apartments exceeded that obtainable through other land uses. But acres of land do not demand school, local, or county services; the family units living in apartments demand these services. A more accurate basis on which to make calculations is costs and revenues per apartment unit.

The weakness of per-acre calculations is illustrated by comparing the revenue findings of the Philadelphia study with those of the other two studies. In each of the other studies, which calculated tax returns on a per-dwelling basis, apartment-tax revenues were much below those of single-family dwellings. The much smaller proportion of tax revenue from each apartment unit usually has a more significant effect on single-family home taxes than does the greater amount of taxes per acre yielded by apartments.

It should also be noted that, to be consistent, the number of school children per acre in apartments should be used in a study that calculates tax revenues on a per-acre basis. If this were done, the obvious result would be a much greater number of school-age children per acre in apartments than in single-family dwellings. In fact, opponents of apartment buildings often make a strong point of this issue. They argue that the greater number of school-age children per acre in apartments creates needs for classrooms and other school facilities beyond that required by constructing single-family dwellings on the same land.

2. Nonschool Costs Fallacy. Each of the studies claims that apartments reduce nonschool municipal costs, but *none* attempts to prove this. The studies generalize that it seems logical that services provided to a concentrated group of people will cost less than if provided to single-family

⁴Most of the criticisms of cost-revenue analysis noted in this section are discussed in William H. Clark, "Apartments and Local Taxes," *New Jersey Municipalities*, October, 1963, pp. 17-21 and November, 1963, pp. 39-43.

dwelling. But the mere fact that one, ten, or one hundred families live under one roof has no causal relation to the incidence of crime, fire, or unemployment. Some studies have shown that costs per family unit for both homes and apartments are relatively constant for such common services as snow plowing, traffic lights, shade trees, parks, recreation facilities, libraries, fire protection, police protection, welfare, health, and other basic municipal services. At any rate, it is unconvincing to imply, without evidence, that apartment nonschool costs are less than for single-family dwellings.

Also to be considered is the need for new facilities caused by restructuring land to serve higher densities. Often, for example, construction of apartments means that the community must enlarge existing sewer trunk lines, sewage treatment plants, and water lines. Sometimes even patterns of streets, highways, parks, and schools must be expanded to meet the needs of a new apartment building. This means heavy costs that often are not covered by tax revenues from apartments.

Dangers to Avoid. The following is a list of major pitfalls cited in recent literature on cost-revenue studies. In many cases it may not be possible to avoid all of these dangers, but at least they should be kept in mind as the results of a study are analyzed.

1. Realistic Development Alternatives. It does little good to compare the costs and revenues expected from a proposed apartment development with some other alternative that has almost no chance of being built on that site. Most apartment sites would return more government revenue relative to cost if they were developed for commercial or industrial use or as a site for \$80,000 homes. But if there is no market for such structures at the site, the comparison is irrelevant. Thus comparisons must be limited to uses and structures which could be sold or occupied if built on the same site.

Ideally, studies should proceed by a case approach in which new apartment developments are matched with single-family developments of the type that probably would have been built if the zoning had remained single-family. Only by this procedure is it possible to compare realistic alternatives.

2. Hidden Costs. The actual expenditure picture must take into account indirect and nonmonetary costs as well as costs easily ascertained from municipal services provided. For example, numerous apartment dwellings can diminish the number of single-family homes that do not have children in school. Since this type of home pays a great deal more than the cost of municipal services it demands, tax revenues relative to costs are greatly increased by having as many of these homes as possible. Tax losses from displaced residents and changes in land use are examples of other indirect costs that sometimes result when an apartment is constructed. Indeed, one study has suggested that tax revenue from apartment units will average less than one-half the tax revenue received from every family unit that previously lived in a single-family home on the same land.

Nonmonetary costs of apartment buildings might include decline of the "character of the community," decreased civic interest, and other such costs not easily ascertained or obvious. Often fears of the "type" of people an apartment development will bring into the community are of as great importance as direct costs cited in cost-revenue studies.

3. Predetermined Conclusions. It is unfortunate but true that many suburban cost-revenue studies are undertaken to make a case for a predetermined course of action. They are designed to provide a scientific basis for discouraging low- and medium-priced residential uses. Ruth Mace, whose *Municipal Cost-Revenue Research in the United States* was cited earlier, has commented, "Regardless of whether or not their objectives are desirable, most of these 'propaganda' studies are characterized by a lack of objectivity, short-cut methods, and conclusions that invariably agree with initial hypotheses." In other words, anything can be proved with statistics. It is therefore important not to begin a study already knowing what one wishes to prove.

4. Considering Local Conditions. A fourth pitfall in cost-revenue analysis is application of the findings of one report to the conditions of a completely different community. As noted above, a cost-revenue study can be used to show whatever its user wants to prove. Thus, it is easy enough to find a study that will support conclusions one wishes to sell. But the basic fallacy in this is that local conditions must be considered.

In addition, one must be careful not to let prior studies, even of his own community, influence new studies of apartment dwellings. For example, the number of school-age children per apartment dwelling presently in the city may not remain the same with the construction of new apartments. This number can vary depending on such factors as the cultural tradition of the population that will use the facility, rent levels, provision for yards, and the quality of the neighborhood school system. A study should not lose its objectivity by being too greatly influenced by past studies.

5. Incomplete Analysis. Possibly the greatest pitfall in cost-revenue studies is superficial analysis. In the studies noted earlier, for example, none presented statistical analysis of nonschool costs. Each study, in a broad generalization, suggested that these costs would be less for apartment units than for residential dwelling units. Although it is commendable that the studies at least mentioned this aspect of the problem, each was quite deficient in analysis of conclusions on this point. Such incomplete analysis is widely typical and is probably the main reason for such varied conclusions about whether apartments pay their way.

In addition to incomplete analysis, the cost-revenue analyst must beware of inadequate information from which to analyze. Often figures are not available for similar periods of time, and thus conclusions are unreliable. With many studies the major problem is getting the raw data for study. Of the studies noted in this section, only the Prince George's County study had available full information for the same period, by county, state, and federal agencies. Obviously, results are meaningless unless the raw data from which they are obtained are accurate and usable for comparisons.

As noted at the outset of this section, weaknesses and limitations of cost-revenue analysis have been cited to warn municipal officials of dangers involved. But this is not to imply that cost-revenue analysis is unusable or useless. It is, after all, the best method yet devised for estimating whether apartment construction will be worth the costs involved. But in view of the crudeness of many of its techniques, the method must be used with caution. Techniques are constantly being improved, particularly as a result of some good work at colleges and universities. As more municipal records are processed by machines (particularly the new computers), more and better data will become available.

SECTION II — PLANNING AND ZONING FOR SUBURBAN APARTMENTS

There is no single source to which the planner or public official in a suburban community can turn to find detailed standards for apartments. The kinds of questions that need to be answered include: *Where* in the city should apartment buildings be located? What is the proper *density*? What *site planning standards* should be set? How *many* apartments should be permitted? The little bit of information that might help answer these questions is scattered throughout planning and architectural literature. This report consolidates much of this material. In addition, sources discussing high density projects, usually in central city locations, are useful. While such projects are unlikely to be built in outlying areas, the principles and generalizations developed in these studies are still largely applicable in most suburbs.

This section of the report will proceed from a discussion of location principles, to density and site planning standards (with emphasis on the Federal Housing Administration's new minimum property standards), and finally to examples of handling apartments in the zoning ordinance.

The factors entering into selection of the approximate location for apartment buildings are varied. They range from the economics of land use to local public opinion and must be considered singly and in their relationship to one another. The discussion here relies heavily on excellent planning agency reports from Denver, Colorado, and Santa Ana, California.⁵ Although neither of these reports deals specifically with suburbs, each treats multifamily development in a way that can be used as a framework for broader generalizations.

⁵*Apartment Growth in Denver: A Guide for Zoning Policy with Emphasis on the Southeast Area*. Denver Planning Office, October, 1961; and *The Proper Place of Multi-Story Structures in an Urban Community*. Special Studies 17. Santa Ana Planning Department, October, 1961.

Land Value and Market Factors

In every suburban community the land in certain areas is more valuable than in other areas because of location factors. Typical of this is land near highway interchanges, mass transit stations, or shopping centers, and land fronting on major streets. Such land is often held back from development by owners hoping for increased value and more intensive use in the future. Large scale subdividers often leave a corner property for that shopping center that never quite materializes. Land owners along the major highway into the suburb hold out for years, waiting for the right opportunity. Eventually, rising taxes force the owners to do *something*. The market for commercial land may not be good and the local city council may have a policy against more commercial development. Or in the older inner suburb, groups of lots may have been vacant for years. Perhaps a few of the oldest houses can be torn down if an economic reuse (at a greater density) is feasible. In some cases there may be some vacant land left near the town's planned industrial center. The industry is as safe, clean, and noise-free as possible, yet single-family houses might not sell. The owners or developers in these situations, looking for the best prices or good investments, turn to the apartment building.

Apartment construction may not be suitable in all of the above situations and certainly zoning should not be based only on the pattern of land values, particularly when the value is based on hope rather than adequate economic justification. However, land economics plays a strong role in influencing land use controls — particularly in pressures to change zoning districts to more intensive uses.

The market for apartments is another important factor that will influence local development policies. The growth in demand for apartments and the number of apartments built to satisfy the demand are well known. The frequent requests of suburban officials for information is the basic reason for publication of this report. Yet there also seems to be great reluctance on the part of officials and citizens in many suburban communities to recognize the growth in and popularity of this type of housing.

Officials of each suburban community should be aware of the housing market forces that will influence the community's growth. Of course, it will be an unusual suburb that has a planning department capable of preparing a special analysis of the market for apartments. It will be desirable to watch metropolitan economic and construction indicators (sometimes prepared by metropolitan planning agencies, or by financial and mortgage institutions) in order to assess the effect of metropolitan changes on the community. In some cases it might be wise to hire a consultant to prepare a housing and growth forecast. Or a community may have had such a study prepared in conjunction with a comprehensive plan. In other cases, when a developer proposes to build a great number of apartments in the community, he can be required to submit a market analysis similar to that required in many communities for shopping center developments.

Site Factors

High density housing normally requires reasonably level topography. However, an unusual site may be effectively developed with the planning of a landscape architect and a skilled architect. There are a number of highly regarded California and European examples of apartment buildings constructed on particularly rough or wooded sites. Suitable soil conditions are necessary, because apartment buildings need soils with more than average load-bearing capacities. Local soil surveys should be checked or on-site tests made to guard against unstable soil and subsoil conditions.

Public Services and Facilities

While most officials and citizens have been concerned with the relationship between apartments and school budgets and enrollments, far less attention has been given to provision of other public services and facilities. Apartments must be located where adequate public water and sewer facilities are available. Apartment densities demand the full range of urban utility services — sanitary and storm sewers and public water supply. Usually, no problems are connected with the provision of utilities such as gas, electric, and telephone service. Adequate garbage and refuse disposal services must be available. Police and fire protection must also be adequate. Of particular

importance is the adequacy of fire fighting equipment for any high-rise buildings that might be permitted.

Increased population densities also mean increased traffic generation. Because of this, apartments should be located on major streets and collectors and should not be placed where they funnel large amounts of traffic through single-family neighborhoods. A large apartment development may actually create additional costs for widened streets and traffic control devices. Space for off-street parking facilities is absolutely essential.

Another important consideration is recreation and park facilities. Apartment developments may provide on-site recreation facilities such as swimming pools or tennis courts. However, the demand for facilities will not be limited only to the site. The municipality should expect a demand for additional facilities commensurate with the age, family composition, income, leisure time, and tastes of the population that will live in apartments.

In short, more intensive *urban* services will be needed for apartment areas than may normally be necessary for the typical low density single-family areas of suburbs. Such services and facilities should already be available or, if not, the community must plan to provide them.

Other Factors. A location principle, repeated more often than any other, is that apartments should be near major transportation facilities. The availability of mass transit facilities is important to the suburban apartment developer since his tenants are likely to be commuters — where facilities are available — to as great an extent as residents of single-family dwellings, if not greater. High density development near mass transit stations, therefore, is desirable. Whether or not the metropolitan area is served by mass transit facilities, locations on major streets and highways and near expressway interchanges will prevent the added traffic from passing through intervening lower density residential neighborhoods.

To provide an economic use for land that has not proved salable for single-family dwellings, the community may permit apartments in locations close to the suburb's major business district (in an older suburb) or on the periphery of a shopping center.

The use of apartments as a transitional use or buffer in these areas, however, should be approached with caution. Too many public officials assume that apartment developments are appropriate to buffer single-family neighborhoods from undesirable dirt, noise, light, and glare of commercial and industrial areas. This belief stems from the out-dated idea of "ranking" uses and zoning districts on a "more" or "less restricted" scale. Single-family districts were "most" restricted; industrial districts were "least" restricted. Too often what happens is simply that a greater number of people are exposed to the same undesirable conditions. The use of apartments as buffers is not only ineffective, it is also a continuation of the "second-class citizen" attitude mentioned in the introduction to this report. Compatibility of uses in zoning should be the governing principle and such factors as property values, traffic conflict, mixture of pedestrian and vehicle movement, aesthetic considerations, psychological factors, and building height and bulk must be carefully evaluated in order to select the proper location for multifamily dwellings.

Nearness to schools is another important location factor. Apartments with two or three bedrooms will house families with school-age children. The multifamily development should be within walking distance of schools to avoid excessive bus transportation costs. Where areas next to schools are proposed for apartment development, two land planning principles apply: Apartments should be sited to capitalize on the use of school playfields as open space; and the street pattern should be designed to minimize conflicts between school pedestrian traffic and vehicular traffic generated by the apartment buildings.

Areas adjacent to public open space are usually excellent locations for apartments. Any undesirable effects of higher density developments on adjacent single-family dwellings, whether real or imagined, will be lessened at such developments.

The siting of the apartment structure on the lot and building design may influence location. Although a project may satisfy other location principles, the development may not blend into neighborhood and community. Of particular importance is the compatibility with surrounding residential

areas. Compatibility involves many things. In the words of one planning agency report it involves:⁶

... occupancy composition of the proposed apartments, traffic generated by the development on surrounding streets, structural types and residential densities in relation to surrounding land use, orientation of buildings and site planning, and the planning of streets and lots in and adjacent to the area. High density apartments on an adequate site with proper site planning may be a good neighbor to a low density residential area while the standard brick box frequently seen in Denver apartment areas making maximum utilization of a small site may adversely affect nearby residential areas.

Another and quite important location factor is local public opinion. The question of permitting any apartments in the community has been highly controversial in many suburbs. Even if this issue is resolved in favor of permitting apartments, public opinion will still influence locations within the community. The cry will often be heard: "On the other side of town is okay, but this neighborhood has a special character [single-family] that needs to be preserved." Community officials can not ignore public opinion in designating apartment locations. There are no standards on how much weight to give a public outcry against apartments, other than the good judgment of the officials themselves.

Apartment Standards: The Influence of FHA

In revising its land planning standards for residential development in 1963, the Federal Housing Administration introduced a sophisticated and flexible set of regulations using the concept of "land use intensity ratings." These new regulations will have considerable influence on local land use controls, particularly in planning for multifamily dwellings.

Bench Marks of Livability

Before analyzing the new FHA standards, however, it is useful to summarize another FHA publication, *Intensity of Development and Livability of Multi-Family Housing Projects*, by Robert D. Katz.⁷ In this excellent study, Katz studied selected high-rise and central city apartment projects in Europe and the United States. His generalizations about site planning also apply to the lower density development taking place in American suburbs.

Much of the opposition to apartments in suburban areas is probably due to the deplorable quality of building and site design of far too many projects constructed in the last few years. The identification of 12 aspects of *quality and livability* by Katz ought to be considered by local officials developing land use controls and in reviewing plans for apartment projects. The site planning elements are not so exact that a checklist can be constructed, but they can be used as general guidelines to judge some of the qualitative aspects of apartment projects:

Aspects of Quality and Livability in Multifamily Housing Developments

1. Privacy
2. Usable open space
3. Individuality
4. Diversity of housing types
5. Location
6. Proximity to community facilities
7. Safety and health
8. Circulation
9. Automobile storage
10. Blending of new housing into its surroundings
11. Site details
12. Views from and to a site

⁶ *Apartment Growth in Denver*, op. cit., p. 24.

⁷ Robert D. Katz, *Intensity of Development and Livability of Multi-Family Housing Projects*. Technical Study TS 7.14. Federal Housing Administration, Washington, D.C. January, 1963. GPO. \$2.

1. *Privacy* is often difficult to achieve in apartment developments, yet if it is present, the quality of the environment improves considerably. Site planning techniques for privacy include the use of screen walls or heavy landscaping to create private outdoor spaces. Buildings may be sited facing a court, or have wings jutting out to create private patios.

2. Related to the need for privacy is the provision of adequate *usable open space* for outdoor activities. Such space does not include parking areas or narrow sideyards. Areas for both active and passive recreation should be provided to match the age characteristics of the apartment dwellers.

3. *Individuality* of the buildings in the project can be achieved by different external materials, colors, landscape elements, and other design details. For example, row houses or garden apartments, set off from each other structurally, may also vary in color or materials. Providing small private yards for each dwelling unit creates another feature that gives individuality. Mixtures of low and high buildings and the use of staggered setbacks and broken roof lines can also be used to provide variety.

4. *Diversity of housing types* is closely related to individuality. While many suburbanites still believe that the intrusion of apartments into a single-family neighborhood will disrupt the area and depreciate property values, such mixtures have been deliberately planned by some developers of large scale projects. A portion of the project might contain single-family dwellings, another part might be set aside for garden apartments, and still another might include a medium or high rise building, with even a shopping center worked into the design. Such mixed-type developments, incidentally, have proved very successful — even more successful than most single-type projects.

5-7. *Location, proximity to community facilities, and safety and health* have already been discussed more fully in a previous section of this report. Too many municipalities still zone only those areas for apartments that are left-over parcels, unsuited for lower density development. In effect, a greater number of people per acre are forced to live in the poorest locations for high-density housing. Not only is housing quality usually lower from the very start in such circumstances, but an area of incipient blight is being created.

8,9. *Circulation and automobile storage* are related problems and in turn determine the type and usefulness of open space in a development. Ample parking should be provided, of course. However, massive parking lots should not be allowed to dominate the site or to split yard space into unusable bits and pieces. If at all possible, parking areas should be physically or visually separated by fencing, walls, landscaping, or changes in level. Pedestrian access should be provided to front and rear building exits and sidewalks should be separated from parking areas, access drives, and delivery entrances.

10. The *blending* of new apartment structures will not normally present problems in suburbs, except in older inlying cities that are experiencing development on bypassed lots, large or deep lots, or in some cases where older houses are being replaced by single apartment buildings.

11. *Site details* will be as important in a suburban location as in a city. Imaginative use of lighting, paving, landscaping, and building facades will add significantly to the quality of multifamily housing. Terraces, development around a swimming pool or other recreation area, and provision of imaginative playground equipment and play sculpture also increase attractiveness.

12. In the suburban landscape *views to and from the site* of most apartment dwellers are limited to the site itself unless they live in tall buildings. The tenants are more likely to be looking at an industrial or highway strip commercial development than will the single-family dweller in the same community. This is one result of a zoning policy that permits apartments only adjacent to commercial and industrial areas. As this report has previously emphasized, it is not proper to situate apartments near the worst areas of the community.

Perhaps more important to the suburbanite (and to the suburban official trying to make the decision) is the view from the single-family home or the street to the new apartment area. The Denver quotation concerning box-like structures will be heard often, whether justified or not. However, the proper blending of apartment buildings into the hitherto single-family landscape of

suburbia is important and needs careful consideration (which probably means careful review of site and architectural plans) by local planning authorities.

Federal Housing Administration Land Use Intensity Ratings

The new standards of the Federal Housing Administration (FHA) for residential development are more complicated than most existing zoning ordinance provisions for multifamily dwellings, but they may be understood with a little study. Planners and public officials should examine the new standards closely in drafting and administering local land use controls. Because many persons believe that the new system may revolutionize zoning, a full exposition is given. The standards cover more environmental and site planning elements than will be found in zoning ordinances, and they allow far more flexibility in site layout and in mixing housing types. Thus, they provide a sophisticated planning tool in evaluating requirements for apartments in the suburbs.

The following presents a brief review of some of the basic elements of control for apartments, the specific objectives of the new FHA standards, and how they differ from traditional zoning controls.

Traditional Zoning. The typical suburban zoning ordinance provides for residential districts differing from each other in density and in type of residence permitted (single-family, two-family, multiple-family). Mixtures of structural types at the same density are rarely permitted (although advocated by many experts) except for the cumulative effect of allowing single-family uses in two-family and multiple-family districts. Density is expressed in minimum lot area per family or dwelling unit, or by merely a statement of number of dwelling units permitted per acre. Occasionally, density is based on a room or bedroom count. For example, minimum lot area for one bedroom is set at 1,000 square feet; for two bedrooms, 1,500 square feet; and for three or more bedrooms, 2,000 square feet. Thus, the actual density expressed in dwelling units will vary depending upon the size of apartment units constructed on a particular site.

Some ordinances also regulate density and bulk through the use of floor area ratio standards. Height; building coverage; rear, front, and side yards are customarily regulated, as is the space between buildings. Parking requirements are also common. Less common are requirements for usable open space, even though open space (in addition to factors related to density) is perhaps the major element in residential environment that makes it pleasant, comfortable, safe, healthful, and desirable.

Basic Concept of FHA Standards. In almost all cases these zoning requirements are related to *land area*. The FHA standards, however, are based primarily upon *floor area*. In addition, most of the FHA standards are expressed in terms of *ratios* to floor area, rather than absolute dimensions. How does the land use intensity system work? This concept is best introduced by an example of the use of the Land Use Intensity Standards chart (Figure 1).

A land use intensity rating between the 0.0 and 8.0, assigned by FHA to a particular site, is based on character of the neighborhood and community. In Figure 1 this rating appears on the horizontal axis and is read off at the bottom of the chart. The ratios permitted on the site are then determined by checking along the vertical axis representing the assigned land intensity use rating until that line intersects each of the curves, then reading off the ratio on the vertical scale, indicated along the left margin.

For example, suppose that the rating of a particular site is 5.0. Reading the figures off in order, from the lowest to the highest, the applicable ratios will be:

Minimum recreation space ratio	0.13
Maximum floor area ratio	0.4
Minimum occupant car ratio	1.1
Minimum living space ratio	1.1
Minimum total car ratio	1.25
Minimum open space ratio	1.8

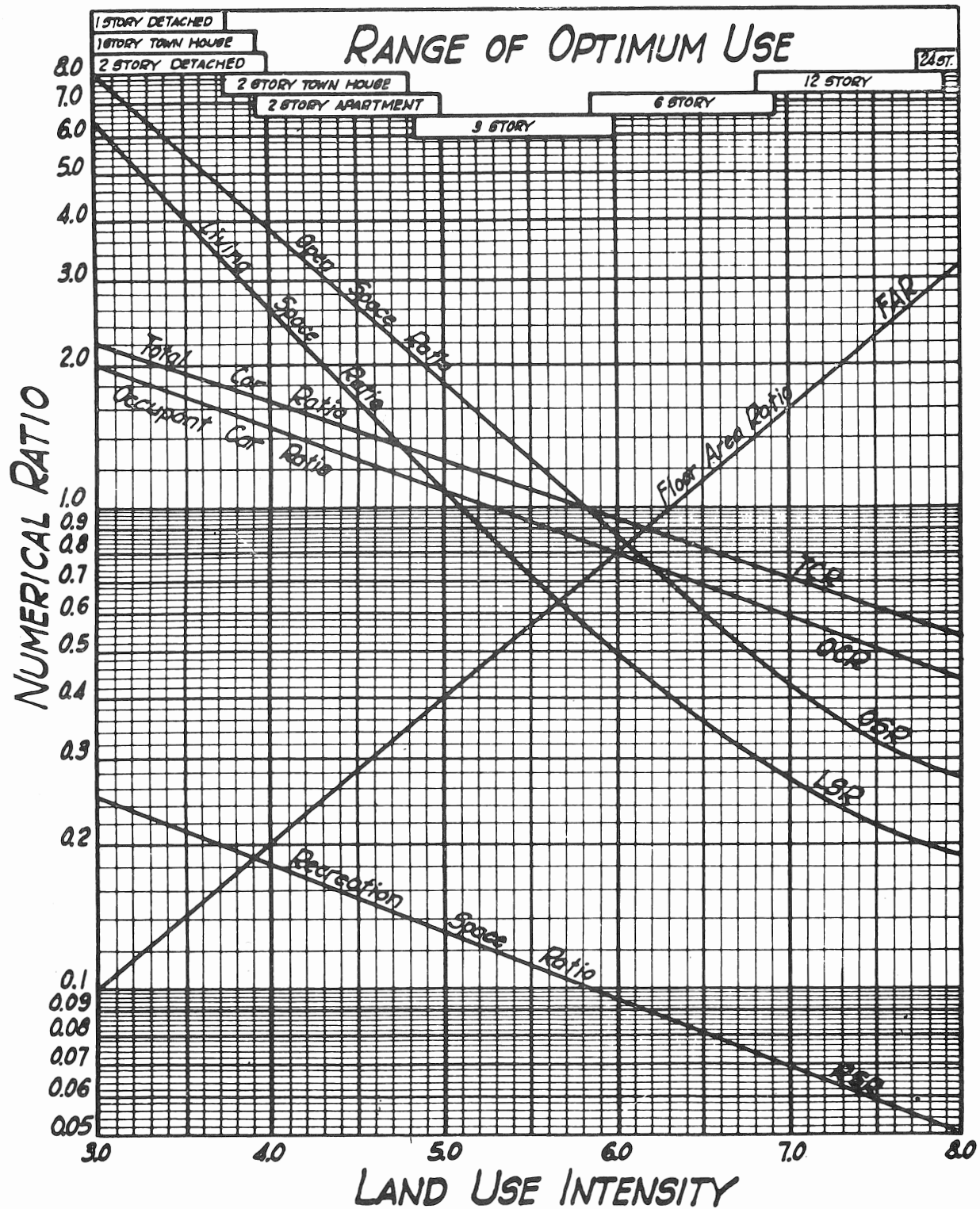


Figure 1 — Land Use Intensity Standards

Land use intensity rating correlates land area, floor area, open space, livability open space, recreation space, parking requirements, types of structures, and a range of densities. Definitions of some of the terms used are as follows:

Floor Area (FA) is the sum of the areas for residential use on the several floors of a building or buildings, measured from the faces of the exterior walls.

Land Area (LA) is the site area for residential use within the property lines, plus half of abutting street row, plus half of any abutting permanent open space (with certain limitations).

Open Space (OS) is the total horizontal area of all uncovered open spaces plus one half of the total horizontal area of covered open spaces (e.g., roofed porches, carports).

Livability Open Space (LOS) is the open space, minus the car area within the uncovered open space, minus one half of any covered car space that was previously eligible and credited in part to open space.

These are simplified definitions and the actual regulations, which are contained in the draft of *Land Planning Bulletin No. 7* (to be published in 1964 by FHA), should be examined for all the exceptions, partial credits, and definitions of what can be counted on roofs, porches, or balconies. The regulations also give definitions for the various ratios. Thus, there is a definition for open space and another for open space ratio. The floor area ratio is based on *land area*, the car ratios on *number of dwelling units*; all the other ratios are based on *floor area*.

The most critical step in using the land use intensity ratings is the actual assignment of a specific rating to the property where the project will be built. Once this is done, building and site requirements fall into place.

Application of Intensity Ratings. Because of the importance of the system, it is well to understand some of the basic ideas that make up the rating system and the process of determining the rating of a particular housing site. One purpose of the ratings is to ensure that new residential building developments will fit into the particular type of community as well as into the specific neighborhood within the community. Figure 2 is a theoretical illustration of a typical community building and land use pattern. Intensities (indicated by the density of shading) are greatest at the center, taper off in the transition and corridor areas, and finally level off in the outlying area. In Figure 3 the bottom portion shows the range of intensities that FHA feels is suitable for various types of communities as well as general locations within them. Present and anticipated land use patterns in the community presumably play a heavy role in FHA's determinations, as do land market factors. FHA is interested in preventing either too great or too low intensities in particular locations. A low intensity rating can adversely affect the project through underuse of the land. Similarly, a rating that is too high can lower livability, and in turn lower the potential rental or sale value of the property.

The land use intensity rating applies to the total land area in a particular site. The rating scale appears in the first column of Table 1. For each rating, 0.0 through 8.0, a floor area ratio is given as well as the floor area per gross acre. Density in living units per gross acre for two different size dwelling units, 1,089 square feet and 871.2 square feet, is also given. It should be noted that for each full unit on the intensity scale the density, measured in living units per gross acre, is *doubled*. The 0.0 intensity rating at the 544.5 square feet of floor area per acre may be visualized as a single-family dwelling of modest size, 1,089 square feet of floor space, on a two-acre parcel. The same sized house with an intensity rating of 1.0, would be on a one-acre lot. The three dimensions given in Figure 3 — 871.2 square feet, 1,089 square feet, and 1,452 square feet — are not based on standard building sizes. Rather, they are respectively 1/50th, 1/40th, and 1/30th of an acre (43,500 sq. ft.). Because of this, they facilitate the preparation of the charts, and they are reasonably close to the floor area of a one-bedroom apartment, a two-bedroom house, and a three-bedroom house.

Once the rating is determined, Figures 1 and 3 are consulted to determine the permitted floor area and the number of dwelling units that can be built on the parcel. This is based on the floor area of the individual dwelling unit and the size of the tract of land. Thus, on an acre of land assigned a land use intensity rating of 5.0, a builder can place between 12 dwelling units of 1,452 square feet of floor area and 20 dwelling units of 871.2 square feet of floor area (see Figure 3).

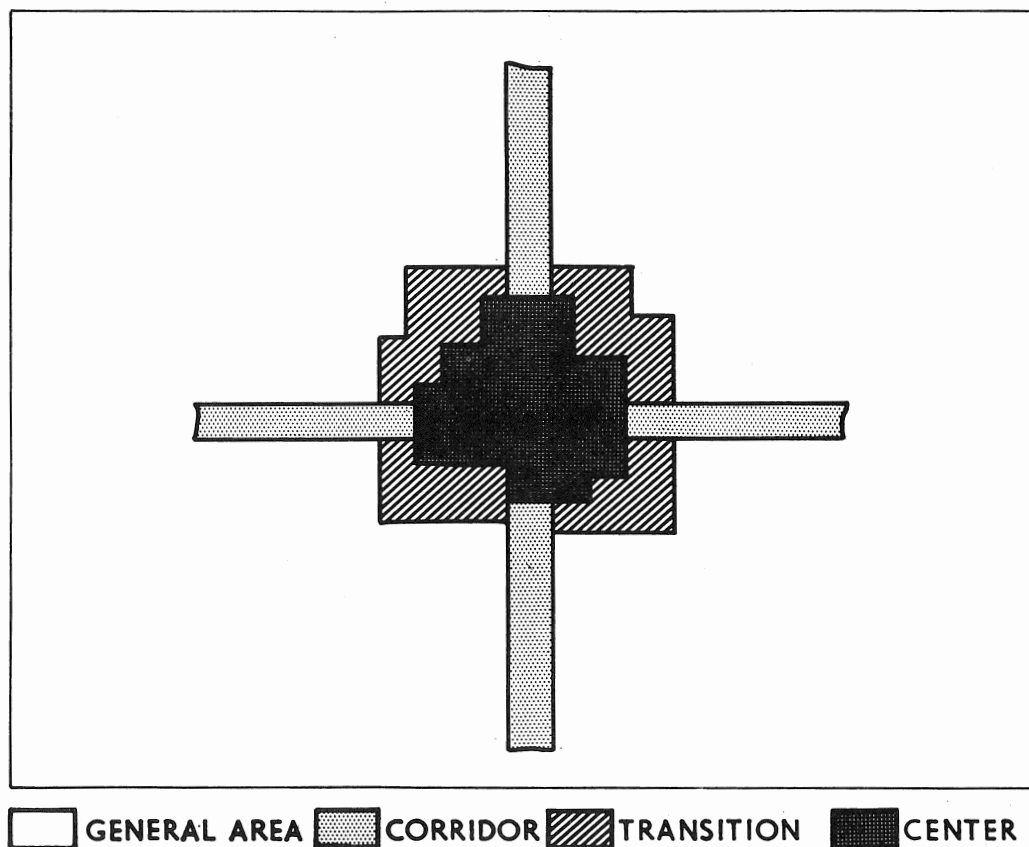


Figure 2 — Typical Community Pattern

Table 1

Land Use Intensity Related to Floor Area and Density

Land Use Intensity (LIR)	Floor Area Ratio (FAR)	Floor Area (sq. ft.) per Gross Acre	Density in Land Use per Gross Acre	
			1089 s.f./L.U.	871.2 s.f./L.U.
0.0	.0125	544.5	.5	.625
1.0	.025	1089	1.0	1.25
2.0	.05	2178	2.0	2.5
3.0	0.1	4356	4.0	5.0
4.0	0.2	8712	8.0	10.0
5.0	0.4	17424	16.0	20.0
6.0	0.8	34848	32.0	40.0
7.0	1.6	69696	64.0	80.0
8.0	3.2	139392	128.0	160.0

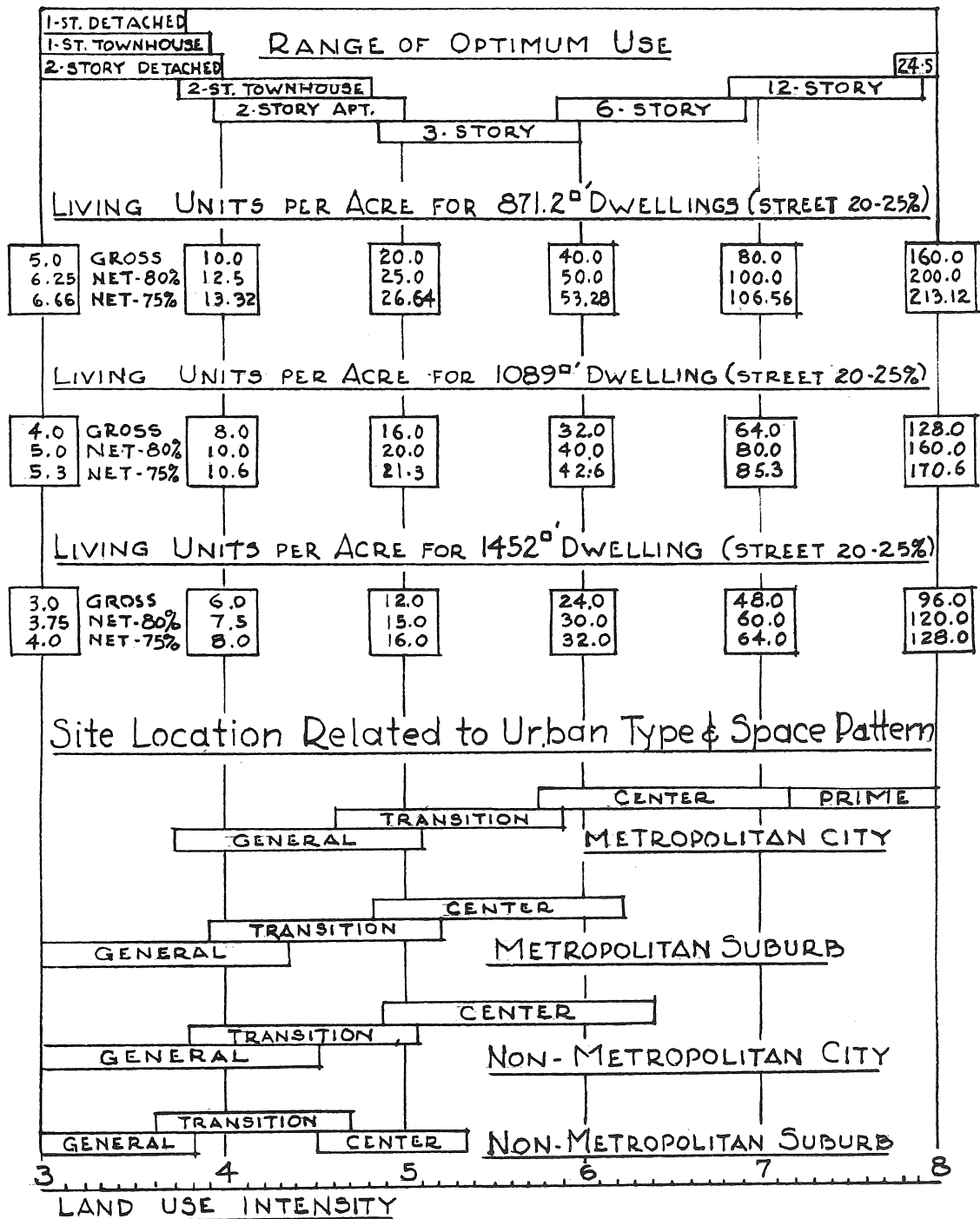


Figure 2 – Typical Community Pattern

This is a *gross* density. The range of permitted net densities may also be found by computing the area devoted to streets. Figure 3 shows the range in net dwelling unit density with 20 to 25 per cent of the land developed to streets.

It should be noted that FHA no longer uses net density in reviewing projects. In the past this procedure often proved confusing, since at times public streets were counted and private streets were not, or a proportion of the area of abutting streets or open space might or might not be counted. The new FHA minimum property standards for multifamily dwellings now take *gross* land area as the base for land use intensity ratings. In making any comparisons with zoning ordinance densities, the reader should remember that most frequently zoning provisions are based on *net* land area — streets and alleys are not included.

FHA also uses “benchmarks” in determining the suitable intensity rating for a particular development. These benchmarks are actual projects that have been built and subsequently compared and analyzed in terms of the rating scale. Thus, the local insuring office will use examples of some actual apartment developments that have a certain rating. A proposed development can then be compared to see if the intensity and site planning standards are up to par with developments considered to be good ones.

Determining Suitable Intensity Rating. The step-by-step procedure to be followed by a local FHA office in determining a suitable intensity rating for a particular site will provide local officials with useful information for project evaluation. Surroundings of the proposed development, its relationship to the community, and the urban type of the community, are analyzed following the principles and using the measurement devices described in *Land Planning Bulletin No. 7* (FHA) and in the revised provisions of *Minimum Property Requirements for Three or More Living Units*. (FHA). The step-by-step procedure follows:

1. To relate the site to the urban type: (Figure 9)

Determine the urban type in which the site is located and find the group of range bars for that type at the bottom of Figure 3.

Example: “Metropolitan Suburb.”

2. To relate the site to the space pattern of the community:

- a) Determine the sector of the community space pattern in which the site is located and find its range bar within the urban type found in Step 1 above.

Example: “Center.”

- b) Note the land-use intensity ratings for that range bar.

Example: The 4.8 to 6.2 range.

- c) Consider that intensity range in relation to the intensity range appropriate for that particular community and that particular sector of that community. Narrow the range under consideration, or adjust it otherwise, as appropriate.

Example: Recognizing weaker community and sector than the typical, the 4.8 - 6.2 range is narrowed to 4.8 - 5.8 for further consideration.

3. To relate the site to common building types:

- a) Using the range of intensity ratings found in Step 2c, note at the top of Figure 3 under “Range of Optimum Use” the building range bars which are in that intensity range.

Example: For the 4.8 to 5.8 range, they are a 2-story townhouse or apartment in the lower end of the intensity range, 3-story in the middle of the range and 6-story at the upper end.

- b) Consider this and if possible, narrow the intensity range to be considered further.

Example: The 4.8 to 5.8 range is narrowed to a 4.8 - 5.6 range.

4. To relate the site to density:

- a) Note the gross and net density for living units of typical sizes at the degrees of land-use intensity found in Step 3b above.

- b) Consider this and if possible narrow the intensity range to be considered further.

Example: The 4.8 to 5.6 range is retained for consideration.

5. To compare with typical "benchmarks":

- a) Note the characteristics of known projects charted as "benchmarks" in the *Minimum Property Standards Manual* or by local analysis, particularly those in the intensity range found in Step 4b above.

Example: The 4.8 benchmark for the 2-story townhouse project in the is noted.

- b) Consider this and if possible, narrow the intensity range to be considered further.

Example: An intensity slightly higher than the 4.8 benchmark design appears suitable to the site. The 4.8 - 5.6 range of Step 4b of the example is narrowed to the 4.8 to 5.2 range.

6. To relate the site to the land-use standards: (Figure 1)

- a) Note the standards in Figure 1 for the intensity range found in Step 5b; note the doubling of floor area for each unit increase in Land Use Intensity Ratio (LIR) and the accompanying halving of livability space, and the reduction in car storage.

- b) Consider this, and if possible, narrow the intensity range for further consideration.

Example: The 4.8 to 5.2 range of Step 5b is retained for further consideration.

7. To relate to timing:

- a) Note the time stage of the development pattern of the particular community and the particular sector in which the site is located. Note the current market demand for additional housing supply at the intensities under consideration.
- b) Considering these factors, narrow the intensity range found in Step 6b or adjust it downward if indicated by the needs of timing and marketing for current use.

Example: The 4.8 to 5.2 range of Step 6b is narrowed to a 4.9 to 5.1 range.

8. To determine numerical land-use rating:

Considering all the above, and working within the range of a land-use intensity found in 7b, determine that numerical degree of land-use intensity on the rating scale which is most appropriate for the subject site for FHA purposes; in other words, the intensity rating which represents the maximum intensity acceptable to FHA for the current use of the site for FHA-insured housing.

Example: The 4.9 - 5.1 range of Step 7b is resolved at LIR 5.1.

Because local officials will still have to work within the framework of zoning ordinances to control land use and development standards, a translation of the land use intensity ratings is useful. A direct comparison with typical zoning provisions, however, can only be approximate, since the land use intensity ratings are based on *floor area* and zoning ordinance requirements on *land area*. Additional difficulty is encountered in translating densities. The FHA standards use a *loose* standard of gross measurement of dwelling units per acre whereas zoning ordinances use *exact* and *net* densities. However, if certain assumptions are made, it is possible to make rough conversions.

As most of the problems with apartments in the suburbs occur in metropolitan areas, the land use intensity ratings of 4, 5, and 6 are chosen for illustration. Two assumptions are made: Density is net density based on 20 per cent of the land area in streets with 871.2 square foot dwelling units; and the maximum floor area is used. Table 2 illustrates these kinds of conversions. Except for the parking requirement, all requirements are stated in relationship to *land area*.

The requirements in this table do not differ materially from some typical suburban zoning ordinance provisions. The three intensity ratings presented are similar to three separate residential zoning districts; low, medium, and high density. The high density example would be relatively rare in a suburban community, but the other two represent typical densities for garden apartments and two and three story walkup apartments now being built in many suburbs.

Of course, these intensity ratings are only three of the dozens that can be assigned by FHA to a particular project. In choosing a particular rating FHA has a large amount of *flexibility* in that there are as many ratings as lines on the graph. It is doubtful, and probably not desirable, that local agencies administering land use controls will ever have zoning tools as flexible as the land use intensity ratings. But the FHA *approach* is compatible with planned unit development provisions found in many zoning ordinances, and should prove useful in administering such provisions.

Table 2
Typical Zoning Standards

	Land Use Intensity Rating		
	LIR 4	LIR 5	LIR 6
Dwelling units per acre	12.5	25.0	50.0
Lot area per dwelling unit (rounded)	3,485 sq. ft.	1,740 sq. ft.	870 sq. ft.
Floor area ratio.	0.2	0.5	0.8
Maximum coverage.	20%	28%	30%
Livability open space	52%	44%	40%
Recreation space	3.6%	5.2%	7.5%
Parking (inc. guest)	1.6/d.u.	1.2/d.u.	0.95/d.u.

The pleas for more flexibility in zoning will undoubtedly increase as the new rating system becomes better known. However, no planning agency or local government should rush blindly into copying the FHA system. In the first place, it is too early to tell how well the system will work. Second, drafting a zoning ordinance with the FHA range of 50 or so separate density categories would be extremely difficult. Perhaps more needed in zoning is flexibility in varying structure types. The use of gross land area to compute density presents no difficulty, except in determining appropriate densities for vacant single lots in existing subdivisions. However, the use of floor area, rather than land area, as a base by FHA seems at times unnecessarily confusing. In addition, local officials need to know and to be able to control the number of dwelling units and the number of bedrooms for land use planning purposes. In fact, those zoning ordinances that use a density scale based on the number of bedrooms may be superior to the FHA approach. Most public officials will be more interested in how many school children will come from an apartment project, than in the sometimes over-subtle control of mass-structure-space relationships.

The FHA land use intensity ratings show the greatest promise in helping local officials review planned unit or large scale developments. While most existing zoning provisions of this type provide that the development must meet certain density limits, the ordinances are much too general and give too few standards to assist the reviewing agency in making intelligent decisions. It may be possible to prepare, as a part of the ordinance, a chart similar to Figure 1 to guide local agency review of planned developments. Instead of the "intensity" ratio, the base could be floor area ratio or dwelling units per acre, with the other standards related to the base. Depending on local conditions and desires, the graph curves could be skewed to require more or less open space, parking, or some other requirement.

Many of the factors in land intensity rating, such as parking, recreation space, and open space, are by no means new in zoning ordinances. It should be pointed out that planners have sought to include these kinds of provisions in zoning ordinances for a number of years. Usable open space requirements appear in some of the newer zoning ordinances, as do most of the other requirements. However, these concepts are appearing in FHA regulations for the first time, and, to the best knowledge of the authors of this report, no zoning ordinance contains standards for *all* of these items.

Zoning for Apartments

In drafting zoning controls for apartments, the first question that usually arises relates to *density* — how many dwelling units per acre should be permitted, or what should the minimum lot area per dwelling unit be? There is no universal answer to the question of an appropriate density for the suburban community. Densities adopted within the zoning ordinance will depend upon the suburb's comprehensive plan, density of existing development, availability and quality of various public services, typical development patterns for apartments within the larger metropolitan area, community attitudes, and a host of other factors. However, there are some broad general standards and guidelines that should be considered by local officials.

In addition to the new FHA standards, the American Public Health Association's *Planning the Neighborhood* (APHA) recommends density standards for residential development. Tables 3 and 4 summarize some of these numerical standards. Since the standards were originally developed in

Table 3
Net Dwelling Densities and Building Coverage

	Net Dwelling Density (Units per Acre of Net Residential Land)		Net Building Coverage (Per Cent of Net Residential Land Built Over)
	Standard: Desirable	Standard: Maximum	Standard: Maximum
Multi-Family			
2-story	25	30	30
3-story	40	45	30
6-story	65	75	25
9-story	75	85	20
13-story	85	95	17

Source: *Planning the Neighborhood*, American Public Health Association, Committee on the Hygiene of Housing, 1960.

Table 4
Lot Area - Recommended Allowance
per Family by Apartment Type and by Component Use

Dwelling Type	Total	Land Area: Square Feet per Family			
		Covered by Buildings	Outdoor Libing	Service, Walks and Setback	Off-Street Parking
Multi-Family (Common Access & Services)					
2-story	1,465	435	415	455	160
3-story	985	290	315	220	160
6-story	570	145	215	50	160
9-story	515	105	215	35	160
13-story	450	75	215	35	125

Source: *Planning the Neighborhood*, American Public Health Association, Committee on the Hygiene of Housing, 1960.

1948, today they are considered by many planners as *minimum* standards. For example, the space standards for automobiles are out-of-date. However, because the standards are simple, in comparison with the FHA intensity rating, the publication is still an excellent reference.

Both tables show that although recommended densities increase with building height, the recommended building coverage decreases. The need for outdoor living area is also taken into account by the APHA standards. The relationship, therefore, between density, height, coverage, and amount of outdoor space has been considered. This is not the case if standards are expressed only as a maximum density figure. Zoning ordinance provisions should incorporate control techniques that recognize these relationships.

As stated previously, this report will not attempt to set any specific density or space standards.

Careful study of a few standard planning sources, particularly *Planning the Neighborhood* and the new FHA land development standards, along with selected zoning ordinances from neighboring cities, is about all local officials can do in looking outside their community for development standards. The local planning agency will find that most existing standards are based on traditional principles, current practices, and a mixture of hunch and compromise. The following section, however, outlines some of the basic elements that should be included in zoning ordinance provisions to control apartment development.

The first step is to determine the appropriate maximum permitted *density*. Although the new FHA standards have abandoned density requirements based on land area, municipalities are advised not to follow suit. In using requirements based only on floor area, the FHA standards are still experimental, and when used alone, do not take into account the number of families, children, bedrooms, or amount of traffic generation. Furthermore, some communities have found that the use of floor area ratio only as a density control in the zoning ordinance has resulted in developers building low structures covering nearly all the lot with little, if any, open space surrounding the building.

If densities are to be clearly stated, it is desirable to have a *floor area ratio* requirement to control building mass and its relationship to land area. In other words, FAR should be used as a bulk control to ensure a reasonable amount of open space, and not as a population control technique specifying the number of families per acre. Floor area ratio is also useful in conjunction with a bonus system whereby additional floor area is permitted if a building is constructed with additional stories but covering less lot space.

In addition to maximum density, most easily stated as a *minimum lot area per dwelling unit* requirement, there should also be a *minimum lot size* requirement. It is difficult to state categorically what such a requirement ought to be — local development standards will usually govern this kind of determination. But in general, a lot in a built-up portion of a suburb should be large enough to provide adequate off-street parking, yards, and open spaces. These generalizations apply especially to the occasional bypassed lots in older suburbs. The minimum lot size requirement is particularly important to guide development in areas zoned for multifamily development that contain a few vacant lots smaller than even the typical single-family lot. Where one- or two-family structures are permitted in multifamily areas, the apartment district regulations should require the minimum lot area for these dwellings be the same as if they were built in the one- or two-family zoning district.

A simple method of handling the small lot problem is by using a sliding scale. For example, suppose the community wished to establish a multifamily district at a density of 1,000 square feet per dwelling unit, in an area originally subdivided into 5,000-square-foot lots for single-family development. A five-unit apartment on a 5,000-square-foot lot is obviously overcrowding the load. Therefore, as a part of the zoning provision for this district, the following tabulation is included:

Maximum number of dwelling units permitted in this district

<u>Lot Area in Square Feet</u>	<u>Dwelling Units</u>
Less than 5,000	1
5,000 to 7,499	2
7,500 to 8,999	3
9,000 to 10,000	4

For each 1,000 square feet over 10,000, one additional dwelling unit may be constructed.

Maximum building *coverage* and *height* provisions are also typically included in zoning provisions for apartments. Of the two, coverage is perhaps the most important in terms of controlling the quality of the environment — particularly if the zoning ordinance does not contain usable open space provisions. Maximum coverage percentages suggested in Tables 3 and 4 should not be exceeded. Coverages may be computed from the FHA standards by taking the open space ratios and

working back to arrive at building coverages, but the peculiar exceptions and allowances under FHA definitions must be taken into consideration.

In setting height limitations, suburban public officials must first decide whether residential buildings of more than three stories will be permitted at all. If not, the matter of drafting height controls will pose no serious problems. If the community does decide to permit buildings of more than three stories, the zoning ordinance should contain other controls, such as floor area ratio or angle of light obstruction provisions.⁸

Front, side, and rear *yard requirements* should present few problems in drafting zoning provisions. However, problems will occur if the ordinance depends on yard dimensions as a device to control density. They are an inadequate substitute for minimum lot area per dwelling unit, coverage, and usable open space requirements.

Yard requirements to ensure light, air, and noise control are so well accepted in zoning practice that they are seldom questioned. The dimensional standards suggested in *Planning the Neighborhood* are widely used. In the new FHA requirements, the actual minimum yard dimensions vary, depending on whether the building wall contains living room windows, and on the height and length of the building. The regulations are as follows:

Wall Containing Living Room Window. Where the wall contains 25% or more of the required window area of one or more living rooms, the minimum depth for its yard shall be not less than 10 feet plus 2 feet for each story in height plus 1 foot for each 15 feet in length. $D = 10 + 2S + \frac{L}{15}$.

Wall Containing Window But No Required Living Room Window. Where the wall is a window wall, but without any required living room window, the minimum depth for its yard shall be not less than 5 feet plus 1 foot for each story in height plus 1 foot for each 15 feet in length. $D = 5 + S + \frac{L}{15}$.

Wall Containing No Window. No yard is required. The complete text of the FHA regulations, containing modifications for the wall containing no windows, should be consulted. In addition, the regulations also contain standards for distances between buildings, courts, as well as illustrations of how and from what point, on a building of irregular shape or one placed at an angle on a lot, dimensions are measured.

The need for *usable open space* has already been discussed as have FHA's concepts of open space, livability space, and recreation space. If the suburban community wishes to achieve and maintain a health environment, allowing a mixture of housing densities and types, a usable open space requirement is not merely desirable but absolutely essential. Essentially, such a regulation is simply a requirement that some compact, level, unobstructed area of specified minimum dimensions shall be provided somewhere on each apartment building site. The required area should not be devoted to service driveways, off-street parking space, or off-street loading berths, but should be usable for greenery, drying yards, recreational space, and other leisure activities normally carried on outdoors.

Definitions of usable open space in a zoning ordinance are sometimes complex, if usable roof and balcony space are counted as a part of the required area. Definitions, amount of space, and other aspects of the subject are discussed in ASPO Planning Advisory Service Information Report No. 173, *Usable Open Space*, (July, 1963).⁹ This report, as well as FHA's requirements, should be studied before adopting local standards.

Off-street *parking space* should be required for all proposed apartment projects. Apartment dwellers, particularly in the suburbs, are no longer solely dependent on mass transit facilities. Recent suburban zoning ordinances indicate that at least one parking space per dwelling unit, plus an added fraction for guests and the occasional two-car family, is necessary. The FHA requirements

⁸These are discussed in ASPO Planning Advisory Service Information Report No. 111, *Floor Area Ratio* (June, 1958); and No. 139, *Planning for Apartments* (October, 1960).

⁹Available to agencies subscribing to Planning Advisory Service, sponsored by The American Society of Planning Officials.

also reflect this trend for low- and medium-rise structures. Figure 1 shows that parking ratios lower than one space per dwelling unit do not occur until the intensities of six-story structures are reached.

In many cases, projects will be proposed on large tracts of land where developers will be creating whole new neighborhoods. These proposals include new parking lots and garages, mixtures of single and multiple housing types, and shopping areas. In the more recent zoning ordinances, these large-scale developments are handled under *planned unit development provisions* rather than trying to use the traditional lot-by-lot zoning.¹⁰ The developers are allowed wide variance from the strict letter of the regulations, so long as the over-all density for the area is not exceeded.

The two basic procedural approaches are to treat large-scale developments either as special uses permitted within basic zoning districts, or as special-purpose districts. When treated as special-purpose districts, they may be mapped or unmapped.

A special-purpose district approach is occasionally used for large-scale apartment developments. In most ordinances special districts of this type are unmapped (floating zones) until such time as the developer applies for a map amendment. The local legislative body makes the map amendment after review of the proposed development by the planning agency. In some cases, the special district must receive the approval of the planning agency by being passed through a review procedure similar to that used for subdivisions. The floating zone then becomes a special district shown on the map.

When a planned development is a special use permitted within a basic district, the procedure may be to require approval of the planned development by the zoning board of appeals after recommendation by the planning agency, if this is the procedure for other special uses.

Group housing developments have often been treated as special uses permitted in certain districts. The poor drafting of many of the provisions dealing with large-scale developments treated as special uses makes it difficult to generalize about the relationship between the proposed development and the basic map zones in which development might be permitted. In the better drafted zoning ordinances, planned developments *must* abide by the use and density regulations of the district in which they are permitted, but deviations are permitted from other requirements of the basic districts. For example, the most common deviation is allowed in yard requirements within the project; however, yard requirements around the perimeter of the development must conform to those of the basic district.

In summary, then, a checklist of the types of provisions that might be found in apartment district regulations can be summarized as follows:

1. Density (or minimum lot area per dwelling unit)
2. Floor area ratio
3. Minimum lot size
4. Coverage
5. Height
6. Yards
7. Usable open space
8. Parking
9. Planned unit development

Inclusion of all of these provisions in the zoning ordinance is not necessary for assuring effective apartment regulation. For example, not all of the listed bulk controls may be needed in the ordinance. Some, however, complement others and must be used together.

Finally, and this point is often underemphasized, zoning is not self-executing. Final development

¹⁰See for example Urban Land Institute Technical Bulletin No. 40, *New Approaches to Residential Land Development, A Study of Concepts and Innovations*; No. 42, *Density Zoning – Organic Zoning for Residential Developments*; and No. 47, *Innovations vs. Traditions in Community Development, A Comparative Study in Residential Land Use*.

decisions are made not by zoning authorities but by private citizens; and those decisions reflect market considerations. Zoning only regulates those decisions. Therefore, any zoning regulation must be evaluated in terms of the way it can be *administered*. To do this, local officials must consider whether it will be *efficient*: Will it attain the substantive objectives desired? Local officials must also consider its *fairness*: In practice can it be expected to result in nonprejudiced application to similarly situated landowners? All other things being equal, a poorly drafted zoning ordinance that leaves a great deal to the future, relying heavily on discretionary decisions made by local officials, can usually be expected to lead to poor land use development.

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**Joint Center for Housing Studies
Harvard University**

**Overcoming Opposition to Multifamily Rental Housing
Mark Obrinsky and Debra Stein
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I. Introduction and Background

Resistance to multifamily rental housing is a growing phenomenon in communities around the country. Indeed, opposition to any type of new housing development has become so pervasive that the area of community resistance has spawned its own vocabulary. Multifamily housing is characterized by some citizens as a “NIMBY” project (Not in My Backyard). Apartments are condemned as “LULUs” (“Locally Unwanted Land Uses”). We even have “CAVEs” (Citizens Against Virtually Everything) and they want “BANANAs” (to Build Absolutely Nothing Anywhere Near Anyone).

Putting whimsical acronyms aside, citizen resistance to multifamily rental housing is not a humorous issue. In fact, community opposition to these development projects runs smack up against powerful demographic trends. Population growth in the U.S. continues at a high level – certainly in comparison with other developed countries – and will require considerable new residential construction.¹ Even a brief examination makes this clear.

The U.S. population is expected to increase over the next 20 years at an average annual rate of 0.83 percent – which would result in a cumulative increase of 23 percent, or 68 million people. This figure is twice the size of today’s most populous state, California, which has almost 34 million people. In fact, the projected number of new residents in the next two decades is larger than the number of people who currently live in the Northeast (54 million), Midwest (64 million), or West (64 million). Clearly, population growth is an issue of critical importance for the U.S.

What’s more, the growth in households will be even greater than population growth itself. The average size of a household has been dropping for more than a century. In 1900, an average of 4.6 people lived in each household. By 2004, there was an average of only 2.6 people per household. While this decline is partly the result of families having fewer children, it is mainly the result of changing household composition. In 1960, single-person households made up 13 percent of all households, while married couples with children made up another 44 percent. The share of single-person households has doubled since then while the number of married couples with children has fallen to only 23 percent. Married couples without children remain the most common type of household, as they have been since 1982, even though their

¹ Of the nine countries that will account for half the world’s population growth from 2005-2050, the only developed nation is the U.S. See: United Nations, *World Population Prospects: The 2004 Revision*, vol. 3, p. xv. Available at: <http://www.un.org/esa/population/publications/WPP2004/2004EnglishES.pdf>

share of the total has waned a bit over that time. The Joint Center for Housing Studies projects that average household size will decline a bit more before stabilizing.²

The upshot is that the demand for new housing units is likely to increase faster than the population itself is projected to grow. Extending the Joint Center for Housing Studies' projections for 2020 another decade suggests that between 2005 and 2030, the number of households will rise by almost 30 percent – that is, 33 million new households.

The number of additional housing units needed by 2030 is actually greater than 33 million, however, because an estimated 17 million existing housing units will fall out of the housing stock due to deterioration or destruction.³ Thus, some 50 million new housing units will have to be added to the stock between 2005-2030. This is both a daunting challenge and a ray of hope – we have an opportunity to shape future development and determine the character of the built environment in which we will live and work.

What is at issue is not whether these new residences will get built, but rather where they will get built and what kind of residences they will be. Put differently: what kind of communities should we build?

The traditional suburban development model features low-density housing built in cul-de-sacs, neighborhoods separated from strip malls, big box retailers, and office parks along roads with ever-increasing traffic.⁴ But compact development – especially sustainable communities that promote accessible transportation choices, higher density, mixed-use and mixed-income development, and attractive design – have attracted growing interest. The age structure and household composition of the new households will surely tilt demand further in this direction.

Multifamily rental housing has long been an important part of the constellation of housing choices for families and individuals. It plays an increasingly important role in “workforce housing,” providing homes for our nation’s teachers, firefighters, police officers, health care workers, and public employees. These vital workers contribute to the community, but their incomes are often less than what is required to support a comfortable, middle-class life.

² The Joint Center’s forecast is that the overall headship rate will continue to rise somewhat before stabilizing, but the overall headship rate is just the inverse of the average household size.

³ Authors’ interpolation based on Arthur C. Nelson, “Toward A New Metropolis: The Opportunity to Rebuild America,” Brookings Institution Metropolitan Policy Program, December 2004.

⁴ This view is proposed by Bruce Katz and Andy Altman, “An Urban Age in a Suburban Nation?” Presentation to Urban Age Conference, New York City, February 25, 2005.

Nonetheless, there is continuing resistance to higher density housing, to rental housing, and to low-income housing. Such resistance, if successful, may bring about a less-than-optimal result; in particular, it would mean fewer multifamily rental properties than would otherwise occur.

This paper seeks to examine the nature of that resistance, the reasons behind it, and how it can be overcome.

In general, people who support multifamily rental housing tend to want the new benefits that come from responsible development. They may be excited about the creation of new and affordable housing, new community rooms or other public amenities, or new jobs or tax revenues from associated retail. By comparison, people who oppose land use proposals tend to do so because they like their community the way it is and don't want any change. Opponents don't want more traffic, lower property values, more children crowding the schools, or a changed community character, and they believe that the proposed apartment project will worsen their existing lifestyles. Potential opponents and potential supporters are completely different audiences, with completely different interests. Sponsors of multifamily rental housing must therefore engage in two distinct community outreach campaigns: one aimed at minimizing neighborhood opposition, one aimed at mobilizing public support. We begin with the former.

II. Opposition to Multifamily Rental Housing In General

Forms of Opposition

Opposition to multifamily rental housing is expressed in many ways. Most fundamental, perhaps, are attitudes. Whether founded in facts, the expression of an underlying bias, or the mechanism for pursuing perceived self-interest, such attitudes are inevitably where opposition begins.

Attitudes lead to actions. There are two broad kinds: (1) actions in opposition to specific projects or proposals; and (2) actions against a whole class of housing. Actions against specific projects may be initiated by residents of nearby communities, and can include such things as private calls to local officials, speaking out at public hearings, writing letters to the editor, organizing among community groups, and even picketing the proposed site. Local officials may also act to prevent or restrict multifamily housing – for example, there are jurisdictions in which

multifamily housing is nominally permitted, but every actual application for a building permit gets denied.

Opposition can also be woven into the fabric of regulations, ordinances, and planning documents. Overcoming such opposition typically requires far greater effort, as it requires overturning such statutes.

To be effective, proponents of multifamily housing need to address all areas. Analyzing the extent and effect of the bias against apartments in the local regulations around the country is beyond the scope of this paper. Nonetheless, we offer some comments on this aspect of the problem at the end of this section.

In any case, the starting point is dealing with misperceptions about multifamily rental housing.

Setting the Record Straight

Resistance to multifamily rental housing comes from a variety of sources, including planning or zoning officials, local politicians, civic leaders in communities in which the housing is to be located, proximate neighbors who live or work near the apartment buildings, and other members of the general public. This section focuses on the facts behind the most common arguments made by opponents of new apartment developments, while the following section examines the underlying concerns behind anti-housing claims and how stakeholder claims can be addressed.

Anti-apartment stakeholders tend to rely on similar arguments to keep multifamily rental housing out of their communities. These claims include:

- Multifamily apartments lower the value of single-family homes in the neighborhood.
- People who live in apartments are less desirable neighbors and more likely to engage in crime or other anti-social behavior.
- Apartments overburden schools, produce less revenue for local governments, and require more infrastructure support
- Higher-density housing creates traffic congestion and parking problems.

We will examine each of these, and also offer broader general comments about residential development and the environment.

Fiscal Burden

Opponents of multifamily housing often claim that apartment residents impose higher expenditures for local government services. The point is most commonly voiced with reference to schools, although other local government infrastructure services are mentioned as well.

Opponents assume that apartments contain more school-age children than single-family houses do, and therefore put greater strain on local school districts. In an era of tight school budgets, this is an understandable concern. Let's begin by reviewing the data.

On average, 100 single-family owner-occupied houses include 51 school-age children. By contrast, apartments are attractive to single people, couples without children, and empty nesters, which is why 100 apartment units average just 31 children. The disparity is even greater when considering only new construction: 64 children per 100 new single-family houses vs. 29 children per 100 new apartment units. Wealthier apartment dwellers have even fewer children (12 children per 100 households for residents earning more than 120 percent of the area median income, AMI), while less wealthy residents earning less than 80 percent of AMI still have fewer children (37 per household) than single-family homes.⁵

Opponents often ignore how much revenue apartments bring in to the local government.⁶ In fact, apartment owners often pay more in property taxes than owners of single-family houses.⁷ That's because in most jurisdictions, apartments are treated as commercial real estate, which is taxed at higher rates than single-family houses in most states. Although there are many complications in such comparisons, one simple approach is to look at the "effective tax rate," defined as the ratio of property tax to property value. For apartments in urban areas the effective tax rate averages 48-54 basis points more than single-family houses: 1.91 percent for apartments, compared with 1.37-1.43 percent for single-family houses.⁸

⁵ All figures are NMHC tabulations of data from the American Housing Survey. See Research Notes, "Apartments and Schools," NMHC, August 24, 2001, available at:

www.nmhc.org/Content/ServeContent.cfm?ContentItemID=2620&IssueID=80. A recent study using data from the 2001 Residential Finance Survey suggests a smaller differential, though one that has grown over time. See Jack Goodman, "Houses, Apartments, and the Incidence of Property Taxes," *Housing Policy Debate*, Vol. 17, Issue 1, 2006.

⁶ Apartment residents also contribute to the general economy by buying local goods and services. See *Research Notes*, "Apartment Residents and the Local Economy," NMHC, May 3, 2002.

⁷ See Jack Goodman, "Houses, Apartments, and the Incidence of Property Taxes," *Housing Policy Debate* Vol. 17, Issue 1, 2006.

⁸ Authors' calculations based on Minnesota Taxpayers Association, *50-State Property Tax Comparison Study*, St. Paul, MN, April 2006, p. vii. See also Alan Mallach, "Housing and Suburbs: Fiscal and Social Impact of Multifamily Development." Department of Housing and Urban Development: Washington DC, 1974.

Thus, apartments actually pay more in taxes and have fewer school children on average than single-family houses. In other words, it may be more accurate to say that apartment residents are subsidizing the public education of the children of homeowners than the reverse.

Two contrary points need to be addressed. First, some might argue that the fact that apartments contain fewer school-aged children than single-family houses has more to do with location little than with the nature of apartments. That is, apartments built in jurisdictions with first-rate schools might be designed to be more attractive to families (e.g., by having more bedrooms) and therefore house more children. Second, opponents of multifamily housing may point to the fact that 100 apartment units will probably still have more school-aged children than 10 single-family homes built at the same site.

Additional research would be helpful in clarifying the first point. A recent study made a related point. It agreed that newly built multifamily properties “have not contributed significantly to the rise in school enrollments” and that “it is very unlikely that new multi-family housing has produced a negative fiscal impact on cities and towns.”⁹ It argues, however, that the reason for this is that these properties were never designed to house families with children. That is, these apartments and condos consist mainly of one- and two-bedroom residences, for the express purpose of meeting the fiscal impact challenge developers often face, namely ensuring that their developments won’t hurt local fiscal matters. The researchers rightly note that this approach ends up pitting fiscal policy against housing policy – that is, the kind of residential developments that are approved are not what might be required by local households, but rather what the local budget is willing to bear.

We conclude from this that at least some of the opposition to multifamily housing actually has nothing to do with housing *per se*, but rather with limiting the number of school-aged children who would otherwise “burden” local finances.

Even in areas with high quality schools, we suspect that the mix of apartment units the market would offer (absent any pressure, in either direction, from local officials) would still feature fewer units with three or more bedrooms than would be provided by single-family housing. With few, if any, exceptions, the market for conventional apartments with three or more bedrooms historically has been much thinner than the market for one- and two-bedroom units;

⁹ Judith Barrett and John Connery, *Housing the Commonwealth’s School-Age Children*. Citizens’ Housing and Planning Association Research Study, August 2003, p. 2.1. www.chapa.org/pdf/HousingSchoolAgeChildren.pdf

for this reason, three-bedroom floor plans tend to be a small portion of the total unit count. With average household size not expected to increase, it's hard to see why this would change.

Regarding the second point, without the apartment building in the neighborhood, the other 90 households will presumably have to move to some other local area, thereby burdening some other school district. This is a classic NIMBY point of view, and leads inexorably to the idea that the best development is actually no development, as this wouldn't "burden" the school district at all. Such an argument might hold sway among some local residents, but it offers no help to local and regional planners who are trying to manage current and projected growth in the most beneficial ways.

The issue needs to be framed more broadly. The total number of schoolchildren in any large region (or for the U.S. as a whole) is surely not determined by the number and type of housing units available. The question, then, is: where will they be housed and educated? Whether a jurisdiction chooses to permit multifamily rental housing or not, that question must still be answered.

Beyond that, the latest household projections from the Joint Center show that households with children under 18 years of age will make up only a small fraction of the total increase. Specifically, more than 80 percent of the increase in the number of households from 2005-2015 will come from married couples with no children plus single-person households.¹⁰ To some extent, therefore, the key issue may not be whether new housing developments impose a burden on local schools, but rather whether communities will develop the kind of housing that would attract households without children.

With other types of infrastructure, high-density development actually is more efficient than low-density development. By their very nature, longer sewer lines and sprawling utility (water, gas, and electric) supply systems are more costly; traditional development patterns also dictate expensive road construction. In addition, local governments must provide fire and police protection (as well as other services) over a larger area. By contrast, compact development benefits from economies of scale and geographic scope – and these benefits are large, potentially saving more than \$125 billion in the 2000-2025 time frame.¹¹

¹⁰ Authors' calculations based on George S. Masnick and Eric S. Belsky, "Revised Interim Joint Center Household Projections," Cambridge, MA, 2006, pp. 31-32.

¹¹ Mark Muro and Robert Puentes, "Investing In A Better Future: A Review of the Fiscal and Competitive Advantages of Smarter Growth Development Patterns." Washington, DC: Brookings Institution Center on Urban

Thus, rather than imposing a greater burden on local governments, higher density developments like apartments are actually more fiscally prudent than traditional suburban sprawl.

Traffic

Does compact development really cause an increase in traffic congestion and parking problems, as opponents often claim? To residents of the neighborhood where such development might take place, an increase in congestion seems self-evident – but only by comparing an apartment development to the status quo (i.e., no development). The proper comparison, however, is to the impact on congestion of an equal number of new single-family units.

On average, apartment residents own fewer cars than single-family homeowners: the latter average two cars per household compared with only one for the former.¹² Beyond that, single-family housing generates more automobile trips per household, as evidenced in the table below.

Automobile Trips Per Housing Unit			
	<i>Single-family detached</i>	<i>Apartment</i>	<i>Difference</i>
Weekday	9.57	6.72	42%
peak AM hour	0.77	0.55	40%
peak PM hour	1.02	0.67	52%
Saturday	10.10	6.39	58%
peak hour	0.94	0.52	81%
Sunday	8.78	5.86	50%
peak hour	0.86	0.51	69%
Source: Institute of Transportation Engineers, <i>Trip Generation, 7th Edition</i> (Washington, DC: 2003), Volume 2, pp. 268-332.			

On weekdays, a single-family detached house generates 42 percent more trips than does a unit in an apartment. The difference is even greater on the weekend: 58 percent more trips on Saturdays, and 50 percent more trips on Sundays. This large difference is seen not only in the

and Metropolitan Policy, March 2004. The authors take note of possible countervailing costs, such as the higher load placed on roads and sewer lines in more densely populated areas. See also Richard M. Haughey, *Higher-Density Development: Myth and Fact*. Washington, DC: Urban Land Institute, 2005.

¹² Jack Goodman, “Apartments and Parking,” *Research Notes*. NMHC: Washington, DC, January 28, 2000.

totals, but also at the peak hours, morning and afternoon, weekdays and weekends. By any measure, it is clear that single-family houses generate more automobile traffic than apartments – or any other type of housing. In explaining why single-family houses produce the most traffic, the Institute of Transportation Engineers noted that they are the largest units in size, with the most residents, but also pointed out that they had “more vehicles per unit than other residential land uses; they were generally located farther away from shopping centers, employment areas and other trip attractors than other residential land uses; and they generally have fewer alternate modes of transportation available, because they were typically not as concentrated as other residential land uses.”¹³ Though written not as a policy document, but rather simply a straightforward, quantitative analysis, this is a good summary of the reasons why compact development engenders less traffic than sprawl.

Interestingly, single-family owners use their cars more often than apartment residents use theirs. On average, cars in single-family houses make 18 percent more trips during the week, 31 percent more trips on Saturday, and 41 percent more trips on Sunday than cars owned by apartment residents.¹⁴

Thus, not only are there more cars per household in single-family houses than apartments, each of those cars generate more traffic – and a higher demand for parking spaces at retail stores, offices, schools, and other facilities.

It could be argued that the difference in automobile ownership and use is determined less by property type than by geography. For example, residents of garden apartments near major highways in suburban areas lacking much public transportation are far more likely to own and use cars than are residents of apartments located near high-speed rail lines and subways. Although we know of no studies that have tried to quantify the impact of geography on this, it seems evident that there is an important property-type effect. Consider the reverse situation, namely residential development near a transportation node such as a subway station. The number of single-family detached houses that can be built within walking distance of the station is clearly much less than the number of multifamily residences – whether for-rent or for-sale – that can be built there. To take advantage of the transit nodes, it simply makes sense to take advantage of the fact that compact, higher-density housing is inherently better suited to such development.

¹³ Institute of Transportation Engineers, *Trip Generation*, 7th Edition (Washington, DC: 2003), Volume 2, p. 268.

¹⁴ *Ibid.*, pp. 287-295 and pp. 324-332.

Property Values

Concerns that multifamily rental housing will lower the value of their single-family houses has driven many residents to oppose new apartment developments in or near their neighborhoods. Proposals for low-income apartments are especially likely to trigger property value concerns, but even market rate rental housing can give rise to arguments that apartments lower property values and damage the community's reputation. Local officials often echo these property value claims, either because they believe lower property values will injure their communities tax base or reputation or because they want to sound responsive to constituent concerns.

The fear that housing density will hurt property values seems to be primarily based on anecdotes. By contrast, most research has come to a different conclusion: in general, neither multifamily rental housing, nor low-income housing, causes neighboring property values to decline.

Two studies have taken a macro look at home values and house appreciation near multifamily housing properties. One study focused on “working communities” throughout the nation – neighborhoods of predominantly low- and moderate-income working households. The study looked at data from the 2000 US Census and compared house values in those communities with the share of multifamily housing in those communities. The conclusion: working communities with multifamily dwellings actually have *higher* property values than other types of working communities. In other words, the average value of owner-occupied houses was highest in working communities with the most multifamily units. In fact, among working communities, “the high multifamily areas had the highest home values, the mixed-stock areas the next highest, and the single-family areas had the lowest.”¹⁵ The study also noted a similar phenomenon with respect to income: among working communities, higher household income was positively associated with the share of multifamily housing.¹⁶

The other macro analysis compared the rate of property value appreciation for houses with multifamily housing nearby with the appreciation rate for houses with no multifamily housing nearby. Houses with apartments nearby actually enjoy a slightly higher appreciation rate than houses that don't have apartments nearby. Homes that are not located in multifamily areas appreciated at an average annual rate of 3.59 percent between 1987 and 1997, compared with a

¹⁵ Alexander von Hoffman, Eric Belsky, James DeNormandi, and Rachel Bratt, “America's Working Communities and the Impact of Multifamily Housing,” Cambridge, MA: Joint Center for Housing Studies, 2004, p. 17.

¹⁶ *Ibid.*, p. 16.

higher appreciation rate of 3.96 percent for houses near multifamily buildings. For the 1997-1999 period, the figures were 2.66 percent and 2.90 percent, respectively.¹⁷

Case studies examining individual sites and metro areas have been used in six recent research works to get a more detailed picture of the effects of multifamily and/or subsidized single-family properties. These studies measured the possible impact of a range of property types on surrounding property values, including the potential impacts of conventional apartments, mixed-income multifamily rentals, low-income housing tax credit developments, and federally-assisted rental housing projects. Researchers measured a variety of relevant characteristics, including house price, price per square foot, house price appreciation, time on the market, and the ratio of sales price to asking price in order to assess “the worst-case scenarios of multi-family intrusion into a single-family neighborhood.” Their conclusions:

“We find that large, dense, multi-family rental developments...do not negatively impact the sales price of nearby single-family homes.”¹⁸

“We find that if located properly with attractive landscaping and entranceways, adverse price effects can be minimized and sometimes can add value. In the long term, such apartment complexes probably raise the overall value of detached homes relative to their absence.”¹⁹

“To this point, our results for Wisconsin are generally consistent with results in other studies: we have not been able to find evidence that Section 42 developments cause property values to deteriorate. The exception is Milwaukee County, where properties that are distant from the developments seem to appreciate more rapidly, although the magnitude of the effect is small. We have found no evidence of an impact in Waukesha and Ozaukee, and find evidence that properties in Madison near Section 42 developments appreciate *more* rapidly.”²⁰

There is “little or no evidence to support the claim that tax-credit rental housing for families has a negative impact on the market for owner-occupied housing in the surrounding area...Rather than negative impact, the evidence suggests to us that the various housing submarkets surrounding the tax-credit properties in our study performed

¹⁷ National Association of Home Builders, “Multifamily Market Outlook,” Washington, DC, November 2001, pp. 3-4.

¹⁸ Henry O. Pollakowski, David Ritchay, and Zoe Weinrobe, “Effects of Mixed-Income, Multi-family Housing Developments on Single-family Housing Values,” Cambridge, MA: MIT Center For Real Estate, April 2005, p. xiii.

¹⁹ Arthur C. Nelson and Mitch Moody, “Apartments and Detached Home Values,” *On Common Ground*, National Association of Realtors, 2003. See also: Nelson and Moody, “Price Effects of Apartments on Nearby Single-family Detached Residential Homes,” Virginia Tech University, 2003.

²⁰ Richard K. Green, Stephen Malpezzi, and Kiat-Ying Seah, “Low Income Housing Tax Credit Housing Developments and Property Values,” Madison, WI: The Center for Urban Land Economics Research: 2002, p. 4.

normally, exhibiting similar levels of variability before and after tax-credit construction, and responding to supply and demand forces in similar fashion as the larger market.”²¹

“In sum, assisted housing of various types: (i) had positive or insignificant effects on residential property values nearby in higher-value, less vulnerable neighborhoods, unless it exceeded thresholds of spatial concentration or facility scale; (ii) evinced more modest prospects for positive property value impacts in lower-value, more vulnerable neighborhoods, and strength of frequently negative impacts was directly related to the concentration of sites and scale of the facilities.”²²

“In sum, the presence or proximity of subsidized housing made no difference in housing values as measured by relative price behavior in a dynamic market.”²³

Some of these studies find examples where single-family houses located near apartments either experienced lower prices or lower appreciation rates than houses located further away. But for residents in neighborhoods near proposed apartment developments – and for local officials who represent them – it is important to understand that proposed multifamily housing rental developments do not generally lower property values in surrounding areas.

Social Interaction and Crime

Opponents of rental housing often argue that while people who own their homes are invested in the long-term success and safety of a community, people who rent apartments are merely short-term transients and therefore less desirable neighbors. That view has a long history and probably seems so unremarkable, so obvious, that proof is unnecessary. Nonetheless, some researchers have tried to discover whether homeownership creates a positive social benefit compared to rental housing. While the scope of their research is rather broad, for present purposes we focus on two aspects: (i) renters vs. owners as neighbors (citizens); and (ii) renters and crime.²⁴

The view that renters are not as engaged in their communities as owners seems to arise from the two apparent characteristics of renters: (i) by definition, they don’t own their own residence, hence are thought to have less of a “stake” in the community; and (ii) they tend to

²¹ Maxfield Research Inc., “A Study of the Relationship Between Affordable Family Rental Housing and Home Values in the Twin Cities,” Minneapolis, MN: Family Housing Fund, September 2000, p. 102.

²² George Galster, “A Review of Existing Research On the Effects of Federally Assisted Housing Programs on Neighboring Residential Property Values,” Detroit, MI: Wayne State University: September 2002, p. 26.

²³ Joyce Siegel, *The House Next Door*, Innovative Housing Institute, 1999. www.inhousing.org/house1.htm.

²⁴ For a good, critical summary of the scope of such research, see William M. Rohe, Shannon Van Zandt, and George McCarthy, “The Social Benefits and Costs of Home Ownership: A Critical Assessment of the Research,” in Nicolas P. Retsinas and Eric S. Belsky, eds., *Low-Income Homeownership: Examining the Unexamined Goal* (Washington, DC: Brookings Institution Press, 2002).

move more often. These characteristics are seen as making them transitory residents, perhaps more akin to visitors than to long-term residents.

But there are also countervailing forces. For example, single-family renters do not tear down old houses and replace them with “McMansions,” a phenomenon that can greatly alter neighborhoods, in ways that are not always desired by the existing residents.

In addition, it is important to recognize that housing tenure is different from residential stability. Housing tenure refers to how long an individual has lived in one place, while neighborhood stability reflects the quality, cohesion and safety of a community. It is the latter that may be the key factor: “Between 4 and 92 percent of the effect of homeownership and citizenship is operating primarily because homeownership is associated with lower mobility rates.”²⁵ Stability itself is relative: in Western Europe, for example, many renters have lower turnover rates than U.S. homeowners. To the degree that there may be positive benefits from lower turnover, then the focus ought to be on increasing residential stability rather than trying to restrict choice of tenure.²⁶

Neighborhood residents may be less interested in distinguishing the exact cause than in ensuring the best outcome, and for many, promoting homeownership rather than renting seems an effective way to do so. In fact, that turns out not to be the case:

- Apartment residents are almost twice as likely to socialize with their neighbors as owners of single-family houses (33 percent vs. 17 percent).
- Apartment residents are just as likely as house owners to be involved in structured social groups like sports teams, book clubs, and the like (22 percent for sports groups, 10-11 percent for other groups).
- Apartment residents are only slightly less likely to attend religious services at least once a month (44 percent vs. 55 percent).
- Just like single-family owners, apartment residents identify closely with the town or city they live in (60 percent for apartment residents vs. 64 percent for single-family owners).

²⁵ Denise DiPasquale and Edward L. Glaeser, “Incentives and Social Capital: Are Homeowners Better Citizens?” *Journal of Urban Economics*, Vol. 45, Nr. 2 (March 1999).

²⁶ Apgar notes that disentangling the many factors that influence behavior in order to isolate the impact of tenure alone is exceedingly complex. See: William Apgar, Rethinking Rental Housing: Expanding the Ability of Rental Housing to Serve as a Pathway to Economic and Social Opportunity,” Joint Center for Housing Studies Working Paper W04-11, December 2004.

- Almost half (46 percent) of apartment residents feel close to the neighborhood they live in. This is not as high a share as for single-family owners (65 percent), but still sizable.
- Apartment residents are virtually as interested in politics and national affairs as house owners are (66 percent vs. 70 percent).

The one area in which apartment residents noticeably lag house owners is in local elections: 47 percent of apartment residents say they “always vote” or “sometimes miss one,” compared with 78 percent of single-family owners.²⁷

Put simply, these objective measures undermine the notion that apartment residents somehow don’t care much about, and don’t involve themselves in, the communities in which they live. On the contrary, they tend to be at least as socially engaged as other Americans.

As important as these things are in helping to shape the character of a neighborhood, it stands to reason that they can easily be negated by an increase in criminal activity. Is there any truth to the idea that crime follows in the wake of apartment development?

It turns out that there have been very few studies that address this issue. A study conducted for the Arizona Multihousing Association concluded that the perception of higher crime associated with multifamily housing results from counting police calls by address. Hence an apartment property with 100 or more units at the same address may be wrongly compared to one single-family residence. “In actuality, when police data is analyzed on a per unit basis, the rate of police activity in apartment communities is no worse than in single family subdivisions, and in many cases, is lower than in single family areas.”²⁸

In a similar vein, studies of Irving, Texas, and Anchorage, Alaska, found no connection between crime and housing density. The former used geographic information systems (GIS) analysis to supplement more conventional approaches, and determined that “high density and multi-family development are not necessarily associated with high crime rate, but socioeconomic status is.”²⁹ The latter study reached a similar conclusion: “These data show no relationship

²⁷ NMHC tabulations of microdata from the General Social Survey. See: Jack Goodman, “Apartment Residents As Neighbors and Citizens,” *Research Notes*, Washington, DC: National Multi Housing Council, June 1999.

²⁸ Elliott D. Pollack and Company, “Economic & Fiscal Impact of Multi-family Housing,” Phoenix: Arizona Multihousing Association, 1996, Part II.

²⁹ Jianling Li and Jack Rainwater, “The Real Picture of Land-Use Density and Crime: A GIS Application,” available at: <http://gis.esri.com/library/userconf/proc00/professional/papers/PAP508/p508.htm>

between housing density and delinquency...The observed correlation coefficients between housing density and the six criminological measures were all small in magnitude (very close to “0”), statistically significant...and in some cases in the opposite direction predicted by the hypothesis of a direct relationship between housing density and crime.”³⁰

The Multifamily Record: Conclusion

Further research would certainly be welcome. Even so, we think the available research is fairly strong that multifamily rental housing: (1) does not impose greater costs on local governments; (2) does it increase traffic and parking problems; (3) when well-designed and appropriate to the neighborhood, does not reduce (and may even enhance) property values; and (4) does not inherently attract residents who are less neighborly or more apt to engage in (or attract) criminal activity.

This evidence may be sufficient for planners and many public officials – particularly those who have already come to understand the benefits of greater housing choice, mixed-use and mixed-income residences, transit-oriented development, and pedestrian-friendly communities. Two obstacles remain: codified restrictions on multifamily developments and individual opposition to specific multifamily projects.

Experience suggests that opponents who live near apartment developments are often hard to convince. For some, opposition to apartments may be more emotional than analytical. As one opponent put it: “We don’t want renters. We just don’t want them...”³¹ For many, anecdotes trump statistics.

For this reason, marshalling statistics is a necessary step, but not usually a sufficient one. Instead, proponents need to overcome opposition to individual proposed developments. Before turning to this, we take a brief look at how opposition to multifamily rental housing in general has been codified, thereby adding another hurdle for proponents.

³⁰ University of Alaska Justice Center, “The Strength of Association: Housing Density and Delinquency,” *Anchorage Community Indicators*, series 3A, No. 1, available at: <http://justice.uaa.alaska.edu/indicators/series03/aci03a1.housing.pdf>

³¹ See “From Parking to Mixed-Use,” *Montgomery Gazette*, September 28, 2005, at: www.gazette.net/stories/092805/bethnew205622_31894.shtml

Regulatory Restriction on Multifamily Housing in General

Opposition to multifamily rental housing has a long history. More than a century ago, the notoriously poor living conditions associated with tenement houses led not only to a movement to reform and improve such dwellings, it also led to a movement to prevent further apartment construction. Opponents drew on two key tools to block new multifamily buildings: restrictive building codes that made multifamily construction uneconomic; and zoning – in particular, the creation of single-family-only districts.³²

These and other tools are still being used.³³ The most common regulations involve zoning and/or comprehensive land use planning. More recently, policies to restrict, manage, or even prevent further growth – from impact fees to “urban containment” to outright moratoria – have been added to the mix. Given the sheer number of local land use areas, even collecting comprehensive data on residential development restrictions is difficult. Assessing the impact of these regulations is even more difficult for at least two reasons. First, the devil may indeed be in the details, so that any overview or summary analysis is likely to be flawed. Second, some jurisdictions may, on a fairly routine basis, grant waivers or exemptions for certain kinds of developments, with the result that the regulation on the books is not the de facto regulation.

Recent research analyzing density restrictions in local jurisdictions making up the 50 largest metropolitan areas concluded that a hypothetical 2-story, 40-unit apartment property on 5 acres of land would be prohibited outright in about 30 percent of such jurisdictions. Residential developments with densities of more than 30 units per acre are prohibited in all but 12 percent of local jurisdictions. To be sure, these jurisdictions encompass 48 percent of the population of these metro areas. Even so, it is clearly a significant restriction.³⁴ Such restrictions not only reduce the range of housing options available to local residents – in particular, most restrictions tend to favor lower-density over higher-density developments – they also make housing more expensive.³⁵

³² Kenneth Baar, “The National Movement to Halt the Spread of Multifamily Housing, 1890-1926” *Journal of the American Planning Association*, Chicago: Winter 1992.

³³ A good compendium of such restrictions is contained in: “Regulatory Barriers to Affordable Housing,” *Cityscape*, Vol. 8, Nr. 1 (2005).

³⁴ Rolf Pendall, Robert Puentes, and Jonathan Martin, “From Traditional to Reformed: A Review of the Land Use Regulations in the Nation’s 50 Largest Metropolitan Areas.” Metropolitan Policy Program, The Brookings Institution, Washington, DC: August 2006. http://www.brookings.edu/metro/pubs/20060802_Pendall.pdf

³⁵ See for example: John M. Quigley and Larry A. Rosenthal, “The Effects of Land Use Regulation on the Price of Housing: What Do We Know? What Can We Learn?”, *Cityscape*, Vol. 8, Nr. 1 (2005) and Edward L. Glaeser and Joseph Gyourko, “The Impact of Building Restrictions on Housing Affordability,” *Economic Policy Review*, Federal Reserve Bank of NY, New York, NY: June 2003.

How can regulations that inhibit development of multifamily rental housing be reduced or eliminated? This is an area which could greatly benefit by further investigation.³⁶ For now, we offer two assessments. First, to change the regulations, we must first change the attitudes of either local officials, the public at large, or both. In this respect, efforts to change regulations parallel other efforts to overcome resistance to apartments. Second, while the comprehensive land use plan can be used to restrict multifamily housing, it can also be a valuable tool in promoting such housing. For example, Arlington County, Virginia, has been successful in implementing high-density, transit-oriented development. In addition to far-sighted planners, the Arlington approach has been to foster extensive public debate about policy impacts and benefits (hence also public “buy-in” of the results of the process), maintaining continuity of policy through both election and market cycles, and clearly formulating implementation tools at the same time as policy enactment.³⁷

III. Opposition to Specific Multifamily Projects

Reducing or eliminating regulatory impediments may hold the greatest promise for increasing the acceptance of multifamily rental housing. But it also is likely to take the longest time to accomplish. In the meantime, it is important to counter opposition to individual apartment projects, to win support for proposed multifamily rental developments, and to turn pro-apartment attitudes into pro-apartment action.³⁸

Public Information

A significant amount of resistance to multifamily rental housing is based on lack of information, misperceptions, or exaggerated fears of project impacts.³⁹ Providing clear, accurate information about a proposed housing project is a critical part of a successful outreach campaign.⁴⁰

³⁶ Indeed, some research is currently underway. The Urban Land Institute and the National Multi Housing Council are collaborating to produce a compact development “toolkit” for localities.

³⁷ Michael Pawlukiewicz and Deborah L. Myerson, “ULI/NMHC/AIA Joint Forum on Housing Density,” *ULI Land Use Policy Forum Report*, Urban Land Institute: Washington, DC, 2002. <http://tinyurl.com/rd5y9>

³⁸ Debra Stein, “Creating a Community Outreach Plan,” *Developments Magazine*, March 2006.

³⁹ See *Creating Successful Communities: A New Housing Paradigm*, National Multi Housing Council/National Apartment Association: Washington, D.C., 2002, and Richard Haughey, *High-Density Housing: Myths and Facts*, Urban Land Institute: Washington, D.C., 2005, for rebuttals to common misperceptions about multifamily and rental housing. For a free downloadable PowerPoint presentation on rental housing, see “Rethinking Density to Create Stronger, Healthier Communities” from the National Multi Housing Council: www.nmhc.org/Content/ServeContent.cfm?contentItemID=3423.

- **Misperceptions about the project.** Citizens may misunderstand the fundamental nature of the housing proposal. For instance, neighbors may erroneously believe a sponsor is building “Section 8 apartments” rather than “eight apartments.” The project definition must be carefully spelled out so that neighbors understand what type of project is proposed in their backyard.
- **Misperceptions about residents.** Many citizens have misperceptions or stereotypical expectations about the kinds of people who live in rental housing. They also have negative misperceptions about the type of behavior that rental residents are likely to engage in. Many Americans, for instance, consider wealth to be an indication of responsible hard work, self-discipline, and moral worth. The flip side of this perspective is the belief that people who earn less money or who reside in less lavish homes must be lazy and irresponsible.⁴¹ Citizens often expect rental residents to be bad neighbors likely to engage in anti-social behavior such as crime, graffiti, loud parties, non-maintenance of property, and so on.⁴²
- Neighbors are much more likely to support a multifamily rental housing project when they understand that rental residents are people very similar to themselves. Many sponsors point to examples of pro-social workers likely to become apartment residents: local police officers, firefighters or teachers whose salaries make rental housing an attractive option. Responsible management of rental housing, including on-site management and resident rules, can also ensure that residents behave in appropriate ways.⁴³
- **Misperceptions about the sponsor.** Lack of information about the project sponsor and the sponsor’s track record of building or managing safe, similar projects can lead to

⁴⁰ Providing data is most likely to change opinions when the audience is willing to engage in rational evaluation of objective facts. Where respondents do not have the time, interest, or ability to engage in systematic evaluation of the facts, then subjective simple rules of thumb such as “everyone hates the project” and “lawyers always lie” become more important. For a discussion of rational, emotional and peripheral persuasion, see Debra Stein, “Garnering Support for Homebuilding,” *Builder and Developer Magazine*, June 2006, Vol. 16, No. 6.

⁴¹ Conservatives tend to rate individualistic causes of poverty such as laziness as 50 percent more important than social causes such as the unavailability of affordable housing. Bernard Weiner, *Human Motivation: Metaphors, Theories and Research*, Sage Publications: Thousand Oaks, CA, 1992.

⁴² A multifamily for-sale project in California’s Silicon Valley provided an interesting reminder that poverty is a relative, not an absolute concept. The proposed units would be sold at one-third the median sales price of the surrounding single-family neighborhood, and existing residents loudly protested that their new neighbors were likely to be bad neighbors. These condos actually sold for \$900,000 apiece, while the average home within the super-luxury enclave was valued at \$3.2 million. While multifamily residents were not “poor” by any absolute economic standard, they were relatively “poor-er” than existing mansionaires, and therefore presumed to be less acceptable as neighbors.

⁴³ Debra Stein, “The Ethics of Housing and NIMBYism,” *Affordable Housing Finance*, February 2006.

NIMBY resistance to multifamily housing. The message that “the sponsor has a history of management safe, similar projects” is highly effective to win support for controversial, dense housing.

- ***Misperception about other people’s opinions.*** One of the most influential causes of resistance to multifamily rental housing is the misperception that “everyone hates the project.” No one likes to be criticized by their peers, so even pro-housing neighbors will repress their enthusiasm if they are under the mistaken impression that “everyone else” opposes the proposed rental housing project.⁴⁴ That is why it is critical to get the message out that the proposed housing project is supported by some portion of the community. You don’t need majority support for the planned housing project, but you do need pro-housing neighbors to know that they are not alone in their support for the apartment project.⁴⁵

There are several factors involved in providing the public with information that reduces anti-housing attitudes and promotes pro-housing attitudes. The source of information must be deemed sufficiently expert, trustworthy, and likeable.⁴⁶ Message factors such as the number and order of arguments impact the effectiveness of information. Audience factors such as an individual’s attention or perception of what “everybody else” thinks clearly affect whether information alone will resolve opposition to multifamily rental housing. Finally, there is a wide range of communication channels to choose from to disseminate information to the public, including briefings, presentations, advertising, direct mail, and media interviews.⁴⁷

Providing clear, accurate information about a proposed multifamily rental housing project is a crucial part of a community outreach campaign. However, public information can also be seen

⁴⁴ For a discussion of the contagious “bandwagon” effect of repressed opinion, see Elizabeth Noelle-Neumann, *The Spiral of Silence: Public Opinion – Our Social Skin*. University of Chicago Press: Chicago, 1993. For an excellent overview of the relationship between public opinion and private opinion or behavior, see Theodore L. Glasser and Charles T. Salmon, eds., *Public Opinion and the Communication of Consent*, Guildford Press: New York, 1995.

⁴⁵ In a series of conformity tests conducted in the 1950s by Solomon Asch, 94 percent of respondents were willing to express an unpopular minority viewpoint when there was at least one other person publicly agreeing with them. By comparison, only 70 percent of participants were willing to express a minority opinion in the absence of social support. See Philip Zimbardo and Michael Leippe, *The Psychology of Attitude Change and Social Influence*, McGraw Hill: Boston, 1991.

⁴⁶ For a discussion of credibility, see Debra Stein, “The Truth About Credibility,” *Public Management Magazine*, June 2001.

⁴⁷ Carl Hovland’s “Yale Chain of Response Model” describes the many variables involved in effective persuasion. See Roxane Lulof, *Persuasion: Context, People, and Messages*, Gorusch Scarisbrick Publishers: Scottsdale, Arizona, 1991.

as very condescending. When a sponsor sends out a letter inviting residents to, “Come to a meeting so we can tell you what we’re doing in the neighborhood,” citizens may interpret the invitation as actually saying, “We unilaterally made decisions that affect you but we only have a patronizing obligation to tell you about those decisions after the fact.” As important as it is to give information to the public, it is usually more sensitive to focus on how you want to elicit feedback, ideas and suggestions from the public.

Public Participation

Too much resistance to multifamily rental housing arises because sponsors fail to demonstrate the real respect they feel for neighbors. An insensitive project sponsor may implicitly hear, “I am important and you didn’t treat me with respect. I therefore have to oppose your proposal in order to discredit you and to discredit your disrespectful opinion of me.”⁴⁸

While it is always important to treat neighbors with respect, it is especially important to do so when dealing with controversial housing projects. There are several specific measures you can take to demonstrate respect and reduce anti-housing attitudes and action:⁴⁹

- **Empower citizens.** Citizens will often “just say no” to a housing proposal simply because they feel it was developed without their input. Involving citizens early in the planning process can help avoid this unnecessary resistance. The conventional scenario involves merely *informing* neighbors of plans made or being made by other people. *Consulting* with residents involves eliciting their ideas and making it clear how that input will affect the project sponsor’s final plans. When housing sponsors and residents engage in *joint decision-making*, all stakeholders collectively evaluate different alternatives to mutually identify the best scenario.⁵⁰
- **Respect each individual’s unique needs.** Everyone likes to feel that they stand out from the crowd, and everyone wants to know that their unique needs are respected. Recognize that each neighbor has distinct concerns: “Since you live right next to the site, the new apartment building will be more visible to you than to your neighbors.”

⁴⁸ Someone who sees themselves as an important community leader will “lose face” if ignored or disrespected. D.B. Bromley, *Reputation, Image and Impression Management*, John Wiley & Sons: Chichester, England, 1993.

⁴⁹ Debra Stein, “Credibility, Respect and Power: Sending the Right Non-Verbal Signals,” *The Commissioner Magazine*, American Planning Association, Fall 2006.

⁵⁰ See Deborah Myerson, *Involving the Community in Neighborhood Planning*, Urban Land Institute: Washington, D.C., 2005.

- **Use personal names.** Name tags, sign-in sheets and self-introductions help personalize each neighbor and make it easier to learn and use each person's name. When neighbors are treated as respected individuals, they are less likely to engage in hostile mob conduct such as booing or hissing at meetings.
- **Make a lot of eye contact,** especially when listening. When you're talking to a large audience, don't engage in "machine gun" head-turning where your eyes barely sweep over the audience's heads in a mechanical way. Instead, make personal eye contact with one individual at a time, creating a respectful, personal relationship with each person you look at before you establish eye contact with another audience member.⁵¹
- **Engage in active listening.** Once a citizen has made a statement, use your own words to reflect back what you have heard before responding or offering an advocacy message ("It sounds like you are afraid that rental residents may not maintain their gardens"). You don't have to agree with what you have heard, but demonstrating that you have understood a neighbor's arguments shows that you have listened respectfully.

Outreach Tools

There are several outreach tools available to help sponsors communicate information to and elicit public input from citizens:⁵²

- *Unilateral materials* such as flyers, advertising and websites are used to convey information to the public in a one-way stream.
- *Bilateral outreach* such as one-on-one phone calls and briefings allow the housing sponsor to target messages to each listener and to simultaneously get feedback and elicit a commitment of support for the project.
- *Invitational events* such task forces, citizen advisory committees (CAC), and coffee-and-donut living room events are limited to a clearly-defined list of participants.
- *Multiparty events* such as community meetings or public workshops tend to focus on the exchange of opinion rather than public education or conflict resolution. Sponsors

⁵¹ For detailed instructions on the direction, duration and frequency of effective eye contact, see http://www.gcastrategies.com/books_articles/tips.php.

⁵² See James L. Creighton, *The Public Participation Handbook: Making Better Decisions Through Citizen Involvement*, Jossey-Bass: San Francisco, 2005 and Douglas Porter, *Breaking the Development Logjam: New Strategies for Building Community Support*, Urban Land Institute: Washington, D.C., 2006 for excellent outreach strategies and resources.

who need to meet with several dozen or even several hundred citizens should consider invitational events, roundtables, open houses, or other events with smaller, more manageable audiences.

- *Press relations* are important to avoid inaccurate press that could make misperceptions even more credible.

Building Support for Multifamily Rental Housing

It often isn't enough to simply keep a cap on opposition. Public expressions of support are often required to turn a proposal for multifamily rental housing into an approved project. Where rules against ex parte contact with public officials prevent a sponsor from directly lobbying a politician for a vote, citizen-lobbyists are needed to persuade officials to adopt favorable opinions about the housing proposal. Even when public officials already have pro-housing attitudes, pro-housing attitudes don't necessarily guarantee pro-housing action, so nervous politicians often need visible voter support before actually voting "yes" for a controversial multifamily housing proposal.⁵³

There are four steps to build support that works: identification of potential supporters; attitude recruitment; action mobilization and hearing management.⁵⁴

Identifying Potential Supporters

There are several different audiences of potential supporters, and the first step of any supporter development campaign is to identify who can be tapped for assistance:

- *Direct beneficiaries* are people who will make money on the project: the developer, the contractor, consultants, construction workers, and so on. While these supporters do not make credible witnesses at the microphone, they can sign petitions, send letters of support, make phone calls, and so on.
- *Indirect beneficiaries* gain from general improvements in the local economy arising from the project. Local merchants, for example, can benefit from increased pedestrian activity

⁵³ Debra Stein, "Preparing Your Lobbying Plan," *Land Development Magazine*, Fall 2005.

⁵⁴ Debra Stein, "Community Support – A Strategic Plan to Turn Out the Troops," *Urban Land Magazine*, December 1997. See also Debra Stein, "Turning Pro-Project Attitudes to Pro-Project Action, *The NIMBY Advisor*, January 2006, www.nimbyadvisor.com.

from new rental residents, while major employers seeking affordable housing for their workers can also benefit from multifamily housing in the community.

- *Project users* are another major audience of potential supporters. Whether it is potential renters or residents of future commercial or retail space, users make highly credible witnesses.
- Many people have already made a *public commitment* to help create housing for those in need. Getting people to think about themselves in terms of their religious or charitable affiliations is more likely to result in a project endorsement than allowing citizens to think about themselves only as property owners likely to be impacted by a housing development.
- *Special interest groups* either tend to generally support any kind of development or to support one particular component of the project. Many groups, for instance, support higher-density housing, including county farm bureaus, open space advocates, and transit advocates.
- Finally, support can be drawn from people who will suffer *relational consequences* if they don't step up and support the rental housing proposal: friends or relatives of future residents; the builder's employees or vendors; and others people whose continued personal relationship with a committed supporter tomorrow depends upon helping out today.

Recruiting Supporters

Within a housing context, a community member who signs a petition, fills out an endorsement card, or even attends a neighborhood coffee is substantially more likely to testify in favor of a project than someone who never makes an initial commitment. Before asking potential supporters to attend a public hearing or to make some other big pro-housing commitment, get your foot in the door with a much smaller request. Let's assume Mrs. Lee agrees to a minor, painless request such as signing a petition that says, "We need more housing in the community." When the housing sponsor later asks Mrs. Lee to endorse a particular housing proposal, she will feel pressured to comply with the later request or else look shamefully inconsistent. Having once agreed to the initial request, Mrs. Lee will start seeing herself as a cooperative and civic-minded ally, and as someone who actually cares about housing concerns and takes action to address them.⁵⁵

⁵⁵ See Robert Cialdini, *Influence: Science and Practice*, Allyn & Bacon, Boston, 2000 for a discussion of foot-in-the-door recruitment and door-in-the-face mobilization.

Mobilizing for the Hearing

The “foot-in-the-door” technique worked to get an initial commitment of support for a proposed apartment project. When hearing time rolls around, however, it’s time for the “door-in-the-face” approach. The door-in-the-face technique is initiated with a large request that may be rejected (“Will you come to a Planning Commission hearing on Tuesday afternoon and testify at in support of the proposed apartment complex?”). If the large request is accepted, then congratulations. If your first request is refused, then retreat to the smaller request you had in your back pocket all along (“Then will you call the chair of the Planning Commission and let her know you support the project?”). Compared to the first request, the second request will seem much smaller, more reasonable, and easier to agree to.

Managing the Public Hearing

There are several things you can do to maximize the impact supporters can make during a public hearing for a multifamily housing project:⁵⁶

- ***Provide key messages.*** Your allies need to know what to say before they stand up to testify. Providing a one-page fact sheet or list of bulleted talking points helps ensure that witnesses emphasize the key messages you want decision-makers to focus on. Reassure citizen-witnesses that it is OK to sound nervous; politicians are more impressed by sincere-sounding citizens than by the slickest professional mouthpiece.
- ***Arrange the order of your speakers.*** Ideally, pro-housing witnesses should be alternated or interspersed between anti-housing speakers. Interrupting a stream of hostile testimony with positive messages and clear rebuttals breaks the momentum of anti-rental neighbors and avoids the impression of overwhelming opposition to the project. You also want to ask a few of the most compelling, golden-tongued speakers to testify first so they can inspire later witnesses and guide subsequent testimony. Reporters who must leave the hearing early to meet their deadlines can also pick up quotable quotes from the most persuasive advocates when those witnesses speak at the beginning of the hearing.
- ***Encourage supporters to look supportive.*** Your allies (including your own team members) can express pro-housing enthusiasm even when sitting still. Encourage

⁵⁶ Debra Stein, “Managing the Public Hearing for Maximum Impact,” *Land Development Magazine*, Fall 1999.

project allies to smile and nod at appropriate moments. If there is an impressive crowd of supporters in the room, ask them to raise their hands or wear buttons to identify themselves as project advocates.

- ***Try to speak last.*** You want to be the last voice the decision-makers hear before they cast their votes. By speaking last, you can rebut attacks made by earlier speakers and ensure that pro-housing messages are fresh in the officials' minds when it comes time to make a decision. If necessary, reserve some of your originally allocated speaking time to provide a summary of your views after all citizens have testified. If you cannot secure rebuttal time for yourself, try to hold at least one persuasive supporter in reserve to speak at the end of the hearing who can summarize pro-project messages.

IV. Conclusion

The bias against multifamily rental housing must be overcome if America is to meet its housing needs in an environmentally sustainable and economically realistic manner.

Misperceptions, exaggerations and unfounded beliefs contaminate civic discussions about apartment development, yet anti-housing resistance can be rationally addressed by providing evidence about rental housing and its real, not imagined, impacts. Attitudes about apartments aren't solely derived from objective facts, however. Emotions, values, and even peripheral factors such as what "everybody else thinks" play important parts in the development of pro-housing and anti-housing attitudes, and must play a part in any developer's community outreach activities.

It will take more than mere opinions to create enough housing to meet the nation's growing population demands. Pro-housing attitudes need to be translated into pro-housing action. That means persuading planners and politicians to support policies and regulations to encourage the construction of new apartments. Since public officials are responsive to the demands of their constituents and community members, this also involves mobilizing citizens to support pro-apartment policies and actual apartment buildings in their own backyards. Perhaps, in the future, acronyms like RAMBY (Rental Apartments in My Backyard) will replace NIMBY in discussions about the creation of multifamily rental housing.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-763 A Resolution reappointing Trevor Tilton and Sean Fite to the Independence Square Advisory Committee

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Hilton and Fite Reappt Resolution 2024

BILL NO. _____
RESOLUTION NO. _____

A RESOLUTION REAPPOINTING TREVOR TILTON AND SEAN FITE TO THE INDEPENDENCE
SQUARE ADVISORY BOARD OF THE CITY OF INDEPENDENCE, MISSOURI.

WHEREAS, the City Council of the City of Independence, Missouri, did pursuant to Ordinance No. 7755, passed on the 3rd day of October, 1983, created the Independence Square Advisory Board of the City of Independence, Missouri; and,

WHEREAS, the City Council of the City of Independence, Missouri, did pursuant to ordinance No. 10024, passed on the 9th day of November, 1987, amended the interior boundary lines for membership on the Independence Square Advisory Board; and,

WHEREAS, the City Council of the City of Independence, Missouri, did pursuant to Ordinance 18924, passed on the 20th day of August, 2018, remove the internal boundary areas for membership on the Independence Square Advisory Board; and,

WHEREAS, due to the expiration of terms, two vacancies have been created; and,

WHEREAS, the City Council deems it necessary and advisable to reappoint Trevor Tilton and Sean Fite, both owning property or business within the boundary of the Independence Square Benefit District in Independence, Missouri, and because of their qualities of leadership, temperance, and judgment; and,

WHEREAS, said individuals are duly qualified to so serve according to the Charter and ordinances of this City; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby reappoints the following person(s) to be members of the Independence Square Advisory Board of Independence, Missouri, to serve without compensation for the indicated term or until duly succeeded by another person properly qualified and appointed:

Name	Address	Term Expiration
Trevor Tilton	800 W. Maple Ave.	10/4/2025
Sean Fite	101 S. Main	10/4/2025

PASSED THIS _____ DAY OF SEPTEMBER, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-764 A Resolution appointing Cody Atkinson to the Board of Adjustment

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Zachary Walker
Susanne Holland

ATTACHMENTS:

1. C Atkinson Res for Appt Board of Adjustment

Board of Adjustment
Appt. C. Atkinson
9/3/24 SH

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION APPOINTING CODY ATKINSON AS A MEMBER OF THE BOARD OF
ADJUSTMENT OF THE CITY OF INDEPENDENCE, MISSOURI.

WHEREAS, the City Council of the City of Independence, Missouri, did, pursuant to ordinance No. 427 passed on the 27th day of September 1963, as amended (Section 1.19.001 of the City Code), and the City Charter, Article 12, Section 12.5 and 12.6 create the Board of Adjustment of the City of Independence, Missouri; and,

WHEREAS, due to a resignation, a vacancy has been created; and,

WHEREAS, the City Council deems it advisable to appoint Cody Atkinson to the Board of Adjustment because of their qualities of leadership, temperance, and judgment; and,

WHEREAS, said individual is duly qualified to so serve, according to the Charter and ordinances of this City; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby appoints the following individual to the Board of Adjustment, to serve without compensation for the indicated term or until duly succeeded by another person properly appointed and qualified:

Name	Address	Term Expiration Date
Cody Atkinson	735 N. Osage St.	7/1/2028

PASSED THIS ____ DAY OF SEPTEMBER 2024 BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A public hearing for the application by Carolyn Rogers to rezone the property at 15552 E. US 24 Highway from C-2, General Commercial, and R-6, Single Family Residential, to R-6, Single Family Residential. ***New Information Only.***

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. 07-23-24 Public Notice Submitted to Examiner

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Examiner** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(816) 254-8600**.

Notice ID: y3rMCi8Ykw1GqCPRGkmT | **Proof Updated: Jul. 01, 2024 at 02:26pm CDT**
Notice Name: PC 07/23/2024

See Proof on Next Page

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07/06/2024: Other 121.28

Subtotal	\$121.28
Tax	\$0.00
Processing Fee	\$0.00
Total	\$121.28

Notice is hereby given that a public hearing will be held by the Independence City **Planning Commission** at 6 p.m., Tuesday, July 23, 2024, and by the Independence **City Council** at 6 p.m., Tuesday, September 3, 2024, in the Independence City Hall City Council Chambers (lower level, north entrance) 111 E. Maple Avenue, in Independence, Missouri on the following matter(s):

Employer/Contractor/MFD

Published in the Examiner, Jul 6, 2024

#####

Case 24-100-16 – Rezoning – 15552 E. US 24 Highway – A request by Robert and Carolyn Rodgers to rezone the property from C-2 (General Commercial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

Case 24-125-07 – Rezoning/ PUD – Jackson Drive & R. D. Mize Road – A request by Jim Pollard to rezone the property from C-2 (General Commercial) and R-6 (Single Family Residential) to C-2 (General Commercial) and R-12/PUD (Two-Family Residential/Planned Unit Development) and approving a preliminary development plan.

Case 24-125-08 – Rezoning – 2710 S. Westport Road – A request by Rosemary Hoover to rezone the property from R-6 (Single Family Residential) to R-6/PUD (Single Family Residential/Planned Unit Development) and approve a preliminary development plan.

The Planning Commission will conduct full public hearing on these applications. The City Council will only hear new information that was not presented at the Planning Commission's public hearing if such facts were not reasonably available at the time of the Planning Commission hearing. Any new information proposed to be presented to the City Council must be submitted in writing to the Community Development Department and Law Department at least seven (7) days prior to the City Council meeting.

Witness my hand this 1st day of July, 2024.

Tom Scannell, Community Development Director
The City of Independence, Missouri is an Equal Opportunity

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-087 **2R** An ordinance approving a rezoning from District C-2 (General Commercial) and R-6 (Single Family Residential) to R-6 (Single Family Residential) for the property at 15552 E. US 24 Highway. **2R**

Recommendations:

Commissioner Nesbitt made a motion to recommend approval of case 24-100-16, the rezoning of 15552 E. US 24 Highway. A second to the motion was made by Commissioner Ferguson. The Independence Planning Commission voted as follows:

Commissioner Ashbaugh – Yes

Commissioner Ferguson – Yes

Commissioner McClain – Yes

Commissioner Nesbitt – Yes

Commissioner O'Neill – Absent

Commissioner Torres – Yes

Commissioner Wiley – Yes

The motion was approved, and the application is forwarded to the City Council for its consideration. Staff recommends approval of this application.

Background:**PROPOSAL:**

The applicants seek to rezone the property at 15552 E. US 24 Highway from C-2 (General Commercial) and R-6 (Single-Family Residential) to R-6 (Single-Family Residential) so that they can again use the property as a residence.

PROPERTY HISTORY:

The residential lot, Lot 77 in W. B. Dickinson, was platted in October of 1949. The addition was annexed into the city in 1955. In 1965, it was zoned C-3 (Commercial). In 1980 the zoning was updated to be C-2 (General Commercial).

The property then had a legal unconfirming residential use and later a beauty salon along with the residential use. Due to Covid 19 (and the applicant not wanting to comply with partition and spacing expenses) she ceased her operations and decided to retire. Currently, there is not a commercial business on the property and the legal nonconfirming residential use has expired.

PHYSICAL CHARACTERISTICS OF PROPERTY:

The internal layout of the old house is still mostly residential, although the entirety of the front yard is a paved surface. The great bulk of this property (much of which is already zoned R-6) is a deep backyard with some wooded area.

CHARACTERISTICS OF THE AREA:

The house sets on the west side of US 24 Highway about a half a block south the offices for the Mid-Continent library system. The area is largely commercial in nature, although many of the

properties are converted, old homes and the City's Comprehensive Plan envisions residential uses for the area. Ribbons of commercial zoning flank both sides of the corridor, but the rear of most properties are zoned R-6 (Single-Family Residential). A used car lot lies to the north and an automobile repair shop lies to the south. Across US 24 Highway is a shed dealership and a townhouse development owned in a condominium manner.

ANALYSIS:

Consistency with *Independence for All*, Strategic Plan:

Rezoning this property is consistent with the Independence for All, Strategic Plan. One of the objectives of the plan is to "stabilize and revitalize neighborhoods."

Comprehensive Plan Guiding Land Use Principles:

The Comprehensive Plan envisions the future land use of this property and the surrounding area to be Residential Neighborhoods.

Historic and Archeological Sites:

There are no apparent historic or archeological sites located on these properties.

Public Utilities:

All utilities are present on the property and in the adjacent rights-of-way.

CIP Investments:

Currently there are no CIP investments in this area.

REVIEW CRITERIA:

Recommendations and decisions on rezoning applications must be based on consideration of all of the following criteria.

1. Conformance of the requested zoning with the comprehensive plan.

The Comprehensive Plan envisions this area to be Residential Established Neighborhoods.

2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.

This property is not located within any subarea plan area.

3. The compatibility of the proposed zoning with the zoning and use of the nearby property, including any overlay zoning.

The existing zoning and uses of the surrounding neighborhood are commercial, but the uses are not intense and many of the structures were built as residences.

4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.

The existing character of the vicinity is largely commercial, but their uses are not intense.

5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.

With the current zoning in place, the existing single-family home is nonconforming. By rezoning the property to R-6, the applicant will be able to live in the house and at some future date, sell it as a conforming residence.

6. The length of time the subject property has remained vacant as zoned.

The property has been vacant since the rise of Covid.

7. The extent of which approving the rezoning will detrimentally affect nearby properties.

Rezoning this property to R-6 will not have a detrimental effect on the nearby properties. This is because the residential use will not be intrusive to the existing uses.

8. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, because of denial of the application.

Denial of this zoning will inhibit the ability of the applicant to live in the structure and to get future building permits, mortgages and refinancing.

Draft Planning Commission minutes are attached to this Council agenda item.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Draft Ordinance 24-100-16
2. Staff Report 24-100-16
3. Narrative
4. Application
5. Notification Letter
6. Address List
7. Notification Area Map
8. Affidavit
9. Aerial Image
10. Comp Plan Map
11. Zoning Map
12. Planning Commission Meeting Minutes 7-23-24

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) AND R-6 (SINGLE FAMILY RESIDENTIAL) TO R-6 (SINGLE FAMILY RESIDENTIAL) FOR THE PROPERTY AT 15552 E. US 24 HIGHWAY.

WHEREAS, an application submitted by Robert and Carolyn Rogers requesting approval of a rezoning from District C-2 (General Commercial) and R-6 (Single-Family Residential) to R-6 (Single-Family Residential) for the property at 15552 E US 24 Highway was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on July 23, 2024, and rendered a report to the City Council recommending the rezoning be approved by a vote of 6-0; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the rezoning was consistent with the review criteria in Section 14-701-02; and,

WHEREAS, no legal protests were signed, acknowledged, and presented for the application; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing, and rendered a decision to approve the rezoning of the said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the following legally described property is hereby rezoned from District C-2 (General Commercial) and R-6 (Single Family Residential) to District R-6 (Single-Family Residential) and shall be subject to the regulations of said district:

DICKINSONS W B; LOT 77

SECTION 2. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 3. Scrivener’s Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 4. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

MEETING DATE: July 23, 2024

STAFF: Brian Harker, Senior Planner

PROJECT NAME: Rezone from C-2 (General Commercial) & R-6 (Single-Family Residential) to R-6

CASE NUMBER/REQUEST: **Case 24-100-16 – Rezoning – 15552 E. US 24 Highway** – A request by Robert and Carolyn Rogers to rezone the subject property from C-2 (General Commercial) and R-6 (Single-Family Residential) to R-6 (Single-Family Residential).

APPLICANTS/OWNERS: Robert and Carolyn Rogers

PROPERTY ADDRESS: 15552 E. US 24 Highway

APPLICANTS/OWNERS' ADDRESS: 1718 N. Lake City Valley Road

SURROUNDING ZONING/LAND USE:

North: C-2 (General Commercial) and R-6 (Single-Family Residential)...used car sales

South: C-2 (General Commercial) and R-6 (Single-Family Residential)...automotive repair

East: O-1 (Office-Residential) and C-2 (General Commercial)...multiple-family and sheds

West: R-6 (Single-Family Residential)...single-family residences

PUBLIC NOTICE

- Letters to property owners within 185 feet – July 5, 2024
- Public Notice published in the Independence Examiner – July 6, 2024
- Sign posted on property – July 5, 2024

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on August 19, 2024, and the public hearing/second reading on Sept 3, 2024.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A request by Robert and Carolyn Rodgers to rezone the property from C-2 (General Commercial) and R-6 (Single-Family Residential) to R-6 (Single-Family Residential).

Current Zoning: C-2 (General Commercial) and R-6 (Single-Family Residential)

Proposed Zoning: R-6 (Single-Family Residential)

Prior to 1980: The C-2 zoning was C-3 (Commercial)

Current Use: Single-Family Home

Former Use: Beauty Shop

Proposed Use: Single-Family Home

Building Square Footage: 854-square feet

Lot Acreage: 1.01-acres

PROPOSAL:

The applicants seek to rezone the property at 15552 E. US 24 Highway from C-2 (General Commercial) and R-6 (Single-Family Residential) to R-6 (Single-Family Residential) so that they can again use the property as a residence.

PROPERTY HISTORY:

The residential lot, Lot 77 in W. B. Dickinson, was platted in October of 1949. The addition was annexed into the city in 1955. In 1965, it was zoned C-3 (Commercial). In 1980 the zoning was updated to be C-2 (General Commercial).

The property then had a legal unconfirming residential use and later a beauty salon along with the residential use. Due to Covid 19 (and the applicant not wanting to comply with partition and spacing expenses) she ceased her operations and decided to retire. Currently, there is not a commercial business on the property and the legal nonconforming residential use has expired.

PHYSICAL CHARACTERISTICS OF THE PROPERTY:

The internal layout of the old house is still mostly residential, although the entirety of the front yard is a paved surface. The great bulk of this property (much of which is already zoned R-6) is a deep backyard with some wooded area.

CHARACTERISTICS OF THE AREA:

The house sets on the west side of US 24 Highway about a half a block south the offices for the Mid-Continent library system. The area is largely commercial in nature, although many of the properties are converted, old homes and the City's Comprehensive Plan envisions residential uses for the area. Ribbons of commercial zoning flank both sides of the corridor, but the rear of most properties are zoned R-6 (Single-Family Residential). A used car lot lies to the north and an automobile repair shop lies to the south. Across US 24 Highway is a shed dealership and a townhouse development owned in a condominium manner.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

Rezoning this property is consistent with the *Independence for All*, Strategic Plan. One of the objectives of the plan is to "stabilize and revitalize neighborhoods."

Comprehensive Plan Guiding Land Use Principles:

The Comprehensive Plan envisions the future land use of this property and the surrounding area to be Residential Neighborhoods.

Zoning:

Section 14-300-02 of the Unified Development Ordinance (UDO) outlines the purpose of Independence's zoning districts by stating that they "are intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain the desired physical

character of existing neighborhoods.” By rezoning this property to R-6 (Single-Family Residential), the zoning will match the structure’s design and nearby single-family uses.

Historic and Archeological Sites:

There are no apparent historic or archeological sites located on this property.

Public Utilities:

All utilities are present in on the property.

CIP Investments:

Currently there are no CIP investments along US 24 Highway; however, MoDOT has planned improvements envisioned.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

- 1. Conformance of the requested zoning with the comprehensive plan.**
The Comprehensive Plan envisions this area to be Residential Established Neighborhoods.
- 2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.**
This property is not located within any subarea plan area.
- 3. The compatibility of the proposed zoning with the zoning and use of the nearby property, including any overlay zoning.**
The existing zoning and uses of the surrounding neighborhood are commercial, but the uses are not intense and many of the structures were built as residences.
- 4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.**
The existing character of the vicinity is largely commercial, but their uses are not intense.
- 5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.**
With the current zoning in place, the existing single-family home is nonconforming. By rezoning the property to R-6, the applicant will be able to live in the house and at some future date, sell it as a conforming residence.
- 6. The length of time the subject property has remained vacant as zoned.**
The property has been vacant since the rise of Covid.
- 7. The extent of which approving the rezoning will detrimentally affect nearby properties.**
Rezoning this property to R-6 will not have a detrimental effect on the nearby properties. This is because the residential use will not be intrusive to the existing uses.

8. **The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, because of denial of the application.**

Denial of this zoning will inhibit the ability of the applicant to live in the structure and to get future building permits, mortgages and refinancing.

- 9.

EXHIBITS

1. Narrative
2. Application
3. Notification Letter
4. Mailing List
5. Notice Area Map
6. Affidavit
7. Aerial Image
8. Comp Plan Map
9. Zoning Map

June 5, 2024

I, Carolyn Rogers used 15552 E. US 24 Hwy.
as a Beauticians spot. I had my little
business under Commercial.

Due to Covid 19 and not wanting to comply
with partician and spacing expenses I ceased
operation and decided to retire.

I am requesting zoning to be 100% Residential.

Carolyn S Rogers
June 5, 2024

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☒ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business ☐ Short-Term Rental	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

Project Name

15552 E. US 24 Highway

Project Address/Location

Sq. Ft. of Building

C2nd R6

Acreage

R6

Number of Lots/Tracts

1 HOUSE

Stream Buffer (Yes or No)

HOUSE No

Existing Zoning

Proposed Zoning

Existing Land Use

Proposed Land Use

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☐ Completed & Signed Application Form	☐ One 24" x 36" set of plans for Land Sub. & Site Dev.
☐ Application Fee	☐ One PDF copy of a plat map or site plan
☐ Cover Letter Describing Details of Project	☐ Legal Description of the property in question

Contact Information

Applicant

ROBERT L., Carolyn S. Rogers

Owner

Name

Company

155 1718 N. Lake City Valley Rd

Name

Company

Buckner, MO 64016

Address

Address

816-461-6822 ranchr888@gmail.com

Phone

Email

Phone

Email

Architect/Engineer/Surveyor/Other:

Architect/Engineer/Surveyor/Other:

Name

Company

Name

Company

Address

Address

Phone

Email

Phone

Email

The applicant hereby agrees that the information provided above is accurate.

Carolyn S. Rogers

Applicant's Signature

Date

Same

Owner's Signature

Date

Appendix B - Property Owner Notification Letter

City of Independence, Missouri

Date: July 5, 2024

Case No. 24-100-16

Dear Property Owner:

This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):

- ☒ Rezoning ☐ Rezoning/PUD ☐ Special Use Permit
☐ Preliminary Development Plan

Proposed project description: Rezone property from C-2
(General Commercial) and R-6 (Single-Family) to R-6 (Single-Family)

Applicant: Carolyn Rogers

Location of Property: 15552 E. US 24 Highway

Planning Commission Meeting Date: July 23, 2024, at 6:00 p.m.

City Council Meeting Date: Sept 3, 2024, at 6:00 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

Carolyn Rogers *Thank you!*
Applicant (or Owner/Agent)

For more information, contact the Community Development Department at 816-325-7421.

AutoSave **On** Address_List - Compatibility Mode • Saved to this PC • Brian Harker

File Home Insert Page Layout Formulas Data Review View Automate Help Laserfiche Comments Share

Clipboard Font Alignment Number Styles Cells Editing Sensitivity Add-ins

B26

	A	B	C	D	E	F	G
1	Owner	Address	City	State	Zip Code		
2	WOODWIND TOWNHOMES ASSOCIATION	229 WARD PKWY UNIT 303B	KANSAS CITY	MO	64112		
3	GARCIGA JULIO CESAR	1304 SE PRINCETON PL	LEES SUMMIT	MO	64081		
4	HAMLIN ANTOINE ALEXANDER	7902 E 89TH ST	KANSAS CITY	MO	64138		
5	WALTER JOHN DOUGLAS & SUSAN JANE	116 S PLEASANT	INDEPENDENCE	MO	64050		
6	DR MORTGAGE LIMITED LLC	2601 AIRPORT DR STE 290	TORRANCE	CA	90505		
7	DR MORTGAGE LIMITED LLC	2601 AIRPORT DR 290	TORRANCE	CA	90505		
8	WOODWIND TOWNHOMES ASSOCIATION	15609 E US 24 HWY	INDEPENDENCE	MO	64050		
9	HOLMQUEST JAMES S & DEBORA K	15413 MAYES RD	INDEPENDENCE	MO	64050		
10	ROGERS ROBERT L & CAROLYN S	1718 N LAKE CITY VALLEY RD	BUCKNER	MO	64016		
11	DR MORTGAGE LIMITED LLC	2601 AIRPORT DR 290	TORRANCE	CA	90505		
12	PETTY ELMER L	15411 MAYES RD	INDEPENDENCE	MO	64050		
13	BROWN JAMES M	12210 LYNDEL CIR	INDEPENDENCE	MO	64052		
14	AYLER DEBORAH K	15503 MAYES RD	INDEPENDENCE	MO	64050		
15	MCBEE PROPERTIES LC	1203 E US 24 HWY	INDEPENDENCE	MO	64050		
16	GILLEN GERALD A & A KATHER	15615 E US 24 HWY	INDEPENDENCE	MO	64050		
17	CONSOLIDATED LIBRARY DISTRICT NO 3	15616 E US 24 HWY	INDEPENDENCE	MO	64050		
18	RAMOS PROPERTIES LLC	111 E MAPLE AVE	INDEPENDENCE	MO	64050		
19	CAPELL WESTERN L	741 E WALNUT	INDEPENDENCE	MO	64050		

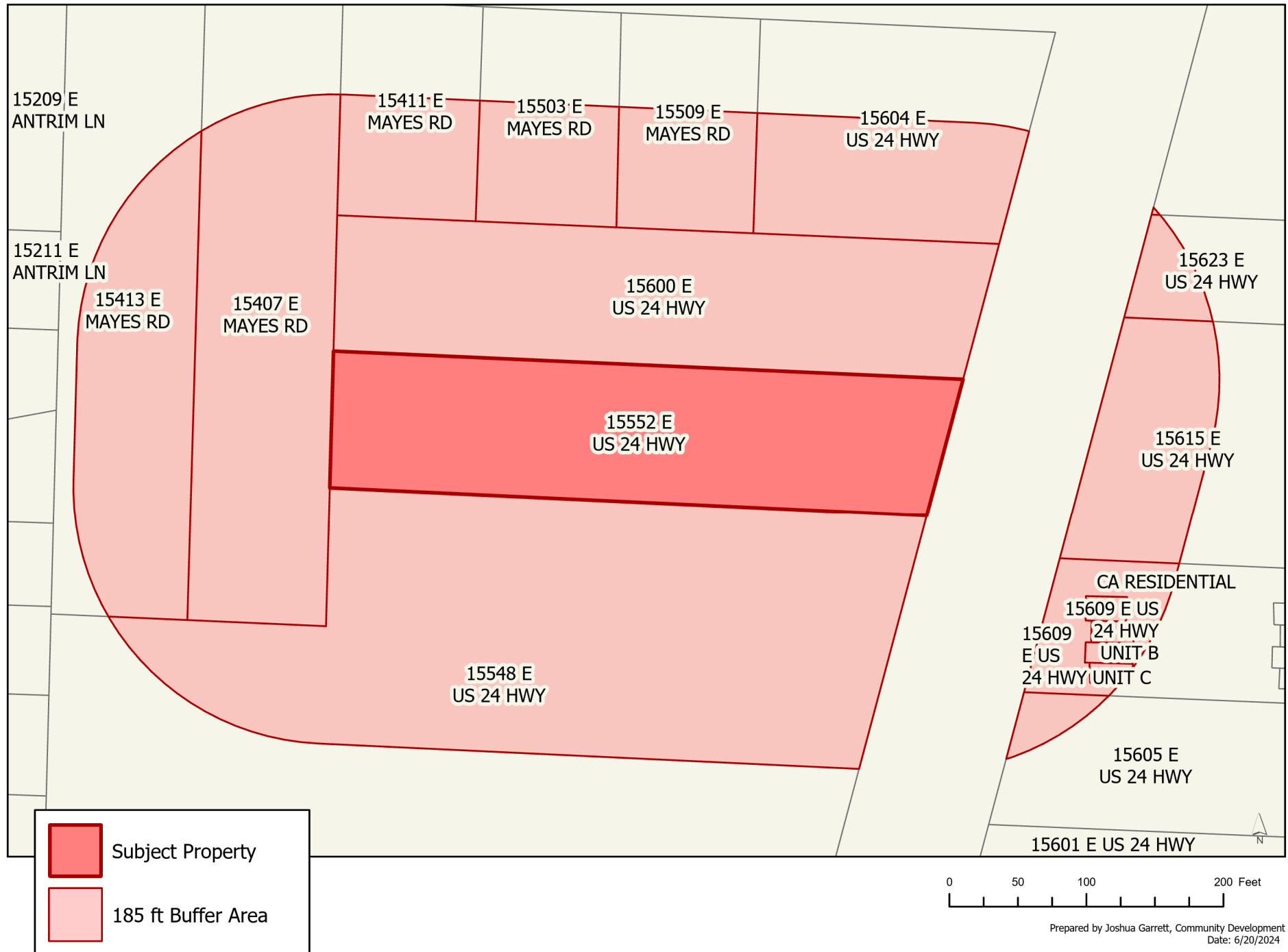
24-100-16_Clip.shp

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Notification Area

24-100-16

15552 E US 24 Hwy, Independence, MO 64050



Appendix C - Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 24-100-16

I, Carolyn Rogers, of lawful age being first duly sworn upon oath, state:

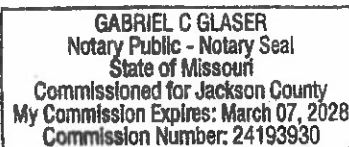
That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 5th day of July, 2024.

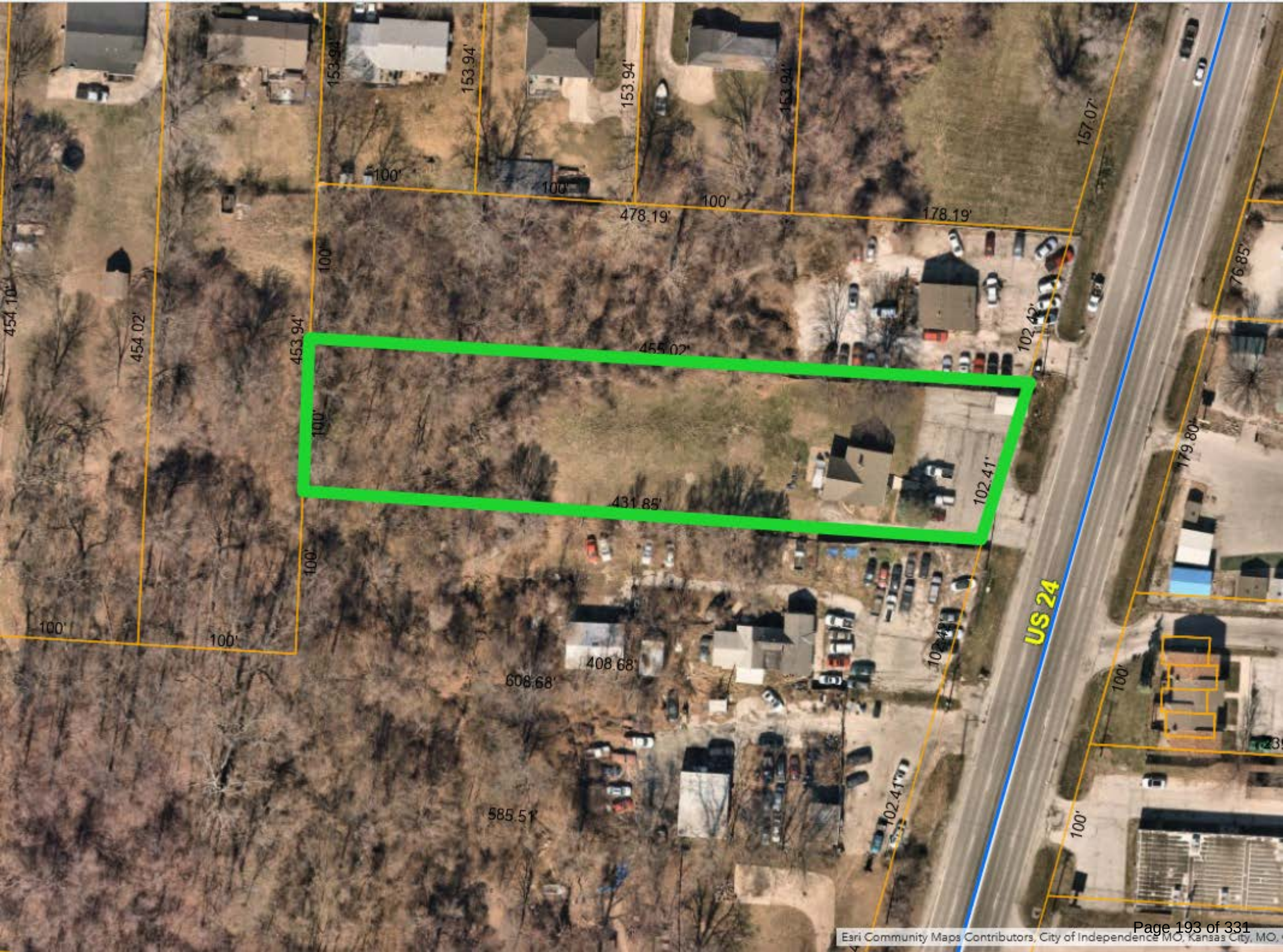
Carolyn Rogers
Signature of Agent, Owner or Attorney

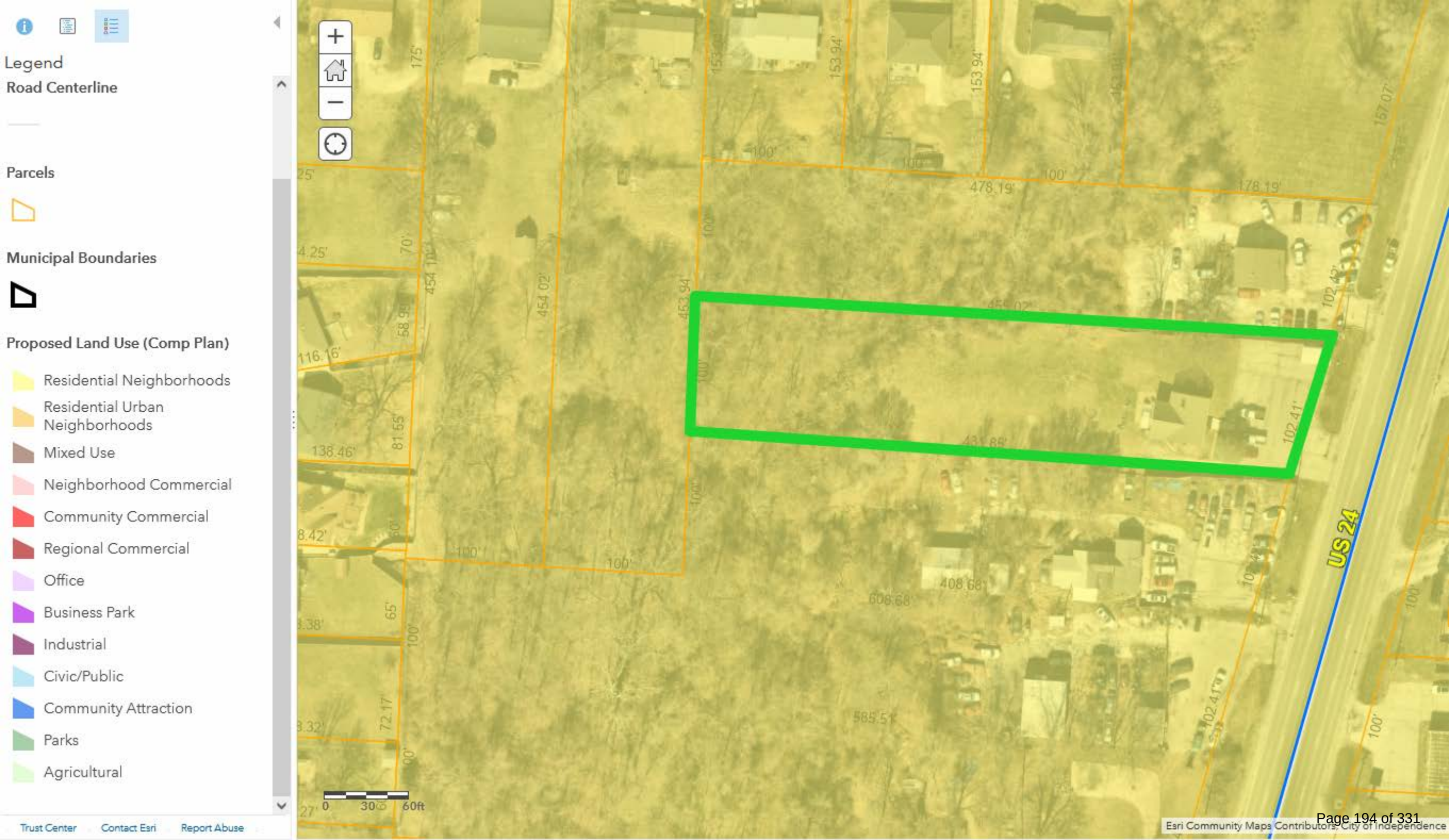
Subscribed and sworn to before me this 12 day of July, 2024.

Gabriel C Glaser
Notary Public



03/07/2028
Commission Expiration Date





Legend
Road Centerline

Parcels

Municipal Boundaries

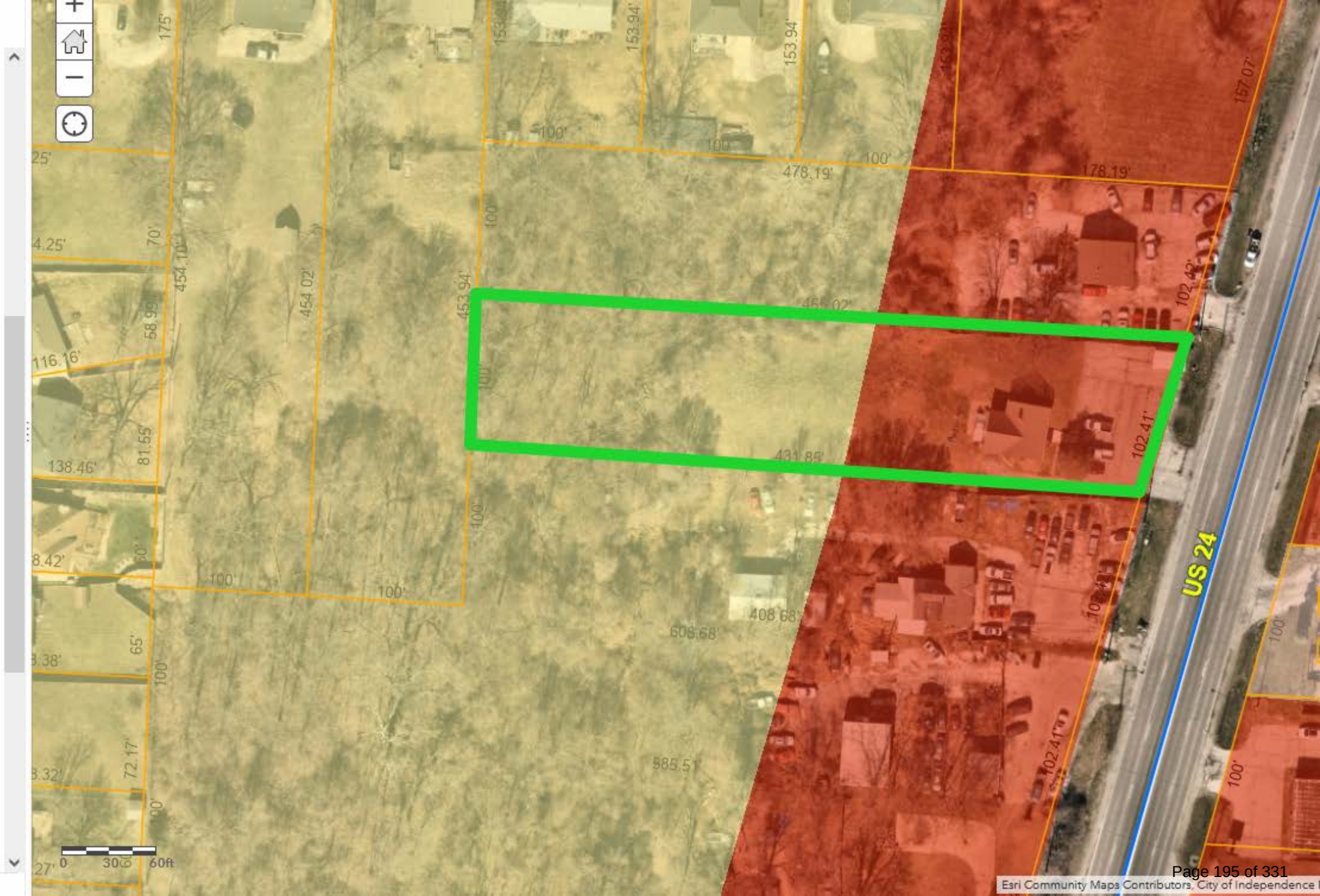
Proposed Land Use (Comp Plan)

- Residential Neighborhoods
- Residential Urban Neighborhoods
- Mixed Use
- Neighborhood Commercial
- Community Commercial
- Regional Commercial
- Office
- Business Park
- Industrial
- Civic/Public
- Community Attraction
- Parks
- Agricultural

US 24

Legend

- C-1
- C-2
- C-2/HL
- C-2/I-1/U
- C-2/PUD
- C-2/SUP
- C-3
- C-3/SUP
- DFD
- I-1
- I-1/HL
- I-1/SUP
- I-1/U
- I-2
- O-1
- O-1/PUD
- R-1
- R-12
- R-12/HL
- R-12/PUD
- R-18/PUD
- R-2
- R-2/PUD





Planning Commission Minutes

July 23, 2024 6:00 PM

City Hall, 111 E. Maple Avenue (Ground Floor), Council Chambers

CALL TO ORDER

A meeting of the Planning Commission was held at 6:00 PM on 7/23/2024, in the 111 E Maple Ave City Council Chambers, Independence, MO 64050. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Cindy McClain, Virginia Ferguson, Jose Torres. Absent - Dan O'Neill.

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

Motion

Commissioner Laurie Dean Wiley made a motion to approve the Consent Agenda.

Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 6, No 0, Abstained 0.

1. Planning Commission Minutes – June 25, 2024 and July 9, 2024

NOTE OF CASES WITHDRAWN

1. **Continued Case 24-200-05 – Special Use Permit – 4503 S. Chrysler Ave** – A request by Suita Diaz-Dawson to operate a Bed & Breakfast.
2. **Case 24-100-15 – Rezoning – 11222 E. Winner Road** – A request by Cheri Beavers to

rezone the property from R-6 (Single Family Residential) to R-12 (Two Family Residential).

CASE TO BE CONTINUED - STAFF RECOMMENDS THIS CASE BE CONTINUED TO THE AUGUST 13, 2024 MEETING.

1. **Case 24-125-07 – Rezoning/PUD – Jackson Drive & R. D. Mize Road** – A request by Jim Pollard to rezone the property from C-2 (General Commercial) and R-6 (Single Family Residential) to C-2 (General Commercial) and R-12/PUD (Two-Family Residential/Planned Unit Development) and approving a preliminary development plan.

Motion

Commissioner Edward Nesbitt made a motion to continue the case to August 13, 2024.

Commissioner Laurie Dean Wiley seconded the motion. The motion was approved Yes 6, No 0, Abstained 0.

2. **Case 24-125-08 – Rezoning – 2710 S. Westport Road** – A request by Rosemary Hoover to rezone the property from R-6 (Single Family Residential) to R-6/PUD (Single Family Residential/Planned Unit Development) and approve a preliminary development plan.

Motion

Commissioner Laurie Dean Wiley made a motion to continue the case to August 13, 2024.

Commissioner Edward Nesbitt seconded the motion. The motion was approved Yes 6, No 0, Abstained 0.

PUBLIC HEARING

1. **Case 24-100-16 – Rezoning – 15552 E. US 24 Highway** – A request by Robert and Carolyn Rogers to rezone the property from C-2 (General Commercial) and R-6 (Single Family Residential) to R-6 (Single Family Residential).

Staff Presentation

Josh Garrett presented the case. Mr. Garrett presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Applicant Comments

Melanie Rogers, 15552 E. US 24 Highway, stated her mother owns the property. She gave a history on the property and said her mother used to be a hairdresser and used this property for her business. Ms. Rogers said she started living at this property and they no longer plan to use this property for business purposes.

In response to Commissioner Nesbitt's question, Mr. Arroyo said staff can work with Ms. Rogers on if the carport is allowed to stay or be moved to another part of the property.

In response to Commissioner Wiley's question, Mr. Garrett stated the zoning code does not

allow more than 40% of a paved yard, but if approved, this property would be grandfathered in.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Virginia Ferguson seconded the motion. The motion was approved Yes 6, No 0, Abstained 0.

**ROUNDTABLE - PLANNING COMMISSION ESSENTIALS MARC TRAINING & NEXT MEETING
AUGUST 13, 2024**

Mr. Arroyo outlined upcoming Planning Commission training available for Commissioners.

Mr. Arroyo announced Planner Josh Garrett has taken a new position and this will be his last meeting. Commissioners and Mr. Arroyo thanked Mr. Garrett for his service and wished him well in his new position.

ADJOURNMENT

The meeting was adjourned at 6:32 p.m.

NOTICE OF PUBLIC HEARING

A hearing will be held by the Independence City Council at 6:00 p.m., Tuesday, September 3, 2024, in the Council Chambers at 111 E. Maple, at which citizens may be heard on the property tax rates proposed to be set by the City of Independence, for its fiscal year beginning July 1, 2024, as the result of the current assessed valuation, dated July 2, 2024, from the clerks of Jackson and Clay Counties.

Assessed Valuation (By Categories)	Prior Tax Year	Current Tax Year
	2023*	2024*
<u>Jackson County</u>		
Locally Assessed	\$1,913,947,107	\$1,893,902,791
Independence Square Special Business Benefit District	\$4,813,321	\$4,882,800
State Assessed	\$8,444,511	\$8,281,399
<u>Clay County</u>		
Real Estate	\$60	\$60
	Tax Rate (Per \$100)	Tax Rate (Per \$100)
<u>Levy Category</u>		
General	0.3235	\$0.3286
Recoupment	0.0000	0.0000
Health & Recreation	0.1524	0.1548
Recoupment	0.0000	0.0000
Debt Service	0.0000	0.0000
Total	\$0.4759	\$0.4834
Independence Square Special Business Benefit District	\$0.5755	\$0.5755

*Subject to revision based on the receipt of the assessed valuations established by the Board of Equalization and contingent upon receipt of forms and subsequent review and certification of rate computations by the State Auditor's Office.

City Council of Independence, Missouri
Equal Opportunity Employer/Contractor/MFD



Tax Levy 2024

September 3, 2024





Real Estate Tax Levy – Public Hearing

- City’s Process to Set Levy
- Property Tax Limitations
 - Assessed Values & Limit Factor

Tax Levy Rates				
Levy		2023 Final	2024 PRELIM	2024 FINAL
General Revenue	\$	0.3235	0.3286	0.3325
General Revenue Recoupment	\$	0.0000	0.0000	0.0000
Public Health & Recreation	\$	0.1524	0.1548	0.1567
Public Health & Recreation Recoupment	\$	0.0000	0.0000	0.0000
Debt Service	\$	0.0000	0.0000	0.0000
Subtotal	\$	0.4759	0.4834	0.4892
Independence Square Special Business District	\$	0.5755	0.5755	0.5755

Assessed Valuations Real Property				
	2022	2023	2024 Prelim	2024 Final
Current Year	1,391,422,799	1,879,556,128	1,884,423,432	1,862,001,751
New Construction	14,397,143	34,391,039	9,479,359	10,024,356
Total	1,405,819,942	1,913,947,167	1,893,902,791	1,872,026,107
ISBD	4,488,640	4,813,321	4,882,800	4,882,800

State Tax Commission Ruling

- Issued Ruling to Jackson County
 - Alleges Assessor did not follow 137.115.10 RSMo
 - Physical Inspections on increases above 15%
- Jackson County has not issued revised assessments for 2023

Implications for the City

- Funds Supported by Real Estate Property Tax
 - General Fund
 - Recreation Property Tax Levy
 - Health Property Tax Levy

Property Tax Levy Receipts by Year			
	Budget	Actual	Budget
	FY2023-2024	FY2023-2024	FY2024-2025
General Fund	5,903,000	5,925,775	6,063,000
Health Property Tax Levy	870,620	883,225	933,450
Recreation Tax Levy	1,838,155	1,876,853	1,942,736

City's Process to Set Levy

- Can only set levy for what has already been authorized by voters
- Holding a public hearing prior to setting levy
- Final Assessed Valuation to be received from Jackson County
- The Missouri Auditor's Office provides a pro forma calculation for the city to utilize



Property Tax Limitations

Hancock **Amendment**

Local government tax
limit and voter
approval provision

If the assessed valuation of property, excluding new construction and improvements, increases by a larger percentage than the Consumer Price Index, then a "rollback" of the tax rate is required to yield the same amount as would have been received from the levy on the prior assessed value.



Comparison 1

100k Assessed Value

	Market Value			Incr/(Dcr)
	2023	2024 Prelim	2024 Final	
Market Value Total	100,000	100,000	100,000	
Taxable Value Total	19,000	19,000	19,000	
Assessed Value Total	19,000	19,000	19,000	
Taxes Paid to City of Independence	\$90.42	\$91.85	\$92.95	\$2.53
GR	0.3235	0.3286	0.3325	
Health	0.1524	0.1548	0.1567	
Total	0.4759	0.4834	0.4892	



Comparison 2

136k Assessed Value

	Market Value			
	2023	2024 Prelim	2024 Final	Incr/(Dcr)
Market Value Total	136,300	136,300	136,300	
Taxable Value Total	25,897	25,897	25,897	
Assessed Value Total	25,897	25,897	25,897	
Taxes Paid to City of Independence	\$123.24	\$125.19	\$126.69	\$3.44
GR	0.3235	0.3286	0.3325	
Health	0.1524	0.1548	0.1567	
Total	0.4759	0.4834	0.4892	

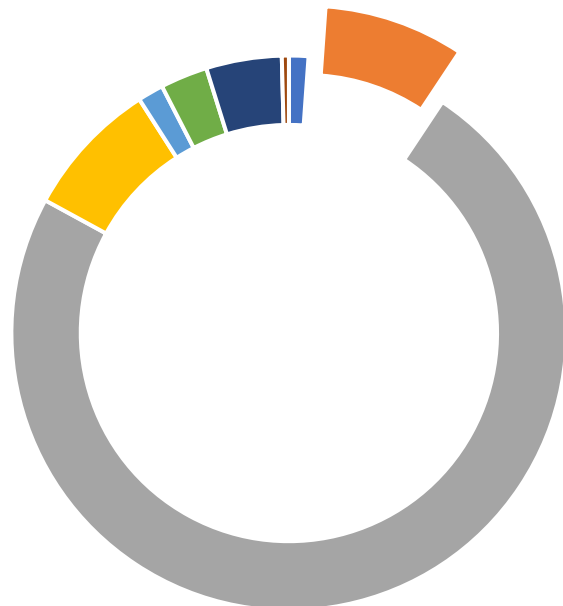


Comparison 3

200k Assessed Value

	Market Value			Incr/(Dcr)
	2023	2024 Prelim	2024 Final	
Market Value Total	200,000	200,000	200,000	
Taxable Value Total	38,000	38,000	38,000	
Assessed Value Total	38,000	38,000	38,000	
Taxes Paid to City of Independence	\$180.84	\$183.69	\$185.90	\$5.05
GR	0.3235	0.3286	0.3325	
Health	0.1524	0.1548	0.1567	
Total	0.4759	0.4834	0.4892	

Breakdown by Taxing Jurisdiction



- | | |
|-------------------------|------------------------|
| ■ Disabled Services | ■ COI |
| ■ Independence School | ■ Jackson County |
| ■ Mental Health | ■ Metro Junior College |
| ■ Mid-Continent Library | ■ State Blind Pension |



Questions?

CITY HALL

INDEPENDENCE
MISSOURI
A GREAT AMERICAN STORY

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-043 2R An ordinance amending Article 3 of Chapter 5 of the City Code by enacting new sections to revise and clarify the requirements for extended stay hotels. 2R

Recommendations:

Staff recommends approval.

Background:

On September 5, 2023, the City Council approved Ordinance No 19480 amending Chapter 5 of the City Code to add regulations pertaining to extended stay hotels. Since the adoption of these regulations, the City has had ongoing conversations with community members on updates and changes to these regulations. These conversations led to the proposed ordinance that revise and clarify the requirements for extended stay hotels. Specifically, this ordinance:

1. Creates a clearer definition of an extended stay hotel.
2. Increases the re-registration for an extended stay hotel from 7 days to 21 days.
3. Allows the City to accelerate inspections of the extended stay hotel if violations are found to once every 90 days.
4. The ordinance allows the following three (3) exceptions to the mandatory room change every 8 weeks:
 1. Registered occupants staying in rooms reserved and designated for disabled or handicapped guests in compliance with the Americans with Disabilities Act or ADA.
 2. Registered occupants who are staying in a room booked on their behalf or paid for by an insurance company or the occupant's employer.
 3. Registered occupants who are staying in a room via a referral from a non-profit community partner agency.

Staff believes the proposed amendment will better serve our community and help regulate extended stay hotels to ensure the public safety in and around hotels.

Emergency Justification:**Fiscal Impact:**

There is no fiscal impact.

Council Action:

Department / Contact	Community Development /
---------------------------------	-------------------------

REVIEWERS

Tom Scannell
Jeremy Cover
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Ordinance Regarding Extended Stay Revisions 2024

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 3 OF CHAPTER 5 OF THE CITY CODE BY ENACTING NEW SECTIONS TO REVISE AND CLARIFY THE REQUIREMENTS FOR EXTENDED STAY HOTELS.

WHEREAS, the City of Independence may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, City Council has previously enacted regulations relating to hotels, motels, and lodging establishments; and

WHEREAS, City Council has also previously enacted provisions specifically regulating extended guest stays at these facilities; and

WHEREAS, City Council desires to update these regulations in collaboration with residents and local business owners.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. The Code of Ordinances of the City of Independence Section 5.03.001 shall hereby be amended as follows:

SEC. 5.03.001. DEFINITIONS. In this Article:

EXTENDED STAY **HOTEL** means any **hotel, motel, or lodging establishment which** ~~tenant or occupant who exercises occupancy or is entitled to~~ **allow occupancy, as indicated on the establishment's annual business license,** by reason of concession, permit, right of access, license or other agreement for a period of sixteen consecutive calendar days or more, counting portions of calendar days as full days.

HOTEL means any structure or any portion of any structure that is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes and includes, but is not limited to, any hotel, inn, bed and breakfast, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location. **Hotels may only allow occupants to stay fifteen (15) days or less per stay unless licensed as an extended stay hotel.**

NONPROFIT COMMUNITY PARTNER AGENCY means a nonprofit organization that provides critical services, including but not limited to housing services, case management, education, workforce development, health care, and legal services, to low- and moderate-income individuals and/or households.

OCCUPANCY means the use or possession or the right to the use or possession of any room or rooms or portion thereof in any hotel for dwelling, lodging or sleeping purposes.

OPERATOR means the person who is the proprietor of a hotel. Where the operator performs functions through a managing agent of any type other than an employee the managing agent shall also be deemed an operator for the purposes of this Article and shall have the same duties and liabilities as the principal. Compliance with the provisions of this Article by either the principal or the managing agent shall be compliance by both.

PERSON means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

RENT means the consideration charged for the occupancy of space in a hotel.

TENANT means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement. OCCUPANT can be used interchangeably with TENANT.

TRANSIENT means any tenant who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty consecutive calendar days or less, counting portions of calendar days as full days. Any such tenant so occupying space in a hotel shall be deemed to be a transient until the period of thirty days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of this Article may be considered.

RECORD means all electronic, typewritten, or handwritten information about a tenant.

REGISTER means a machine in which electronic or typewritten records are kept or a document or set of documents in which handwritten or typewritten records are kept.

SECTION 2. The Code of Ordinances of the City of Independence Section 5.03.19 shall hereby be amended as follows:

SEC.5.03.019 EXTENDED STAYS - OCCUPANCY STANDARDS.

A. Each hotel, motel or lodging place shall only rent to and allow occupancy by transient guests, **unless it is licensed as an extended stay hotel.** ~~an existing hotel, motel or lodging place has a current special land use permit which expressly allows for stays longer than fifteen (15) days.~~ **Nevertheless, N** ~~no~~ person may be an occupant or tenant in the **any** facility for more than sixty (60) days in any six-month period. The owner shall develop and implement procedures to prevent stays for a longer period of time which shall be subject to review by the City.

1. ~~Exception: Extended stays by guests may be allowed in certain facilities which have the following physical design features and amenities:~~ **Extended stay hotels shall meet the following physical design features and requirements:**
 - a. Building. Each facility shall provide a main entrance to a lobby. Entry into any guest suite shall be from an interior hallway. All hallways to guest suites shall be within the interior of the building and shall be climate-controlled. All entrances into the building shall require a valid suite key card to open and shall be equipped with self-closing doors.
 - b. Oversized and Suite-Style Accommodations. All guest suites on the property must be set up in a suite configuration with a separate area for food preparation, dining, and other living activities. All suites must be fully furnished with bedding, table and chairs, with all linens provided.
 - c. Kitchenette. All guest suites must be adequately equipped for in-suite storage of food and safe preparation of meals and include:
 - (1) Separate Sink. Must be located outside of the bathroom and integrated within a countertop having at least 12 square feet of flat surface area;
 - (2) Appliances. A separate area within each suite must contain a two-burner cooktop, microwave, and efficiency-sized refrigerator/freezer at least 8 cubic feet in capacity;
 - (3) Vent Hood. Must be positioned immediately above the cooktop to vent steam and aromas; and
 - (4) Dry Storage. Cabinets must be placed above and below the countertop to provide for at least 25 cubic feet of storage of non-perishable items, separate and apart from the closet.
 - d. **Exception. Legally existing extended stay hotels that were designed and constructed with the Building design in paragraph a. above shall be exempted from that requirement. If the legally existing extended stay hotel is expanded in either square footage or number of rooms, the building shall comply with paragraph a. above.**
2. No facility, including **extended stay hotels** ~~those meeting the above requirements~~, may provide for extended stays until express authorization is noted on the facility's annual business license. Further, no such facility shall be used for long stays as a replacement for permanent housing.
 - a. In the City's sole discretion, authorization to provide for extended stays may be denied or withdrawn due to excessive qualifying calls for police service relating to: crimes of violence, unlawful drug activity, prostitution, solicitation, peace

disturbances, thefts, vandalism, unlawful weapon offenses, and property crimes. In reaching this determination, the City may consider the ratio of qualifying calls for police service in the preceding twelve (12) month period, as compared to the number of rooms available for occupancy in the facility. In the event the ratio of qualifying calls for police service places the hotel in the top twenty (20%) percent of all hotels in the City; the calls for police service to that hotel will be presumed to be excessive.

B. Occupancy Standards. Owners **of a hotel or extended stay hotel** shall develop and implement procedures to prevent stays for a longer period of time **than those allowed under this Article**. The following items shall be included as part of the procedure, in addition to the other requirements required under this Chapter.

1. Mandatory Re-Check-In. Registered tenants (including any occupant) **of extended stay hotels** desiring to stay at the facility for more than **twenty-one (21) seven (7)** days will be required to reregister ~~weekly~~ and be issued new keys. For ~~those extended stay hotels expressly allowed to register guests to stay longer than fifteen (15) days,~~ the registered occupants may not remain in the same room for more than eight (8) weeks consecutively and shall be required to change rooms for stays of a longer duration. **Hotels are expressly excluded from mandatory re-check in requirements so long as the facility is in compliance with this Chapter.**
 - a. Exception: For ~~those extended stay hotels expressly allowed to register guests to stay longer than 15 days,~~ the seven-day mandatory re-check-in and the mandatory room change every eight weeks shall not apply if the hotel is compliant with the following procedures:
 - (1) The **extended stay** hotel shall conduct housekeeping in each room at least once per week (which cannot be declined by the guest). In addition to any normal cleaning which may be required, housekeeping shall conduct an inspection of the room in accordance with a checklist developed and approved by the City. The staff's weekly inspection is intended to observe illegal or inappropriate behavior and safety issues. Staff shall complete the checklist and provide to hotel management. The hotel shall keep the completed checklists and a log showing the cleaning dates of each room; such records shall be kept for a minimum of two years and shall be made available to the City upon request.
 - (2) The **extended stay** hotel shall provide registration records to the City upon request and shall provide access so that the City may conduct periodic inspections of rooms. Such periodic inspections shall be conducted at the cost of the hotel.
- 1. In the event that City Inspectors find a violation of the City Code during an inspection under this Section, additional**

inspections shall be conducted by the City not less than once every ninety (90) days until the violation(s) have been corrected.

- (3) Registered occupants shall be required to re-check-in every calendar month during a stay of longer duration than 15 days. The registered occupant shall not be required to change rooms but shall be required to interact with hotel staff in the same manner as new guests checking in. The hotel shall ensure that occupancy of the room is consistent with hotel records and in compliance with the occupancy standards set forth in the Municipal Code.
- b. **Exception: The prohibition on remaining in the same room for more than eight weeks is waived for the following individuals so long as housekeeping is performed no less than once per week in each room:**
 - (1) **Registered occupants staying in rooms reserved and designated for disabled or handicapped guests in compliance with the Americans with Disabilities Act or ADA.**
 - (2) **Registered occupants who are staying in a room booked on their behalf or paid for by an insurance company or the occupant's employer.**
 - (3) **Registered occupants who are staying in a room via a referral from a non-profit community partner agency.**
2. Occupancy Limits. Occupancy limits for each room shall be determined by the Fire Marshal and shall be displayed in each room. No person may occupy a room without being registered with hotel management as an occupant. Occupancy of any room shall not exceed that fixed by the Fire Marshal at any time.
3. Refusal To Register. As permitted by the provisions of Section 315.067, RSMo., 2023, any person in charge of the facility shall refuse or deny the use of a room, accommodations, facilities or other privileges of the hotel to any person or persons exhibiting any of the following:
 - a. An individual who is unwilling or unable to pay for the room, accommodations, facilities, or other privileges of the hotel;
 - b. An individual who reasonably appears to be visibly intoxicated, under the influence of alcohol or other drug, or acts in a disorderly manner so as to be reasonably likely to create a public nuisance;

- c. An individual the person in charge of the facility has reason to believe or reasonably believes to be seeking to use a room, accommodations, facilities or other privileges of the hotel for an unlawful purpose;
 - d. An individual the person in charge of the facility has reason to believe or reasonably believes to be bringing in anything which may create an unreasonable danger or risk to other persons, including but not limited to explosives or the unlawful use of firearms;
 - e. An individual whose use of the room, accommodations, facilities or other privileges of the hotel would result in a violation of the maximum capacity of such room, accommodation, facility or hotel.
4. Ejection From Facility. As permitted by the provisions of Section 315.075, RSMo., 2023, the person in charge of the facility shall eject a person from the hotel and notify the appropriate local law enforcement authorities for any of the following reasons:
- a. Non-payment of charges incurred by the individual renting a room, accommodations or facilities of the hotel when the charges are due and owing;
 - b. Any individual renting a room, accommodations or facilities of the hotel who is visibly intoxicated, under the influence of alcohol or other drug or acting in a disorderly manner;
 - c. Any individual the person in charge of the facility has reason to believe or reasonably believes is using the premises for an unlawful purpose;
 - d. An individual the person in charge of the facility has reason to believe or reasonably believes to have brought something into the hotel which may create an unreasonable danger or risk to other persons, including but not limited to unlawful use of firearms or explosives; and
 - e. Any individual the person in charge of the facility has reason to believe or reasonably believes to be in violation of any Federal, State or local laws or regulations relating to the hotel.

SECTION 3. This Ordinance shall be in full force and effect from and after passage.

PASSED THIS ____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY

City Manager

NOTE: Words struck through and bolded are being removed by this ordinance and words underscored and bolded are being added by this ordinance.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-085 **2R** An ordinance authorizing the 2024 Midwest High Intensity Drug Trafficking Area (HIDTA) Memorandum of Understanding (MOU) for the Investigative Support Center Initiative, and related documents, with the Kansas Bureau of Investigation, for a grant award in the amount of \$154,459.00; making the necessary appropriations; authorizing future change orders for additional funding and/or time extensions; and authorizing certain future appropriations. **2R**

Recommendations:

The Police Department recommends approval and acceptance of this MOU and grant funding.

Background:

The Police Department first received funding to participate in the Midwest High Intensity Drug Trafficking Area (HIDTA) Investigative Support Center (ISC) with full funding for a Crime Analyst position in April 2012. The ISC provides event and target deconfliction services, multi-source name checks, investigative/tactical case support, toll analysis, charting, graphic work, post-seizure analysis and trend/predictive analysis. In 2019, the department received additional funding to fully fund a second Crime Analyst. Since that time, both Analysts continue to be housed at the HIDTA Investigative Support Center. The department is reimbursed 100% of the Analysts' salary, benefits, and training. The 2024 contract will continue the department's involvement with Midwest HIDTA ISC and provide reimbursement up to \$154,459.00.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$154,459.00 to be received as grant revenue. Actual expenses for the two Analysts will be reimbursed to the City. The two Crime Analysts are included in the 2024-25 Operating Budget on page 233, as two of the FTE grant positions.

The revenue will need to be deposited in the 015 Grant Fund, subledger ISC, and appropriated as follows:

0154550-5100	Salaries	\$92,939
0154550-5109	Benefits	\$59,520
0154550-5203	Training	<u>\$ 2,000</u>
Total Amount:		\$154,459

There is no local match or supplemental funding necessary.

Council Action:

Department / Contact	Police Department /
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REVIEWERS

Dennea Leap
Michelle Sumstad
Jason Petersen
Adam Dustman
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. PD.2024 HIDTA Analysts Ordinance 07-30-24
2. HIDTA 2024 MOU INDEPENDENCE PD - ISC

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE 2024 MIDWEST HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) MEMORANDUM OF UNDERSTANDING (MOU) FOR THE INVESTIGATIVE SUPPORT CENTER INITIATIVE, AND RELATED DOCUMENTS, WITH THE KANSAS BUREAU OF INVESTIGATION, FOR A GRANT AWARD IN THE AMOUNT OF \$154,459.00; MAKING THE NECESSARY APPROPRIATIONS; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS; AND AUTHORIZING CERTAIN FUTURE APPROPRIATIONS.

WHEREAS, it is the desire of the various law enforcement agencies in the Kansas City Metropolitan Area to combine resources against individuals involved in the manufacture and distribution of methamphetamine, for the purpose of arrest, conviction and long-term incarceration of these individuals through careful application of the most effective Federal/State criminal statutes; and,

WHEREAS, the City Council does wish to accept this grant funding and has concluded the Special Conditions of the grant award can be met.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the Independence City Council hereby authorizes the City Manager to sign and execute, for and on behalf of said City, a Midwest High Intensity Drug Trafficking Area (HIDTA) Memorandum of Understanding (MOU) for the Midwest HIDTA Investigative Support Center Initiative, and related documents, with the Kansas Bureau of Investigation, to accept a grant in the amount of One Hundred Fifty-Four Thousand Four Hundred Fifty-Nine and 00/100 Dollars (\$154,459.00) to fully fund two Crime Analysts plus training while assigned to HIDTA, a copy of said MOU being attached hereto, incorporated by reference thereto, and made a part hereof as though fully set out herein.

SECTION 2. That appropriations are hereby increased in the Police Department Grant Fund Operating Budget in the amount of One Hundred Fifty-Four Thousand Four Hundred Fifty-Nine and 00/100 Dollars (\$154,459.00) from increased grant revenues, to be received from the Kansas Bureau of Investigation, for operating costs related to participation in the Midwest HIDTA Investigative Support Center Initiative.

SECTION 3. That the City Manager is further authorized to approve future change orders, extensions, amendments or addendums to this agreement without Council approval, or an extension of time for completing the terms of the grant or for the receipt of additional funding for this same grant project, provided there are no changes in the terms and/or conditions or responsibilities to the City and provided each and every such change order, extension, amendment or addendum is approved by the City Manager, does not add more than 90% to the length of time of the grant or more than 50% to the original funding, is identified as being authorized by this ordinance and a copy is filed with the City Clerk.

SECTION 4. That the City Manager is hereby authorized to increase appropriations by the amount of any increased grant awards authorized by change order, extension, amendment or addendum for any increased funding under the terms of the previous section, provided a copy of that action is also provided to the Finance Department.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL
OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

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, sufficient
to meet the obligation hereby incurred.

Source is: As Indicated Above

Director of Finance and Administration
City of Independence, Missouri



Kansas Bureau of Investigation

Tony Mattivi
Director

Kris W. Kobach
Attorney General

July 18, 2024

Zachary Walker, City Manager
City of Independence
111 East Maple St, 3rd floor
Independence Missouri 64050

Dear Mr. Walker:

Attached for your review and signatures are documents relating to the Independence Police Department's 2024 operating budget for the Midwest HIDTA Investigative Support Center Initiative.

Please review the documents carefully, as signatures are required on several separate documents. Return to our office a copy of the original signature pages. After all other signatures are acquired a copy of the signature pages only will be returned for your files.

If your agency has any prior year HIDTA funds available, those funds must be exhausted before the 2024 funds can be used.

Please forward a copy of this MOU to your fiscal office.

Thank you for your continuing support of the Midwest HIDTA.

Award #: G24MW0003A
Initiative: Midwest HIDTA Investigative Support Center
Award Maximum: \$154,459.00
Award Period: January 1, 2024 - December 31, 2025

Sincerely,

A handwritten signature in blue ink, which appears to read "Teresa Goza", is positioned above the printed name.

Teresa Goza
HIDTA Accountant IV
Kansas Bureau of Investigation

MIDWEST HIGH INTENSITY DRUG TRAFFICKING AREA (Midwest HIDTA)
MEMORANDUM OF UNDERSTANDING
MIDWEST HIDTA INVESTIGATIVE SUPPORT CENTER INITIATIVE

G24MW0003A
01-01-2024 / 12-31-2025
CFDA number 95.001

The Office of National Drug Control Policy (ONDCP) has awarded High Intensity Drug Trafficking Area (HIDTA) funding to federal, state and local law enforcement agencies in the region comprised of the states of Kansas, Missouri, Nebraska, Iowa, South Dakota and North Dakota for the purpose of combating the manufacture and importation of methamphetamine and the disruption of poly-drug trafficking organizations. The Kansas Bureau of Investigation (KBI) has been designated as the fiscal agent for award proceeds to be distributed to state and local agencies participating in the Midwest HIDTA program within Kansas and in selected regional initiatives. These funds shall be used for purposes designated in the MIDWEST HIDTA INVESTIGATIVE SUPPORT CENTER INITIATIVE (Appendix A) and associated budget (Appendix B), as approved by ONDCP.

Scope of Service

The services carried out under this Memorandum of Understanding shall be consistent with those contained in the initiative proposal and budget as approved for funding by ONDCP. Changes shall not be made in the subject or the proposed objectives of the initiative without prior written approval from the Midwest HIDTA Executive Director the Midwest HIDTA Executive Committee.

The signatories agree to provide written notice to the KBI and to the Midwest HIDTA Executive Director, at least (30) days in advance of any planned withdrawal from this agreement. In the event of withdrawal from this initiative by any party, all property and equipment acquired with HIDTA funds by the withdrawing party shall be re-distributed as per Midwest HIDTA policy and procedure. Upon the date specified in the written notice of withdrawal, this agreement shall become void with respect to the agency giving notice but shall remain in effect for all other participants. The KBI shall process all allowable reimbursement requests for the withdrawing agency through the date of the withdrawal.

Reprogramming of Funds

Reprogramming of funds within a HIDTA award requires different levels of approval based upon the amount to be reprogrammed and whether the reprogramming is inter-agency or inter-initiative. In all cases the recipient agency is responsible for forwarding a request for authorization for reprogramming to the KBI to be forwarded to the Midwest HIDTA Executive Director and Midwest HIDTA Executive Committee. The recipient agency is also responsible for maintaining detailed records of any reprogramming activities.

Reporting Requirement

All participants may be required to prepare a final report of initiative expenditures, which shall be submitted to the KBI within 30 days of the close of the program fiscal year. The financial report will be of a form approved by the KBI and shall contain a listing of expenditures/costs by cost category from the approved initiative budget (Appendix B). The report shall also contain a comparison of actual costs/expenditures against budget estimates. Failure to submit reports on a timely basis may result in the interruption or termination of the initiative funding for your agency. Detailed information on the financial reporting requirements is found in the HIDTA Program Policy and Budget Guidance (PPBG) publication and the Midwest HIDTA Policies and Standard Operating Procedures document (SOP).

Program Standards

Each agency agrees to abide by the standards and rules defined in the HIDTA Program Policy and Budget Guidance (PPBG) publication and the Midwest HIDTA Policies and Standard Operating procedures document as well as all formal written program guidance regarding financial management standards, reporting, records retention, equipment, vehicles, and procurement and supplanting requirements for any agency accepting HIDTA funds. You can download the full version from National HIDTA Assistance Center (NHAC) at nhac.org.

Assurances

Each agency agrees to abide by the terms and conditions set out in Application for Federal Assistance SF 424, Assurances - Non-Construction Programs (Appendix D) and Assurances – Construction Programs (Appendix E). Each agency will also submit the signed OMB forms, Certification Regarding Lobbying (Appendix F) and Disclosure of Lobbying Activities (Appendix G) and will abide by all applicable special conditions included as a part of the award agreement (Appendix I).

Invoicing

Each agency receiving reimbursements will invoice on the fifteenth of every month for expenditures incurred during the prior month. Reimbursement form shall be a form approved by the KBI (Appendix H) and shall contain a listing of expenditures by category. Each agency shall retain the original supporting documentation and provide a copy to the KBI with the monthly report. Each agency agrees that the NHAC and Midwest HIDTA Executive Director and Midwest HIDTA Executive Committee have the right to terminate suspend or delay any payment to sub-recipient if the reimbursements clearly fails to meet HIDTA PPBG. In the event that such an act is necessary the agency will be notified within three days of the decision.

Inventory

Equipment purchased with HIDTA funds shall be identified by cost, type and serial number and reported to the Kansas State Coordinator on the Midwest HIDTA Inventory Form (Appendix C). The Kansas State Coordinator shall maintain an inventory of all equipment purchased and provide the same to HIDTA. A copy of all inventory transactions shall be provided to the KBI. Any change to the inventory of HIDTA purchased equipment shall be reported promptly and in writing to the KBI.

Audit Readiness and Compliance

Each agency agrees to maintain appropriate and detailed records of its receipt and use of the funds, in accordance with the generally accepted accounting principles applying to government agencies. Each agency understands that it may be subject to an audit. Each agency also understands that there will be a site audit every two years for awardees that receive \$25,000 or more, and every three years for awardees that receive \$25,000 or less.

As the fiduciary, the KBI is required to provide certain information in an audit. The Single Audit Certification (Appendix K) provides part of the information needed. The Risk Assessment Tool (Appendix J) helps to ensure proper accountability and compliance with the program.

Acceptance

Acceptance of this MOU by participating agencies is acceptance of all standards and conditions of the HIDTA Award, included as Appendix A, B, C, D, E, F, G, H, I, J, and K.

Appendix A: Task Force Initiative
Appendix B: Task Force Budget
Appendix C: Midwest HIDTA Inventory Form (Does not pertain to the ISC Initiative)
Appendix D: OMB Form 4040-0007 – Assurances – Non-Construction Programs
Appendix E: OMB Form 4040-0009 – Assurances – Construction Programs
Appendix F: OMB Form – Certification Regarding Lobbying
Appendix G: OMB Form – Disclosure of Lobbying Activities
Appendix H: HIDTA Reimbursement Form
Appendix I: HIDTA Award Agreement
Appendix J: FAPO Risk Assessment Tool
Appendix K: HIDTA Single Audit Certification

Fiscal Contact KBI: Teresa Goza
Kansas Bureau of Investigation
15700 College Blvd., Suite 100
Lenexa, Kansas 66219
913-609-1272
teresa.goza@kbi.ks.gov

Project Manager KBI: Kelly Ralston, Assistant Director
Kansas Bureau of Investigation
625 Washington
Great Bend, KS 67530-5442
kelly.ralston@kbi.ks.gov

State Coordinator: Steve Riley
Midwest HIDTA
10220 NW Ambassador Dr., Suite 700
Kansas City MO 64153
816-891-5217
sriley@midwest-hidta.org

Fiscal Contact IPD: Dennea Leap
Independence Missouri Police Department
223 N Memorial Drive
Independence, Missouri 64050-3013
816-325-7315
dleap@indepmo.org

Participating Agency: Zachary Walker, City Manager
City of Independence
111 East Maple St, 3rd floor
Independence Missouri 64050-3066
816-325-7019

Participating Agency:
City of Independence Missouri

Zachary Walker, City Manager

Date

Through Independence Police Department

Adam Dustman, Chief

Date

Fiscal Agent:
Kansas Bureau of Investigation

Tony Mattivi, Director

Date

FY 2024 INTELLIGENCE AND INFORMATION SHARING INITIATIVE DESCRIPTION BUDGET PROPOSAL

HIDTA: Midwest HIDTA
INITIATIVE TITLE: Midwest HIDTA Investigative Support Center
LEAD AGENCY(S): Drug Enforcement Administration
LOCATION: Kansas City, MO

INITIATIVE DESCRIPTION

Initiative Purpose

The Midwest HIDTA Investigative Support Center (ISC) has been operational since 1998 and is managed by the Drug Enforcement Administration (DEA). The ISC is a cooperative partnership of federal, state and local law enforcement agencies supporting enforcement, interdiction and SAUSA initiatives operating throughout the Midwest HIDTA's seven state area (Missouri, Kansas, Iowa, Nebraska, North Dakota, South Dakota and southern Illinois). The ISC is located in Kansas City, Missouri and it is electronically linked to task force locations and key state agencies in each of the states. The ISC collects and analyzes information from all Midwest HIDTA task forces and participating agencies. The ISC provides event and target deconfliction services, multi-source name checks, investigative/tactical case support, toll analysis, charting, graphic work, post-seizure analysis and trend/predictive analysis. In addition to its de-confliction, DHE and analytical case support services, the ISC also prepares the annual Midwest HIDTA Threat Assessment and various strategic intelligence bulletins. The ISC also provides continual evaluation of the threat to the region, identifying changes in patterns and trends. By improving the exchange of intelligence and information through more efficient coordination and communications, the ISC enhances the ability of federal, state, and local law enforcement agencies to identify, arrest and prosecute key members of drug trafficking organizations and those individuals involved in violent crime that are involved in drug trafficking at the local level. The ISC is heavily involved in tactical case support throughout the Midwest HIDTA region and provides support to numerous high-profile drug investigations to include OCDETF, RPOT and CPOT-linked cases.

Services Provided

Strategic Intelligence, Operational Intelligence, Tactical Intelligence, Information Sharing, Analytical Support, Target/Investigative Data Deconfliction and Event Deconfliction

Budget Detail

2024 - Midwest

Initiative - Midwest HIDTA Investigative Support Center

Award Recipient - Kansas Bureau of Investigation (G24MW0003A)

Resource Recipient - Kansas Bureau of Investigation

Input **\$894,454.00**

Personnel	Quantity	Amount
Administrative Staff	1	52,132.00
Analyst - Intelligence	7	410,243.00
Investigative - Support	2	85,833.00
Total Personnel	10	\$548,208.00

Fringe	Quantity	Amount
Administrative staff	1	19,336.00
Analyst - Intelligence	7	193,638.00
Investigative - support	2	21,967.00
Total Fringe	10	\$234,941.00

Travel	Quantity	Amount
Administrative	10	10,401.00
Total Travel	10	\$10,401.00

Services	Quantity	Amount
Communications - data lines		450.00
Communications - mobile phones & pagers		6,760.00
Equipment rentals		3,550.00
Printing & document support		250.00
Service contracts		4,100.00
Shipping & postage		1,505.00

Budget Detail

Software - maintenance		15,170.00
Subscriptions - database		52,670.00
Vehicle lease - passenger	1	6,000.00
Total Services	1	\$90,455.00
Supplies		Amount
Communications - data lines		1,125.00
Communications - mobile phones & pagers		324.00
Investigative/Operational		1,872.00
Office		7,128.00
Total Supplies		\$10,449.00
Total		\$894,454.00

Midwest HIDTA Equipment Inventory
Additions/Transfers/Disposals

Purchase Date:	
Manufacturer's Serial Number:	
Manufacturer/Vendor:	
Cost:	
Purchase Condition:	
HIDTA #:	
Description:	
Purchasing Agency:	
HIDTA Funding %:	
Agency Asset #:	
Title Holder:	
Initiative:	
Custodian Agency:	
Physical Location:	
City:	
State	
Transferred From:	
Current Condition:	
Surplus Date:	
Reason for Disposal:	
Disposal Method:	
Notes:	
Name:	

View Burden Statement

OMB Number: 4040-0007
Expiration Date: 02/28/2025**ASSURANCES - NON-CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

- Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4783) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
- Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
- Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
X _____	City Manager
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Independence Missouri through Independence Missouri Police Department	

View Burden Statement

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2025

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

- Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
- Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
- Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
- Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
- Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
- Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1688), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
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15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
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17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
X _____	City Manager
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Independence Missouri through Independence Missouri Police Department	

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
X _____	City Manager
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Independence Missouri through Independence Missouri Police Department	

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

OMB Number: 4040-0013
Expiration Date: 02/28/2025

1. * Type of Federal Action: ☐ a. contract ☒ b. grant ☐ c. cooperative agreement ☐ d. loan ☐ e. loan guarantee ☐ f. loan insurance	2. * Status of Federal Action: ☐ a. bid/offer/application ☒ b. initial award ☐ c. post-award	3. * Report Type: ☒ a. initial filing ☐ b. material change
--	--	--

4. Name and Address of Reporting Entity:

☐ Prime ☒ SubAwardee Tier if known: ☐
 * Name: CITY OF INDEPENDENCE
 * Street 1: 111 E MAPLE ST. Street 2: 3RD FLOOR
 * City: INDEPENDENCE State: MO: Missouri Zip: 64050-3066
 Congressional District, if known:

5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:

 * Name: KANSAS BUREAU OF INVESTIGATION
 * Street 1: 1620 SW TYLER Street 2:
 * City: TOPEKA State: KS: Kansas Zip: 66612-1837
 Congressional District, if known:

6. * Federal Department/Agency: ONDCP	7. * Federal Program Name/Description: HIDTA CFDA Number, if applicable: 95.001
---	--

8. Federal Action Number, if known: G24MW0003A	9. Award Amount, if known: \$
--	---

10. a. Name and Address of Lobbying Registrant:

 Prefix: * First Name: Middle Name: Suffix: Last Name: Street 1: Street 2: City: State: Zip:

b. Individual Performing Services (including address if different from No. 10a)

 Prefix: * First Name: Middle Name: Suffix: Last Name: Street 1: Street 2: City: State: Zip:

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* Signature: _____

*Name: Prefix: _____ * First Name: ZACHARY Middle Name: _____
 * Last Name: WALKER Suffix: _____

Title: CITY MANAGER Telephone No.: 816-325-7019 Date: _____

Federal Use Only:
Authorized for Local Reproduction
Standard Form - LLL (Rev. 7-97)

Midwest HIDTA Reimbursement Request Form

Agency

Independence Missouri Police Department
223 N. Memorial Drive
Independence MO 64050 Ord. #

Dept. Code

KBI use only
V-40378-1-001
Grant #2410

Invoice for the month of: _____

2024 Funding Year 01/01/2024 to 12/31/2025

Initiative: Midwest HIDTA ISC G24MW0003A

CFDA # 95.001

Enter Data in This
Column only

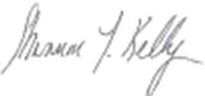
Category	Beginning Allocation	Cumulative Expenses through	Expenditures This Month	Remaining Balance
Personnel - Roberts	\$ 53,902.00			\$ 53,902.00
Personnel - Aumua	\$ 39,037.00			\$ 39,037.00
Fringe - Roberts	\$ 33,355.00			\$ 33,355.00
Fringe - Aumua	\$ 26,165.00			\$ 26,165.00
Travel	\$ 2,000.00			\$ 2,000.00
Total	\$ 154,459.00	\$ -	\$ -	\$ 154,459.00

Agency Authorization / Date	Midwest HIDTA Authorization/Date	KBI Authorization / Date
Adam Dustman, Chief		
Finance Officer Please Print Dennea Leap	(816) 325-7315 Fax 816-325-7316	

Reimbursement forms are due by the 15th of the month.

Please attach all supporting documents

Appendix H

Executive Office of the President Office of National Drug Control Policy		Grant Agreement	
1. Recipient Name and Address Anthony Mattivi Director Kansas Bureau of Investigation 1620 SW Tyler Topeka, KS 66612-1837		4. Award Number (FAIN): G24MW0003A	
		5. Period of Performance: From 01/01/2024 to 12/31/2025	
2. Total Amount of the Federal Funds Obligated: \$3,844,727.00	6. Federal Award Date: April 29, 2024	7. Action: Initial	
2A. Budget Approved by the Federal Awarding Agency \$3,844,727.00	8. Supplement Number		
3. CFDA Name and Number: <i>High Intensity Drug Trafficking Areas Program - 95.001</i>	9. Previous Award Amount:		
3A. Project Description <i>High Intensity Drug Trafficking Areas (HIDTA) Program</i>	10. Amount of Federal Funds Obligated by this Action: \$3,844,727.00		
	11. Total Amount of Federal Award: \$3,844,727.00		
12. This Grant is non-R&D and approved subject to such conditions or limitations as are set forth on the attached pages.			
13. Statutory Authority for Grant: <i>Public Law 118-47</i>			
AGENCY APPROVAL		RECIPIENT ACCEPTANCE	
14. Typed Name and Title of Approving Official Shannon Kelly National HIDTA Director Office of National Drug Control Policy		15. Typed Name and Title of Authorized Official Anthony Mattivi Director Kansas Bureau of Investigation	
16. Signature of Approving ONDCP Official 		17. Signature of Authorized Recipient/Date  5/3/2024	
AGENCY USE ONLY			
18. Accounting Classification Code UEI: MQ3SSN5SNG84 DUNS: 150943496 EIN: 1486029925L2		19. HIDTA AWARD <i>OND1070DB2425XX 2024 OND6113</i> <i>OND2000000000 OC 410001</i>	

GRANT CONDITIONS

A. General Terms and Conditions

1. This award is subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. § 200 (the “§ 200 Uniform Requirements”), as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. §3603. For this award, the § 200 Uniform Requirements supersede, among other things, the provisions of 28 C.F.R. §§ 66 and 70, as well as those of 2 C.F.R. §§ 215, 220, 225, and 230. For more information on the § 200 Uniform Requirements, see <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200>. For specific, award-related questions, recipients should contact ONDCP promptly for clarification.
2. This award is subject to the following additional regulations and requirements:
 - 28 C.F.R. § 69 – “New Restrictions on Lobbying”
 - 2 C.F.R. § 25 – “Universal Identifier and System of Award Management”
 - Conflict of Interest and Mandatory Disclosure Requirements
 - Non-profit Certifications (when applicable)
3. Audits conducted pursuant to 2 C.F.R. § 200, Subpart F, “Audit Requirements” must be submitted no later than 9 months after the close of the grantee’s audited fiscal year to the Federal Audit Clearinghouse (fac.gov)
4. Grantees are required to submit Federal Financial Reports (FFR) to the Department of Health and Human Services, Payment Management System (HHS-PMS). The Federal Financial Report is required to be submitted quarterly and within 90 days after the grant is closed out.
5. The recipient gives the awarding agency or the Government Accountability Office, through any authorized representative, access to, and the right to examine, all paper or electronic records related to the grant.
6. Recipients of HIDTA funds are not agents of ONDCP. Accordingly, the grantee, its fiscal agent(s), employees, contractors, as well as state, local, and Federal participants, either on a collective basis or on a personal level, shall not hold themselves out as being part of, or representing, the Executive Office of the President or ONDCP.
7. These general terms and conditions, as well as archives of previous versions of these general terms and conditions, are available online at <https://www.whitehouse.gov/ondcp/grant-programs/>.

8. Failure to adhere to the General Terms and Conditions as well as the Program Specific Terms and Conditions may result in the termination of the grant or the initiation of administrative action. ONDCP may also terminate the award if it no longer effectuates program goals or agency priorities. See 2 CFR 200.340.
9. Conflict of Interest and Mandatory Disclosures

A. Conflict of Interest Requirements

As a non-federal entity, you must follow ONDCP's conflict of interest policies for federal awards. Recipients must disclose in writing any potential conflict of interest to an ONDCP Program Officer; recipients that are pass-through entities must require disclosure from sub-recipients or contractors. This disclosure must take place immediately whether you are an applicant or have an active ONDCP award.

The ONDCP conflict of interest policies apply to sub-awards as well as contracts, and are as follows:

- i. As a non-federal entity, you must maintain written standards of conduct covering conflicts of interest and governing the performance of your employees engaged in the selection, award, and administration of sub-awards and contracts.
- ii. None of your employees may participate in the selection, award, or administration of a sub-award or contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an organization considered for a sub-award or contract. The officers, employees, and agents of the non-federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from sub-recipients or contractors or parties to sub-awards or contracts.
- iii. If you have a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, you must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, you are unable or appear to be unable to be impartial in conducting a sub-award or procurement action involving a related organization.

B. Mandatory Disclosure Requirement

As a non-federal entity, you must disclose, in a timely manner, in writing to ONDCP all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Non-federal entities that have received a federal award including the terms and conditions outlined in appendix XII of this part are required to report certain civil, criminal, or administrative proceedings to the System for Award Management (SAM), currently the Federal Awardee Performance and Integrity Information System. Failure to make required disclosures can result in any of the remedies described in § 200.339. (See also 2 C.F.R. §180, 31 U.S.C. § 3321, and 41 U.S.C. § 2313.)

None of the funds appropriated or otherwise made available by this grant or any other Act may be used to fund a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information. This limitation shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

10. Federal Funding Accountability and Transparency (FFATA) / Digital Accountability and Transparency Act (DATA Act). Each applicant is required to (i) be registered in SAM before submitting its application; (ii) provide a valid Unique Entity Identifier number in its application; (iii) continue to maintain an active SAM registration with current information at all times during which it has an active federal award; and (iv) provide all relevant grantee information required for ONDCP to collect for reporting related to FFATA and DATA Act requirements.
11. Subawards are authorized under this grant award. Subawards must be monitored by the award recipient as outlined in 2 C.F.R. § 200.331.
12. Recipients must comply with the Government-wide Suspension and Debarment provision set forth at 2 C.F.R. §180, dealing with all sub-awards and contracts issued under the grant.
13. As specified in 2 CFR 200.303 Internal Controls, recipient must:

- a) Establish and maintain effective internal controls over the federal award that provides reasonable assurance that federal award funds are managed in compliance with federal statutes, regulations and award terms and conditions. These internal controls should be in compliance with the guidance in “Standards for Internal Control in the federal Government,” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework,” issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
 - b) Comply with federal statutes, regulations, and the terms and conditions of the Federal awards.
 - c) Evaluate and monitor the non-federal entity’s compliance with statute, regulations, and the terms and conditions of the federal award.
 - d) Take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.
 - e) Take reasonable measures to safeguard protected personally identified information (PII) and other information ONDCP or pass-through entity designates as sensitive or the non-federal entity considers sensitive consistent with applicable federal, state, and local laws regarding privacy and obligations of confidentiality.
14. Recipients are prohibited from using federal grant funds to purchase certain telecommunication and video surveillance services or equipment in alignment with § 889 of the National Defense Authorization Act of 2019, Pub. L. No. 115-232. See 2 C.F.R. § 200.216. See also, HIDTA PPBG, § 7.20, Prohibited Uses of HIDTA Funds.
15. Grantees should provide a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States. See 2 C.F.R. § 200.322.
16. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, shall clearly state—
- a) the percentage of the total costs of the program or project which will be financed with federal money;
 - b) the dollar amount of Federal funds for the project or program; and
 - c) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

B. Recipient Integrity and Performance Matters

Reporting of Matters Related to Recipient Integrity and Performance

1. General Reporting Requirement

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then you as the recipient during that period of time must maintain the currency of information reported to SAM that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under § 872 of Public Law 110-417, as amended (41 U.S.C. § 2313). As required by § 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for federal procurement contracts, will be publicly available. See 2 C.F.R. Part 200, Appendix XII.

2. Proceedings About Which You Must Report

Submit the information required about each proceeding that:

- a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;
- b. Reached its final disposition during the most recent 5-year period; and
- c. Is one of the following:
 - (1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;
 - (2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;
 - (3) An administrative proceeding, as defined in paragraph 5 of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or
 - (4) Any other criminal, civil, or administrative proceeding if:
 - (i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;
 - (ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and

(iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. *Reporting Procedures*

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under federal procurement contracts that you were awarded.

4. *Reporting Frequency*

During any period of time when you are subject to the requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent 5-year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. *Definitions*

For purposes of this award term and condition:

- a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and state level, but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.
- b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.
- c. Total value of currently active grants, cooperative agreements, and procurement contracts includes—
 - (1) Only the federal share of the funding under any federal award with a recipient cost share or match; and
 - (2) The value of all expected funding increments under a federal award and options, even if not yet exercised.

C. Program Specific Terms and Conditions

The grant condition is as follows:

1. This award is subject to the requirements in the SUPPORT for Patients and Communities Act, 21 U.S.C. §§ 1701 *et seq.* and in the ONDCP National HIDTA Program Office HIDTA *Program Policy and Budget Guidance* (September 9, 2021) (PPBG). The HIDTA PPBG is issued pursuant to authority granted the Director of ONDCP by the SUPPORT for Patients and Communities Act (21 U.S.C. § 1706) and the Uniform Administration Requirements (2 C.F.R. § 200) which provide the Director of ONDCP authority to coordinate funds and implement oversight and management function with respect to the HIDTA Program. The HIDTA PPBG can be accessed at the following website:
[Program Policy and Budget Guidance2021.pdf \(nhac.org\)](#)
 In addition, as a condition for receiving this award, recipients must complete safe and healthy workplace trainings as outlined in the PPBG.

D. Federal Award Performance Goals

HIDTA award recipients must adhere to the performance measures, goals and requirements set forth in the PPBG Performance Management chapter (§ 10.0) and the HIDTA Performance Management Process (PMP) database.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
X _____	City Manager
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Independence Missouri through Independence Missouri Police Department	

FAPO RISK ASSESSMENT TOOL

Key Risk Areas and Underlying Factors	EXAMPLES				Lower	Risk Level				Higher
		Lower Risk State	Moderate Risk State	Higher Risk State	1	2	3	4	5	
AREA 1: COMPLIANCE – risk of non-compliance with specific laws, regulations and other rules affecting this process and its financial reporting										
Characteristics of the applicable laws, regulations, policies & rules impacting financial reporting for this business process										
Level of Clarity		Clear & precise	Open to interpretation/generic	Unclear and imprecise						
Degree of maturity/stability		Well-established & time-tested	Recently enacted/evolving (<3 years)	Brand New or unestablished						
Complexity		Simple & straight forward	Involves judgement & some complexity	Highly complicated or judgmental						
AREA 2: HUMAN CAPTIAL – risk posed by the knowledge, skills and capacities of the people involved in this process who can effect financial assistance										
Knowledge/familiarity of staff with process		Highly knowledgeable & familiar	Average familiarity	Staff are new or unfamiliar						
Degree of management process ownership/control		Processes fully in-sourced and under management’s direct control	Mixed in & out-sourced processing or some control delegated to others	Significant outsourcing or delegation of processes to others’ control						
Workload Stress		Low staff turnover; no workforce constraints or other stressors	Moderate staff turnover: some workforce constraints	High staff turnover; notable workforce constraints adding stress						
AREA 3: OPERATIONS – risk posed by the characteristics of the manual/automated activities & IT applications involved in this process impacting financial assistance										
Characteristics of the manual and automated activities & technology applications comprising this business process										
Uniformity		Highly standardized	Some variations occur	Highly variable						
Complexity		Simple & straightforward	Moderately complicated	Complicated/cumbersome/ error prone						
Regularity		Routine	Periodic/infrequent	Non-routine/Rare						
Maturity or Stability		Stable, well-established, time-tested	Evolving/in transition (<3 years)	Brand new, unestablished, unstable						
Extent of handling		One/two “Touch-points”	Multiple processing steps/applications	Many people/steps/apps involved						
Dispersion		Centralized within one location/function	Moderately dispersed among multiple locations/function	Highly dispersed among many different location/functions						
AREA 4: NATURE OF TRANSACTIONS – risk posed by the qualitative and quantitative characteristics of transactions generated by the process										
Transaction volume		Extensive transactions (1000+)	Many transactions (100+)	Few transactions (10+)						
Transaction Frequency		Systematic/recur on a regular basis	Happens periodically/cyclically	Happens infrequently or rarely						
Individual transaction sizes		Small dollar (< 1/1000 th of materiality)	Moderate dollar (>1/1000 th of materiality & <1/100 th of materiality)	Large dollar (>1/100 th of materiality)						
Impact of estimates on financial reporting transactions		Little/no impact of estimates/all transaction variable are known/no estimation judgement involved	Moderate impact of estimates/most transaction variables are known/some estimation judgement involved	Significant impact of estimates/some transaction variables are derived amounts/high judgement required						
Propensity for fraud, waste or misappropriation of assets or information given safeguarding or other security issues		Assets are immoveable or have no intrinsic value/information is easily safeguarded/low risk of concealable theft or diversion	Assets are moveable and have some intrinsic value/information is capable of diversion/moderate risk of concealable theft or diversion	Assets are moveable and have a significant intrinsic valuable/information is capable of diversion/high risk of concealable theft or diversion						

FAPO RISK ASSESSMENT TOOL

APPENDIX J

AREA 5: MANAGEMENT'S RECENT EXPERIENCE – indications of possible lingering risks based upon management's experience with events during the pasts 3 years								
Prior annual financial statement or other audit results								
Controls & Compliance issues raised	No findings related to this process	Management letters comments or other similar findings provided by auditors for this process	Reportable conditions, material weaknesses, non-compliance or "high-risk" matters cited by auditors for this process					
Adjustments by auditors	None	Few adjustments/not material in the aggregate	Significant number of adjustments; aggregate value of adjustments exceed planning materiality					
Adjustments by management	Few adjustments/routine in nature/mall dollar amounts involved	Moderate adjustments/moderate dollar amounts involved	Significant number or dollar amount of adjustments required/non-routine in nature					
Results of management's recent Statement of Assurance assessments	No findings related to this process	Some findings, though insignificant in scale/impact	Reportable conditions, material weaknesses & no-compliance matters found by management for this process					
Management's day-to-day experience								
Accounting errors or irregularities (known fraud)	Few error/adjustments	adjustments	Significant errors/adjustments					
Information available to monitor performance	Readily available/useable by management on a timely basis	Somewhat available for use by management/information is of mixed quality or is untimely	Unavailable for use by management/information is hard to understand or apply on a timely basis					
Typical accounting analysis needed by management in this area	Few calculations/analysis	Moderate calculations/analysis	Extensive calculations/analysis					
Overall nature of issues, errors or adjustments	A virtually problem free area	Problems occur from time to time of varying significance	Problems persist, can be significant/demand high management intervention					
AREA 6: MANAGEMENT'S CURRENT OUTLOOK – overall perceived likelihood of material adverse financial reporting risks within the next year for this process								
Management overall prognosis of material adverse risks for this process	Remote	Reasonably Possible	More Likely than Not					

Assessment performed by: _____

Date: _____

Single Audit Certification

Sub-Recipient Audit Requirements of the A-133

Single Audit (2 C.F.R. Part 200, Subpart F)

Agreement between the City of Independence and the Kansas Bureau of Investigation under the Midwest HIDTA CFDA #95.001 for the period of 01/01/2024 to 12/31/2025 in the amount of \$154,459.00 "ISC".

The Kansas Bureau of Investigation is subject to the requirements of the U.S. Office of Management and Budget (OMB) Circular A-133: Audits of Dates, Local Governments and Nonprofit Organizations. As such, OMB Circular A-133 requires the Kansas Bureau of Investigation to monitor our sub recipients of federal awards and determine whether they have met the audit requirements of the circular and whether they are in compliance with federal laws and regulations. This document must be completed and signed by the fiscal agent's organization.

Accordingly, we are requesting that you circle one of the numbers below, provide all appropriate documentation regarding your organization's compliance with the audit requirements, This is part of the sub recipient's grant agreement with the Kansas Bureau of Investigation.

Name of organization: City of Independence

Sub recipient's SAM UEI # _____ expires _____

Federal Employer Identification Number (FEIN): _____

Signature: _____

1. We have completed our OMB Circular A-133 audit for the fiscal year ending _____
 Here is the link to our audit report. _____ If material exceptions were noted please enclose a copy of the responses and corrective actions taken.
2. We expect our OMB Circular A-133 audit for the fiscal year ending _____
 to be completed by _____. A copy of our audit report will be forwarded to the Kansas Bureau of Investigation within 30 days of receipt of the report.
3. We are not subject to Circular A-133 audit because:
 - a) We are a for-profit organization.
 - b) We expend less than \$750,000 in federal awards annually.
 - c) Other (*please explain*): _____

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-086 **2R** An ordinance authorizing the City Manager to execute a certain grant agreement with the Missouri Highways and Transportation Commission for the Fairmount Loop Project (Project No. 112501 / Federal Project No. TAP-3379(444)). **2R**

Recommendations:

Council approval is recommended.

Background:

Approval of this ordinance will authorize the City Manager to enter into a grant agreement with the Missouri Highways and Transportation Commission for the Fairmount Loop Project (No. 112501) to receive funds in the amount of \$900,000.

This grant agreement is an up to 80% match in federal funds for the project. The City will be responsible for the 20%, or approximately \$180,000, to receive full grant reimbursement.

The Fairmount Loop Project (No. 112501) will design and construct a shared-use path loop from US 24 HWY northward on S. Ash Ave. to E. Kentucky Rd., westward on E. Kentucky Rd. to N. Arlington Ave., southward to E. Morrel Ave., and connecting southward to US 24 HWY along an existing shared use path just east of Union Pacific Railroad.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$900,000. Expenses for the Fairmount Loop Project (No. 112501), included in the FY 25 budget, page number 196, will run through account 112501-C-0517051-5406. The revenue from grant reimbursements on this project will be deposited directly into the Street Sales Tax Fund (011).

Council Action:

Department / Contact	Municipal Services /
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REVIEWERS

Lisa Reynolds
Jeremy Cover
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. MS.Fairmount Loop Project - TAP Funding grant agreement ordinance
2. TAP 3379(444) - Fairmount Loop agreement w MoDOT
3. Fairmount Loop Project Limits

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A CERTAIN GRANT AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE FAIRMOUNT LOOP PROJECT (PROJECT NO. 112501 / FEDERAL PROJECT NO. TAP -3379(444)).

WHEREAS, the Fairmount Loop Project (No. 112501) has been awarded a Transportation Alternatives Program (TAP) grant in the amount of \$900,000; and

WHEREAS, the City Council of the City of Independence, Missouri finds it desirable to enter into Missouri Highways and Transportation Commission TAP Grant Agreement No. TAP 3379(444) to receive these funds.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Manager of the City of Independence, Missouri, is authorized to sign and execute for and on behalf of the City of Independence a certain grant agreement (No. TAP 3379(444)) with the Missouri Highways and Transportation Commission.

SECTION 2. That the City Manager will direct City Staff to appropriate this grant funding, in the amount of \$900,000, to the Fairmount Loop Project (No. 112501).

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

CCO Form: FS25
Approved: 04/95 (MGB)
Revised: 10/22 (MWH)
Modified:

CFDA Number: 20.205
CFDA Title: Highway Planning and Construction
Award name/number: TAP -3379(444)
Award Year: 2026
Federal Agency: Federal Highway Administration, Department of Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
TRANSPORTATION ENHANCEMENTS FUNDS
PROGRAM AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and City of Independence (hereinafter, "City").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) PURPOSE: The United States Congress has authorized, in Infrastructure Investment and Jobs Act (IIJA); 23 U.S.C. §101, §106 §133; and §208 funds to be used for transportation enhancements activities. The purpose of this Agreement is to grant the use of such transportation enhancement funds to the City.

(2) LOCATION: The transportation enhancements funds which are the subject of this Agreement are for the project at the following location:

The Fairmount loop is a project providing multi-modal options to northwest Independence. This will include a multi-use trail on Ash Ave and on Kentucky Rd, and the resurfacing of the Fairmount trail. These will tie to the existing trail on Arlington St and proposed improvements on US 24.

The general location of the project is shown on attachment marked "Exhibit A" and incorporated herein by reference.

(3) REASONABLE PROGRESS POLICY: The project as described in this agreement is subject to the reasonable progress policy set forth in the Local Public Agency (LPA) Manual [and the final deadline specified in Exhibit B attached hereto and incorporated herein by reference. In the event, the LPA Manual and the final deadline

within Exhibit B conflict, the final deadline within Exhibit B controls]. If the project is within a Transportation Management Area that has a reasonable progress policy in place, the project is subject to that policy. If the project is withdrawn for not meeting reasonable progress, the City agrees to repay the Commission for any progress payments made to the City for the project and agrees that the Commission may deduct progress payments made to the City from future payments to the City. The City may not be eligible for future Transportation Enhancements Funds if the City does not meet the reasonable progress policy.

(4) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and the Missouri Department of Transportation (MoDOT or Department) employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

1. To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

2. To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and MoDOT and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo. The City shall cause insurer to increase the insurance amounts in accordance with those published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(5) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the City and the Commission.

(6) COMMISSION REPRESENTATIVE: The Commission's Kansas City District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(7) NONDISCRIMINATION ASSURANCE: With regard to work under this Agreement, the City agrees as follows:

(A) Civil Rights Statutes: The City shall comply with all state and federal statutes relating to nondiscrimination, including but not limited to Title VI and Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000d and §2000e, *et seq.*), as well as any applicable titles of the "Americans with Disabilities Act" (42 U.S.C. §12101, *et seq.*). In addition, if the City is providing services or operating programs on behalf of the Department or the Commission, it shall comply with all applicable provisions of Title II of the "Americans with Disabilities Act".

(B) Administrative Rules: The City shall comply with the administrative rules of the United States Department of Transportation relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation (49 C.F.R. Part 21) which are herein incorporated by reference and made part of this Agreement.

(C) Nondiscrimination: The City shall not discriminate on grounds of the race, color, religion, creed, sex, disability, national origin, age or ancestry of any individual in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The City shall not participate either directly or indirectly in the discrimination prohibited by 49 C.F.R. §21.5, including employment practices.

(D) Solicitations for Subcontracts, Including Procurements of Material and Equipment: These assurances concerning nondiscrimination also apply to subcontractors and suppliers of the City. These apply to all solicitations either by competitive bidding or negotiation made by the City for work to be performed under a subcontract including procurement of materials or equipment. Each potential subcontractor or supplier shall be notified by the City of the requirements of this Agreement relative to nondiscrimination on grounds of the race, color, religion, creed, sex, disability or national origin, age or ancestry of any individual.

(E) Information and Reports: The City shall provide all information and reports required by this Agreement, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Commission or the United States Department of Transportation to be necessary to ascertain compliance with other contracts, orders and instructions. Where any information required of the City is in the exclusive possession of another who fails or refuses to furnish this information, the City shall so certify to the Commission or the United States Department of Transportation as

appropriate and shall set forth what efforts it has made to obtain the information.

(F) Sanctions for Noncompliance: In the event the City fails to comply with the nondiscrimination provisions of this Agreement, the Commission shall impose such contract sanctions as it or the United States Department of Transportation may determine to be appropriate, including but not limited to:

1. Withholding of payments under this Agreement until the City complies; and/or

2. Cancellation, termination or suspension of this Agreement, in whole or in part, or both.

(G) Incorporation of Provisions: The City shall include the provisions of paragraph (7) of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the statutes, executive order, administrative rules or instructions issued by the Commission or the United States Department of Transportation. The City will take such action with respect to any subcontract or procurement as the Commission or the United States Department of Transportation may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided that in the event the City becomes involved or is threatened with litigation with a subcontractor or supplier as a result of such direction, the City may request the United States to enter into such litigation to protect the interests of the United States.

(8) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(9) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(10) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

(11) ACCESS TO RECORDS: The City and its contractors must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at no charge to the Federal Highway Administration (FHWA) and the Commission and/or their designees or representatives during the period of this Agreement and any extension, and for a period of three (3) years after the date on which the City receives reimbursement of their final invoice from the Commission.

(12) FEDERAL-AID PROVISIONS: Because responsibility for the performance of all functions or work contemplated as part of this project is assumed by the City, and the City may elect to construct part of the improvement contemplated by this Agreement with its own forces, a copy of Section II and Section III, as contained in the United States Department of Transportation Form Federal Highway Administration (FHWA) 1273 "Required Contract Provisions, Federal-Aid Construction Contracts," is attached and made a part of this Agreement as Exhibit C. Wherever the term "the contractor" or words of similar import appear in these sections, the term "the City" is to be substituted. The City agrees to abide by and carry out the condition and obligations of "the contractor" as stated in Section II, Equal Opportunity, and Section III, Nonsegregated Facilities, as set out in Form FHWA 1273.

(13) ACQUISITION OF RIGHT OF WAY: With respect to the acquisition of right of way necessary for the completion of the project, City shall acquire any additional necessary right of way required for this project and in doing so agrees that it will comply with all applicable federal laws, rules and regulations, including 42 U.S.C. 4601-4655, the Uniform Relocation Assistance and Real Property Acquisition Act, as amended and any regulations promulgated in connection with the Act. However, upon written request by the City and written acceptance by the Commission, the Commission shall acquire right of way for the City. Upon approval of all agreements, plans and specifications by the Commission and by the FHWA, the Commission will file copies of said plans in the office of the County clerk: and proceed to acquire by negotiation and purchase or by condemnation any necessary right of way required for the construction of the improvement contemplated herein. All right of way acquired by negotiation and purchase will be acquired in the name of City, and the City will pay to grantors thereof the agreed upon purchase prices. All right of way acquired through condemnation proceedings will be acquired in the name of the State of Missouri and subsequently released to the City. The City shall pay into court all awards and final judgments in favor of any such condemnees. The City shall also reimburse the Commission for any expense incurred by the Commission in acquiring said right of way, including but not limited to the costs of surveying, appraisal, negotiation, condemnation, and relocation assistance benefits. Unless otherwise agreed to in writing the Commission shall have the final decision regarding the settlement amount in condemnation.

(14) MAINTENANCE OF DEVELOPMENT: The City shall maintain the herein contemplated improvements without any cost or expense to the Commission. All maintenance by the City shall be done for the safety of the general public and the esthetics of the area. In addition, if any sidewalk or bike trails are constructed on the Commission's right-of-way pursuant to this Agreement, the City shall inspect and maintain the sidewalk or bike trails constructed by this project in a condition reasonably safe to the public and, to the extent allowed by law, shall indemnify and hold the Commission harmless from any claims arising from the construction and maintenance of said sidewalk or bike trails. If the City fails to maintain the herein contemplated improvements, the Commission or its representatives, at the Commission's sole discretion shall notify the City in writing of the City's failure to maintain the improvement. If the City continues to fail in maintaining the improvement, the Commission may remove the herein

contemplated improvement whether or not the improvement is located on the Commission's right of way. Any removal by the Commission shall be at the sole cost and expense of the City. Maintenance includes but is not limited to mowing and trimming between shrubs and other plantings that are part of the improvement.

(15) PLANS: The City shall prepare preliminary and final plans and specifications for the herein improvements. The plans and specifications shall be submitted to the Commission for the Commission's review and approval. The Commission has the discretion to require changes to any plans and specification prior to any approval by the Commission.

(16) REIMBURSEMENT: The cost of the contemplated improvements will be borne by the United States Government and by the City as follows:

(A) Any federal funds for project activities shall only be available for reimbursement of eligible costs which have been incurred by City. Any costs incurred by City prior to authorization from FHWA and notification to proceed from the Commission are **not** reimbursable costs. The federal share for this project will be **80%** percent not to exceed **\$900,000** (nine hundred thousand). The calculated federal share for seeking federal reimbursement of participating costs for the herein improvements will be determined by dividing the total federal funds applied to the project by the total participating costs. Any costs for the herein improvements which exceed any federal reimbursement or are not eligible for federal reimbursement shall be the sole responsibility of City. The Commission shall not be responsible for any costs associated with the herein improvement unless specifically identified in this Agreement or subsequent written amendments.

(17) PROGRESS PAYMENTS: The City may request progress payments be made for the herein improvements as work progresses but not more than once every two weeks. Progress payments must be submitted monthly. The City shall repay any progress payments which involve ineligible costs.

(18) PROMPT PAYMENTS: Progress invoices submitted to MoDOT for reimbursement more than thirty (30) calendar days after the date of the vendor invoice shall also include documentation that the vendor was paid in full for the work identified in the progress invoice. Examples of proof of payment may include a letter or e-mail from the vendor, lien waiver or copies of cancelled checks. Reimbursement will not be made on these submittals until proof of payment is provided. Progress invoices submitted to MoDOT for reimbursement within thirty (30) calendar days of the date on the vendor invoice will be processed for reimbursement without proof of payment to the vendor. If the City has not paid the vendor prior to receiving reimbursement, the City must pay the vendor within two (2) business days of receipt of funds from MoDOT.

(19) PERMITS: The City shall secure any necessary approvals or permits from any federal or state agency as required for the completion of the herein improvements. If this improvement is on the right of way of the Commission, the City must secure a permit

from the Commission prior to the start of any work on the right of way. The permits which may be required include, but are not limited to, environmental, architectural, historical or cultural requirements of federal or state law or regulation.

(20) INSPECTION OF IMPROVEMENTS AND RECORDS: The City shall assure that representatives of the Commission and FHWA shall have the privilege of inspecting and reviewing the work being done by the City's contractor and subcontractor on the herein project. The City shall also assure that its contractor, and all subcontractors, if any, maintain all books, documents, papers and other evidence pertaining to costs incurred in connection with the Transportation Enhancement Program Agreement, and make such materials available at such contractor's office at all reasonable times at no charge during this Agreement period, and for three (3) years from the date of final payment under this Agreement, for inspection by the Commission, FHWA or any authorized representatives of the Federal Government and the State of Missouri, and copies shall be furnished, upon request, to authorized representatives of the Commission, State, FHWA, or other Federal agencies.

(21) CREDIT FOR DONATIONS OF FUNDS, MATERIALS, OR SERVICES: A person may offer to donate funds, materials or services in connection with this project. Any donated funds, or the fair market value of any donated materials or services that are accepted and incorporated into this project shall be credited according to 23 U.S.C. §323.

(22) DISADVANTAGED BUSINESS ENTERPRISES (DBE): The Commission will advise the City of any required goals for participation by disadvantaged business enterprises (DBEs) to be included in the City's proposal for the work to be performed. The City shall submit for Commission approval a DBE goal or plan. The City shall comply with the plan or goal that is approved by the Commission and all requirements of 49 C.F.R. Part 26, as amended.

(23) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(24) NOTICE TO BIDDERS: The City shall notify the prospective bidders that disadvantaged business enterprises shall be afforded full and affirmative opportunity to submit bids in response to the invitation and will not be discriminated against on grounds of race, color, sex, or national origin in consideration for an award.

(25) FINAL AUDIT: The Commission may, in its sole discretion, perform a final audit of project costs. The United States Government shall reimburse the City, through the Commission, any monies due. The City shall refund any overpayments as determined by the final audit.

(26) AUDIT REQUIREMENTS: If the City expend(s) seven hundred fifty thousand dollars (\$750,000) or more in a year in federal financial assistance it is required to have an independent annual audit conducted in accordance with 2 CFR Part 200. A

copy of the audit report shall be submitted to MoDOT within the earlier of thirty (30) days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. Subject to the requirements of 2 CFR Part 200, if the City expend(s) less than seven hundred fifty thousand dollars (\$750,000) a year, the City may be exempt from auditing requirements for that year but records must be available for review or audit by applicable state and federal authorities.

(27) FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006: The City shall comply with all reporting requirements of the Federal Funding Accountability and Transparency Act (FFATA) of 2006, as amended. This Agreement is subject to the award terms within 2 C.F.R. Part 170.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this ____ day of _____, 20__.

Executed by the Commission this ____ day of _____, 20__.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

City of Independence

By _____

Title _____

Title _____

ATTEST:

ATTEST:

Secretary to the Commission

By _____

Title _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title _____

Ordinance No _____

Exhibit A - Location of Project

Exhibit B – Project Schedule

Project Description: TAP-3379(444)

The Fairmount loop is a project providing multi-modal options to northwest Independence. This will include a multi-use trail on Ash Ave and on Kentucky Rd, and the resurfacing of the Fairmount trail. These will tie to the existing trail on Arlington St and proposed improvements on US 24.

Task	Date
Date funding is made available or allocated to recipient	5/1/2023
Solicitation for Professional Engineering Services (advertised)	7/1/2023
Engineering Services Contract Approved	10/1/2023
Preliminary and Right-of-Way Plans Submittal (if Applicable)	12/1/2024
Plans, Specifications & Estimate (PS&E) Submittal	5/1/2025
Plans, Specifications & Estimate (PS&E) Approval	8/1/2025
Advertisement for Letting	10/1/2025
Bid Opening	5/1/2026
Construction Contract Award or Planning Study completed (REQUIRED)	8/1/2026

*Note: the dates established in the schedule above will be used in the applicable ESC between the sponsor agency and consultant firm.

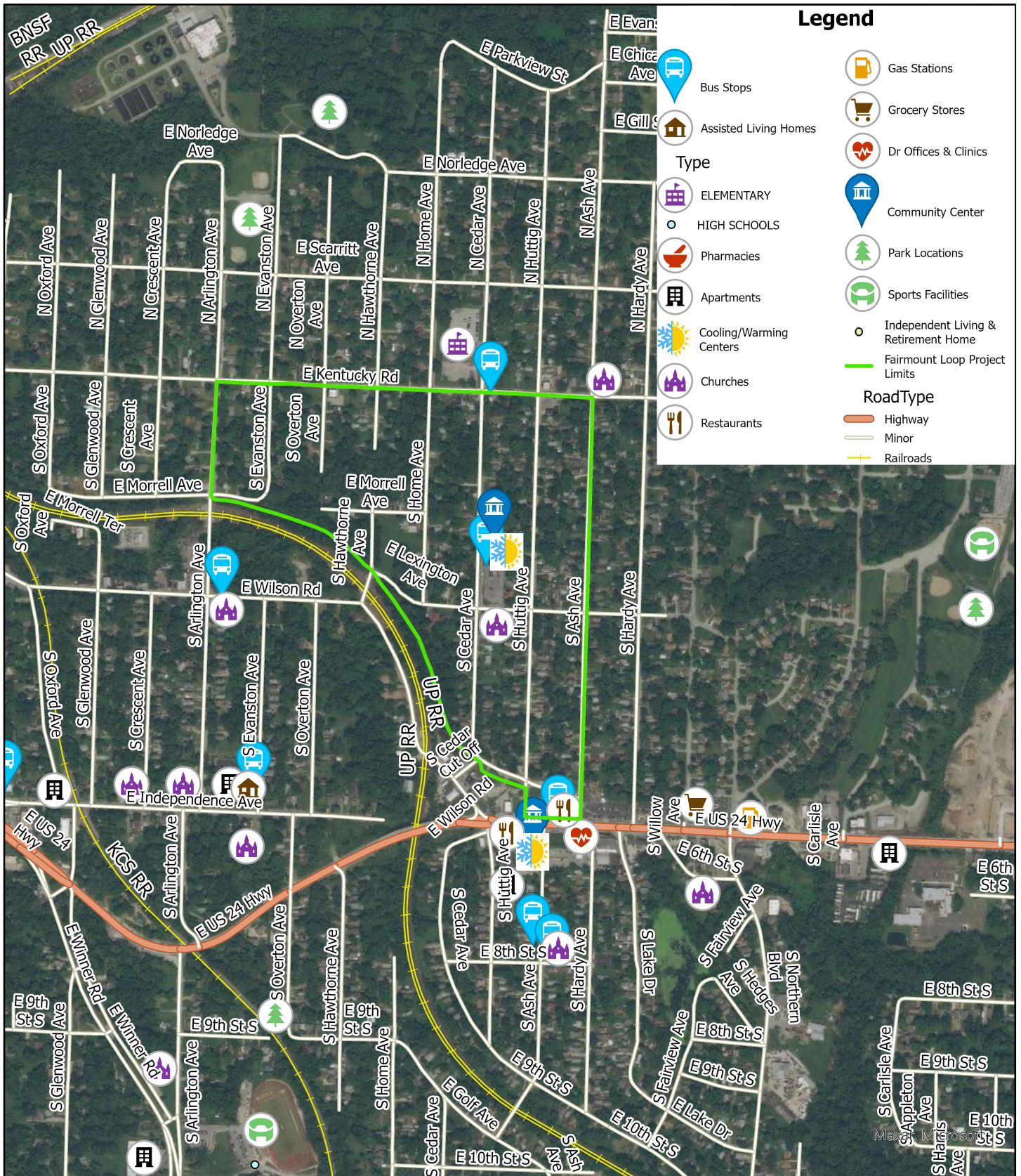
**Schedule dates are approximate as the project schedule will be actively managed and issues mitigated through the project delivery process. The Award Date or Planning Study Date deliverable is not approximate and a Supplemental Agreement is required to modify this date.

Exhibit C - Required Contract Provisions
Federal-Aid Construction Contracts

DRAFTER'S NOTE: *Print Form 1273 from the following website and attach as Exhibit C <http://www.fhwa.dot.gov/programadmin/contracts/1273.pdf>.*

Fairmount Loop Project Limits

0 0.07 0.15 0.3 Miles



City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-088 **2R** An Ordinance adding a new Article 5, Legal Description, to the Independence City Code, Chapter 10. **2R**

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Ordinance - Legal Descriptions

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE ADDING A NEW ARTICLE 5, LEGAL DESCRIPTION, TO
INDEPENDENCE CITY CODE CHAPTER 10.

WHEREAS, on August 5, 2024, qualified voters of the City of Independence approved Charter Amendment Question 1, which removes the City legal description and City Council district legal descriptions from the Charter; and

WHEREAS, the City Council desires to add the City legal description and City Council district legal descriptions into the Independence City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
INDEPENDENCE, MISSOURI, AS FOLLOWS:

Section 1. The Code of Ordinances of the City of Independence Chapter 10 shall be amended to include a new Article 5, Legal Descriptions, to read as follows:

Chapter 10 – GENERAL AND MISCELLANEOUS PROVISIONS
ARTICLE 5. – LEGAL DESCRIPTIONS

Section 10.05.001. – City boundary legal description.
The boundaries of the City of Independence shall be as follows:
[INSERT DESCRIPTION]

Section 10.05.002. – City Council district legal description.
The City is hereby divided by a line running generally north and south described as follows:

Beginning at a point on the south City limits of the City of Independence, Missouri, at the centerline of Lee's Summit Road; thence northerly along the centerline of Lee's Summit Road to its intersection with the centerline of 39th Street; thence westerly along the centerline of 39th Street to its intersection with the centerline of Haden Drive; thence northerly along the centerline of Haden Drive to its intersection with the centerline of 35th Street; thence westerly along the centerline of 35th Street to its intersection with the centerline of Leslie Avenue; thence northerly along the centerline of Leslie Avenue to its intersection with 34th Street; thence westerly along the centerline of 34th Street to its intersection with Emery Avenue; thence northerly along the centerline of Emery Avenue to its intersection with 33rd Street; thence westerly along the centerline of 33rd Street to its intersection with Hocker Avenue; thence northerly along the centerline of Hocker Avenue to its intersection with 32nd Street; thence westerly along the centerline of 32nd Street to its intersection with Noland Road; thence northerly along the centerline of Noland Road to its intersection with Pacific Avenue; thence easterly along the centerline of Pacific Avenue to its intersection with Hocker Avenue; thence northerly along the centerline of Hocker Avenue to its intersection with Lexington Avenue; thence easterly along the centerline of Lexington

Avenue to its intersection with Rogers Avenue; thence northerly along the centerline of Rogers Avenue to its intersection with Truman Road; thence easterly along the centerline of Truman Road to its intersection with Kiger Road; thence northerly along the centerline of Kiger Road to its intersection with US 24 Hwy; thence northeasterly along the centerline of US 24 Hwy to its intersection with Salisbury Road; thence easterly along the centerline of Salisbury Road to its intersection with M-291 Hwy; thence northerly along the centerline of M-291 Hwy to its intersection with the north City limits of the City of Independence, Missouri.

That part of the City lying west of the line above described shall be and is hereby divided by a line running generally east and west described as follows:

Beginning at a point on the centerline of 23rd Street (Missouri 78 Highway) at its intersection with Noland Road; thence westerly along the centerline of 23rd Street (Missouri 78 Highway) to a point at the west city limits of the City of Independence, Missouri.

That part of the City lying east of the north-south line first described shall be and hereby is divided by a line running generally east and west described as follows:

Beginning at a point on the centerline of 23rd Street (Missouri 78 Highway) at its intersection with the centerline of Noland Road; thence easterly along the centerline of 23rd Street (Missouri 78 Highway) to its intersection with the centerline of Missouri 291 Highway; thence continuing easterly along the centerline of 23rd Street (Missouri 78 Highway) (Lake City Buckner Road) to its intersection with the centerline of Swope Drive; thence southerly along the centerline of Swope Drive to its intersection with Holke Road; thence easterly along the centerline of Holke Road to its intersection with Ringo Road; thence southerly along the centerline of Ringo Road to its intersection with Ringo Road; thence southeasterly along the centerline of Ringo Road to its intersection with Ringo Circle; thence southerly along the centerline of Ringo Circle to its intersection with Ringo Road; thence southerly along the centerline of Ringo Road to its intersection with R D Mize Road; thence easterly along the centerline of R D Mize Road to its intersection with Eureka Road; thence easterly along the centerline of Eureka Road to its intersection with Crenshaw Road; thence northerly along the centerline of Crenshaw Road to its intersection with Strode Road; thence easterly along the centerline of Strode Road to its intersection with M-7 Hwy; thence northerly along the centerline of M-7 Hwy to its intersection with Argo Road; thence easterly along the centerline of Argo Road to its intersection with the City limit line of the City of Independence, Missouri.

That part of the City lying in the quadrant thus created in the northwest part of the City shall be known as District 1; that part lying in the northeast part of the City shall be known as District 2; that part lying in the southeast part of the City shall be known as District 3; and that part lying in the southwest part of the City shall be known as District 4.

Section 2. This Ordinance shall be in full force and effect from and after passage.

Section 3. The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

Section 4. The City Clerk is hereby authorized to correct any scriveners' errors contained herein or made in amending the City Code.

PASSED THIS ____ DAY OF _____, 20____, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-089 **1R** An ordinance levying a tax on all real property subject to taxation on January 1, 2024, within the corporate limits of the City of Independence, Missouri, for general revenue and public health and recreation purposes, and for The Independence Square Special Benefit District; said levies and assessments being separate and distinct, all for the fiscal year commencing on the 1st day of July, 2024, and ending on the 30th day of June, 2025. **1R**

Recommendations:

Staff recommends approval of this ordinance.

Background:

Proposed property tax rates to be set by the City of Independence for the fiscal year beginning July 1, 2024, based on the current assessed valuation by Jackson and Clay Counties must be considered by Ordinance before certification to the Counties.

The City's budget was adopted with Ordinance #19561 by City Council June 17, 2024. In order for the County to levy tax rates, the City must first certify the amount needed for the City's budget. A notice of public hearing to hear citizens on the property tax was published. Tax levies are based on assessed valuations approved by the County Board of Equalization. Per RsMo 67.110, each political subdivision, located at least partially within a county with a charter form of government or within a city not within a county, shall fix its ad valorem property tax rates as provided in this section not later than October first.

Emergency Justification:**Fiscal Impact:**

The tax revenue is projected as part of the FY2024-2025 Operating Budget.

The recommended tax levies are as follows per \$100 of assessed valuation:

Fund	Amount
General Fund (002)	\$5,063,000
Health & Animal Levy (005)	\$933,450
Parks Health & Recreation Levy (007)	\$1,942,736
Total	\$8,939,186

Council Action:

Department / City Manager /
Contact

REVIEWERS

Jeremy Cover
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Tax Levy Ordinance
2. 2024 State Calculator - GR
3. 2024 State Calculator - H&R
4. 2024 State Calculator - Independence Square

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE LEVYING A TAX ON ALL REAL PROPERTY SUBJECT TO TAXATION ON JANUARY 1, 2024, WITHIN THE CORPORATE LIMITS OF THE CITY OF INDEPENDENCE, MISSOURI, FOR GENERAL REVENUE AND PUBLIC HEALTH AND RECREATION PURPOSES, AND FOR THE INDEPENDENCE SQUARE SPECIAL BUSINESS BENEFIT DISTRICT; SAID LEVIES AND ASSESSMENTS BEING SEPARATE AND DISTINCT, ALL FOR THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF JULY, 2024, AND ENDING ON THE 30TH DAY OF JUNE, 2025.

WHEREAS, the approved 2023 tax levy rate per \$100 of assessed value for the following purposes was as follows:

<u>PURPOSE</u>	<u>RATE</u>
General Revenue	\$0.3235
Recoupment	0.0000
Public Health & Recreation	0.1524
Recoupment	0.0000
Debt Service	<u>0.0000</u>
Subtotal	\$ 0.4759
Independence Square Special	
Business Benefit District	\$ 0.5755

WHEREAS, the report of 2023 Aggregate Assessed Valuation for Political Subdivisions from the County Clerks of Jackson County and Clay County for that portion of each county that lies within the city limits of Independence indicated that the Real Property Tax Levy for the General Revenue purpose should be \$0.3235 per \$100 assessed value within the City with a 2022 Recoupment Levy of \$0.0000; and,

WHEREAS, the report of 2023 Aggregate Assessed Valuation for Political Subdivisions from the County Clerk of Jackson County and Clay County for that portion of each county that lies within the city limits of Independence indicated that the Real Property Tax Levy for the Public Health and Recreation purpose should be \$0.1524 per \$100 assessed value within the City with a 2022 Recoupment Levy of \$0.0000; and,

WHEREAS, a General Debt Service Levy is not required due to the retirement of all outstanding General Obligation Bonds; and,

WHEREAS, the 2023 report of real property assessed valuation from Jackson County relating to the Independence Square Special Business Benefit District indicates that the authorized tax levy rate should be \$0.5755 per \$100 assessed value within the Independence Square Special Business Benefit District; and,

WHEREAS, the City is authorized by State Statutes to include an additional tax levy in the current year when the prior year's assessed valuation was lowered following the setting of the tax levy in that prior year; and,

WHEREAS, the City recommends the 2024 tax levy rate per \$100 of assessed value for the following purposes as follows:

<u>PURPOSE</u>	<u>RATE</u>
General Revenue	\$0.3286
Recoupment	0.0000
Public Health & Recreation	0.1548
Recoupment	0.0000
Debt Service	<u>0.0000</u>
Subtotal	\$ 0.4834
Independence Square Special	
Business Benefit District	\$ 0.5755

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. General Municipal Purposes Levy: That there is hereby levied against all real property, subject to taxation within the corporate limits of the City of Independence, Missouri, a tax in the amount of \$0.3286 on the One Hundred Dollars (\$100.00) assessed valuation of such property for general municipal purposes with a 2023 Recoupment Levy of \$0.0000, for the fiscal year commencing on the 1st day of July, 2024, and ending on the 30th day of June, 2025.

SECTION 2. Public Health and Recreation Levy: That there is hereby levied against all real property, subject to taxation within the corporate limits of the City of Independence, Missouri, an additional tax in the amount of \$0.1548 on the One Hundred Dollars (\$100.00) assessed valuation of such property for Public Health and Recreation purposes with a 2023 Recoupment Levy of \$0.0000, for the fiscal year commencing on the 1st day of July, 2024 and ending on the 30th day of June, 2025.

SECTION 3. Independence Square Special Business Benefit District Levy: That there is hereby levied against all real property, subject to taxation within the described boundaries of the Independence Square Special Business Benefit District, an additional tax in the amount of \$0.5755 on the One Hundred Dollars (\$100.00) assessed valuation of such property for the Independence Square Special Benefit District purposes, for the fiscal year commencing on the 1st day of July, 2024, and ending on the 30th day of June, 2025.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

Name of Political Subdivision

City of Independence

Political Subdivision Code:

09-048-0007

Purpose:

(XX - XXX - XXXX)

General Revenue

YEAR: 2024

INSTRUCTIONS: COMPLETE THE HIGHLIGHTED CELLS TO USE THIS TAX RATE CALCULATOR.
CLICK ON THE TABS BELOW TO VIEW THE SUMMARY PAGE, FORM A, FORM B, FORM C, AND INFORMATIONAL DATA.
PRINT OFF THE SUMMARY PAGE, FORM A, FORM B, FORM C, & INFORMATIONAL DATA IF DESIRED.

Information gathered on this tab is used to calculate the Summary Page, Form A, Form B, Form C, & Informational Data tabs. Data entered in Column 1 is used to calculate the Tax Rate Ceiling had no voluntary reductions been taken in a prior even numbered year (see the Informational Data tab for this calculation). The political subdivision must use Column 2 for setting its property tax rate (see the Summary Page and Form A for this calculation). The numbers in the Column 2 may be different from Column 1 if a voluntary reduction was taken in a prior even numbered year.

	Column 1	Column 2
	Based on Prior Year	
	Tax Rate Ceiling as if	For Political
	No Voluntary Reductions	Subdivision Use
	Were Taken in a Prior	in Calculating its
	Even Numbered Year	Tax Rate
Summary Page		
1) (2023) Prior year tax rate ceiling, revised if applicable		
Column 1 (Prior year Informational Data, Line F)		
Column 2 (Prior year Summary Page, Line F in an even year, Line F minus Line H in an odd year)	0.3235	0.3235
2) Most recent voter approved rate (Prior year's Summary Page, Line E or Form B, Line 15 if new ballot)	1.0000	1.0000

Form A - Assessed Valuations	Real Estate	Personal Property
1) (2024) Current year assessed valuation	1,893,902,791	
2) New construction and improvements	9,479,359	Calculated Amount
3) Newly added territory	0	
4) (2023) Prior year assessed valuation	1,913,947,167	
5) Newly separated territory	0	
6) Property changed from local to state assessed	0	

Form B - Additional Voter Approved Rates - See Form B for additional instructions

1) Date of election: 3) Election results: Yes: No: 1a) Is this election increasing an existing rate? (Yes or No) 2a) Voter approved tax rate or increase Amount of increase ("increase of/by") or 4) Expiration date (if applicable): 2b) Stated rate approved by voters ("increase to")

Ballot language approved: Attach a sample ballot or state the proposition posed to the voters exactly as it appeared on the ballot.

Form C - Debt Service Requirements - See Form C for additional instructions	
1) (2025) Principal and interest payments for next calendar year (Form C, Line 2)	0
2) Estimated cost of collection & allowance for delinquencies (Form C, Line 3)	0
3) (2026) Reasonable reserve for payments for year following next calendar year (Form C, Line 4)	0
4) (2024) Anticipated December 31st balance (Form C, Line 6)	0

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Independence	09-048-0007	General Revenue
Name of Political Subdivision	Political Subdivision Code	Purpose of Levy

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

	FOR POLITICAL Subdivision Use in Calculating its Tax Rate
A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if the prior year data changed or a voluntary reduction was taken in a non-reassessment year (Prior year Summary Page, Line F minus Line H in odd numbered year or prior year Summary Page, Line F in even numbered year)	0.3235
B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 18)	0.3286
C. Amount of rate increase authorized by voters for current year if same purpose, (Form B, Line 7)	
D. Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C)	0.3286
E. Maximum authorized levy the most recent voter approved rate	1.0000
F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws	0.3286
G1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable	0.0000
G2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)	0.0000
H. Less voluntary reduction by political subdivision taken from the tax rate ceiling (Line F) WARNING: A Voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.	0.0000
I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.	0.0000
J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)	0.3286
AA. Rate to be levied for debt service , if applicable (Form C, Line 10)	
BB. Additional special purpose rate authorized by voters after the prior year tax rates were set, (Form B, Line 7 if a different purpose)	

Certification of Non-Binding Estimated Tax Rate to the County Clerk(s)

I, the undersigned, City Manager (Office) of City of Independence (Political Subdivision) levying a rate in Jackson & Clay (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best knowledge and belief.

Please complete Lines G through BB, sign this form, and return to the county clerk(s).

(Date)	(Signature)	(Printed Name)	(Telephone)

NOTE: THIS IS AN INFORMAL TAX RATE CALCULATOR FILE INTENDED FOR POLITICAL SUBDIVISION PRELIMINARY CALCULATIONS ONLY. THIS FILE IS NOT INTENDED TO BE USED BY THE POLITICAL SUBDIVISION TO SUBMIT THEIR TAX RATE TO THE COUNTY.

ONLY THE PROFORMA PRINTED FROM THE STATE AUDITOR'S ONLINE TAX RATE SYSTEM SHOULD BE SUBMITTED TO THE COUNTY TO SET THE FINAL TAX RATE.

IF THIS POLITICAL SUBDIVISION LEVIES A PROPERTY TAX RATE PARTIALLY OR WHOLLY IN CLAY COUNTY, JACKSON COUNTY, ST. LOUIS COUNTY, OR THE CITY OF ST. LOUIS AND CHANGES ARE NECESSARY TO THE 2018 TAX RATE FORMS, PLEASE LOG ONTO THE STATE AUDITOR'S TAX RATE SYSTEM AND ENTER UPDATED INFORMATION TO MAKE THOSE CHANGES AND SELECT SUBMIT. CONTACT THE STATE AUDITOR'S OFFICE IF YOU HAVE MISPLACED YOUR USER ID AND/OR PASSWORD.

OTHERWISE FOR POLITICAL SUBDIVISIONS NOT PARTIALLY IN CLAY COUNTY, JACKSON COUNTY, ST. LOUIS COUNTY, OR THE CITY OF ST. LOUIS CONTACT YOUR COUNTY CLERK(S) TO HAVE THEM LOG ONTO THE STATE AUDITOR'S TAX RATE SYSTEM TO MAKE ANY NECESSARY CHANGES.

Form A
For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Independence	09-048-0007	General Revenue
Name of Political Subdivision	Political Subdivision Code	Purpose of Levy

Computation of reassessment growth and rate for compliance with Article X, Section 22, and Section 137.073, RSMo.

1. (2024) Current year assessed valuation Include the current state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization.

(a) 1,893,902,791 + (b) 0 = 1,893,902,791

(Real Estate) (Personal Property) (Total)

2. Assessed valuation of new construction & improvements

2(a) - Obtained from the county clerk or county assessor 2(b) - increase in personal property, use the formula listed under Line 2(b)

(a) 9,479,359 + (b) 0 = 9,479,359

(Real Estate) Line 1(b) - 3(b) - 5(b) + 6(b) + 7(b) (Total)

If Line 2b is negative, enter zero

3. Assessed value of newly added territory obtained from the county clerk or county assessor

(a) 0 + (b) 0 = 0

(Real Estate) (Personal Property) (Total)

4. Adjusted current year assessed valuation (Line 1 total - Line 2 total - Line 3 total)

1,884,423,432

5. (2023) Prior year assessed valuation Include prior year state and locally assessed valuation obtained from the county clerk, county assessor, or comparable office finalized by the local board of equalization. NOTE: If this is different than the amount on the prior year Form A, Line 1, then revise the prior year tax rate ceiling. Enter the revised prior year tax rate ceiling on this year's Summary Page, Line A.

(a) 1,913,947,167 + (b) 0 = 1,913,947,167

(Real Estate) (Personal Property) (Total)

6. Assessed value of newly separated territory obtained from the county clerk or county assessor

(a) 0 + (b) 0 = 0

(Real Estate) (Personal Property) (Total)

7. Assessed value of property locally assessed in prior year, but state assessed in current year obtained from the county clerk or county assessor

(a) 0 + (b) 0 = 0

(Real Estate) (Personal Property) (Total)

8. Adjusted prior year assessed valuation (Line 5 total - Line 6 total - Line 7 total)

1,913,947,167

Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

9. Percentage increase in adjusted valuation of existing property in the current year over the prior year's assessed valuation (Line 4 - Line 8/Line 8 x 100)

-1.5426%

10. Increase in Consumer Price Index (CPI) certified by the State Tax Commission

3.4000%

11. Adjusted prior year assessed valuation (Line 8)

1,913,947,167

12. (2023) Tax rate ceiling from prior year (Summary Page, Line A)

0.3235

13. Maximum prior year adjusted revenue from property that existed in both years (Line 11 x Line 12/100)

6,191,619

14. Permitted reassessment revenue growth

The percentage entered on Line 14 should be the lower of the actual growth (Line 9), the CPI (Line 10) or 5%. A negative figure on Line 9 is treated as a 0 for Line 14 purposes. Do not enter less than 0 or more than 5%.

0.0000%

15. Additional revenue permitted (Line 13 x Line 14)

0

16. Total revenue permitted in current year* from property that existed in both years (Line 13 + Line 15)

6,191,619

17. Adjusted current year assessed valuation (Line 4)

1,884,423,432

18. Maximum tax rate permitted by Article X, Section 22, and Section 137.073 RSMo (Line 16 / Line 17 x 100)

Round a fraction to the nearest one/one hundredth of a cent.

Enter this rate on the Summary Page, Line B

0.3286

* To compute the total property tax revenues billed for the current year (including revenues from all new construction and improvements and annexed property), multiply Line 1 by the rate on Line 18 and divide by 100. The property tax revenues billed would be used in estimating budgeted revenues.

(Form Revised 12-2017)

Form A

Page 279 of 331

Caclulation of New Voter Approved Tax Rate or Tax Rate Increase

Since the prior year tax rate computation, some political subdivisions may have held elections where the voters approved an increase to an existing tax or approved a new tax. Form B is designed to document the election.

1. Date of election
2. Ballot language
- Attach a sample ballot or state the proposition posed to the voters exactly as it appeared on the ballot.

3. Election results
- (Yes) (No)
4. Expiration date
- Enter the last year the levy will be in effect, if applicable.
5. Amount of increase approved by voters
- (An "increase/decrease of/by") OR
- Stated rate approved by voters
- (An "increase/decrease to")
- a.
- b.

For Political
Subdivision Use
in Calculating its
Tax Rate

6. Prior year tax rate ceiling or voluntarily reduced rate to apply voter approved increase to
- (Summary Page, Line A if increase to an existing rate, otherwise 0)
7. Voter approved increased tax rate to adjust
- (If an "increase of/by" ballot, Line 5a + Line 6, if an "increase to" ballot, Line 5b)

City of Independence
Name of Political Subdivision
09-048-0007
Political Subdivision Code
Debt Service
Purpose of Levy

Debt Service Calculation for General Obligation Bonds Paid for with Property Taxes

The tax rate for debt service will be considered valid if, after making the payment(s) for which the tax was levied, the bonds remain outstanding, and the debt fund reserves do not exceed the following year's payments.

Since the property taxes are levied and collected on a calendar year basis (January - December), it is recommended that this levy be computed using calendar year data.

1. Total current year assessed valuation obtained from the county clerk or county assessor (Form A, Line 1 total)
2. Amount required to pay debt service requirements during the next calendar year (i.e. Assuming the current year is Year 1, use January - December year 2 payments to complete the year 1 Form C) Include the principal and interest payments due on outstanding general obligation bond issues plus anticipated fees of any transfer agent or paying agent due during the next calendar year.
3. Estimated costs of collection and anticipated delinquencies (i.e. collector fees & commissions & assessment fund withholdings) Experience in prior years is the best guide for estimating uncollectible taxes. It is usually 2% to 10% of Line 2 above.
4. Reasonable reserve up to one year's payment (i.e. Assuming the current year is year 1, use January - December year 3 payments to complete the year 1 Form C) It is important that the debt service fund have sufficient reserves to prevent any default on the bonds. Include payments for the year following the next calendar year, accounted for on Line 2.
5. Total required for debt service (Line 2 + Line 3 + Line 4)
6. Anticipated balance at end of current calendar year Show the anticipated bank or fund balance at December 31st of this year (this will equal the current balance minus the amount of any principal or interest due before December 31st plus any estimated investment earning due before December 31st). Do not add the anticipated collections of this tax into this amount.
7. Property tax revenue required for debt service (Line 5 - Line 6) Line 6 is subtracted from Line 5 because the debt service fund is only allowed to have the payments required for the next calendar year (Line 2) and the reasonable reserve of the following year's payment (Line 4). Any current balance in the fund is already available to meet these requirements so it is deducted from the total revenues required for debt service purposes.
8. Computation of debt service tax rate (Line 7/Line 1 x 100) Round a fraction to the nearest one/one hundredth of a cent.
9. Less voluntary reduction by political subdivision
10. Actual rate to be levied for debt service purposes * (Line 8 - Line 9) Enter this rate on Line AA of the Summary Page.

* The tax rate levied may be lower than the rate computed as long as adequate funds are available to service the debt requirements.

INFORMAL TAX RATE CALCULATOR FILE
Informational Data
For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

Printed on: 8/19/2024
(2024)

City of Independence	09-048-0007	General Revenue
Name of Political Subdivision	Political Subdivision Code	Purpose of Levy

This page shows the information that would have been on the line items for the Summary Page, Form A, and/or Form B had no voluntary reduction(s) been taken in prior even numbered year(s). The information on this page should not be used in the current year unless the taxing authority wishes to reverse any voluntary reduction(s) taken in prior even numbered year(s) and follows the following steps in an even numbered year.

- Step 1 The governing body should hold a public hearing and adopt a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate.
- Step 2 Submit a copy of the resolution, policy statement, or ordinance to the State Auditor's Office for review.

Based on Prior Year
Tax Rate Ceiling as if
No Voluntary Reductions
were Taken in a Prior
Even Numbered Year

Informational Summary Page

A. Prior year tax rate ceiling (Prior Year Informational Summary Page, Line F)	0.3235
B. Current year rate computed (Informational Form A, Line 18 below)	0.3286
C. Amount of increase authorized by voters for current year (Informational Form B, Line 7 below)	
D. Rate to compare to maximum authorized levy (Line B if no election, otherwise Line C)	0.3286
E. Maximum authorized levy most recent voter approved rate	1.0000
F. Tax rate ceiling if no voluntary reductions were taken in a prior even numbered year (Lower of Line D or E)	0.3286

Informational Form A

9. Percentage increase in adjusted valuation (Form A, Line 4 - Line 8 / Line 8 x 100)	-1.5426%
10. Increase in Consumer Price Index (CPI) certified by the State Tax Commission	3.4000%
11. Adjusted prior year assessed valuation (Form A, Line 8)	1,913,947,167
12. (2023) Tax rate ceiling from prior year (Informational Summary Page, Line A from above)	0.3235
13. Maximum prior year adjusted revenue from property that existed in both years (Line 11 x Line 12 / 100)	6,191,619
14. Permitted reassessment revenue growth	
The percentage entered on Line 14 should be the lower of the actual growth (Line 9), the CPI (Line 10), or 5%.	
A negative figure on Line 9 is treated as a 0 for Line 14 purposes. Do not enter less than 0, nor more than 5%.	
15. Additional reassessment revenue permitted (Line 13 x Line 14)	0
16. Total revenue permitted in current year from property that existed in both years (Line 13 + Line 15)	6,191,619
17. Adjusted current year assessed valuation (Form A, Line 4)	1,884,423,432
18. Maximum tax rate permitted by Article X, Section 22, and Section 137.073, RSMo, if no voluntary reduction was taken (Line 16 / Line 17 x 100)	0.3286

Informational Form B

6. Prior year tax rate ceiling to apply voter approved increase to (Informational Summary Page, Line A if increase to an existing rate, otherwise 0)	
7. Voter approved increased tax rate to adjust (If an "increase of/by" ballot, Form B, Line 5a + Line 6, if an "increase to" ballot, Form B, Line 5b)	

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Independence	09-048-0007	Health & Recreation
Name of Political Subdivision	Political Subdivision Code	Purpose of Levy

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

	FOR POLITICAL Subdivision Use in Calculating its Tax Rate
A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if the prior year data changed or a voluntary reduction was taken in a non-reassessment year (Prior year Summary Page, Line F minus Line H in odd numbered year or prior year Summary Page, Line F in even numbered year)	0.1524
B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 18)	0.1548
C. Amount of rate increase authorized by voters for current year if same purpose, (Form B, Line 7)	
D. Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C)	0.1548
E. Maximum authorized levy the most recent voter approved rate	0.4000
F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws	0.1548
G1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable	0.0000
G2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)	0.0000
H. Less voluntary reduction by political subdivision taken from the tax rate ceiling (Line F) WARNING: A Voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.	0.0000
I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.	0.0000
J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)	0.1548
AA. Rate to be levied for debt service , if applicable (Form C, Line 10)	
BB. Additional special purpose rate authorized by voters after the prior year tax rates were set, (Form B, Line 7 if a different purpose)	

Certification of Non-Binding Estimated Tax Rate to the County Clerk(s)

I, the undersigned, City Manager (Office) of City of Independence (Political Subdivision) levying a rate in Jackson & Clay (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best knowledge and belief.

Please complete Lines G through BB, sign this form, and return to the county clerk(s).

(Date)	(Signature)	(Printed Name)	(Telephone)

NOTE: THIS IS AN INFORMAL TAX RATE CALCULATOR FILE INTENDED FOR POLITICAL SUBDIVISION PRELIMINARY CALCULATIONS ONLY. THIS FILE IS NOT INTENDED TO BE USED BY THE POLITICAL SUBDIVISION TO SUBMIT THEIR TAX RATE TO THE COUNTY.

ONLY THE PROFORMA PRINTED FROM THE STATE AUDITOR'S ONLINE TAX RATE SYSTEM SHOULD BE SUBMITTED TO THE COUNTY TO SET THE FINAL TAX RATE.

IF THIS POLITICAL SUBDIVISION LEVIES A PROPERTY TAX RATE PARTIALLY OR WHOLLY IN CLAY COUNTY, JACKSON COUNTY, ST. LOUIS COUNTY, OR THE CITY OF ST. LOUIS AND CHANGES ARE NECESSARY TO THE 2018 TAX RATE FORMS, PLEASE LOG ONTO THE STATE AUDITOR'S TAX RATE SYSTEM AND ENTER UPDATED INFORMATION TO MAKE THOSE CHANGES AND SELECT SUBMIT. CONTACT THE STATE AUDITOR'S OFFICE IF YOU HAVE MISPLACED YOUR USER ID AND/OR PASSWORD.

OTHERWISE FOR POLITICAL SUBDIVISIONS NOT PARTIALLY IN CLAY COUNTY, JACKSON COUNTY, ST. LOUIS COUNTY, OR THE CITY OF ST. LOUIS CONTACT YOUR COUNTY CLERK(S) TO HAVE THEM LOG ONTO THE STATE AUDITOR'S TAX RATE SYSTEM TO MAKE ANY NECESSARY CHANGES.

For Political Subdivisions Other Than School Districts Levying a Single Rate on All Property

City of Independence	09-048-0007	Independence Square Benefit Distr
Name of Political Subdivision	Political Subdivision Code	Purpose of Levy

The information to complete the Summary Page is available from prior year forms, computed on the attached forms, or on this page. Information on this page takes into consideration any voluntary reduction(s) taken in previous even numbered year(s). If in an even numbered year, the political subdivision wishes to no longer use the lowered tax rate ceiling to calculate its tax rate, it can hold a public hearing and pass a resolution, a policy statement, or an ordinance justifying its action prior to setting and certifying its tax rate. The information in the Informational Data, at the end of these forms, provides the rate that would be allowed had there been no previous voluntary reduction(s) taken in an even numbered year(s).

	FOR POLITICAL Subdivision Use in Calculating its Tax Rate
A. Prior year tax rate ceiling as defined in Chapter 137, RSMo, revised if the prior year data changed or a voluntary reduction was taken in a non-reassessment year (Prior year Summary Page, Line F minus Line H in odd numbered year or prior year Summary Page, Line F in even numbered year)	0.5755
B. Current year rate computed pursuant to Article X, Section 22, of the Missouri Constitution and Section 137.073, RSMo, if no voter approved increase (Form A, Line 18)	0.5755
C. Amount of rate increase authorized by voters for current year if same purpose, (Form B, Line 7)	
D. Rate to compare to maximum authorized levy to determine tax rate ceiling (Line B if no election, otherwise Line C)	0.5755
E. Maximum authorized levy the most recent voter approved rate	0.8500
F. Current year tax rate ceiling maximum legal rate to comply with Missouri laws	0.5755
G1. Less required sales tax reduction taken from tax rate ceiling (Line F), if applicable	0.0000
G2. Less 20% required reduction 1st class charter county political subdivision NOT submitting an estimated non-binding tax rate to the county(ies) taken from tax rate ceiling (Line F)	0.0000
H. Less voluntary reduction by political subdivision taken from the tax rate ceiling (Line F) WARNING: A Voluntary reduction taken in an even numbered year will lower the tax rate ceiling for the following year.	0.0000
I. Plus allowable recoupment rate added to tax rate ceiling (Line F) If applicable, attach Form G or H.	0.0000
J. Tax rate to be levied (Line F - Line G1 - Line G2 - Line H + Line I)	0.5755
AA. Rate to be levied for debt service , if applicable (Form C, Line 10)	
BB. Additional special purpose rate authorized by voters after the prior year tax rates were set, (Form B, Line 7 if a different purpose)	

Certification of Non-Binding Estimated Tax Rate to the County Clerk(s)

I, the undersigned, City Manager (Office) of City of Independence (Political Subdivision) levying a rate in Jackson & Clay (County(ies)) do hereby certify that the data set forth above and on the accompanying forms is true and accurate to the best knowledge and belief.

Please complete Lines G through BB, sign this form, and return to the county clerk(s).

(Date)	(Signature)	(Printed Name)	(Telephone)

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City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

24-090 **1R** An Ordinance Amending Independence City Code Section 16-01-002 "License Tax" **1R**

Recommendations:

Staff recommends approval.

Background:

The City has authority under RSMo. Ch. 67.2689 to charge video service providers a fee for providing video service within the City of Independence. This Ordinance would amend the City Code to be in compliance with recent changes to state law regarding video service provider fees, including the step-down schedule for the authorized percentage rate to be charged.

Emergency Justification:**Fiscal Impact:**

There is no fiscal impact.

Council Action:

**Department /
Contact**

Legal /

REVIEWERS

Jeremy Cover
Meagan Borth
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Ordinance - Video Service Fees LEK review

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING INDEPENDENCE CITY CODE SECTION 16-01-002 “LICENSE TAX”

WHEREAS, City Council has authority under RSMo. Ch. 67.2689 to charge video service providers a fee for providing video service within the City of Independence; and

WHEREAS, City Council has previously enacted an Ordinance imposing a fee for cable television providers on gross receipts on business conducted within the City; and

WHEREAS, City Council desires to update the City Code to comport with the recent changes to state law regarding video service provider fees; and

WHEREAS, City Council also desires to update the City Code to include the statutorily required fee step-down.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. The Code of Ordinances of the City of Independence Section 16.01.002(B) shall hereby read as follows

Section 16.01.002. – License tax.

~~B. Every person, firm or corporation now or hereafter engaged in the business of supplying cable television service shall pay to the City a license or occupation tax in a sum equal to five percent of the gross receipts derived from such business within the City.~~

B. Video service provider fee.

1. For the purposes of this Section, the following terms will be given the definition ascribed below:

- a. **“Video service”, the provision by a video service provider of video programming provided through wireline facilities located at least in part in the public right-of-way without regard to delivery technology, including internet protocol technology whether provided as part of a tier, on demand, or a per-channel basis. This definition includes cable service as defined by 47 U.S.C. Section 522(6), but does not include any video programming provided by a commercial mobile service provider defined in 47 U.S.C. Section 332(d), or any video programming accessed via a service that enables users to access**

content, information, electronic mail, or other services offered over the internet, including streaming content;

- b. "Video service provider", any person that distributes video service through a video service network pursuant to a video service authorization;
- c. "Gross revenues", amounts billed to video service subscribers for the following:
 - i. Recurring charges for video service; and
 - ii. Event-based charges for video service, including but not limited to pay-per-view and video-on-demand charges;
- d. "Gross revenues" do not include:
 - i. Discounts, refunds, and other price adjustments that reduce the amount of compensation received by an entity holding a video service authorization;
 - ii. Uncollectibles;
 - iii. Late payment fees;
 - iv. Amounts billed to video service subscribers to recover taxes, fees, or surcharges imposed on video service subscribers or video service providers in connection with the provision of video services, including the video service provider fee authorized by this section;
 - v. Fees or other contributions for PEG or I-Net support;
 - vi. Charges for services other than video service that are aggregated or bundled with amounts billed to video service subscribers, if the entity holding a video service authorization reasonably can identify such charges on books and records kept in the regular course of business or by other reasonable means;
 - vii. Rental of set top boxes, modems, or other equipment used to provide or facilitate the provision of video service;
 - viii. Service charges related to the provision of video service including, but not limited to, activation, installation, repair, and maintenance charges;
 - ix. Administrative charges related to the provision of video service including, but not limited to, service order and service termination charges; or
 - x. A pro rata portion of all revenue derived from advertising, less refunds, rebates, or discounts.

2. Every video service provider ~~person, firm or corporation now or hereafter engaged in the business of supplying cable television~~ video service within the geographic area of the City shall pay to the City a video service provider fee ~~license or occupation tax~~ in a sum equal to ~~five percent~~ the percentage described in Subsection B.3 below of the gross

revenues charged to each customer of the video service provider ~~receipts derived from such business within the City.~~

3. From August 28, 2024 to August 27, 2025 the percentage to be charged shall be 4%. From August 28, 2025 to August 27, 2026 the percentage to be charged shall be 3.5%. From August 28, 2026 to August 27, 2027 the percentage to be charged shall be 3%. Beginning August 28, 2027 and each year after, the percentage to be charged shall be 2.5%.
4. The video service provider fee shall be paid to the City on or before the last day of the month following the end of each calendar quarter.
5. Notwithstanding any other provision of this Section, video service provider fees shall be administered in a manner consistent with Sections 67.2675 to 67.2714, RSMo (the "Video Services Providers Act"). In the event of a conflict between the requirements of this Chapter and the Video Service Providers Act or other superseding state or federal law, the provisions of such superseding state or federal law shall control.

SECTION 2. This Ordinance shall be in full force and effect from and after passage.

SECTION 3. The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

SECTION 4. The City Clerk is hereby authorized to correct any scriveners' errors contained herein or made in amending the City Code.

PASSED THIS ____ DAY OF _____, 20____, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

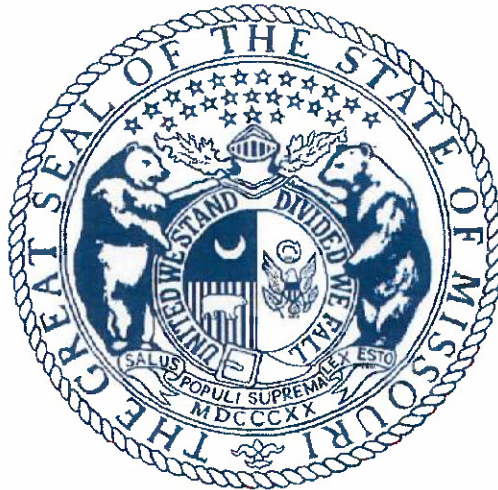
Drafter's Note: deleted language is shown ~~thus~~; inserted language is shown **thus**.

City Counselor

REVIEWED BY:

City Manager

**OFFICIAL
CERTIFICATION
SPECIAL ELECTION
CITY OF INDEPENDENCE
STATE OF MISSOURI
County of Jackson**



Tuesday, August 6, 2024

**Jackson County Board of Election Commissioners
215 N. Liberty, P.O. Box 296
Independence, Missouri 64051**

Michael K. Whitehead
Chairman

Henry R. Carner
Secretary

Colleen M. Scott
Member

Lyle K. Querry
Member

Tammy L. Brown
Director

Sara A. Zorich
Director

Voter Turnout
JACKSON COUNTY, MISSOURI
PRIMARY ELECTION
AUGUST 6, 2024
ELECTION DAY
OFFICIAL

Date: 8/13/2024
Time: 1:56:03 PM CDT
Page 1/3

Precincts	Ballots Cast	Registered Voters	% Turnout
B101,02,03	633	4033	15.70%
B1 04	213	1058	20.13%
B105,06,13	396	1693	23.39%
B1 07,08	15	58	25.86%
B1 09	19	179	10.61%
B1 10,11	3	7	42.86%
B2 01	390	1894	20.59%
B2 02,03,04	626	3125	20.03%
B2 05	13	58	22.41%
B2 06,07	445	2232	19.94%
B3 01	538	2748	19.58%
B3 02	583	2625	22.21%
B3 03,04	333	1728	19.27%
B3 05,06	464	1721	26.96%
B4 01	32	168	19.05%
B4 02,03,04	653	2866	22.78%
B4 05,08,10	442	2185	20.23%
B4 06,07,09	437	1742	25.09%
B4 11	0	11	0.00%
B5 01,02	698	3279	21.29%
B5 03	275	1016	27.07%
B5 04	493	1890	26.08%
B5 05	833	2852	29.21%
B6 01	499	2456	20.32%
B6 02	651	2347	27.74%
B6 03,04,05	1222	4154	29.42%
B7 01	465	1647	28.23%
B7 02	604	2319	26.05%
B7 03	612	2287	26.76%
B7 04,05	798	3064	26.04%
B8 01,02	1355	5134	26.39%
B8 04	572	1827	31.31%
B8 05,06	802	2312	34.69%
BR 01,02	725	3227	22.47%
BR 03	862	3368	25.59%
BR 04	801	3314	24.17%
BR 05,06	427	1698	25.15%
BR 07,08	360	1220	29.51%
BR 09,10,11	998	4002	24.94%
FO 02	185	489	37.83%
FO 03,04,05,09	464	1893	24.51%
FO 06,10	166	423	39.24%
FO 07,08	480	1610	29.81%
PR 01	11	38	28.95%
PR 02	612	2576	23.76%
PR 03	459	2213	20.74%
PR 05,06,43	692	2702	25.61%

Voter Turnout
JACKSON COUNTY, MISSOURI
PRIMARY ELECTION
AUGUST 6, 2024
ELECTION DAY
OFFICIAL

Date: 8/13/2024
Time: 1:56:03 PM CDT
Page 2/3

Precincts	Ballots Cast	Registered Voters	% Turnout
PR 07,08	645	2626	24.56%
PR 09	453	2078	21.80%
PR 10	247	1010	24.46%
PR 11	738	2853	25.87%
PR 13,14	734	2389	30.72%
PR 15,16,17,62	1168	3764	31.03%
PR 18	379	1460	25.96%
PR 19	665	2457	27.07%
PR 20	379	1353	28.01%
PR 21,22	661	2307	28.65%
PR 23	752	3517	21.38%
PR 24	750	3180	23.58%
PR 26,27	916	3387	27.04%
PR 28	912	2719	33.54%
PR 29,32	904	3327	27.17%
PR 30,31	747	2824	26.45%
PR 33,34	735	3391	21.68%
PR 37,38	567	2356	24.07%
PR 39	554	2101	26.37%
PR 40	300	1153	26.02%
PR 41,42	642	2407	26.67%
PR 44	446	1987	22.45%
PR 45,46	721	3121	23.10%
PR 47,48	464	1894	24.50%
PR 49	455	2014	22.59%
PR 50	343	1707	20.09%
PR 51	245	892	27.47%
PR 52	209	1021	20.47%
PR53,54,55,57,59,60,63	746	2811	26.54%
PR56,64	240	1031	23.28%
SN 01	1	64	1.56%
SN 02	225	1011	22.26%
SN 03	87	282	30.85%
SN 04	417	1240	33.63%
SN 05	378	1232	30.68%
SN 06	44	211	20.85%
SN 07	125	429	29.14%
SN08	869	3186	27.28%
SN 09	585	2453	23.85%
SN 10	732	2891	25.32%
SN11	469	1705	27.51%
SN12,14,29	974	4798	20.30%
SN 13	3	5	60.00%
SN 15	60	165	36.36%
SN 16	2	17	11.76%
SN17	566	2511	22.54%
SN 19	39	189	20.63%

Voter Turnout
JACKSON COUNTY, MISSOURI
PRIMARY ELECTION
AUGUST 6, 2024
ELECTION DAY
OFFICIAL

Date: 8/13/2024
Time: 1:56:03 PM CDT
Page 3/3

Precincts	Ballots Cast	Registered Voters	% Turnout
SN 20	277	1415	19.58%
SN21	452	2040	22.16%
SN22	572	2222	25.74%
SN 23	22	84	26.19%
SN24	597	2382	25.06%
SN25	759	2878	26.37%
SN 26	3	3	100.00%
SN27	132	428	30.84%
SN 30	547	2531	21.61%
SN31	556	2391	23.25%
SN 32,37	316	1227	25.75%
SN 34,35,36	213	628	33.92%
SN 38	730	3433	21.26%
SN 39	647	3039	21.29%
SN 40,51	494	1640	30.12%
SN 41	652	3325	19.61%
SN43,44,46,53	641	2992	21.42%
SN 47,49	427	2392	17.85%
SN 52	96	318	30.19%
VB01	2	4	50.00%
VB02,03,04,07,09,13	642	2103	30.53%
VB08,14	148	668	22.16%
VB 10,11,19	751	2632	28.53%
VB 12,15	179	640	27.97%
VB 16,17,18	251	816	30.76%
WA 01,02	681	2616	26.03%
WA 03	360	1717	20.97%
WA 04,05	459	2120	21.65%
WA 06	277	1587	17.45%
WA 07,08	696	2911	23.91%
WA 09	265	1631	16.25%
ABSENTEE	4401	241827	1.82%
Total	63894	241827	26.42%

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	Turnout				CITY OF INDEPENDENCE - PROPOSITION			
	Reg. Voters	Ballots Cast	% Turnout		Reg. Voters	Total Votes	YES	NO
Jurisdiction Wide								
B101.02.03								
Normal	4033	633	15.70%		4026	622	334	288
Absentee	4033	-	-		4026	0	0	0
Provisional	4033	-	-		4026	0	0	0
B1 04								
Normal	1058	213	20.13%		1058	210	105	105
Absentee	1058	-	-		1058	0	0	0
Provisional	1058	-	-		1058	0	0	0
B105.06.13								
Normal	1693	396	23.39%		3	7	0	7
Absentee	1693	-	-		3	0	0	0
Provisional	1693	-	-		3	0	0	0
B2 01								
Normal	1894	390	20.59%		1894	387	190	197
Absentee	1894	-	-		1894	0	0	0
Provisional	1894	-	-		1894	0	0	0
B2 02.03.04								
Normal	3125	625	20.00%		3125	616	358	258
Absentee	3125	-	-		3125	0	0	0
Provisional	3125	1	0.03%		3125	1	1	0
B2 05								
Normal	58	13	22.41%		58	13	4	9
Absentee	58	-	-		58	0	0	0
Provisional	58	-	-		58	0	0	0
B2 06.07								
Normal	2232	445	19.94%		2232	439	239	200
Absentee	2232	-	-		2232	0	0	0
Provisional	2232	-	-		2232	0	0	0
B3 01								
Normal	2748	538	19.58%		2748	531	297	234
Absentee	2748	-	-		2748	0	0	0
Provisional	2748	-	-		2748	0	0	0
B3 02								
Normal	2625	583	22.21%		2625	575	321	254
Absentee	2625	-	-		2625	0	0	0
Provisional	2625	-	-		2625	0	0	0

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Turnout		CITY OF INDEPENDENCE - PROPOSITION							
		PD							
	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO		
B4 02,03,04									
Normal	2866	653	22.78%	2866	646	375	58.05%	271	41.95%
Absentee	2866	-	-	2866	0	0	-	0	-
Provisional	2866	-	-	2866	0	0	-	0	-
B4 05,06,10									
Normal	2185	441	20.18%	2185	431	229	53.13%	202	46.87%
Absentee	2185	-	-	2185	0	0	-	0	-
Provisional	2185	1	0.05%	2185	1	1	100.00%	0	-
B4 06,07,09									
Normal	1742	437	25.09%	1742	434	261	60.14%	173	39.86%
Absentee	1742	-	-	1742	0	0	-	0	-
Provisional	1742	-	-	1742	0	0	-	0	-
B4 11									
Normal	11	0	-	11	0	0	-	0	-
Absentee	11	-	-	11	0	0	-	0	-
Provisional	11	-	-	11	0	0	-	0	-
B5 01,02									
Normal	3279	698	21.29%	3279	692	399	57.66%	293	42.34%
Absentee	3279	-	-	3279	0	0	-	0	-
Provisional	3279	-	-	3279	0	0	-	0	-
B5 03									
Normal	1016	275	27.07%	1016	274	156	56.93%	118	43.07%
Absentee	1016	-	-	1016	0	0	-	0	-
Provisional	1016	-	-	1016	0	0	-	0	-
B5 04									
Normal	1890	492	26.03%	1890	484	276	57.02%	208	42.98%
Absentee	1890	-	-	1890	0	0	-	0	-
Provisional	1890	1	0.05%	1890	1	1	100.00%	0	-
B5 05									
Normal	2852	833	29.21%	2852	816	521	63.85%	295	36.15%
Absentee	2852	-	-	2852	0	0	-	0	-
Provisional	2852	-	-	2852	0	0	-	0	-
B6 01									
Normal	2456	499	20.32%	2456	495	297	60.00%	198	40.00%
Absentee	2456	-	-	2456	0	0	-	0	-
Provisional	2456	-	-	2456	0	0	-	0	-
B6 02									
Normal	2347	650	27.69%	2347	645	431	66.82%	214	33.18%
Absentee	2347	-	-	2347	0	0	-	0	-
Provisional	2347	1	0.04%	2347	1	1	100.00%	0	-

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	Turnout			CITY OF INDEPENDENCE - PROPOSITION				
	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO	
B6 03,04,05								
Normal	4154	1221	29.39%	4154	1208	722	59.77%	486 40.23%
Absentee	4154	-	-	4154	0	0	-	0 -
Provisional	4154	1	0.02%	4154	1	0	-	1 100.00%
B7 01								
Normal	1647	465	28.23%	1647	461	271	58.79%	190 41.21%
Absentee	1647	-	-	1647	0	0	-	0 -
Provisional	1647	-	-	1647	0	0	-	0 -
B7 02								
Normal	2319	604	26.05%	2319	598	374	62.54%	224 37.46%
Absentee	2319	-	-	2319	0	0	-	0 -
Provisional	2319	-	-	2319	0	0	-	0 -
B7 03								
Normal	2287	612	26.76%	2287	604	372	61.59%	232 38.41%
Absentee	2287	-	-	2287	0	0	-	0 -
Provisional	2287	-	-	2287	0	0	-	0 -
B7 04,05								
Normal	3064	796	25.98%	3064	791	484	61.19%	307 38.81%
Absentee	3064	-	-	3064	0	0	-	0 -
Provisional	3064	2	0.07%	3064	1	0	-	1 100.00%
B8 01,02								
Normal	5134	1355	26.39%	5134	1343	834	62.10%	509 37.90%
Absentee	5134	-	-	5134	0	0	-	0 -
Provisional	5134	-	-	5134	0	0	-	0 -
B8 04								
Normal	1827	572	31.31%	1827	566	386	68.20%	180 31.80%
Absentee	1827	-	-	1827	0	0	-	0 -
Provisional	1827	-	-	1827	0	0	-	0 -
B8 05,06								
Normal	2312	802	34.69%	2312	794	571	71.91%	223 28.09%
Absentee	2312	-	-	2312	0	0	-	0 -
Provisional	2312	-	-	2312	0	0	-	0 -
FO 02								
Normal	489	185	37.83%	489	182	93	51.10%	89 48.90%
Absentee	489	-	-	489	0	0	-	0 -
Provisional	489	-	-	489	0	0	-	0 -
PR 01								
Normal	38	11	28.95%	38	10	6	60.00%	4 40.00%
Absentee	38	-	-	38	0	0	-	0 -
Provisional	38	-	-	38	0	0	-	0 -

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Turnout	CITY OF INDEPENDENCE - PROPOSITION					
	PD					
	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES
						NO
SN 01						
Normal	64	1	1.56%	64	1	1 100.00%
Absentee	64	-	-	64	0	0 -
Provisional	64	-	-	64	0	0 -
SN 02						
Normal	1011	225	22.26%	1011	218	149 68.35%
Absentee	1011	-	-	1011	0	0 -
Provisional	1011	-	-	1011	0	0 -
SN 04						
Normal	1240	417	33.63%	1240	409	268 65.53%
Absentee	1240	-	-	1240	0	0 -
Provisional	1240	-	-	1240	0	0 -
SN 05						
Normal	1232	378	30.68%	1232	371	204 54.99%
Absentee	1232	-	-	1232	0	0 -
Provisional	1232	-	-	1232	0	0 -
SN 06						
Normal	211	44	20.85%	211	44	26 59.09%
Absentee	211	-	-	211	0	0 -
Provisional	211	-	-	211	0	0 -
ABSENTEE						
Normal	-	-	-	0	0	0 -
Absentee	-	4401	-	0	1789	1240 69.31%
Provisional	-	-	-	0	0	0 -
Total						
Normal	241827	59474	24.59%	65442	15917	9554 60.02%
Absentee	241827	4401	1.82%	65442	1789	1240 69.31%
Provisional	241827	19	0.01%	65442	6	4 66.67%
Total	241827	63894	26.42%	65442	17712	10798 60.96%

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Turnout		CITY OF INDEPENDENCE - QUESTION 1					
Jurisdiction Wide	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B101.02.03							
Normal	4033	633	15.70%	4026	597	276	321
Absentee	4033	-	-	4026	0	0	0
Provisional	4033	-	-	4026	0	0	0
B1 04							
Normal	1058	213	20.13%	1058	203	90	113
Absentee	1058	-	-	1058	0	0	0
Provisional	1058	-	-	1058	0	0	0
B105.06.13							
Normal	1693	396	23.39%	3	7	2	5
Absentee	1693	-	-	3	0	0	0
Provisional	1693	-	-	3	0	0	0
B2 01							
Normal	1894	390	20.59%	1894	381	168	213
Absentee	1894	-	-	1894	0	0	0
Provisional	1894	-	-	1894	0	0	0
B2 02.03.04							
Normal	3125	625	20.00%	3125	598	254	344
Absentee	3125	-	-	3125	0	0	0
Provisional	3125	1	0.03%	3125	1	1	0
B2 05							
Normal	58	13	22.41%	58	13	6	7
Absentee	58	-	-	58	0	0	0
Provisional	58	-	-	58	0	0	0
B2 06.07							
Normal	2232	445	19.94%	2232	424	174	250
Absentee	2232	-	-	2232	0	0	0
Provisional	2232	-	-	2232	0	0	0
B3 01							
Normal	2748	538	19.58%	2748	512	225	287
Absentee	2748	-	-	2748	0	0	0
Provisional	2748	-	-	2748	0	0	0
B3 02							
Normal	2625	583	22.21%	2625	561	286	275
Absentee	2625	-	-	2625	0	0	0
Provisional	2625	-	-	2625	0	0	0

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Turnout CITY OF INDEPENDENCE - QUESTION 1

	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B4 02.03.04 Normal	2866	653	22.78%	2866	631	334	297
Absentee	2866	-	-	2866	0	0	0
Provisional	2866	-	-	2866	0	0	0
B4 05.08.10 Normal	2185	441	20.18%	2185	427	179	248
Absentee	2185	-	-	2185	0	0	0
Provisional	2185	1	0.05%	2185	1	100.00%	0
B4 06.07.09 Normal	1742	437	25.09%	1742	416	192	224
Absentee	1742	-	-	1742	0	0	0
Provisional	1742	-	-	1742	0	0	0
B4 11 Normal	11	0	-	11	0	0	0
Absentee	11	-	-	11	0	0	0
Provisional	11	-	-	11	0	0	0
B5 01.02 Normal	3279	698	21.29%	3279	668	346	322
Absentee	3279	-	-	3279	0	0	0
Provisional	3279	-	-	3279	0	0	0
B5 03 Normal	1016	275	27.07%	1016	265	109	156
Absentee	1016	-	-	1016	0	0	0
Provisional	1016	-	-	1016	0	0	0
B5 04 Normal	1890	492	26.03%	1890	476	212	264
Absentee	1890	-	-	1890	0	0	0
Provisional	1890	1	0.05%	1890	1	100.00%	0
B5 05 Normal	2852	833	29.21%	2852	802	429	373
Absentee	2852	-	-	2852	0	0	0
Provisional	2852	-	-	2852	0	0	0
B6 01 Normal	2456	499	20.32%	2456	480	173	307
Absentee	2456	-	-	2456	0	0	0
Provisional	2456	-	-	2456	0	0	0
B6 02 Normal	2347	650	27.69%	2347	626	322	304
Absentee	2347	-	-	2347	0	0	0
Provisional	2347	1	0.04%	2347	1	100.00%	0

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Turnout CITY OF INDEPENDENCE - QUESTION 1

	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B6 03,04,05							
Normal	4154	1221	29.39%	4154	1178	572	606
Absentee	4154	-	-	4154	0	0	0
Provisional	4154	1	0.02%	4154	1	0	1
B7 01							
Normal	1647	465	28.23%	1647	454	210	244
Absentee	1647	-	-	1647	0	0	0
Provisional	1647	-	-	1647	0	0	0
B7 02							
Normal	2319	604	26.05%	2319	583	282	301
Absentee	2319	-	-	2319	0	0	0
Provisional	2319	-	-	2319	0	0	0
B7 03							
Normal	2287	612	26.76%	2287	585	266	319
Absentee	2287	-	-	2287	0	0	0
Provisional	2287	-	-	2287	0	0	0
B7 04,05							
Normal	3064	796	25.98%	3064	764	396	368
Absentee	3064	-	-	3064	0	0	0
Provisional	3064	2	0.07%	3064	1	0	1
B8 01,02							
Normal	5134	1355	26.39%	5134	1309	699	610
Absentee	5134	-	-	5134	0	0	0
Provisional	5134	-	-	5134	0	0	0
B8 04							
Normal	1827	572	31.31%	1827	566	331	225
Absentee	1827	-	-	1827	0	0	0
Provisional	1827	-	-	1827	0	0	0
B8 05,06							
Normal	2312	802	34.69%	2312	763	486	277
Absentee	2312	-	-	2312	0	0	0
Provisional	2312	-	-	2312	0	0	0
FO 02							
Normal	489	185	37.83%	489	179	63	116
Absentee	489	-	-	489	0	0	0
Provisional	489	-	-	489	0	0	0
PR 01							
Normal	38	11	28.95%	38	10	6	4
Absentee	38	-	-	38	0	0	0
Provisional	38	-	-	38	0	0	0

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	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
SN 01							
Normal	64	1	1.56%	64	1	1 100.00%	0
Absentee	64	-	-	64	0	0	0
Provisional	64	-	-	64	0	0	0
SN 02							
Normal	1011	225	22.26%	1011	207	133 64.25%	74 35.75%
Absentee	1011	-	-	1011	0	0	0
Provisional	1011	-	-	1011	0	0	0
SN 04							
Normal	1240	417	33.63%	1240	388	231 59.54%	157 40.46%
Absentee	1240	-	-	1240	0	0	0
Provisional	1240	-	-	1240	0	0	0
SN 05							
Normal	1232	378	30.68%	1232	363	209 57.58%	154 42.42%
Absentee	1232	-	-	1232	0	0	0
Provisional	1232	-	-	1232	0	0	0
SN 06							
Normal	211	44	20.85%	211	41	25 60.98%	16 39.02%
Absentee	211	-	-	211	0	0	0
Provisional	211	-	-	211	0	0	0
ABSENTEE							
Normal	-	-	-	0	0	0	0
Absentee	-	4401	-	0	1736	928 53.46%	808 46.54%
Provisional	-	-	-	0	0	0	0
Total							
Normal	241827	59474	24.59%	65442	15468	7687 49.70%	7781 50.30%
Absentee	241827	4401	1.82%	65442	1736	928 53.46%	808 46.54%
Provisional	241827	19	0.01%	65442	6	4 66.67%	2 33.33%
Total	241827	63894	26.42%	65442	17210	8619 50.08%	8591 49.92%

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CITY OF INDEPENDENCE - QUESTION 2

Jurisdiction	Turnout	CITY OF INDEPENDENCE - QUESTION 2					
		Reg. Voters	Ballots Cast	% Turnout	Reg. Total Votes	YES	NO
B101.02.03							
Normal	4033	633	15.70%	4026	592	221	371
Absentee	4033	-	-	4026	0	0	0
Provisional	4033	-	-	4026	0	0	0
B1 04							
Normal	1058	213	20.13%	1058	204	75	129
Absentee	1058	-	-	1058	0	0	0
Provisional	1058	-	-	1058	0	0	0
B105.06.13							
Normal	1693	396	23.39%	3	5	1	4
Absentee	1693	-	-	3	0	0	0
Provisional	1693	-	-	3	0	0	0
B2 01							
Normal	1894	390	20.59%	1894	382	141	241
Absentee	1894	-	-	1894	0	0	0
Provisional	1894	-	-	1894	0	0	0
B2 02.03.04							
Normal	3125	625	20.00%	3125	598	214	384
Absentee	3125	-	-	3125	0	0	0
Provisional	3125	1	0.03%	3125	1	1	0
B2 05							
Normal	58	13	22.41%	58	13	5	8
Absentee	58	-	-	58	0	0	0
Provisional	58	-	-	58	0	0	0
B2 06.07							
Normal	2232	445	19.94%	2232	417	134	283
Absentee	2232	-	-	2232	0	0	0
Provisional	2232	-	-	2232	0	0	0
B3 01							
Normal	2748	538	19.58%	2748	497	173	324
Absentee	2748	-	-	2748	0	0	0
Provisional	2748	-	-	2748	0	0	0
B3 02							
Normal	2625	583	22.21%	2625	550	243	307
Absentee	2625	-	-	2625	0	0	0
Provisional	2625	-	-	2625	0	0	0

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	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B4 02.03.04 Normal	2866	653	22.78%	2866	618	288	330
Absentee	2866	-	-	2866	0	0	0
Provisional	2866	-	-	2866	0	0	0
B4 05.08.10 Normal	2185	441	20.18%	2185	423	156	267
Absentee	2185	-	-	2185	0	0	0
Provisional	2185	1	0.05%	2185	1	1	0
B4 06.07.09 Normal	1742	437	25.09%	1742	412	180	232
Absentee	1742	-	-	1742	0	0	0
Provisional	1742	-	-	1742	0	0	0
B4 11 Normal	11	0	-	11	0	0	0
Absentee	11	-	-	11	0	0	0
Provisional	11	-	-	11	0	0	0
B5 01.02 Normal	3279	698	21.29%	3279	654	266	388
Absentee	3279	-	-	3279	0	0	0
Provisional	3279	-	-	3279	0	0	0
B5 03 Normal	1016	275	27.07%	1016	252	87	165
Absentee	1016	-	-	1016	0	0	0
Provisional	1016	-	-	1016	0	0	0
B5 04 Normal	1890	492	26.03%	1890	473	175	298
Absentee	1890	-	-	1890	0	0	0
Provisional	1890	1	0.05%	1890	1	0	1
B5 05 Normal	2852	833	29.21%	2852	786	373	413
Absentee	2852	-	-	2852	0	0	0
Provisional	2852	-	-	2852	0	0	0
B6 01 Normal	2456	499	20.32%	2456	475	165	310
Absentee	2456	-	-	2456	0	0	0
Provisional	2456	-	-	2456	0	0	0
B6 02 Normal	2347	650	27.69%	2347	609	260	349
Absentee	2347	-	-	2347	0	0	0
Provisional	2347	1	0.04%	2347	1	0	1

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Turnout CITY OF INDEPENDENCE - QUESTION 2

	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B6 03.04.05							
Normal	4154	1221	29.39%	4154	1167	468	699
Absentee	4154	-	-	4154	0	0	0
Provisional	4154	1	0.02%	4154	1	0	1
B7 01							
Normal	1647	466	28.23%	1647	443	169	274
Absentee	1647	-	-	1647	0	0	0
Provisional	1647	-	-	1647	0	0	0
B7 02							
Normal	2319	604	26.05%	2319	566	248	320
Absentee	2319	-	-	2319	0	0	0
Provisional	2319	-	-	2319	0	0	0
B7 03							
Normal	2287	612	26.76%	2287	581	207	374
Absentee	2287	-	-	2287	0	0	0
Provisional	2287	-	-	2287	0	0	0
B7 04.05							
Normal	3064	796	25.98%	3064	752	336	416
Absentee	3064	-	-	3064	0	0	0
Provisional	3064	2	0.07%	3064	1	0	1
B8 01.02							
Normal	5134	1365	26.39%	5134	1286	591	695
Absentee	5134	-	-	5134	0	0	0
Provisional	5134	-	-	5134	0	0	0
B8 04							
Normal	1827	572	31.31%	1827	550	283	267
Absentee	1827	-	-	1827	0	0	0
Provisional	1827	-	-	1827	0	0	0
B8 05.06							
Normal	2312	802	34.69%	2312	752	406	346
Absentee	2312	-	-	2312	0	0	0
Provisional	2312	-	-	2312	0	0	0
FO 02							
Normal	489	185	37.83%	489	174	53	121
Absentee	489	-	-	489	0	0	0
Provisional	489	-	-	489	0	0	0
PR 01							
Normal	38	11	28.95%	38	10	5	5
Absentee	38	-	-	38	0	0	0
Provisional	38	-	-	38	0	0	0

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Turnout CITY OF INDEPENDENCE - QUESTION 2

	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
SN 01							
Normal	64	1	1.56%	64	1	1 100.00%	0
Absentee	64	-	-	64	0	0	0
Provisional	64	-	-	64	0	0	0
SN 02							
Normal	1011	225	22.26%	1011	202	110 54.46%	92 45.54%
Absentee	1011	-	-	1011	0	0	0
Provisional	1011	-	-	1011	0	0	0
SN 04							
Normal	1240	417	33.63%	1240	386	194 50.26%	192 49.74%
Absentee	1240	-	-	1240	0	0	0
Provisional	1240	-	-	1240	0	0	0
SN 05							
Normal	1232	378	30.68%	1232	355	153 43.10%	202 56.90%
Absentee	1232	-	-	1232	0	0	0
Provisional	1232	-	-	1232	0	0	0
SN 06							
Normal	211	44	20.85%	211	41	17 41.46%	24 58.54%
Absentee	211	-	-	211	0	0	0
Provisional	211	-	-	211	0	0	0
ABSENTEE							
Normal	-	-	-	0	0	0	0
Absentee	-	4401	-	0	1711	803 46.93%	908 53.07%
Provisional	-	-	-	0	0	0	0
Total							
Normal	241827	59474	24.59%	65442	15228	6398 42.01%	8830 57.99%
Absentee	241827	4401	1.82%	65442	1711	803 46.93%	908 53.07%
Provisional	241827	19	0.01%	65442	6	2 33.33%	4 66.67%
Total	241827	63894	26.42%	65442	16945	7203 42.51%	9742 57.49%

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Jurisdiction Wide	Reg. Voters	Ballots Cast	%	Turnout	Reg. Voters	Total Votes	YES	NO
B101,02,03								
Normal	4033	633	15.70%		4026	588	282	47.96%
Absentee	4033	-	-		4026	0	0	-
Provisional	4033	-	-		4026	0	0	-
B1 04								
Normal	1058	213	20.13%		1058	204	91	44.61%
Absentee	1058	-	-		1058	0	0	-
Provisional	1058	-	-		1058	0	0	-
B105,06,13								
Normal	1693	396	23.39%		3	5	4	80.00%
Absentee	1693	-	-		3	0	0	-
Provisional	1693	-	-		3	0	0	-
B2 01								
Normal	1894	390	20.59%		1894	379	176	46.44%
Absentee	1894	-	-		1894	0	0	-
Provisional	1894	-	-		1894	0	0	-
B2 02,03,04								
Normal	3125	625	20.00%		3125	600	258	43.00%
Absentee	3125	-	-		3125	0	0	-
Provisional	3125	1	0.03%		3125	1	1	100.00%
B2 05								
Normal	58	13	22.41%		58	13	5	38.46%
Absentee	58	-	-		58	0	0	-
Provisional	58	-	-		58	0	0	-
B2 06,07								
Normal	2232	445	19.94%		2232	419	158	37.71%
Absentee	2232	-	-		2232	0	0	-
Provisional	2232	-	-		2232	0	0	-
B3 01								
Normal	2748	538	19.58%		2748	499	230	46.09%
Absentee	2748	-	-		2748	0	0	-
Provisional	2748	-	-		2748	0	0	-
B3 02								
Normal	2625	583	22.21%		2625	553	289	52.26%
Absentee	2625	-	-		2625	0	0	-
Provisional	2625	-	-		2625	0	0	-

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	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B4 02.03.04 Normal	2866	653	22.78%	2866	619	396	283
Absentee	2866	-	-	2866	0	0	0
Provisional	2866	-	-	2866	0	0	0
B4 05.08.10 Normal	2185	441	20.18%	2185	425	169	256
Absentee	2185	-	-	2185	0	0	0
Provisional	2185	1	0.05%	2185	1	100.00%	0
B4 06.07.09 Normal	1742	437	25.09%	1742	413	200	213
Absentee	1742	-	-	1742	0	0	0
Provisional	1742	-	-	1742	0	0	0
B4 11 Normal	11	0	-	11	0	0	0
Absentee	11	-	-	11	0	0	0
Provisional	11	-	-	11	0	0	0
B5 01.02 Normal	3279	698	21.29%	3279	658	365	293
Absentee	3279	-	-	3279	0	0	0
Provisional	3279	-	-	3279	0	0	0
B5 03 Normal	1016	275	27.07%	1016	253	98	155
Absentee	1016	-	-	1016	0	0	0
Provisional	1016	-	-	1016	0	0	0
B5 04 Normal	1890	492	26.03%	1890	476	207	269
Absentee	1890	-	-	1890	0	0	0
Provisional	1890	1	0.05%	1890	1	100.00%	0
B5 05 Normal	2852	833	29.21%	2852	788	417	371
Absentee	2852	-	-	2852	0	0	0
Provisional	2852	-	-	2852	0	0	0
B6 01 Normal	2456	499	20.32%	2456	471	190	281
Absentee	2456	-	-	2456	0	0	0
Provisional	2456	-	-	2456	0	0	0
B6 02 Normal	2347	650	27.69%	2347	612	332	280
Absentee	2347	-	-	2347	0	0	0
Provisional	2347	1	0.04%	2347	1	100.00%	0

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	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B6 03,04,05							
Normal	4154	1221	29.39%	4154	1174	568	606
Absentee	4154	-	-	4154	0	0	0
Provisional	4154	1	0.02%	4154	1	0	1
B7 01							
Normal	1647	466	28.23%	1647	450	193	257
Absentee	1647	-	-	1647	0	0	0
Provisional	1647	-	-	1647	0	0	0
B7 02							
Normal	2319	604	26.05%	2319	571	270	301
Absentee	2319	-	-	2319	0	0	0
Provisional	2319	-	-	2319	0	0	0
B7 03							
Normal	2287	612	26.76%	2287	580	263	317
Absentee	2287	-	-	2287	0	0	0
Provisional	2287	-	-	2287	0	0	0
B7 04,05							
Normal	3064	796	25.98%	3064	757	375	382
Absentee	3064	-	-	3064	0	0	0
Provisional	3064	2	0.07%	3064	1	0	1
B8 01,02							
Normal	5134	1355	26.39%	5134	1294	686	608
Absentee	5134	-	-	5134	0	0	0
Provisional	5134	-	-	5134	0	0	0
B8 04							
Normal	1827	572	31.31%	1827	547	297	250
Absentee	1827	-	-	1827	0	0	0
Provisional	1827	-	-	1827	0	0	0
B8 05,06							
Normal	2312	802	34.69%	2312	757	469	288
Absentee	2312	-	-	2312	0	0	0
Provisional	2312	-	-	2312	0	0	0
FO 02							
Normal	489	185	37.83%	489	174	59	115
Absentee	489	-	-	489	0	0	0
Provisional	489	-	-	489	0	0	0
PR 01							
Normal	38	11	28.95%	38	10	7	3
Absentee	38	-	-	38	0	0	0
Provisional	38	-	-	38	0	0	0

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	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
SN 01							
Normal	64	1	1.56%	64	1	1 100.00%	0
Absentee	64	-	-	64	0	0	0
Provisional	64	-	-	64	0	0	0
SN 02							
Normal	1011	225	22.28%	1011	201	127 63.18%	74 36.82%
Absentee	1011	-	-	1011	0	0	0
Provisional	1011	-	-	1011	0	0	0
SN 04							
Normal	1240	417	33.63%	1240	391	198 50.64%	193 49.36%
Absentee	1240	-	-	1240	0	0	0
Provisional	1240	-	-	1240	0	0	0
SN 05							
Normal	1232	378	30.68%	1232	363	174 47.93%	189 52.07%
Absentee	1232	-	-	1232	0	0	0
Provisional	1232	-	-	1232	0	0	0
SN 06							
Normal	211	44	20.85%	211	44	26 59.09%	18 40.91%
Absentee	211	-	-	211	0	0	0
Provisional	211	-	-	211	0	0	0
ABSENTEE							
Normal	-	-	-	0	0	0	0
Absentee	-	4401	-	0	1720	936 54.42%	784 45.58%
Provisional	-	-	-	0	0	0	0
Total	241827	59474	24.59%	65442	15289	7520 49.19%	7769 50.81%
Normal	241827	4401	1.82%	65442	1720	936 54.42%	784 45.58%
Absentee	241827	19	0.01%	65442	6	4 66.67%	2 33.33%
Provisional	241827	63894	26.42%	65442	17015	8460 49.72%	8555 50.28%
Total							

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Jurisdiction Wide	Reg. Voters	Ballots Cast	%	Turnout	Reg. Voters	Total Votes	YES		NO	
B101,02,03										
Normal	4033	633	15.70%		4026	591	285	48.22%	306	51.78%
Absentee	4033	-	-	-	4026	0	0	-	0	-
Provisional	4033	-	-	-	4026	0	0	-	0	-
B1 04										
Normal	1058	213	20.13%		1058	203	92	45.32%	111	54.68%
Absentee	1058	-	-	-	1058	0	0	-	0	-
Provisional	1058	-	-	-	1058	0	0	-	0	-
B105,06,13										
Normal	1693	396	23.39%		3	5	3	60.00%	2	40.00%
Absentee	1693	-	-	-	3	0	0	-	0	-
Provisional	1693	-	-	-	3	0	0	-	0	-
B2 01										
Normal	1894	390	20.59%		1894	382	169	44.24%	213	55.76%
Absentee	1894	-	-	-	1894	0	0	-	0	-
Provisional	1894	-	-	-	1894	0	0	-	0	-
B2 02,03,04										
Normal	3125	625	20.00%		3125	603	269	44.61%	334	55.39%
Absentee	3125	-	-	-	3125	0	0	-	0	-
Provisional	3125	1	0.03%		3125	1	1	100.00%	0	-
B2 05										
Normal	58	13	22.41%		58	13	4	30.77%	9	69.23%
Absentee	58	-	-	-	58	0	0	-	0	-
Provisional	58	-	-	-	58	0	0	-	0	-
B2 06,07										
Normal	2232	445	19.94%		2232	422	159	40.05%	253	59.95%
Absentee	2232	-	-	-	2232	0	0	-	0	-
Provisional	2232	-	-	-	2232	0	0	-	0	-
B3 01										
Normal	2748	538	19.58%		2748	505	239	47.33%	266	52.67%
Absentee	2748	-	-	-	2748	0	0	-	0	-
Provisional	2748	-	-	-	2748	0	0	-	0	-
B3 02										
Normal	2625	563	22.21%		2625	556	265	51.26%	271	48.74%
Absentee	2625	-	-	-	2625	0	0	-	0	-
Provisional	2625	-	-	-	2625	0	0	-	0	-

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	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B4 02.03.04 Normal	2866	653	22.78%	2866	619	322	297
Absentee	2866	-	-	2866	0	0	0
Provisional	2866	-	-	2866	0	0	0
B4 05.08.10 Normal	2185	441	20.18%	2185	428	168	260
Absentee	2185	-	-	2185	0	0	0
Provisional	2185	1	0.05%	2185	1	100.00%	0
B4 06.07.09 Normal	1742	437	25.09%	1742	412	199	213
Absentee	1742	-	-	1742	0	0	0
Provisional	1742	-	-	1742	0	0	0
B4 11 Normal	11	0	-	11	0	0	0
Absentee	11	-	-	11	0	0	0
Provisional	11	-	-	11	0	0	0
B5 01.02 Normal	3279	698	21.29%	3279	665	328	337
Absentee	3279	-	-	3279	0	0	0
Provisional	3279	-	-	3279	0	0	0
B5 03 Normal	1016	275	27.07%	1016	253	108	145
Absentee	1016	-	-	1016	0	0	0
Provisional	1016	-	-	1016	0	0	0
B5 04 Normal	1890	492	26.03%	1890	473	200	273
Absentee	1890	-	-	1890	0	0	0
Provisional	1890	1	0.05%	1890	1	100.00%	0
B5 05 Normal	2852	833	29.21%	2852	788	405	383
Absentee	2852	-	-	2852	0	0	0
Provisional	2852	-	-	2852	0	0	0
B6 01 Normal	2456	499	20.32%	2456	470	201	269
Absentee	2456	-	-	2456	0	0	0
Provisional	2456	-	-	2456	0	0	0
B6 02 Normal	2347	650	27.69%	2347	613	306	307
Absentee	2347	-	-	2347	0	0	0
Provisional	2347	1	0.04%	2347	1	100.00%	0

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	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B6 03,04,05							
Normal	4154	1221	29.39%	4154	1172	569	603 51.45%
Absentee	4154	-	-	4154	0	0	0 -
Provisional	4154	1	0.02%	4154	1	0	1 100.00%
B7 01							
Normal	1647	465	28.23%	1647	449	207	242 53.90%
Absentee	1647	-	-	1647	0	0	0 -
Provisional	1647	-	-	1647	0	0	0 -
B7 02							
Normal	2319	604	26.05%	2319	578	276	302 52.25%
Absentee	2319	-	-	2319	0	0	0 -
Provisional	2319	-	-	2319	0	0	0 -
B7 03							
Normal	2287	612	26.76%	2287	584	246	338 57.88%
Absentee	2287	-	-	2287	0	0	0 -
Provisional	2287	-	-	2287	0	0	0 -
B7 04,05							
Normal	3064	796	25.98%	3064	756	384	372 49.21%
Absentee	3064	-	-	3064	0	0	0 -
Provisional	3064	2	0.07%	3064	1	0	1 100.00%
B8 01,02							
Normal	5134	1355	26.39%	5134	1293	670	623 48.18%
Absentee	5134	-	-	5134	0	0	0 -
Provisional	5134	-	-	5134	0	0	0 -
B8 04							
Normal	1827	572	31.31%	1827	550	321	229 41.64%
Absentee	1827	-	-	1827	0	0	0 -
Provisional	1827	-	-	1827	0	0	0 -
B8 05,06							
Normal	2312	802	34.69%	2312	754	446	308 40.85%
Absentee	2312	-	-	2312	0	0	0 -
Provisional	2312	-	-	2312	0	0	0 -
FO 02							
Normal	489	185	37.83%	489	175	75	100 57.14%
Absentee	489	-	-	489	0	0	0 -
Provisional	489	-	-	489	0	0	0 -
PR 01							
Normal	38	11	28.95%	38	10	6	4 40.00%
Absentee	38	-	-	38	0	0	0 -
Provisional	38	-	-	38	0	0	0 -

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	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
SN 01							
Normal	64	1	1.56%	64	1	1 100.00%	0
Absentee	64	-	-	64	0	0	0
Provisional	64	-	-	64	0	0	0
SN 02							
Normal	1011	225	22.26%	1011	203	113 55.67%	90 44.33%
Absentee	1011	-	-	1011	0	0	0
Provisional	1011	-	-	1011	0	0	0
SN 04							
Normal	1240	417	33.63%	1240	388	223 57.47%	165 42.53%
Absentee	1240	-	-	1240	0	0	0
Provisional	1240	-	-	1240	0	0	0
SN 05							
Normal	1232	378	30.68%	1232	357	185 51.82%	172 48.18%
Absentee	1232	-	-	1232	0	0	0
Provisional	1232	-	-	1232	0	0	0
SN 06							
Normal	211	44	20.85%	211	43	25 58.14%	18 41.86%
Absentee	211	-	-	211	0	0	0
Provisional	211	-	-	211	0	0	0
ABSENTEE							
Normal	-	-	-	0	0	0	0
Absentee	-	4401	-	0	1730	961 55.55%	769 44.45%
Provisional	-	-	-	0	0	0	0
Total							
Normal	241827	59474	24.59%	65442	15314	7499 48.97%	7815 51.03%
Absentee	241827	4401	1.82%	65442	1730	961 55.55%	769 44.45%
Provisional	241827	19	0.01%	65442	6	4 66.67%	2 33.33%
Total	241827	63894	26.42%	65442	17050	8464 49.64%	8586 50.36%

Statement of Votes Cast
JACKSON COUNTY, MISSOURI
PRIMARY ELECTION
AUGUST 6, 2024
ELECTION DAY
OFFICIAL - INDEPENDENCE

Date: 8/13/2024
Time: 10:47:36 AM CDT
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CITY OF INDEPENDENCE - QUESTION 5

Jurisdiction Wide	Turnout							
	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO	
B101.02.03								
Normal	4033	633	15.70%	4026	591	296	50.08%	295 49.92%
Absentee	4033	-	-	4026	0	0	-	0 -
Provisional	4033	-	-	4026	0	0	-	0 -
B1 04								
Normal	1058	213	20.13%	1058	201	88	43.78%	113 56.22%
Absentee	1058	-	-	1058	0	0	-	0 -
Provisional	1058	-	-	1058	0	0	-	0 -
B105.06.13								
Normal	1693	396	23.39%	3	5	1	20.00%	4 80.00%
Absentee	1693	-	-	3	0	0	-	0 -
Provisional	1693	-	-	3	0	0	-	0 -
B2 01								
Normal	1894	390	20.59%	1894	378	170	44.97%	208 55.03%
Absentee	1894	-	-	1894	0	0	-	0 -
Provisional	1894	-	-	1894	0	0	-	0 -
B2 02.03.04								
Normal	3125	625	20.00%	3125	600	266	44.33%	334 55.67%
Absentee	3125	-	-	3125	0	0	-	0 -
Provisional	3125	1	0.03%	3125	1	1	100.00%	0 -
B2 05								
Normal	58	13	22.41%	58	13	8	61.54%	5 38.46%
Absentee	58	-	-	58	0	0	-	0 -
Provisional	58	-	-	58	0	0	-	0 -
B2 06.07								
Normal	2232	445	19.94%	2232	418	157	37.56%	261 62.44%
Absentee	2232	-	-	2232	0	0	-	0 -
Provisional	2232	-	-	2232	0	0	-	0 -
B3 01								
Normal	2748	538	19.58%	2748	501	219	43.71%	282 56.29%
Absentee	2748	-	-	2748	0	0	-	0 -
Provisional	2748	-	-	2748	0	0	-	0 -
B3 02								
Normal	2625	583	22.21%	2625	545	265	48.62%	280 51.38%
Absentee	2625	-	-	2625	0	0	-	0 -
Provisional	2625	-	-	2625	0	0	-	0 -

Statement of Votes Cast
JACKSON COUNTY, MISSOURI
PRIMARY ELECTION
AUGUST 6, 2024
ELECTION DAY
OFFICIAL - INDEPENDENCE

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Turnout CITY OF INDEPENDENCE - QUESTION 5

	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B4 02.03.04 Normal	2866	653	22.78%	2866	618	323	295
Absentee	2866	-	-	2866	0	0	0
Provisional	2866	-	-	2866	0	0	0
B4 05.08.10 Normal	2185	441	20.18%	2185	424	174	250
Absentee	2185	-	-	2185	0	0	0
Provisional	2185	1	0.05%	2185	1	100.00%	0
B4 06.07.09 Normal	1742	437	25.09%	1742	410	196	214
Absentee	1742	-	-	1742	0	0	0
Provisional	1742	-	-	1742	0	0	0
B4 11 Normal	11	0	-	11	0	0	0
Absentee	11	-	-	11	0	0	0
Provisional	11	-	-	11	0	0	0
B5 01.02 Normal	3279	698	21.29%	3279	652	329	323
Absentee	3279	-	-	3279	0	0	0
Provisional	3279	-	-	3279	0	0	0
B5 03 Normal	1016	275	27.07%	1016	253	94	159
Absentee	1016	-	-	1016	0	0	0
Provisional	1016	-	-	1016	0	0	0
B5 04 Normal	1890	492	26.03%	1890	474	206	268
Absentee	1890	-	-	1890	0	0	0
Provisional	1890	1	0.05%	1890	1	100.00%	0
B5 05 Normal	2852	833	29.21%	2852	785	429	356
Absentee	2852	-	-	2852	0	0	0
Provisional	2852	-	-	2852	0	0	0
B6 01 Normal	2456	499	20.32%	2456	468	181	287
Absentee	2456	-	-	2456	0	0	0
Provisional	2456	-	-	2456	0	0	0
B6 02 Normal	2347	650	27.69%	2347	609	311	298
Absentee	2347	-	-	2347	0	0	0
Provisional	2347	1	0.04%	2347	1	100.00%	0

Statement of Votes Cast
JACKSON COUNTY, MISSOURI
PRIMARY ELECTION
AUGUST 6, 2024
ELECTION DAY
OFFICIAL - INDEPENDENCE

Date: 8/13/2024
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Turnout CITY OF INDEPENDENCE - QUESTION 5

	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
B6 03,04,05							
Normal	4154	1221	29.39%	4154	1170	563	607
Absentee	4154	-	-	4154	0	0	0
Provisional	4154	1	0.02%	4154	1	0	1
B7 01							
Normal	1647	465	28.23%	1647	450	201	249
Absentee	1647	-	-	1647	0	0	0
Provisional	1647	-	-	1647	0	0	0
B7 02							
Normal	2319	604	26.05%	2319	567	263	304
Absentee	2319	-	-	2319	0	0	0
Provisional	2319	-	-	2319	0	0	0
B7 03							
Normal	2287	612	26.76%	2287	582	251	331
Absentee	2287	-	-	2287	0	0	0
Provisional	2287	-	-	2287	0	0	0
B7 04,05							
Normal	3064	796	25.98%	3064	754	387	367
Absentee	3064	-	-	3064	0	0	0
Provisional	3064	2	0.07%	3064	1	0	1
B8 01,02							
Normal	5134	1355	26.39%	5134	1291	709	582
Absentee	5134	-	-	5134	0	0	0
Provisional	5134	-	-	5134	0	0	0
B8 04							
Normal	1827	572	31.31%	1827	546	308	238
Absentee	1827	-	-	1827	0	0	0
Provisional	1827	-	-	1827	0	0	0
B8 05,06							
Normal	2312	802	34.69%	2312	752	468	284
Absentee	2312	-	-	2312	0	0	0
Provisional	2312	-	-	2312	0	0	0
FO 02							
Normal	489	185	37.83%	489	172	59	113
Absentee	489	-	-	489	0	0	0
Provisional	489	-	-	489	0	0	0
PR 01							
Normal	38	11	28.95%	38	10	5	5
Absentee	38	-	-	38	0	0	0
Provisional	38	-	-	38	0	0	0

Statement of Votes Cast
 JACKSON COUNTY, MISSOURI
 PRIMARY ELECTION
 AUGUST 6, 2024
 ELECTION DAY
 OFFICIAL - INDEPENDENCE

Date: 8/13/2024
 Time: 10:47:36 AM CDT
 Page 24/24

Turnout CITY OF INDEPENDENCE - QUESTION 5

	Reg. Voters	Ballots Cast	% Turnout	Reg. Voters	Total Votes	YES	NO
SN 01							
Normal	64	1	1.56%	64	1	1 100.00%	0
Absentee	64	-	-	64	0	0 -	0
Provisional	64	-	-	64	0	0 -	0
SN 02							
Normal	1011	225	22.26%	1011	200	117 58.50%	83 41.50%
Absentee	1011	-	-	1011	0	0 -	0
Provisional	1011	-	-	1011	0	0 -	0
SN 04							
Normal	1240	417	33.63%	1240	386	219 56.74%	167 43.26%
Absentee	1240	-	-	1240	0	0 -	0
Provisional	1240	-	-	1240	0	0 -	0
SN 05							
Normal	1232	378	30.68%	1232	358	192 53.63%	166 46.37%
Absentee	1232	-	-	1232	0	0 -	0
Provisional	1232	-	-	1232	0	0 -	0
SN 06							
Normal	211	44	20.85%	211	42	25 59.52%	17 40.48%
Absentee	211	-	-	211	0	0 -	0
Provisional	211	-	-	211	0	0 -	0
ABSENTEE							
Normal	-	-	-	0	0	0 -	0
Absentee	-	4401	-	0	1722	926 53.77%	796 46.23%
Provisional	-	-	-	0	0	0 -	0
Total	241827	59474	24.59%	65442	15226	7481 49.13%	7745 50.87%
Normal	241827	4401	1.82%	65442	1722	926 53.77%	796 46.23%
Absentee	241827	19	0.01%	65442	6	4 56.67%	2 33.33%
Provisional	241827	63894	26.42%	65442	16954	8411 49.61%	8543 50.39%
Total							

JUDGES INITIALS	

OFFICIAL BALLOT
JACKSON COUNTY, MISSOURI
PRIMARY ELECTION
AUGUST 6, 2024

1-NP-S

0

INSTRUCTIONS TO VOTERS

Using blue or black ink, completely fill in the box next to the candidate or question response of your choice like this: . Fill in the box completely. **DO NOT MARK OUTSIDE OF THE BOX. VOTE BOTH SIDES OF BALLOT, IF APPLICABLE.**

To cast a vote for a write-in, use blue or black ink to fill in the box corresponding to that office. Write in the candidate's name on the write-in line provided.

**CONSTITUTIONAL
AMENDMENT NO. 1**

*Proposed by 102nd General
Assembly
(First Regular Session)
SJR No. 26*

Shall the Missouri Constitution be amended to allow places where individuals, corporations, organizations, and associations provide childcare outside of the child's home to be exempt from property tax? This is intended to make childcare more available, which would support the well-being of children, families, the workforce, and society as a whole.

State governmental entities estimate the state's Blind Pension Fund could have annual lost revenue of up to \$400,000. Local governments expect an unknown fiscal impact.

☐ YES
☐ NO

**CONSTITUTIONAL
AMENDMENT NO. 4**

*Proposed by 101st General
Assembly
(Second Regular Session)
SS 2 SJR No. 38*

Shall the Missouri Constitution be amended to authorize laws, passed before December 31st, 2026, that increase minimum funding for a police force established by a state board of police commissioners to ensure such police force has additional resources to serve its communities?

This would authorize a law passed in 2022 increasing required funding by the City of Kansas City for police department requests from 20% of general revenue to 25%, an increase of \$38,743,646, though the City previously provided that level of funding voluntarily. No other state or local governmental entities estimate costs or savings.

☐ YES
☐ NO

**SPECIAL ELECTION
CITY OF INDEPENDENCE,
MISSOURI**

PROPOSITION PD

Shall the City of Independence impose a city sales tax of one-fourth (1/4) of one percent for the exclusive benefit of the Police Department, which tax shall remain in effect until repealed by voters?

☐ YES
☐ NO

QUESTION 1

Shall the Charter of the City of Independence be amended throughout and Article 15 of the Charter of the City of Independence be amended to allow the City to publish legal notices online when not required to publish by State law in a local newspaper; to remove City boundary descriptions and references thereto; to include references to the Missouri Revised Statutes; to make grammatical, numbering, and language corrections as needed for clarity and accuracy; and to make changes related to the Charter Review Commission and previous Charter revision elections?

☐ YES
☐ NO

QUESTION 2

Shall Articles 1, 2, 4, and 5 of the Charter of the City of Independence be amended to remove provisions explaining the powers of the City and to include the role of public engagement in City government; to clarify provisions relating to the City Council; to clarify the Internal Auditor's position; to amend provisions related to the City Code, ordinances, and resolutions; to clarify that the City may adopt technical codes; to amend provisions relating to municipal court, municipal judges, the City Prosecutor, and the Court Clerk; and to make changes regarding the Board of Ethics and ethics provisions for the City Council?

☐ YES
☐ NO

QUESTION 3

Shall Articles 2, 3, 8, 9, and 10 of the Charter of the City of Independence be amended to provide that prior to the sale of a public utility, the City Council shall, by ordinance, call for an election of the registered voters of the City to determine whether the City shall sell such public utility; to make changes regarding City departments, offices, and agencies, and the coordination of emergency preparedness, but to leave the fire and police departments in the Charter; to provide requirements for the City budget, budget transfers, and financial policies; to remove penalties for City officers and employees who enter into contracts on behalf of the City without authority to do so; to provide processes for incurring debt and the issuance of bonds and notes; to clarify that the City may license, tax, and regulate all businesses, occupations, professions, vocations, and activities as allowed by State law; to remove Sections 9.1 through 9.5; and to remove Article 10?

☐ YES
☐ NO

QUESTION 4

Shall Articles 6, 7, and 13 of the Charter of the City of Independence be amended to remove example election forms; to provide that council districts are established by ordinance; to clarify election processes; to remove a provision regarding political designations in campaigns; to provide that candidates shall be disqualified if they are in arrears to the City for fees or taxes, are delinquent in paying State income taxes, or have unresolved municipal warrants; to clarify the referendum process; to remove required ballot language; and to clarify that franchises and utilities are subject to State laws?

☐ YES
☐ NO

QUESTION 5

Shall Articles 11, 12, and 14 of the Charter of the City of Independence be amended to make changes relating to public improvements, special tax bills, and special assessments; to amend provisions related to the Planning Commission, the planning director, the Board of Adjustment, and the Comprehensive Development Plan; and to provide that the City Planning Commission shall have all powers proscribed in Chapter 89, RSMo.; to make changes to provisions relating to lawsuits against the City; and to provide that meetings, records, accounts, and votes of the Council and the City shall be open as required by State law.

☐ YES

☐ NO

SAMPLE

AFFIDAVIT OF PUBLICATION

THE EXAMINER
PO BOX 1283
HUTCHINSON, KS 67504-1283

STATE OF MISSOURI }
COUNTY OF JACKSON }

Account Number: 557
Order Number: 2477870
Description: PG-1 8.6.24 Prim Elec Samp Bal
Ad Cost: \$960.00

Sherry Groves, being first duly sworn, says:

That she is the Agent of the The Examiner, a daily newspaper of general circulation, printed and published in Independence, Jackson County, Missouri; that the publication, a copy of which is attached hereto, was published in said newspaper on the following dates:

July 27, 2024
August 3, 2024

That said newspaper was regularly issued and circulated on those dates.
SIGNED:

Sherry Groves

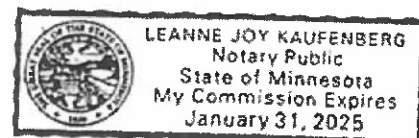
Agent

Subscribed to and sworn to me this 3rd day of August 2024.

Leanne Kaufenberg

Leanne Kaufenberg, Notary Public, Redwood County Minnesota

JACKSON COUNTY BOARD ELECTIONS
215 N LIBERTY
INDEPENDENCE, MO 64051



NOTICE OF PRIMARY ELECTION

SAMPLE BALLOT



STATE OF MISSOURI
JACKSON COUNTY
TUESDAY,
AUGUST 6, 2024
PRIMARY ELECTION

Notice is hereby given to the registered qualified voters of Jackson County, Missouri, outside the corporate limits of Kansas City, Missouri, that the Missouri Primary Election will be held on Tuesday, August 6, 2024, as certified by the Honorable John Ashcroft, Secretary of State, State of Missouri, and Mary Jo Spina, Clerk of the Legislature, Jackson County, Missouri. The polls will be open from 6:00 a.m. until 7:00 p.m.

The purpose of the Primary Election is to nominate candidates in the Republican, Democratic, and Libertarian parties of Missouri and Jackson County for the federal, state and county offices to be voted upon at the General Election scheduled for Tuesday, November 5, 2024; and for the election of the county committeemen and county committeewomen in the various Townships and Sub-Districts in Jackson County.

REPUBLICAN CANDIDATES FOR NOMINATION

U.S. SENATOR
JOSH HAWLEY

GOVERNOR

DARRELL LEON MCCLANAHAN, III
JEREMY GUNDEL
BILL ENGEL
ROBERT JAMES OLSON
JOHN R. (JAY) ASHCROFT
MIKE KEMOE
CHRIS WRIGHT
DARREN L. GRANT
AMBER THOMSEN

LEUTENANT GOVERNOR

HOLLY REHDER
DAVE WASINGER
LINCOLN HOUGH
PAUL BERRY, III
TIM BAKER
MATTHEW E. PORTER

SECRETARY OF STATE

VALENTINA GOMEZ
SHANE SCHOELLER
DENNY HOSKINS
ADAM J. SCHWADRON
JAMIE CORLEY
DEAN PLOCHER
MARY ELIZABETH COLEMAN
MIKE CARTER

STATE TREASURER

CODY SMITH
ANDREW KOENIG
LORI ROOK
VIVEK MALEX
TINA GOODRICK
KARAN PUJJI

ATTORNEY GENERAL

WILL SCHARF
ANDREW BAILEY

U.S. REPRESENTATIVE

DISTRICT 4
MARK ALFORD

DISTRICT 5

SEAN E. SMITH

DISTRICT 6

FREDDIE GRIFFIN, JR.
BRANDON KLEINMEYER
SAM GRAVES
WELDON WRAY WOODWARD

STATE SENATOR
DISTRICT 7
JOEY LASALLE

DISTRICT 9
DERRON BLACK

DISTRICT 11
AARON MCMULLEN
JOE NICOLA
DAVID MARTIN

STATE REPRESENTATIVE
DISTRICT 19
KAREN I. SPALDING

DISTRICT 20
MIKE STEINMEYER

DISTRICT 21
MARJAIN BREITENBACH

DISTRICT 22
MIREYA BARRAGAN

DISTRICT 28
STEVEN W. HINTON

DISTRICT 29
ROBERT A. BRUETTE

DISTRICT 30
JON PATTERSON

DISTRICT 31
RON FOWLER

DISTRICT 32
JEFF COLEMAN

DISTRICT 33
CHRIS SANDER
CAROLYN S. CATON

DISTRICT 34
JC CROSSLEY

DISTRICT 35
MICHAEL C. GREEN

DISTRICT 36
DAVE THOMAS

REPUBLICAN CANDIDATES FOR JACKSON COUNTY

PROSECUTING ATTORNEY
TRACEY CHAPPELL

REPUBLICAN CANDIDATES FOR ELECTION TO THE COUNTY COMMITTEE

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 1
MICHAEL YOUNG
JOSEPH M. SALVA

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 1
LEIGH PHILLIPS
NANCY P. GRIEGO

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 2
DAKOTA WORRELL

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 2
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 3
DAVID TITUS

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 3
BRIDGET TITUS

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 4
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 4
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 5
SCOTT QUALLS

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 5
NO CANDIDATE FILED
COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 6
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 6
MARY JO FREEMAN

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 7
MIKE MORRIS

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 7
JANA MORRIS

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 8
MARCUS V. BOWEN

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 8
DENA TUTTLE

COUNTY COMMITTEEMAN
BROOKING TOWNSHIP
STEVEN W. HINTON

COUNTY COMMITTEEWOMAN
BROOKING TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
FORT OSAGE TOWNSHIP
ZANE K. WINPIGLER
RON BUCKALLEW

COUNTY COMMITTEEWOMAN
FORT OSAGE TOWNSHIP
WENDY WINPIGLER
JULIE BUCKALLEW

COUNTY COMMITTEEMAN
PRAIRIE TOWNSHIP
DAN STACY
WILLIAM PETERSON
SCOTT O'BRIEN
RICK HALLMAN

COUNTY COMMITTEEWOMAN
PRAIRIE TOWNSHIP
STORM OILLENSCHEIDER
KIM EDWARDS

COUNTY COMMITTEEMAN
SNI-A-BAR TOWNSHIP
PRESTON V. SMITH
JEFF PORTER
GARY GUSENBERG
RON FOWLER
JOE NICOLA

COUNTY COMMITTEEWOMAN
SNI-A-BAR TOWNSHIP
RUTH HERTZOG PIRCH
JENNIFER KEELING

COUNTY COMMITTEEMAN
VAN BUREN TOWNSHIP
STEVE MCBRIDE
CHRIS SANDER

COUNTY COMMITTEEWOMAN
VAN BUREN TOWNSHIP
TERESA MCBRIDE
DAWN EMBREY

COUNTY COMMITTEEMAN
WASHINGTON TOWNSHIP
MICHAEL R. SMITH
DAVE THOMAS

COUNTY COMMITTEEWOMAN
WASHINGTON TOWNSHIP
NO CANDIDATE FILED

DEMOCRATIC CANDIDATES FOR NOMINATION

U.S. SENATOR
KARLA MAY
DECEMBER L. HARMON
LUCAS KUNCE
MITA BISWAS

GOVERNOR

ERIC MORRISON
CRYSTAL QUADE
SHERYL GLADNEY
HOLLIS L. LASTER
MIKE HAMRA

LEUTENANT GOVERNOR

RICHARD BROWN
ANASTASIA SVES

SECRETARY OF STATE

MONIQUE WILLIAMS
BARBARA PHIFER
HALEY JACOBSON

STATE TREASURER

MARK OSMACK

ATTORNEY GENERAL

ELAD JONATHAN GROSS

U.S. REPRESENTATIVE

DISTRICT 4
JEANETTE CASS
MIKE MCCAFFREE

DISTRICT 5
EMANUEL CLEAVER, II

DISTRICT 6
RICH GOLD
PAM MAY

STATE SENATOR

DISTRICT 7
PAT CONTRERAS
PATTY LEWIS

DISTRICT 9
BARBARA ANNE WASHINGTON
BRANDON ELLINGTON

DISTRICT 11
ROBERT SAULS

STATE REPRESENTATIVE

DISTRICT 19
PATRICIA ANN GERONIMA
HERNANDEZ
WICK THOMAS

DISTRICT 20
CLARENCE FRANKLIN, JR.

DISTRICT 21
WILL JOBE

DISTRICT 22
YOLANDA YOUNG

DISTRICT 28
MIKE SAGER
DONNA BARNES

DISTRICT 29
AARON CROSSLEY

DISTRICT 30
KEVIN GROVER

DISTRICT 31
JEREMY ROWAN

DISTRICT 32
JENNIFER CASSIDY

DISTRICT 34
KEMP STRUCKLER

DISTRICT 35
KERI INGLE

DISTRICT 36
ANTHONY EALY

AFFIDAVIT OF PUBLICATION

THE EXAMINER
PO BOX 1283
HUTCHINSON, KS 67504-1283

STATE OF MISSOURI }
COUNTY OF JACKSON }

Account Number: 557
Order Number: 2477890
Description: PG-2 8.6.24 Prim Elec Samp Bal
Ad Cost: \$960.00

Sherry Groves, being first duly sworn, says:

That she is the Agent of the The Examiner, a daily newspaper of general circulation, printed and published in Independence, Jackson County, Missouri; that the publication, a copy of which is attached hereto, was published in said newspaper on the following dates:

July 27, 2024
August 3, 2024

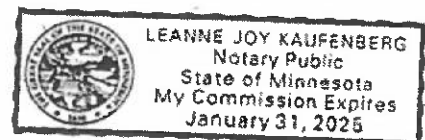
That said newspaper was regularly issued and circulated on those dates.
SIGNED:

Sherry Groves
Agent

Subscribed to and sworn to me this 3rd day of August 2024.

Leanne Kaufenberg
Leanne Kaufenberg, Notary Public, Redwood County
Minnesota

JACKSON COUNTY BOARD ELECTIONS
215 N LIBERTY
INDEPENDENCE, MO 64051



NOTICE OF PRIMARY ELECTION

SAMPLE BALLOT



DEMOCRATIC CANDIDATES FOR JACKSON COUNTY

PROSECUTING ATTORNEY
JOHN GROMOWSKY
STEPHANIE M. BURTON
MELESA JOHNSON

SHERIFF
DARRYL FORTÉ

DEMOCRATIC CANDIDATES FOR ELECTION TO THE COUNTY COMMITTEE

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 1
PAUL BUDD

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 1
AIMEE J. WORLEY

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 2
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 2
SUSAN DOUGHERTY

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 3
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 3
DIANE EGGER

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 4
STEVEN MCLUCKIE

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 4
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 5
AARON CROSSLEY

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 5
KATHERINE AMERU

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 6
JOSEPH F. FOLEY

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 6
GRACE F. THOMAS

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 7
STEVE LEVOTA

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 7
SHERI TINDLE

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 8
RUDY CHAVEZ

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 8
NICKI CARDWELL

COUNTY COMMITTEEMAN
BROOKING TOWNSHIP
MICHAEL DOWNING
JEROME BARNES

COUNTY COMMITTEEWOMAN
BROOKING TOWNSHIP
DONNA BARNES
LATRICE THOMAS

COUNTY COMMITTEEMAN
FORT OSAGE TOWNSHIP
MYRON W. BURROWS

COUNTY COMMITTEEWOMAN
FORT OSAGE TOWNSHIP
LYNDA BURROWS

COUNTY COMMITTEEMAN
PRAIRIE TOWNSHIP
NATHAN COCKRELL
PATRICK D. ROWLAND
KEMP STRICKLER

COUNTY COMMITTEEWOMAN
PRAIRIE TOWNSHIP
SHELLIE MONTEMURRO
ELIZABETH FREELAND
HILLARY SHIELDS

COUNTY COMMITTEEMAN
SNI-A-BAR TOWNSHIP
TOM GEBKEN
SCOTT CASEY
JALEN ANDERSON

COUNTY COMMITTEEWOMAN
SNI-A-BAR TOWNSHIP
LAKNA ULTICAN
TAYLOR BELLER

COUNTY COMMITTEEMAN
VAN BUREN TOWNSHIP
RUSSELL WITTING

COUNTY COMMITTEEWOMAN
VAN BUREN TOWNSHIP
MICHELE PYCIOR
TIMBERLYN PYCIOR-DAVILA

COUNTY COMMITTEEMAN
WASHINGTON TOWNSHIP
CHRISTIAN PARCHMAN
RON PEARSON

COUNTY COMMITTEEWOMAN
WASHINGTON TOWNSHIP
IRENE C. KENDRICK
ELAINE BREWER

LIBERTARIAN CANDIDATES FOR NOMINATION

U.S. SENATOR
W.C. YOUNG

GOVERNOR
BILL SLANTZ

LIEUTENANT GOVERNOR
KEN IVERSON

SECRETARY OF STATE
CARL HERMAN FREESE

STATE TREASURER
JOHN A. HARTWIG, JR.

ATTORNEY GENERAL
RYAN L. MUNRO

U.S. REPRESENTATIVE
DISTRICT 4
THOMAS HOLBROOK

DISTRICT 5
WILLIAM TRUMAN (BILL) WAYNE

DISTRICT 6
ANDY MAIDMENT

LIBERTARIAN PARTY FOR ELECTION TO THE COUNTY COMMITTEE

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 1
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 1
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 2
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 2
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 3
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 3
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 4
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 4
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 5
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 5
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 6
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 6
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 7
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 7
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 8
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 8
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BROOKING TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BROOKING TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
FORT OSAGE TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
FORT OSAGE TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
PRAIRIE TOWNSHIP
RONALD BREAN

COUNTY COMMITTEEWOMAN
PRAIRIE TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
SNI-A-BAR TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
SNI-A-BAR TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
VAN BUREN TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
VAN BUREN TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
WASHINGTON TOWNSHIP
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
WASHINGTON TOWNSHIP
NO CANDIDATE FILED

CONSTITUTIONAL AMENDMENTS

CONSTITUTIONAL AMENDMENT NO. 1

Proposed by 102nd
General Assembly
(First Regular Session)
SJR No. 26

Shall the Missouri Constitution be amended to allow places where individuals, corporations, organizations, and associations provide childcare outside of the child's home to be exempt from property tax? This is intended to make childcare more available, which would support the well-being of children, families, the workforce, and society as a whole.

State governmental entities estimate the state's Blind Pension Fund could have annual lost revenue of up to \$400,000. Local governments expect an unknown fiscal impact.

YES
NO

CONSTITUTIONAL AMENDMENT NO. 4

Proposed by 103rd
General Assembly
(Second Regular Session)
SS 2 SJR No. 38

Shall the Missouri Constitution be amended to authorize laws, passed before December 31st, 2026, that increase minimum funding for a police force established by a state board of police commissioners to ensure such police force has additional resources to serve its communities?

This would authorize a law passed in 2022 increasing required funding by the City of Kansas City for police department requests from 20% of general revenue to 25%, an increase of \$38,743,646, though the City previously provided that level of funding voluntarily. No other state or local governmental entities estimate costs or savings.

YES
NO

AFFIDAVIT OF PUBLICATION

THE EXAMINER
PO BOX 1283
HUTCHINSON, KS 67504-1283

STATE OF MISSOURI }
COUNTY OF JACKSON } SS

Account Number: 557
Order Number: 2477910
Description: PG-3 8.6.24 Prim Elec Samp Bal
Ad Cost: \$871.68

Sherry Groves, being first duly sworn, says:

That she is the Agent of the The Examiner, a daily newspaper of general circulation, printed and published in Independence, Jackson County, Missouri; that the publication, a copy of which is attached hereto, was published in said newspaper on the following dates:

July 27, 2024
August 3, 2024

That said newspaper was regularly issued and circulated on those dates.
SIGNED:

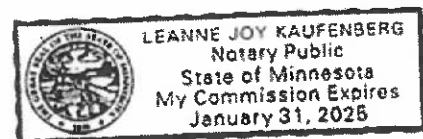
Sherry Groves

Agent

Subscribed to and sworn to me this 3rd day of August 2024.

Leanne Kaufenberg
Leanne Kaufenberg, Notary Public, Redwood County
Minnesota

JACKSON COUNTY BOARD ELECTIONS
215 N LIBERTY
INDEPENDENCE, MO 64051



NOTICE OF PRIMARY ELECTION

SAMPLE BALLOT



NOTICE IS HEREBY GIVEN to the registered voters of the following Districts that a Special Election has been called for said Districts to be held Tuesday, August 6, 2024, as certified by said District.

FOR CITY OF BLUE SPRINGS SPECIAL ELECTION

QUESTION

Shall the City of Blue Springs, Missouri issue general obligation bonds in the amount of \$40,000,000 for the purpose of acquiring rights of way, designing, constructing, extending and improving the streets and roads within the City, including but not limited to (a) implementing the City's Neighborhood Street Preservation Program, (b) improvements to Mock from 7 Highway to Sunnyside, (c) improvements to Adams Dairy Parkway at Duncan Road, (d) implementing the Downtown Master Plan Capital Improvements, (e) widening and improving Walnut Street from Woods Chapel Road to 15th Street, (f) making Adams Dairy Parkway street light improvements, (g) constructing SW 12th Street from SW Southcrest Drive to Wyatt Road, and (h) improving the intersection of Woods Chapel Road and US 40 Highway?

YES
NO

FOR CITY OF INDEPENDENCE SPECIAL ELECTION

PROPOSITION PD

Shall the City of Independence impose a city sales tax of one-fourth (1/4) of one percent for the exclusive benefit of the Police Department, which tax shall remain in effect until repealed by voters?

YES
NO

FOR CITY OF INDEPENDENCE SPECIAL ELECTION

QUESTION 1

Shall the Charter of the City of Independence be amended throughout and Article 15 of the Charter of the City of Independence be amended to allow the City to publish legal notices online when not required to publish by State law in a local newspaper; to remove City boundary descriptions and references thereto; to include references to the Missouri Revised Statutes; to make grammatical, numbering, and language corrections as needed for clarity and accuracy; and to make changes related to the Charter Review Commission and previous Charter revision elections?

YES
NO

QUESTION 2

Shall Articles 1, 2, 4, and 5 the Charter of the City of Independence be amended to remove provisions explaining the powers of the City and to include the role of public engagement in City government; to clarify provisions relating to the City Council; to clarify the Internal Auditor's position; to amend provisions related to the City Code, ordinances, and resolutions; to clarify that the City may adopt technical codes; to amend provisions relating to municipal court, municipal judges, the City Prosecutor, and the Court Clerk; and to make changes regarding the Board of Ethics and ethics provisions for the City Council?

YES
NO

QUESTION 3

Shall Articles 2, 3, 8, 9, and 10 of the Charter of the City of Independence be amended to provide that prior to the sale of a public utility, the City Council shall, by ordinance, call for an election of the registered voters of the City to determine whether the City shall sell such public utility; to make changes regarding City departments, offices, and agencies, and the coordination of emergency preparedness, but to leave the fire and police departments in the Charter; to provide requirements for the City budget, budget transfers, and financial policies; to remove penalties for City officers and employees who enter into contracts on behalf of the City without authority to do so; to provide processes for incurring debt and the issuance of bonds and notes; to clarify that the City may license, tax, and regulate all businesses, occupations, professions, vocations, and activities as allowed by State law; to remove Sections 9.1 through 9.5; and to remove Article 10?

YES
NO

QUESTION 4

Shall Articles 6, 7, and 13 of the Charter of the City of Independence be amended to remove example election forms; to provide that council districts are established by ordinance; to clarify election processes; to remove a provision regarding political designations in campaigns; to provide that candidates shall be disqualified if they are in arrears to the City for fees or taxes, are delinquent in paying State income taxes, or have unresolved municipal warrants; to clarify the referendum process; to remove required ballot language; and to clarify that franchises and utilities are subject to State laws?

YES
NO

QUESTION 5

Shall Articles 11, 12, and 14 of the Charter of the City of Independence be amended to make changes relating to public improvements, special tax bills, and special assessments; to amend provisions related to the Planning Commission, the planning director, the Board of Adjustment, and the Comprehensive Development Plan; and to provide that the City Planning Commission shall have all powers proscribed in Chapter 89, RSMo.; to make changes to provisions relating to lawsuits against the City; and to provide that meetings, records, accounts, and votes of the Council and the City shall be open as required by State law?

YES
NO

FOR CITY OF LAKE LOTAWANA SPECIAL ELECTION

QUESTION

Shall the municipality Lake Lotawana impose a sales tax of one-half of one percent for the purpose of providing funding for storm water control and local parks for the municipality?

YES
NO

IN WITNESS WHEREOF, the Jackson County Board of Election Commissioners has caused its name to be hereunto signed and the official seal affixed this 28th day of May, 2024.

INSTRUCTIONS TO VOTERS

Using blue or black ink, completely fill in the oval next to the candidate or question response of your choice like this: ●

Fill in the oval completely. Do not mark outside of the oval. Vote on both sides of ballot, if applicable.

JACKSON COUNTY BOARD OF ELECTION COMMISSIONERS

Michael K. Whitehead, Chairman
Henry R. Camer, Secretary
Colleen M. Scott, Member
Lyle K. Query, Member

Tammy L. Brown, Director
Sara A. Zorich, Director

Attest:
Henry R. Camer, Secretary

NOTICE OF ACCESSIBILITY

FURTHER NOTICE IS GIVEN that, where a regular polling place has limited accessibility, a disabled or elderly voter may be provided an alternative means of casting his or her ballot. Such means may include reassignment to an accessible polling place, curbside voting, assisted voting or voting by absentee ballot. A voter may apply for an absentee ballot in person or by mail or may have a relative or guardian apply in person on his or her behalf. If an absentee voter is disabled or incapacitated, the notary requirement is waived. In addition, voters requiring assistance may be assisted by a person of the voter's choice.

For a complete poll list go to our website: WWW.JCEBMO.ORG

Look for your Poll Notification card in the mail

Affidavit of Publication

DATE: Aug 1, 2024

STATE OF MISSOURI SS
COUNTY OF JACKSON

Joseph D. Spaar, being duly sworn according to law, states that he is the co-publisher of Focus on Oak Grove, a weekly newspaper located in the city of Oak Grove in Jackson County, Missouri; and that newspaper has been, and now is a newspaper of general circulation in said County; that said newspaper has been and now is admitted to the post office as second class matter in said city of Oak Grove, Missouri; said newspaper has had, and now has, a list of bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that the said notice hereto attached was published in said newspaper once a week for two week(s) as follows:

First Insertion: July 25, 2024

Second Insertion: August 1, 2024

Third Insertion:

Fourth Insertion:

Fifth Insertion:

Sixth Insertion:

Joseph D. Spaar
Joseph D. Spaar, co-publisher

Subscribed and sworn to before me this date of
August 1, 2024.

Witness my hand and official seal.

Donna L. Ehlert
Donna L. Ehlert, Notary Public

My Commission expires March 7, 2028



DONNA L. EHLERT
My Commission Expires
March 7, 2028
Lafayette County
Commission # 12488640

DONNA L. EHLERT
My Commission Expires
March 7, 2028
Alameda County
Commission # 15488640



Bates City aldermen discuss problems with recent storms

by Melody Cook telephone services. Mayor well reported trees on the received complaints about said he doesn't think the road work



NOTICE OF PRIMARY ELECTION SAMPLE BALLOT

STATE OF MISSOURI
JACKSON COUNTY
TUESDAY,
AUGUST 6, 2024
PRIMARY ELECTION

Notice is hereby given to the registered qualified voters of Jackson County, Missouri, outside the corporate limits of Kansas City, Missouri, that the Missouri Primary Election will be held on Tuesday, August 6, 2024, as certified by the Honorable John Ashcroft, Secretary of State, State of Missouri, and Mary Jo Spino, Clerk of the Legislature, Jackson County, Missouri. The polls will

STATE SENATOR
DISTRICT 7
JOEY LASALLE

DISTRICT 9
DERRON BLACK

DISTRICT 11
AARON MCMULLEN
JOE NICOLA
DAVID MARTIN

STATE REPRESENTATIVE
DISTRICT 19
KAREN I SPALDING

DISTRICT 20
MIKE STEINMEYER

DISTRICT 21

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 5
SCOTT QUALLS

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 5
NO CANDIDATE FILED

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 6
NO CANDIDATE FILED

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 6
MARY JO FREEMAN

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 7
MIKE MORRIS

COUNTY COMMITTEEWOMAN

DEMOCRATIC CANDIDATES FOR NOMINATION

U.S. SENATOR

KARLA MAY

DECEMBER L. HARMON

LUCAS KUNCE

MITA BISWAS

GOVERNOR

ERIC MORRISON

CRYSTAL QUADE

SHERYL GLADNEY

HOLLIS L LASTER

MIKE HAMIRA

LIEUTENANT GOVERNOR

RICHARD BROWN

ANASTASIA SYES

LEE'S SUMMIT TRIBUNE PUBLISHING LLC
AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
County of Jackson

I, Linda Ahern being duly sworn, according to law, state that I am the Owner and Publisher of Lee's Summit Tribune Publishing, LLC, a weekly newspaper of general circulation in the County of Jackson, State of Missouri, which newspaper has been admitted to the Post Office as periodical class matter in the City of Lee's Summit, Missouri; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers, voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, that this newspaper has complied with the provisions of Section 493.050, R.S. Mo., 2002 as amended, and Section 59.310, R.S. Mo., 2002 as amended.

The affixed notice appeared in said newspaper in the following issue(s): *JCEB - Sample Ballot*

Date	Volume	No.
<i>7-27-24</i>	<i>21</i>	<i>35</i>
<i>8-3-24</i>	<i>21</i>	<i>36</i>

Signed: *Linda Ahern*
NOTARY PUBLIC

Subscribed and
sworn before me the *10th* day of *April*, 20*24*

Daneen A. Thurman
DANEEN A. THURMAN
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 12471428
My Commission Expires Apr 11, 2024

MARY ELECTION BALLOT



QUESTION 4

IN WITNESS WHEREOF, the
Jackson County Board of

all Articles 6, 7, and 13 of the

Lee's Summit Tribune | Saturday, July 27, 2024

MARY ELECTION BALLOT



DEMOCRATIC CANDIDATES
FOR NOMINATION

COUNTY COMMITTEEMAN
BLUE SUB-DISTRICT 5
SCOTT QUALLS

Saturday, July 27, 2024 | Lee's Summit Tribune

NOTICE OF PRI SAMPLI

DEMOCRATIC CANDIDATES
FOR JACKSON COUNTY

COUNTY COMMITTEEMAN
PRAIRIE TOWNSHIP
NATHAN COCKRELL
PATRICK D. ROWLAND
KEMP STRICKLER

PROSECUTING ATTORNEY

MARY ELECTION BALLOT



Saturday, August 3, 2024 | Lee's Summit Tribune

NOTICE OF P SAMP

DEMOCRATIC CANDIDATES

Lee's Summit Tribune | Saturday, August 3, 2024



DEMOCRATIC CANDIDATES
FOR NOMINATION

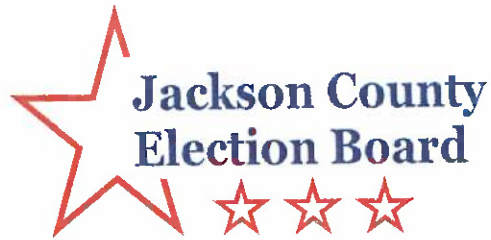
U.S. SENATOR
KARLA MAY
DECEMBER L. HARMON
LUCAS KUNCE
MITA BISWAS

GOVERNOR
ERIC MORRISON
CRYSTAL QUADE

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 5
NO CANDIDATE FILED
SCOTT QUALLS

COUNTY COMMITTEEWOMAN
BLUE SUB-DISTRICT 6
NO CANDIDATE FILED
COUNTY COMMITTEEWOMAN

TAMMY L. BROWN, DIRECTOR
SARA A. ZORICH, DIRECTOR



215 NORTH LIBERTY
POST OFFICE BOX 296
INDEPENDENCE, MISSOURI 64051
(816) 325-4600
FAX (816) 325-4609

<https://jcebmo.org>

OFFICIAL CERTIFICATION FOR AUGUST 6, 2024
PRIMARY ELECTION

STATE OF MISSOURI)
) ss
COUNTY OF JACKSON)

OFFICIAL ELECTION CERTIFICATION

We, the Jackson County Board of Election Commissioners, hereby certify that the foregoing is a true, correct and complete return of all votes counted in the Primary Election held Tuesday, August 6, 2024. IN TESTIMONY THEREOF, we hereunto set our hand and affixed the seal of said Board at its office in Independence, Missouri, this 13th day of August 2024.

Michael White

Michael K. Whitehead
Chairman

Henry R. Carter

Henry R. Carner
Secretary

Cullen M. Smith

Colleen M. Scott
Member

Lyn K Querry

Lyle K. Query
Member