

**BOARD MEETING
March 26, 2024**

**4:00 O’CLOCK P.M.
Workshop**

**5:00 O’CLOCK P.M.
Board Meeting**

**4600 East 63rd Trafficway
Kansas City, Missouri 64130**

Workshop

1 p.m. – Parkland Dedication

Board Meeting

Call to Order – President Beth Haden

Roll Call:

Board Members Present: President Haden, Commissioner Contreras, Commissioner Gorenc, Commissioner, Commissioner Smith

Board Members Absent: Commissioner Taylor

On a motion by Commissioner Smith, duly seconded by Commissioner Contreras, the Board approved the March 19, 2024 Board Minutes.

Resolution #32455 – Agreement with Starlight Theatre Association of Kansas City, Inc. Concert Presentations Agreement with Levy Premium Foodservice Limited Partnership

On a motion by Commissioner Contreras, duly seconded by Commissioner Smith, the Board approved the Agreement with Heart of America Shakespeare Festival and authorized the Director or designee to execute the agreement on behalf of the Board.

Background: The Starlight Theatre Association of Kansas City has been operating Starlight Theatre in Swope Park since it opened in the 1950’s. Under the current agreement, approval by the Board is required for any agreement concerning concessions occurring at Starlight. The Association’s contract with its previous concessions expired at the end of 2023. After a four-month negotiation process, the Association has reached a new comprehensive agreement with Levy Premium Foodservice Limited Partnership that they would like the Board to approve.

After reviewing this proposed agreement with Levy Premium Foodservice Limited Partnership, we believe it is in the best interest of the City to enter into this agreement. The Term of the agreement is April 1, 2024 of to December 31, 2033. Some of the highlights of this agreement are as follows:

Under the terms of this agreement, the Association and Levy Premium Foodservice Limited Partnership would:

1. Maintain all protections for Parks and the City of Kansas City afforded under the current agreement.
2. Return to a partnership model in which Levy Premium Foodservice Limited Partnership handles all food, beverage and retail operations with a net proceed split that should increase revenues to the Association through both direct ancillary revenue, sales tax opportunities, expanded sponsorship opportunities, and significant capital investment. The model also provides operational efficiencies that Starlight will benefit from reducing Starlight's administrative resource investments and realizing labor efficiencies as Levy operates food and beverage at the nearby Kansas City Zoo & Aquarium.
3. Provide a longer-term structure that enables better negotiations for this agreement.
4. Levy Restaurants and the Association shall have the right to terminate the agreement as outlined but notably at any point of two consecutive years of failing to meet defined Key Performance Indicators within the contract term.

Resolution #32456 – Resolution for the Swope Park Pool Project Scope

On a motion by Commissioner Contreras, duly seconded by Commissioner Gorenc, the Board approved that directed and approved staff to focus on the Swope Park Pool improvements at the current location of the Swope Park pool and support the allocation of City funding for construction, operations, maintenance, and marketing at the that location.

Background: The pool at Swope Park built in 1942 has become inoperable due to their aging equipment, plumbing and concrete structures. Replacing or repairing deficiencies in this pool is not a feasible or responsible long-term solution. The Parks Department and their consultant have recently completed the development of a city-wide aquatic master plan which has highlighted the need for new aquatic features in Swope Park. The Citywide 2024 GO Bond funding in the amount of \$10,000,000 is available for Parks in regard to design and construction for a new Swope Park Pool. Additionally, \$10,000,000 in Go Bond Funding is available to the 5th District Council Members to be used at their discretion for 5th District improvement projects.

Swope Park pool has historical importance associated with the 1954 court ruling to desegregate the Swope Park pool. In 1963, the city council passed an ordinance outlawing racial discrimination in public facilities. This meant that the entirety of Swope Park was finally open to all for the first time in its history.

The Park Board and the Fifth District Council met several times with staff to discuss where new outdoor pool improvements should be in Swope Park. The Park Board and Fifth District Council have instructed staff to move forward with the design, flood plain research and 30% construction plans for a new pool at the current Swope Park pool location.

Staff will work with the consultant to design a new pool that preserves the historical significance of the existing location and is designed to meet the Corp of Engineers and FEMA recommendations and regulations for construction in the flood plain. The pool design will have public engagement to find out what elements the community will want in a new pool.

Staff have been instructed to market and plan for the operation and maintenance of the pool in the existing location. The Park Board, City Council and City Staff will explore sources for funding options that may exceed \$30,000,000.

Resolution #32457 – Amendment #4 – Ground Lease with Children’s Mercy Hospital

On a motion by Commissioner Gorenc, duly seconded by Commissioner Contreras, the Board approved the Amendment #4 to the Ground Lease with Childrens Mercy Hospital, extending the contract time to December 31, 2024 and authorized the Director or designee to execute the amendment on behalf of the Board.

Background: The Parks Board and Children’s Mercy Hospital (“CMH”) entered a ground lease on June 5, 2007. Pursuant to Ground Lease, CMH was obligated to construct certain Parks Improvements to Hospital Hill Park. The Park Improvements completed by Children Mercy Hospital in Hospital Hill Park include walking and exercise trails, a basketball court and other park amenities.

Amendment three was amended to end the agreement on March 31, 2024. CMH has requested additional time to negotiate an extension to use and improved an existing lot at Hospital Hill that was used as a laydown yard in the initial agreement. The lot would be used for a parking lot.

This Board Resolution amends the Ground Lease to extend Children Mercy Hospital’s ground lease time until December 31, 2024.

Resolution #32458 – Cooperative Agreement with Elmwood Cemetery Society

On a motion by Commissioner Gorenc, duly seconded by Commissioner Smith, the Board approved the Agreement with Elmwood Cemetery Society in the amount of \$70,000 and authorized the Director or designee to execute the agreement on behalf of the Board.

Background: Elmwood Cemetery is located at 4900 East Truman Road, Kansas City, Missouri 64127, and the Armour Memorial Chapel Cottage is located within the Cemetery. It is listed in the National Register of Historic Places. Elmwood was founded in 1872. Elmwood encompasses forty-three acres and is the final resting place for over 36,000 people including many of the Kansas City founders. The beautiful Elmwood Cemetery grounds were designed by George Kessler who was instrumental in the design of the Kansas City Parks and Recreation system. The first African American Police Officer in Kansas City, Missouri, William F. Davis and his wife Annie are buried at this historic cemetery. Other notable internments are Americus McKim and James Whitfield who were the first owner of a Major League Baseball Team, the first Rabbi in Kansas City, Rabbi Marcu Cohen and Emma Longan the first woman to serve on the City of Kansas City Council.

The Elmwood Cemetery Society purpose is to compile, maintain, and make available to the public Elmwood Cemetery burial records and other records of historical significance and to maintain, preserve and promote the Elmwood Cemetery. One of the early presidents of the Elmwood Cemetery Society was August Meyer, who was also the first President of the Kansas City, Missouri Park Board. Mr. Meyer sought the services of Kessler to create the master plan for Elmwood Cemetery. Mr. Meyer is buried at the cemetery.

The Elmwood Cemetery Society and the Parks and Recreation Department would like to continue the existing agreement for the City to aid in the costs for the mowing and maintenance to the grounds and burial sites in an amount not to exceed Seventy Thousand Dollars no/100 (\$70,000), General Fund Account #1000-702150. The Elmwood Cemetery Society's responsibilities include preserving historical records associated with the Cemetery, including burial records, and conducting tours of Elmwood Cemetery. The term of this Agreement shall be for a period of one year beginning May 1, 2024, and ending April 31, 2025, and may be extended additional years, if City funding becomes available.

Resolution #32459 – Facility Use without Concession Agreement with The Whole Person

On a motion by Commissioner Smith, duly seconded by Commissioner Contreras, the Board approved the Agreement with The Whole Person and authorized the Director or designee to execute the agreement on behalf of the Board.

Background: The Whole Person offers a broad range of services to people with disabilities to increase their ability to perform day-to-day activities and reduce the need for support from family members, professional attendants, or other care-giving services.

They are requesting the use of the gymnasium at Mary Williams Neal Community Center for adult bocci ball. Sessions will take place on Tuesdays from 10:00 a.m. – 12:00 p.m. during the terms of this agreement. City will be compensated \$75.00/hour, for a total estimated payment of \$1,950.00.

The terms of this agreement will begin May 14, 2024, and end no later than December 10, 2024. The Whole Person will provide insurance coverage for commercial general liability per City's requirements.

Resolution #32460 – Facility Use with Concession Agreement with Guadalupe

On a motion by Commissioner Smith, duly seconded by Commissioner Contreras, the Board approved the Agreement with Guadalupe Centers, Inc. and authorized the Director or designee to execute the agreement on behalf of the Board.

Background: Guadalupe Centers, Inc. is requesting the use of the gymnasium at Tony Aguirre Community Center to host a youth basketball tournament. They have also requested the use of the kitchen and the gated parking lot. Concessions will be sold. The two-day event will be held from 8:30 a.m. – 5:00 p.m. during the terms of this agreement.

City will be compensated \$75.00/hr. for a total compensation of \$1,350.00 that will be paid in advance. The terms of this agreement will begin May 4, 2024, and end May 5, 2024.

Guadalupe Centers, Inc. will provide commercial general and sexual abuse/molestation insurance per City's requirements.

Resolution #32461 – Facility Use with Concession Agreement with KC Softball Club

On a motion by Commissioner Smith, duly seconded by Commissioner Contreras, the Board approved the Agreement with KC Softball Club and authorized the Director or designee to execute the agreement on behalf of the Board.

Background: KC Softball Club is requesting the use of facilities at Penn Valley Park, Diamond #1, located at West 29th and Broadway Boulevard for the purpose of conducting adult softball practices and games on Mondays from 5:30 p.m. – 10:30 p.m.

KC Softball Club agrees to compensate a 40% revenue share and \$30/hour for lights for an estimated payment of \$4,500.00. This agreement will start on May 8, 2024, and end November 1, 2024.

KC Softball Club will provide commercial general liability insurance per City's requirements.

Resolution #32462 – Amendment #1 with Shawnee Mission Tree Services dba Arbor Masters Tree & Landscape

On a motion by Commissioner Contreras, duly seconded by Commissioner Gorenc, the Board approved Amendment #1 with Shawnee Mission Tree Service dba Arbor Masters Tree & Landscape in the amount of \$175,000.00, extended the contract term to May 31, 2025 and authorized the Director or designee to execute the amendment on behalf of the Board.

Background: On Wednesday, May 17, 2023, a bid opening was conducted for EAB Ash Treatment Services FY24. The City, through the Board of Parks & Recreation Commissioners, entered into a contract with Shawnee Mission Tree Service dba Arbor Masters Tree & Landscape for a contract amount not to exceed \$175,000.00. The contract term is May 31, 2024 with the option to extend the term for two additional one-year periods.

As part of Forestry's Emerald Ash Borer (EAB) management programs, this amendment to the contract will treat and estimated 2,000 ash trees protecting them from EAB for two years. This allows these trees to continue to provide the many benefits trees offer and provides for a slow transition in our neighborhood's tree canopy as ash trees are removed and replacement trees planted.

The Civil Rights & Equal Opportunity Department reviewed and approved a 5% SLBE bid incentive goal for this contract.

Funding for these services is found in Forestry account #3090-707771. We will encumber \$175,000.00 to execute this Amendment #1.

Resolution #32463 through Resolution #32474 – Bid Awards of Ground Maintenance Services on Right-of-Ways

On a motion by Commissioner Smith, duly seconded by Commissioner Contreras, the Board approved bid award for **Grounds Maintenance Services for Right-of-Ways, Resolution #32463 through Resolution #32474** and authorized the Director or his designee to execute the contracts on behalf of the Board.

Background: Since 2019, rights-of-way mowing contracts have been sent to bid and awarded to contractors based on the lowest and best bid.

Currently the average cost per turf acre per cycle for grounds maintenance services on rights-of-way will be approximately \$81.48, but that doesn't account for rights-of-way contracts that are going back out to bid for the 2023 mowing season.

Each contract grants the option during the term of this Contract, upon properly executed amendment, to extend the term of this Contract for up to six (6) years total per the awarded bid rates.

The Board approved awarding the contracts at the following rates for the number of acres specified:

- Resolution #32463** - North District (North/Trails) to Tru-Cut for \$63.92/acre for 53 acres
- Resolution #32464** - North District (North/NE) to Lotus for \$69.00/acre for 85.25 acres.
- Resolution #32465** - North District (North/SW) to TurfBoss for \$72.80/acre for 90.30 acres.
- Resolution #32466** - North District (North/SE) to Lotus for \$72.00/acre for 89.40 acres.
- Resolution #32467** - North District (Vivion) to Lotus for \$102.94/acre for 17.00 acres.
- Resolution #32468** - North District (North/NW) to Lotus for \$52.31/acre for 99.4 acres.
- Resolution #32469** - South District (South/SE) to Lotus for \$67.55/acre for 92.10 acres.
- Resolution #32470** - South District (South/Central) to RPM for \$41.78/acre for 86.90 acres.
- Resolution #32471** - South District (South/SW) to Lotus for \$94.75/acre for 39.20 acres.
- Resolution #32472** - South District (South/North) to Lotus for \$83.57/acre for 58.10 acres.
- Resolution #32473** - Central District (Central/West) to Lotus for \$90.42/acre for 76.68 acres.
- Resolution #32474** - Central District (Central/East) to Tru-Cut for \$51.94/acre for 51.50 acres

Resolution #32475 through Resolution #32489 – Bid Award Ground Maintenance Services for Parks

On a motion by Commissioner Smith, duly seconded by Commissioner Contreras, the Board approved the Bid Awards for **Ground Maintenance Services for Parks, Resolution #32475 through Resolution #32489** and authorized the Director or designee to execute the contracts on behalf of the Board.

Background: Since 2019, parks mowing contracts have been sent to bid and awarded to contractors based on the lowest and best bid.

Currently the average cost per turf acre per cycle for grounds maintenance services for parks will be approximately \$45.98, but that doesn't account for the parks contracts that are going back out to bid for the 2024 mowing season.

Each contract grants the option during the term of this Contract, upon properly executed amendment, to extend the term of this Contract for up to six (6) years total per the awarded bid rates.

The Board approved awarding the contracts at the following rates for the number of acres specified:

- Resolution #32475** - North District (NO2P) to Millgoal for \$48.54/acre for 124.80 acres.
- Resolution #32476** - North District (NO4P) to Supreme Green for \$27.55/acre for 159.70 acres.
- Resolution #32477** - North District (NO3P) to Lotus for \$50.00/acre for 109.20 acres.
- Resolution #32478** - Central District (CO2P-Q) to 7even Services for \$40.00/acre for 44.28 acres.

- Resolution #32479** - Central District (CO3P-Q) to RC Landscape for \$31.42/acre for 48.00 acres.
- Resolution # 32480** - Central District (CO4P) to Envision Lawn for \$39.88/acre for 115.20 acres.
- Resolution #32481** - Central District (CO5P) to Urban Rangers for \$52.15/acre for 27.67 acres.
- Resolution #32482** - Central District (CO6P) to Dupree LLC for \$41.55/acre for 49.76 acres.
- Resolution #32483** - Central District (CO7P) to RC Landscape for \$28.69/acre for 30.85 acres.
- Resolution #32484** - Central District (CO8P) to Lotus for \$36.27/acre for 94.25 acres.
- Resolution #32485** - South District (SO1P) to Lawn Firm for \$42.67/acre for 86.14 acres.
- Resolution #32486** - South District (SO2P) to Cross Generations \$46.18/acre for 57.37 acres.
- Resolution #32487** - South District (SO3P) to Lotus for \$44.83/acre for 69.15 acres.
- Resolution #32488** - South District (SO4P) to Supreme Green for \$36.28/acre for 107.80 acres.
- Resolution #32489** - South District (SO5P) to RC Landscape \$46.80/acre for 74.25 acres.

Resolution #32490 through #32502 – Bid Awards for Ground Maintenance Services for Boulevards and Parkways

On a motion by Commissioner Contreras, duly seconded by Commissioner Smith, the Board approved Bid |Award for **Grounds Maintenance Services for Boulevards and Parkways, Resolutions #32490 through Resolution #32502** and authorized the Director or designee to execute the contracts on behalf of the Board.

Background: Since 2019, boulevard mowing contracts have been sent to bid and awarded to contractors based on the lowest and best bid.

Currently the average cost per turf acre per cycle for grounds maintenance services on boulevards and parkways will be approximately \$53.41, but that doesn't account for all the boulevards and parkways contracts that are going back out to bid for the 2023 mowing season.

Each contract grants the option during the term of this Contract, upon properly executed amendment, to extend the term of this Contract for up to six (6) years total per the awarded bid rates.

The Board approved awarding the contracts at the following rates for the number of acres specified:

- Resolution #32490** - Central District (CO1B) to Lotus for \$69.21/acre for 96.80 acres
- Resolution #32491** - Central District (CO2B) to RPM for \$31.33/acre for 82.20 acres.
- Resolution #32492** - Central District (CO3B) to Lotus for \$36.80/acre for 156.50 acres.
- Resolution #32493** - Central District (CO4B) to Lotus for \$38.33/acre for 144.00 acres.
- Resolution #32494** - Central District (CO5B) to Lotus for \$57.45/acre for 55.70 acres.
- Resolution #32495** - Central District (CO6B) to Lotus for \$54.93/acres for 103.40 acres.
- Resolution #32496** - Central District (CO7B) to Millgoal for litter removal only along Broadway Blvd. and Independence Blvd. \$302.67/acre for 7.50
- Resolution #32497** - South District (SO1B) to Lotus for \$46.13/acre for 93.64 acres.
- Resolution #32498** - South District (SO2B) to RPM for \$52.00/acre for 39.23 acres.
- Resolution #32499** - South District (SO3B) to Lotus for \$58.43/acre for 74.62 acres.
- Resolution #32500** - South District (SO4B) to Lotus for \$54.78/acre for 92.00 acres.
- Resolution #32501** - South District (SO5B) to Lotus for \$81.16/acre for 93.64 acres.
- Resolution #32502** - South District (Bruce R Watkins Dr/71 Hwy) to Envision Lawn for

\$16350/cycle for 10 cycles (4 cycles are reimbursed by MODOT), \$3450/LR cycle for 26 cycles (half the cycles are reimbursed by MODOT)

Resolution #32503 through Resolution #32507 – Bid Awards for Ground Maintenance Services for Enhance Parks

On a motion by Commissioner Smith, duly seconded by Commissioner Contreras, the Board approved Bid Award for **Grounds Maintenance Services for Enhanced Parks, Resolution #32503 through Resolution #32507** and authorized the Director or designee to execute the contracts on behalf of the Board.

Background: Since 2019, parks mowing contracts have been sent to bid and awarded to contractors based on the lowest and best bid.

Each contract grants the option during the term of this Contract, upon properly executed amendment, to extend the term of this Contract for up to six (6) years total per the awarded bid rates.

The Board approved awarding the contracts at the following rates for the number of acres specified:

Resolution #32503 - Central District (Ilus Davis Park) to Lotus for \$850/cycle for 28 cycles, \$350 per fertilization, and \$950 each for overseeding and aerification.

Resolution #32504 - Central District (Mill Creek) to Fairway Lawn for \$465/cycle for 28 cycles, \$200/LR cycle for 36 cycles.

Resolution #32505- South District (Brookside Triangle) to Millgoal for \$1560 for fertilization, overseeding and aerification.

Resolution #32506 - South District (Bruce R Watkins Cultural Heritage Center) to Millgoal for \$1330 for fertilization, overseeding and aerification.

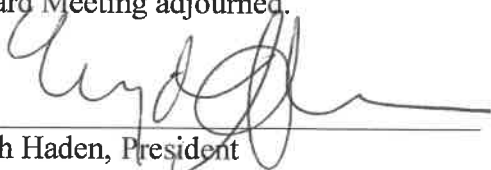
Resolution #32507 - South District (Loose Park) to Millgoal for \$2700/cycle for 28 cycles, \$900/LR cycle for 36 cycles, \$50,400.00 for fertilization, overseeding and aerification.

CLOSED SESSION

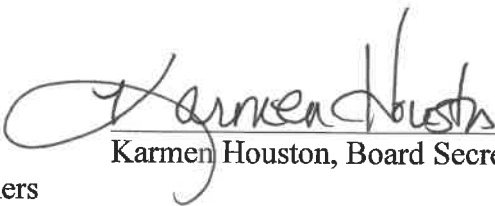
On a motion by Commissioner Smith, duly seconded the Board unanimously approved by roll call vote to enter into a Closed Session to discuss real estate and legal matters.

On a motion by Commissioner Smith, duly seconded the Board unanimously approved by roll call vote to leave Closed Session and enter back into an open meeting.

Board Meeting adjourned.



Beth Haden, President
Board of Parks and Recreation Commissioners



Karmen Houston, Board Secretary